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July 27, 1973—Pages 20059-20221

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PART I

(Part II begins on page 20159)



NEW LOCATION OF FEDERAL REGISTER OFFICE

Effective Monday, July 30, 1973, the Office of the Federal Register will be located in Room 8401, 1100 L St., NW., Washington, D.C. Documents may be delivered or inspected between the hours of 8:45 a.m. and 5:15 p.m., Monday through Friday, except for Federal holidays. The mail address will remain unchanged: Office of the Federal Register, National Archives and Records Service, Washington, DC 20408.

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Rules Going Into Effect Today

This list includes only rules that were published in the FEDERAL REGISTER after October 1, 1972.

page no.
and date

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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 Commerce

Section 213.3314 is amended to reflect the following title change: from one Private Secretary to the Director to one Administrative Officer, Bureau of Standards.

Effective on July 27, 1973, paragraph (f) (1) of § 213.3314 is amended as set out below.

§ 213.3314 Department of Commerce.

- (f) National Bureau of Standards.
(1) Administrative Officer.

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

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

[FR Doc.73-15469 Filed 7-26-73; 8:45 am]

PART 213—EXCEPTED SERVICE Action

Section 213.3359 is amended to show that one position of Deputy Associate Director for Domestic and Anti-Poverty Operations is expected under Schedule C. Effective on July 27, 1973, § 213.3359 (1) is added as set out below.

§ 213.3359 ACTION.

- (1) One Deputy Associate Director for Domestic and Anti-Poverty Operations.

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

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

[FR Doc.73-15468 Filed 7-26-73; 8:45 am]

PART 213—EXCEPTED SERVICE Department of Transportation

Section 213.3394 is amended to show that one position of Staff Assistant to the Under Secretary is excepted under Schedule C.

Effective on July 27, 1973, § 213.3394 (a) (43) is added as set out below.

§ 213.3394 Department of Transportation.

- (a) Office of the Secretary. * * *
(43) One Staff Assistant to the Under Secretary.

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

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

[FR Doc.73-15470 Filed 7-26-73; 8:45 am]

Title 9—Animals and Animal Products CHAPTER I—ANIMAL AND PLANT HEALTH INSPECTION SERVICE, DEPARTMENT OF AGRICULTURE

SUBCHAPTER D—EXPORTATION AND IMPORTATION OF ANIMALS (INCLUDING POULTRY) AND ANIMAL PRODUCTS

PART 94—RINDERPEST, FOOT-AND-MOUTH DISEASE, FOWL PEST (FOWL PLAGUE), NEWCASTLE DISEASE (AVIAN PNEUMOENCEPHALITIS), AFRICAN SWINE FEVER, AND HOG CHOLERA: PROHIBITED AND RESTRICTED IMPORTATIONS

Countries Declared To Be Free of Hog Cholera, Rinderpest and Foot-and-Mouth Disease

Statement of considerations. The purpose of these amendments is to add Sweden to the list of countries determined to be free of hog cholera and from which swine, pork and pork products may be imported into the United States without complying with §§ 94.9 and 94.10 but subject to other applicable restrictions.

On January 30, 1973, an amendment to the regulations in Part 94 (9 CFR) was published in the FEDERAL REGISTER (38 FR 2751) which set forth in § 94.1 (a) (2) the countries declared to be free of both rinderpest and foot-and-mouth disease. The Caribbean Islands of Barbados and Trinidad and Tobago should have appeared in said listing. Therefore, this action merely corrects said listing to properly include the Caribbean Islands of Barbados and Trinidad and Tobago.

Pursuant to section 2 of the act of February 2, 1903, as amended, section 306 of the act of June 17, 1930, as amended, and sections 2, 3, 4, and 11 of the act of July 2, 1962 (19 U.S.C. 1306; 21 U.S.C. 111, 134a, 134b, 134c, 134f), Part 94, Title 9, Code of Federal Regulations, is hereby amended as follows:

1. In § 94.1, paragraph (a) (2) is amended by adding thereto the names of the countries Barbados after the refer-

ence to "Bahama Islands" and Trinidad and Tobago after the reference to "Sweden", respectively.

2. Sections 94.9(a) and 94.10 are amended by adding thereto the name of the country Sweden after the reference to "New Zealand" wherever it appears in these sections.

(Sec. 306, 46 Stat. 689, as amended; sec. 2, 32 Stat. 792, as amended; secs. 2, 3, 4, and 11, 76 Stat. 129, 130, 132; 19 U.S.C. 1306; 21 U.S.C. 111, 134a, 134b, 134c, 134f; 37 FR 28464, 28477.)

Effective date. The foregoing amendments shall become effective July 24, 1973.

The amendments relieve certain restrictions presently imposed but no longer deemed necessary to prevent the introduction and dissemination of the contagion of hog cholera, and must be made effective immediately to be of maximum benefit to affected persons. The amendments also correct the listing of countries declared to be free of rinderpest and foot-and-mouth disease.

It does not appear that public participation in this rulemaking proceeding would make additional relevant information available to the Department.

Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendments are impracticable and unnecessary, and good cause is found for making them effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 24th day of July 1973.

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

[FR Doc.73-15509 Filed 7-26-73; 8:45 am]

Title 12—Banks and Banking CHAPTER II—FEDERAL RESERVE SYSTEM SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

[Reg. Q]

PART 217—INTEREST ON DEPOSITS

Applicability of Penalty for Early Withdrawals

The Board of Governors, pursuant to its authority under section 19 of the Federal Reserve Act to prescribe rules governing the payment of interest on deposits, has amended its Regulation Q (12 CFR Part 217) in order to clarify how the penalty for early withdrawals,

adopted by the Board on July 5, 1973, applies to various types of time deposit contracts.

There was no notice or public participation with respect to this amendment since such procedure would result in delay that would be contrary to the public interest and serve no useful purpose. See § 262.2(e) of the Board's rules of procedure (12 CFR 262.2(e)). The effective date was not deferred for the 30-day period referred to in section 553(d) of Title 5, United States Code, because this amendment recognizes an exemption. 5 U.S.C. section 553(d)(1).

§ 217.4 [Amended]

Effective immediately, the first sentence of § 217.4(d) of the Board's Regulation Q (12 CFR Part 217) is amended by adding a new footnote 6a at the end thereof to read as follows:

6a. The provisions of this paragraph apply to all time deposit contracts entered into after July 5, 1973 and to all existing time deposit contracts that are extended or renewed (whether by automatic renewal or otherwise) after such date, and to all time deposit contracts that are amended after such date so as to increase the rate of interest paid. All contracts not subject to the provisions of this paragraph shall be subject to the restrictions of § 217.4(d) in effect prior to July 5, 1973, which permitted payment of a time deposit before maturity only in an emergency where necessary to prevent great hardship to the depositor, and which required the forfeiture of accrued and unpaid interest for a period of not less than 3 months on the amount withdrawn if an amount equal to the amount withdrawn had been on deposit for 3 months or longer, and the forfeiture of all accrued and unpaid interest on the amount withdrawn if an amount equal to the amount withdrawn had been on deposit less than 3 months.

By order of the Board of Governors,
July 24, 1973.

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

[FR Doc.73-15539 Filed 7-26-73;8:45 am]

Title 14—Aeronautics and Space CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Airworthiness Docket No. 73-WE-14-AD;
Amdt. 39-1694]

PART 39—AIRWORTHINESS DIRECTIVES Sikorsky S-55 Series Helicopters

Pursuant to the authority delegated to me by the Administrator (31 FR 13697), an airworthiness directive was adopted July 17, 1973, and made effective immediately by telegram dated July 17, 1973, to all known United States operators or owners of Sikorsky S-55 series helicopters incorporating AiResearch TSE331-3U-303N engines installed in accordance with Supplemental Type Certificate No. SH125WE or SH127WE (Aviation Specialties, Inc.). The AD, adopted on July 17, 1973, requires the installation of a fuel bypass system and incorporation of an appropriate FAA-ap-

proved helicopter flight manual revision, with provision for equivalent modifications and revisions approved by the Chief, Aircraft Engineering Division, FAA Western Region.

Since it was found that immediate corrective action was required, notice and public procedure thereon was impracticable and contrary to the public interest and good cause existed for making the airworthiness directive effective immediately to all known operators or owners of Sikorsky S-55 series helicopters with AiResearch TSE331-3U-303N engines installed in accordance with Supplemental Type Certificate No. SH125WE or SH127WE. These conditions still exist and the airworthiness directive is hereby published in the FEDERAL REGISTER as an amendment to § 39.13 of Part 39 of the Federal Aviation Regulations to make it effective as to all persons:

Pursuant to the authority of the Federal Aviation Act of 1958, as amended, delegated to me by the Administrator, the following airworthiness directive applicable to operators of Sikorsky S-55 series helicopters modified to incorporate AiResearch TSE331-3U-303N engines installed in accordance with Supplemental Type Certificate No. SH125WE or SH127WE is effective immediately upon receipt of this telegram. This directive is necessary because of the possibility of engine overspeed and resultant third stage turbine failure. Except as provided by FAR 21.197, the following is required prior to further flight:

(a) Install a fuel bypass system in accordance with AiResearch Service Bulletin No. TSE331-73-5004 and Aviation Specialties Service Bulletin No. AS55-01-1, both dated July 16, 1973, or later FAA-Approved revisions thereto.

(b) Incorporate the FAA-Approved Aviation Specialties Rotorcraft Flight Manual Revision 3 dated July 17, 1973.

(c) Equivalent modifications and rotorcraft flight manual revisions may be approved by the Chief, Aircraft Engineering Division, FAA Western Region.

This amendment is effective July 31, 1973, for all persons except those to whom it was made effective immediately by telegram dated July 17, 1973.

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

Issued in Los Angeles, California on July 19, 1973.

ARVIN O. BASNIGHT,
Director, FAA Western Region.

[FR Doc.73-15454 Filed 7-26-73;8:45 am]

[Airspace Docket No. 73-SO-51]

PART 73—SPECIAL USE AIRSPACE

Alteration of Restricted Area

The purpose of this amendment to Part 73 of the Federal Aviation Regulations is to alter Restricted Area, R-2916 Cudjoe Key, Fla., by changing its using agency and by designating a controlling agency for it. Designation of a controlling agency will permit joint use of the restricted area.

The Department of the Air Force has agreed to the alterations. The change in

using agency will more clearly identify the organization for whom the restricted area is designated and the joint-use provision associated with designation of a controlling agency will permit more efficient use of the involved airspace by allowing others to use it when it is not required by the using agency.

This amendment reduces a restriction upon the public and it is a minor amendment upon which the public would have no particular reason to comment. Therefore, notice and public procedure thereon are deemed unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, this amendment will become effective more than 30 days after publication.

In consideration of the foregoing, Part 73 of the Federal Aviation Regulations is amended, effective 0901 G.m.t. October 11, 1973, as hereinafter set forth.

In § 73.29 (38 FR 640) the description of Restricted Area R-2916 is amended to read as follows:

R-2916 CUDJOE KEY, FLA.

Boundaries. A circular area 4 statute miles in diameter centered at latitude 24°42'01" N., longitude 81°30'30" W.

Designated altitudes. Surface to 14,000 feet MSL.

Time of designation. Continuous.
Controlling agency. Federal Aviation Administration, Miami ARTC Center.

Using agency. USAF, 20th Air Division.
(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1348(a); sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on July 20, 1973.

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

[FR Doc.73-15455 Filed 7-26-73;8:45 am]

Title 18—Conservation of Power and Water Resources

CHAPTER I—FEDERAL POWER COMMISSION

SUBCHAPTER E—REGULATIONS UNDER THE NATURAL GAS ACT

[Docket No. R-464; Order No. 488]

PART 154—RATE SCHEDULES AND TARIFFS

Filing of Natural Gas Tariff Changes

JULY 17, 1973.

On December 14, 1972, we noticed (37 FR 28195 December 21, 1972) proposed amendments to several sections of Part 154 of the Regulations under the Natural Gas Act to require that a natural gas company file a cost of service for a test period consisting of 12 consecutive months of most recent actual experience, adjusted for changes in revenues and costs which will become effective within 9 months after the last month of actual experience, but in no event shall such test period extend more than 9 months beyond the date of filing.

In the notice we expressed our intent that this rulemaking would facilitate the use of a year-end rate base adjusted to reflect the conditions that exist at the

end of the nine month adjustment period. Under our proposal changes in operation and maintenance expenses, return, depreciation and taxes would be adjusted to equivalent annual levels at the end of the nine month period.

Our regulations presently require that a natural gas company, in operation for 12 months at the time of filing for an increase in rates, file a cost of service for a test period consisting of 12 consecutive months of most recent actual experience, adjusted for changes in revenues and costs which are known and measurable with reasonable accuracy and which will become effective within nine months after the last month of actual experience, but in no event shall such test period extend more than 6 months beyond the date of filing.

Interested persons were invited to submit, on or before February 28, 1973,¹ comments or suggestions in writing regarding the proposed amendments and to indicate whether they request a conference.

14 respondents (Appendix A) filed comments to the Commission's Notice of Proposed Rulemaking in Docket No. R-464 consisting of eight natural gas pipelines, one electric company, one gas distribution company, the Independent Natural Gas Association of America, the Rhode Island Consumer's Council, an accountant, and an accounting firm. Only two respondents objected to the proposal set forth in the rulemaking. One objecting respondent, Laclede Gas Company (Laclede), complained that the proposed rule would enable rate increase applicants to base their rate increase requests on too much estimation and speculation. These estimates, Laclede maintains, would be difficult to test and there would be no way to determine whether the estimates were accurate.

Contrary to Laclede's assertions, the basis and accuracy of cost estimates will be tested by the full breadth of due process standards including discovery, presentation of evidence, cross-examination, briefing, initial decision, and Commission Opinion. It is our belief that the test period to be adopted herein will be reasonably representative of sales, plant, depreciation and other costs when the rates go into effect and will provide a test period more suitable for the determination of rates for future use than under present methods. The regulatory ability to set rates based on the most recent costs available will yield greater rate stability and less frequent rate increase requests which will reduce the attendant regulatory costs to ratepayers and the public.

The Rhode Island Consumer's Council also opposes the rulemaking because Rhode Island does not "subscribe to the concept of year-end rate base" and believes the proposal would predetermine

certain substantive evidentiary issues. We disagree with the Rhode Island Council's position on year-end rate base inasmuch as we believe that it provides the most appropriate means of setting rates that reflect the costs incurred during the period the rates are in effect. Cf. Opinion No. 635, El Paso Natural Gas Company, wherein we adopted the concept of the year-end rate base.

The remaining respondents generally approved of the rulemaking while offering certain limited objections and alternate proposals.

INGAA, whose suggestions were joined by seven of its members,² maintains that the extension of the period of adjustment, for changes in revenue and costs which will become effective from six to nine months, will have little significant benefit.

INGAA and Northern contend that consistent with the rulemaking proposal, § 154.63(e)(2)(i) of the regulations under the Natural Gas Act should redefine test period. Northern proposed the following definition:

"* * * but in no event shall such test period extend more than nine months beyond date of filing; and the test period rate base shall be the accumulated balances at the end of the base period brought up to the end of the adjustment period; Provided, * * * but this shall not preclude the filing company from including items which, on the basis of existing fact, it can show will be experienced or from annualizing changes in revenues or costs occurring during the base period or during the nine-month adjustment period."

We will amend § 154.63(e)(2)(i) to reflect the limitation of test period to nine months beyond the date of filing. With respect to the suggestion that the above section prescribe the test period rate base, we believe that the schedules amended and added herein will provide for the development of a year-end rate base in the same manner as suggested by Northern. Accordingly, Northern's proposed redefinition of "that period" is unnecessary.

Northern points out that proposed Schedule C-2 refers to major plant additions and suggests that Schedule C-3 be changed to include all plant additions by amending it as follows:

In adjoining columns there should be shown the effect of the test period adjustments on the balance at the end of the base period to arrive at an adjusted balance as of the end of the nine-month adjustment period.

We concur with this suggestion and shall adopt it.

Also pointed out by INGAA, United and Northern is that the proposed Schedule C-3—Plant and Depreciation Schedules—does not contain the proviso which protected pipeline companies without detailed plant accounts. It is

proposed that such proviso be retained. We agree and shall add the proviso to proposed Schedule C-3.

Tennessee suggests that because of the proposed change from "last five calendar years" to "last calendar year" in Schedule C-4 the language "summarizing the following by years with respect to" should be changed so that it reads "summarizing the following with respect to". We agree and adopt the suggestion.

Northern also questions the adding of proposed footnote (3) to the end of § 154.63 covering Statement F(1) because proposed footnote (2) to Statement F(2) can be amended to include the data desired by proposed footnote (3). We concur in this suggestion and shall change the rulemaking accordingly. Proposed footnote (3) will be deleted.

Northern maintains that the proposed additions to Statements F(3) and F(4), requiring the weighted average cost of capital to be computed for each issue of debt and preferred stock both as of the end of the twelve months of actual experience and as of the nine month adjustment period, will cause confusion.

We disagree, the purpose of this requirement is to have data on which to compare changes or trends in cost of capital between different periods of time and thus these statements will be retained.

INGAA objects to proposed new Statements F(3)(9) and F(4)(i) which relate to treatment of discounts on reacquired securities as being premature. We believe that Statement F(3)(9) information is necessary to facilitate the processing of rate cases. The gains and losses should be computed according to the method set forth in Manufacturers Light & Heat Company, Opinion No. 583. With respect to Statement F(4)(i), we will delete it since companies are required to write off any discount on reacquired preferred stock against paid in capital.

Statement F(5)-5 requires the filing of "Times Interest Earned" before and after taxes produced by the claimed rate of return and include the method of computation. One respondent suggests that since there is no universally agreed upon way of computing "Times Interest Earned" we should prescribe in Statement F(5)-5 some method of computation. We believe it unnecessary at this time to provide an inflexible formula for the computation of times interest earned but rather will allow applicants to present their own computation, the reasonableness of which will be tested on an individual applicant basis.

INGAA opposes proposed Statement F(6) requiring filing of a statement of source and application of funds for the base period and nine-month adjustment period. Upon further review of Statement F(6) we conclude that the data requested therein is necessary as a filing requirement.

INGAA and others expressed strong opposition to the inclusion of revised Statement O—Description of Company Operations particularly Sub-paragraphs 2, 3, and 4, which would require the

¹The notice originally prescribed a comment date of January 29, 1973, which upon Motion of The Independent Gas Association of America (INGAA) requesting an extension of the filing date until February 12, 1973, was extended until February 28, 1973, by a notice issued January 19, 1973.

²Colorado Interstate Gas Corporation (CIG), Columbia Gas Transmission Company (Columbia), El Paso Natural Gas Company (El Paso), Northern Natural Gas Company (Northern), Southern Natural Gas Company (Southern), Tennessee Gas Pipeline Company (Tennessee), United Gas Pipeline Company (United).

filing of a complete rate history, history of major expansions and abandonments, and a digest of contracts with individual producers respectively, as "too burdensome, unrealistic and of truly doubtful value to either the Commission or its Staff".

We concur in part with INGAA with respect to the filing requirements of revised Statement O. We believe it essential for the Commission and Staff in reviewing section 4(e) rate increases to have each applicant's rate history in order that each rate increase request may be viewed in its proper perspective. We therefore will retain subparagraph 2 of Statement O. We recognize that the compilation of the rate history may be difficult to prepare initially; however, once it is prepared it will only need to be updated. Recognizing the merits of INGAA's argument, we will limit proposed subparagraph (3) to the filing of the last five years of expansion, abandonment, and certificate history. With respect to proposed subparagraph (4), it is particularly important during this period of limited gas supply for the Commission to have as complete information as is reasonably possible on the ability of pipeline companies to meet their market requirements. In estimating test period sales and revenues, consideration must be given to the maximum capability of the various sources of gas supply as well as the flexibility permitted by the supplier contracts. We recognize, however, that certain sources of supply have very little effect upon company operations and the reporting of contract information thereon would impose a hardship without any appreciable benefit. We will therefore require the reporting of information on (a) contract minimum and maximum take obligations, (b) estimated peak day deliverability during the test period, (c) contemplated "swings" between sources of supply and (d) the term of the contract, but such requirement will be limited to contracts accounting for 1.0 billion cubic feet annually.

INGAA requests a conference to further discuss the issues in this rulemaking. In light of the comprehensiveness of the written comments on the proposal we do not believe a conference is required.

In the notice of this rulemaking we also proposed to add to our Regulations under the Natural Gas Act, § 154.28 to require each natural gas company filing any tariff change with the Commission to include in its filing a notice of the proposed change, suitable for publication in the *FEDERAL REGISTER*. This notice is to briefly summarize the facts contained in the filing in such a way as to

acquaint the public with its scope and purpose. We note that several parties have already included such notice format with major rate cases but have not provided it for other tariff changes. It is our intent that any change to a tariff on file with this Commission shall include the type of notice described above.

We believe that this amendment with respect to noticing will facilitate processing of tariff change filings.

The Commission finds:

(1) The notice and opportunity to participate in this rulemaking proceeding with respect to matters presently before this Commission through the submission, in writing, of data, views, comments, and suggestions in the manner described above, are consistent and in accordance with the procedural requirements prescribed by 5 U.S.C. 553.

(2) The amendments to Part 154 of the Regulations under the Natural Gas Act herein prescribed, are necessary and appropriate for the administration of the Natural Gas Act.

(3) Since the amendments prescribed herein, which were not included in the notice of this proceeding, are of a minor nature and consistent with the purpose of the Proposed Rulemaking, further compliance with the notice provision of 5 U.S.C. 553 is unnecessary.

(4) Since the amendments proposed herein make the reporting and filing

process more complete and informative, good cause exists for making these amendments effective upon issuance of this order.

The Commission, acting pursuant to the provisions of the Natural Gas Act, as amended, particularly sections 8, 10, and 16 of the Natural Gas Act (52 Stat. 825, 826, 830; 15 U.S.C. 717q, 717l, 717o), orders:

a. Section 154.63(e)(2)(i) is amended by redefining test year to read as follows:

§ 154.63 Changes in a tariff, executed service agreement or part thereof.

(e) * * *

(2) Base and test periods.

If the natural gas company has been in operation for 12 months at the time of the filing, the Statements A to M, inclusive, and O and P or, L through N inclusive, as appropriate, and supporting schedules, shall be based upon a test period which shall consist of a base period of 12 consecutive months of most recently available actual experience, adjusted for changes in revenues and costs which are known and are measurable with reasonable accuracy at the time of the filing, and which will become effective within nine months after the last month of available actual experience utilized in the filing, but in no event shall such test period extend more than nine months beyond the date of filing; * * *

§ 154.63 [Amended]

b. Section 154.63 *Changes in a Tariff, Executed Service Agreement or Part Thereof* of the regulations under the Natural Gas Act is amended as follows:

Present

Paragraph (c)(1) and (2): Item by reference for major rate increase.

Paragraph (e)(4): Working papers and supporting data.

Schedule C-2 showing major plant addition and retirement projects for the test period, brief descriptions, approximate dates of commercial operation or retirement from service, and cost.

Schedule C-3, which is to be part of the working papers showing twelve average monthly book balances, during the 12 months in the base period, for each detailed plant account, each subtotal representing functional classifications and total plant, the sum of such 12 average balances shall be divided by 12; and the effect of proposed adjustments on the average balances: Provided, however, that to the extent plant costs are not available by detailed plant accounts they may be shown by functional classifications.

Schedule C-4

Amendments

Change: "Chief, Pipeline Division" to "Chief, Pipeline and Producer Rate Division."

Change: "Pipeline Division" to "Pipeline and Producer Rate Division."

Schedule C-2 showing major plant addition and retirement projects during the nine months after the last month of the base period, brief descriptions, approximate dates of operation or retirement from service and costs classified by functions.

Schedule C-3 which is to be part of the working papers showing monthly book balances, for each of the 12 months in the base period by functional classification and detailed by plant account. Provided, however, that to the extent plant costs are not available by detailed plant accounts they may be shown by functional classifications. In adjoining columns there shall be shown the effect of the test period adjustments shown in Schedule C-2 on the balance at the end of the base period to arrive at an adjusted balance as of the end of the nine-month adjustment period.

Change: "The last five calendar years" to "the last calendar year" and delete "the years" from "summarizing the following by years with respect to".

Present

Schedule C-5 showing in respect of Accounts 106 and 107, at the beginning and end, respectively, of the 12 months of actual experience a list of uncompleted work orders (small items grouped) claimed in the rate base, giving the work order number, description, and amount of each, and the amounts of each type of undistributed construction overheads. As part of the working papers included: a main-line map showing all major projects completed during the base period, with a key system indicating major work orders included in each project and reference to FPC certificate numbers; a list of principal projects certified by FPC (including temporary certificates for the last five calendar years, ending during the 12 months of actual experience); setting forth the actual or estimated cost of the facility and indicating the total increase in contract demand and annual volumes associated with each major certificate.

Schedule C-10, which is to be part of the working papers, giving full details including docket number of any acquisitions of gas in place, other than acquisition of leasehold interests, for the last five calendar years, ending during the twelve months of actual experience.

Schedule C-12, which is to be part of the working papers, and may be cross-referenced if such material is in the company's FPC Form No. 2, complete statement of methods and procedures followed in capitalizing interest during construction and other construction overheads, only if a change in such methods and procedures has been made since the end of the year reported in the company's last FPC Form No. 2.

Schedule C-13, which is to be part of the working papers, and may be cross-referenced if such material is in the company's FPC Form No. 2, showing any significant changes in intangible plant for the last five calendar years, ending during the twelve months of actual experience.

Schedule C-14, which is to be part of the working papers, setting forth the cost of plant in service and description thereof carried on the company's books as gas utility plant which was not being used in rendering gas service.

Schedule C-15
Schedule C-16

Amendments

Schedule C-5 showing in respect of Accounts 106 and 107, at the end of the 12 months of actual experience a list of uncompleted work orders (small items grouped) claimed in the rate base, giving the work order number, docket number, description and amount of each and the amounts of each type of undistributed construction overheads.

Schedule C-10 which is to be part of the working papers, giving full details including docket number of any acquisitions of gas in place, other than acquisition of leasehold interests for the calendar years since the last rate filing, but not to exceed 5 years.

Schedule C-12, which is to be part of the working papers, a complete statement of methods and procedures followed in capitalizing interest during construction and other construction overheads, only if a change in such methods and procedures has been made since the end of the year reported in the company's last FPC Form No. 2.

Schedule C-13, which is to be part of the working papers showing any significant changes in intangible plant since the end of the year reported in the company's last FPC Form No. 2.

Schedule C-14, which is to be part of the working papers, setting forth the cost of plant in service and description thereof carried on the company's books as gas utility plant which was not being used in rendering gas service, only if there is a significant change in such amounts since the end of the year reported in the company's last FPC Form No. 2.

Delete entire Schedule.

Present

Schedule C-16, which is to be part of the working papers, setting forth any operating units or systems acquired for which Commission approval of the final accounting has not been obtained. For such acquisitions submit summary analysis of the property acquired, proposed journal entries to record the acquisition and the proposed disposition of any difference between cost of acquisition and net original cost.

Statement D—Accumulated provisions for depreciation, depletion, amortization and abandonment. This statement shall show the accumulated provisions for depreciation, amortization, depletion, and abandonment (Accounts 108, 109, 110, 111.1, 111.2, 111.3, 112, 113.1, 113.2), as of the beginning of the 12 months of actual experience, the book additions and reductions during the 12 months, together with the balances at the end of the 12-month period. In adjoining columns, there should be shown the adjustments, if any, to the book amounts and the total. All adjustments shall be clearly and fully explained in the supporting material submitted.

Schedule D-1, which is to be part of the working papers, showing twelve average monthly book balances, during the twelve months in the base period, for each account and functional plant classification, the sum of such 12 average balances shall be divided by 12; and the effect of proposed adjustments on the average balances.

Statement E—Working Capital

Amendments

Schedule C-15, which is to be part of the working papers, setting forth any operating units or systems acquired for which Commission approval of the final accounting has not been obtained, the proposed journal entries to record the acquisition, and the proposed disposition of any difference between cost of acquisition and net original cost, only if there is a significant change in such amounts since the end of the year reported in the company's last FPC Form No. 2.

Statement D—Accumulated provisions for depreciation, depletion, amortization, and abandonment. This statement shall show the accumulated provisions for depreciation, depletion, amortization, and abandonment (Accounts 108 [detailed by functional plant classification], 111), as of the beginning of the 12 months of actual experience, the book additions and reductions during the 12 months, together with the balances at the end of the 12-month period. In adjoining columns there shall be shown adjustments to these ending book balances and the total adjusted balances.

Schedule D-1, which is to be part of the working papers showing monthly book balances, for each of the 12 months in the base period by functional plant classification. In adjoining columns there shall be shown the effect of the adjustments shown in Schedule D on the balances at the end of the base period to arrive at adjusted balances as of the end of the nine-month adjustment period.

Delete the following sentence which is no longer applicable, "Also, during the period corporate tax payment provisions of the Internal Revenue Code of 1954 remain in effect these shall be reflected a credit to the gross working capital an amount equal to 50 percent of the current portion of the claimed federal income tax allowance in the cost of service."

Statement F(1)—Amend footnote 2 as follows:

Change footnote "3" Where the capital of the filing company" to read "Where any component of the capital of the filing company . . ."

Statement F(3)—After "12 months actual experience" add "and as of the end of the nine-month period."

Present

New Statement

Amendments

Statement F(3)(g)—If the Company has acquired at a discount or premium, some part of the outstanding debt which could be used in meeting sinking fund requirements, or for other reasons, it shall show the annual amortization of the discount or premium, for each series of debt from the date of reacquisition, over the remaining life of the debt being retired and separately show the total discount and premium, as a result of such amortization, applicable to the test period.

Statement F(4)—After "12 months actual experience" add "and as of the end of the nine-month period."

Schedule F(5)—5—Show the "Times Interest Earned," before and after taxes, produced by the claimed rate of return and disclose the method of computation.

Schedule F(6)—Submit a Statement of Changes in Financial Position for the base period consisting of the 12 months of actual experience utilized in the test year.

Delete sentence, "If any of such prices are effective subject to refund, there shall be shown, by contract and the Commission docket number, for the base period, the rate per Mcf, and the amount collected subject to refund."

Delete after producing area, "but with a statement of the extent to which prices effective subject to refund are included."

Delete entire last paragraph, "If the company records any amount on its books in a given month during the 12 months of actual experience which apply to gas purchases for a previous month or other period, a schedule indicating month and amount of payment made and distribution of payment and volumes to months to which applicable shall be submitted."

Delete "The latter representing 52 percent of the excess of liberalized description and accelerated amortization of emergency facilities, if any, claimed under Sections 167 and 168 of the Internal Revenue Code, respectively, over straight-line depreciation allowable for tax purposes" from the statement.

Schedule H(3)—6—Accumulated deferred income taxes. This statement shall show monthly book balances of accumulated deferred income taxes for each of the 12 months during the base period. In adjoining columns there shall be shown additions and reductions for the nine months subsequent to the base period balance and the total adjusted balance.

New Schedule of Statement F(5)-5

Schedule H(1)-3

Schedule H(3)—Income Taxes

New Statement

Present

Statement O—Description of Company Operations. A description of the company's area and diversity of operations including miles of pipe and compressor stations operated and breakdown of sales as among field and transmission and jurisdictional and non-jurisdictional. A concise statement of the last rate case of applicant with reference to FPC docket numbers and reference to FPC decisions, orders and rate schedules applicable to applicant.

Amendments

Statement O—Description of Company Operations. A description of the company's area and diversity of operations including the following:

(1) A detailed system map.

(2) A complete rate history showing filing and rate levels since the beginning of the company with a brief description of each filing.

(3) A detailed history of each major expansion, (new service) and major abandonment certificate filing for the last 5 years of the company along with a brief description of each filing.

(4) A digest of contractual provisions with individual producer suppliers who deliver in excess of 1 Bcf annually relative to volumes (minimum and maximum obligations) and term, by contract. Digest should include estimated peak day deliverability for reserves dedicated under each contract as well as contemplated "swings" between sources of supply.

(5) A detailed description of how the company designs and operates its systems, including design temperature or temperatures and the effect of conjunctive billing on design consideration.

In addition the Commission is adding to its regulations under the Natural Gas Act, § 154.28 which would require each natural gas company filing a tariff change with the Commission to include in its filing a notice of the proposed change, suitable for publication in the FEDERAL REGISTER, which will briefly summarize the facts contained in the filing in such a way as to acquaint the public with its scope and purpose. The new section is as follows:

§ 154.28 Form of notice for Federal Register.

The company shall file a form of notice suitable for publication in the FEDERAL REGISTER which shall be in the following form:

UNITED STATES OF AMERICA
FEDERAL POWER COMMISSION
Name of Company) Docket No.
NOTICE OF PROPOSED CHANGES IN FPC
GAS TARIFF

Take notice that (name of company), on (date), tendered for filing proposed changes in its FPC Gas Tariff, Volume No. (number).

[The following language in the first paragraph applies only to increased rate filings.] The proposed changes would increase revenues from jurisdictional sales and service by (dollar amount) based on the 12 month period ending (date), as adjusted. [If charges are proposed, the company shall state concisely the nature of these changes.] [The company shall briefly describe the reasons for the proposed changes in the second paragraph.]

Copies of the filing were served upon the company's jurisdictional customers (other parties the company served, *inter alia*, state regulatory commissions, other government agencies, etc.).

Any person desiring to be heard or to protest or object should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE, Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants

parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

APPENDIX A

Fourteen parties responded to the proposal:

Natural Gas Pipeline Companies

Michigan Gas Storage Company
El Paso Natural Gas Company
Tennessee Gas Pipeline Company
United Gas Pipe Line Company
Columbia Gas Transmission Corporation
Southern Natural Gas Company
Northern Natural Gas Company
Colorado Interstate Gas Company

Gas Distributor

Laclede Gas Company

Electric Distributor

Northern States Power Company

Associations

Independent Natural Gas Association of America
Arthur Anderson & Company

Consumers' Council

Rhode Island Consumers' Council

Individual

W. T. Hyde, Jr.

[FR Doc. 73-15415 Filed 7-26-73; 8:45 am]

Title 21—Food and Drugs

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

SUBCHAPTER A—GENERAL

PART I—REGULATIONS FOR THE ENFORCEMENT OF THE FEDERAL FOOD, DRUG, AND COSMETIC ACT AND THE FAIR PACKAGING AND LABELING ACT

Clarification of Labeling of Foods With Information on Cholesterol and Fat and Fatty Acid Composition

In the FEDERAL REGISTER of March 14, 1973 (38 FR 6961) the Commissioner of Food and Drugs promulgated a new § 1.18 *Labeling of foods in relation to fat, fatty acid, and cholesterol content.*

Paragraph (h) of the new § 1.18 provides that "Any label or labeling containing a statement on cholesterol and fatty acid content not in conformity with this section shall be deemed to be misbranded under sections 201(n) and 403 (a) of the act." Several manufacturers have indicated that this language is ambiguous and they are uncertain as to the propriety of including information concerning cholesterol or fat and fatty acids other than that expressly provided for in 21 CFR 1.18.

It was the intent of the Commissioner that the only information concerning cholesterol, fat or fatty acids which could appear on the label would be that information specifically authorized by 21 CFR 1.18.

To clarify this issue the Commissioner has concluded that 21 CFR 1.18 should be revised to state clearly that the only statements relating to cholesterol, fat, or fatty acids which may be made are those expressly permitted by that section.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 201, 403, 701(a), 52 Stat. 1040-1042 as amended, 1047-1048 as amended, 1055; 21 U.S.C. 321, 343, 371(a)) and under authority delegated to the Commissioner (21 CFR 2.120), paragraph (h) of § 1.18 (38 FR 6961) is revised to read as follows:

§ 1.18 Labeling of foods in relation to fat, fatty acid, and cholesterol content.

(h) No statements relating to cholesterol, fat or fatty acids, other than those expressly permitted by this section may be made. Any label or labeling containing any statement concerning cholesterol, fat or fatty acids which is not in conformity with this section shall be deemed to be misbranded under sections 201(n) and 403(a) of the act.

As this order merely clarifies an existing regulation, prior notice and delayed effective date are not necessary prerequisites to this promulgation.

Effective date. This order shall become effective on July 27, 1973.

(Secs. 201, 403, 701(a), 52 Stat. 1040-1042, as amended, 1047-1048, as amended, 1055; 21 U.S.C. 321, 343, 371(a))

Dated: July 19, 1973.

SAM D. FINE,
Associate Commissioner
for Compliance.

[FR Doc. 73-15462 Filed 7-26-73; 8:45 am]

Title 36—Parks, Forests and Memorials

CHAPTER I—NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

PART 7—SPECIAL REGULATIONS, AREAS OF THE NATIONAL PARK SERVICE

Andersonville National Historic Site, Ga.

Notice is hereby given that pursuant to the authority contained in section 3 of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 3), the Act of October 16, 1970 (84 Stat. 989; 16 U.S.C. 461), 245 DM-1 (27 FR 6394), National Park Service Order No. 77 (38 FR 7478), as amended, and Regional Director, Southeast Region Order No. 5 (37 FR 7721) it is proposed to amend Part 7 of Title 36 of the Code of Federal Regulations as set forth below.

The purpose of this amendment is to ensure that all monuments and memorials erected at Andersonville be compatible with the intent and purpose of the establishment of the National Historic Site. The monument and memorial size, type, design, inscription and erection guidelines established by the Director, Southeast Region are available at Andersonville National Historic Site and the

National Park Service Southeast Regional Office, Atlanta, Georgia. Only monuments and memorials of State recognition will be approved.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments, suggestions, or objections regarding the proposed amendment to the Superintendent, Andersonville National Historic Site, Andersonville, Georgia 31711, on or before August 27, 1973.

Part 7 is amended by adding a new § 7.94 to read as follows:

§ 7.94 Andersonville National Historic Site.

(a) Monuments and memorials. Approval must be obtained from the Director, Southeast Region, prior to the erection of a monument or memorial at Andersonville National Historic Site. The size, type, design, inscription, erection, and disposition of the monument or memorial shall be in accordance with guidelines established by the National Park Service. Such guidelines are obtainable from the Director, Southeast Regional Office, National Park Service, Atlanta, Ga., and from the Supt., Andersonville National Historic Site, Andersonville, Ga. 31711.

JOHN E. JENSEN,
Superintendent, Andersonville
National Historic Site.

[FR Doc. 73-15445 Filed 7-26-73; 8:45 am]

Title 45—Public Welfare

CHAPTER I—OFFICE OF EDUCATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 177—FEDERAL, STATE AND PRIVATE PROGRAMS OF LOW-INTEREST LOANS TO STUDENTS IN INSTITUTIONS OF HIGHER EDUCATION

Special Allowances

Subparagraph (3) of § 177.4(c), Special allowances, which deals with the payment to lenders of the allowances authorized by section 2 of the "Emergency Insured Student Loan Act of 1969" (Public Law 91-95) is amended by adding a subdivision (xvi) to provide for the payment of such an allowance for the period April 1, 1973 through June 30, 1973, inclusive.

In light of the directives in the Emergency Insured Student Loan Act of 1969 with respect to the factors that the Secretary of Health, Education, and Welfare is to consider and the officials with whom he is to consult in setting the rate of the special allowance, and since a comment period would cause delay of at least 30 days, following each quarterly 3-month period, before lenders could apply for the special allowance for such period, it has been determined pursuant to 5 U.S.C. 553 that the solicitation of comment as to the

rate of the special allowance for any particular quarter is both unnecessary and contrary to the public interest. The amendment to § 177.4(c)(3) effected hereby will therefore become effective immediately.

As so amended § 177.4 reads as follows:

§ 177.4 Special allowances.

(c) * * *

(3) Special allowances are authorized to be paid as follows:

(xvi) For the period April 1, 1973, through June 30, 1973, inclusive, a special allowance is authorized to be paid in an amount equal to the rate of 1¾ percent per annum of the average unpaid balance of disbursed principal of eligible loans.

(Sec. 2, 83 Stat. 141)

Dated: July 23, 1973.

JOHN OTTINA,
Acting Commissioner of Education,
Approved: July 24, 1973.

FRANK CARLUCCI,
Acting Secretary.

[FR Doc.73-15580 Filed 7-26-73;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-178]

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
...
Colorado	Mesa	Unincorporated areas.				July 26, 1973. Emergency
Florida	Martin	Sewall's Point, Town of.				Do.
Massachusetts	Norfolk	Walpole, Town of.				Do.
Michigan	Arenac	Au Gres, City of.				Do.
Do.	Berrien	Lake, Township of.				Do.
New York	Westchester	Rye, Town of.				Do.
North Carolina	Cumberland	Fayetteville, City of.				Do.
Pennsylvania	Letch	Emmans, 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: July 18, 1973.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.73-15351 Filed 7-26-73;8:45 am]

[Docket No. FI-179]

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	Bureau	Unincorporated areas.				July 25, 1973. Emergency.
Do.	Cook	Winnetka, Village of.				Do.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of authorization of sale of flood insurance for area
***	***	***	***	***	***	***
Indiana.....	Lake.....	Unincorporated areas.....	.....	.....	.....	Do.
Iowa.....	Scott.....	Davenport, City of.....	.....	.....	.....	Do.
Minnesota.....	Kanabec.....	Unincorporated areas.....	.....	.....	.....	Do.
Missouri.....	New Madrid.....	Sikeston, City of.....	I 29 201 7310 01 Through I 29 201 7310 09	Water Resources Board, P.O. Box 271, Jefferson City, Mo. 65101. Division of Insurance, P.O. Box 690, Jefferson City, Mo. 65101.	City Manager, City of Sikeston, Sikes- ton, Mo. 63801.	Aug. 6, 1971. Emergency. Aug. 3, 1973. Regular. July 28, 1973. Emergency.
New York.....	Genesee.....	Batavia, City of.....	.....	.....	.....	Do.
Do.....	Monroe.....	Rush, Town of.....	.....	.....	.....	Do.
Ohio.....	Mahoning.....	Unincorporated areas.....	.....	.....	.....	Do.
Do.....	Ottawa.....	Put-In-Bay, Village of.....	.....	.....	.....	Do.
Pennsylvania.....	Clinton.....	Colebrook, Township of.....	.....	.....	.....	Do.
Do.....	Wyoming.....	Mesboppen, 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: July 18, 1973.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.73-15352 Filed 7-26-73;8:45 am]

[Docket No. FI-180]

PART 1915—IDENTIFICATION OF SPECIAL HAZARD AREAS

List of Communities With Special Hazard Areas

The Federal Insurance Administrator finds that comment and public procedure and the use of delayed effective dates in identifying the areas of communities which have special flood or mudslide hazards, in accordance with 24 CFR Part 1915, would be contrary to the public interest. The purpose of such identifications is to guide new development away from areas threatened by flooding, a purpose which is accomplished pursuant to statute by denying subsidized flood insurance to structures thereafter built within such areas. The practice of issuing proposed identifications for comment or of delaying effective dates would tend to frustrate this purpose by permitting imprudent or unscrupulous builders to start construction within such hazardous areas before the official identification became final, thus increasing the communities' aggregate exposure to loss of life and property and the agency's financial exposure to flood losses, both of which are contrary to the statutory purposes of the program. Accordingly, the Department is not providing for public comment in issuing this amendment and it will become effective upon publication in the FEDERAL REGISTER. 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
***	***	***	***	***	***	***
Missouri.....	New Madrid.....	Sikeston, City of.....	H 29 201 7310 01 through H 29 201 7310 09	Water Resources Board, P.O. Box 271, Jefferson City, Mo. 65101. Division of Insurance, P.O. Box 690, Jefferson City, Mo. 65101.	City Manager, City of Sikeston, Sikes- ton, Mo. 63801.	Aug. 3, 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: July 18, 1973.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.73-15350 Filed 7-26-73;8:45 am]

Title 29—Labor

CHAPTER XVII—OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION, DEPARTMENT OF LABOR

PART 1910—OCCUPATIONAL SAFETY AND HEALTH STANDARDS

Revision of Emergency Temporary Standard on Certain Carcinogens

On May 3, 1973, an emergency temporary standard on certain carcinogens was promulgated under section 6(c) of the Williams-Steiger Occupational Safety and Health Act of 1970 (38 FR 10929). The standard is based on the findings that the substances listed in the standard are harmful, that exposure to any of the substances poses a grave danger, that employees are being exposed to them, and that the emergency temporary standard is necessary to protect the employees from grave danger.

Since the publication of the standard, numerous comments, objections, and recommendations have been received. A whole range of issues has thus been raised. The finding that all the listed substances are harmful to humans has been questioned, as well as the wisdom of regulating on a common basis fourteen substances of varying properties and uses, and the necessity of all the requirements of the standard.

The emergency temporary standard has been reexamined in the light of the new comments and arguments. And it has been determined that certain changes in the standard are necessary to tailor the requirements for different types of workplaces and work operations, and to clarify the standard.

Therefore, pursuant to section 6(c) of the Williams-Steiger Occupational Safety and Health Act of 1970 (84 Stat. 1596; 29 U.S.C. 655) and Secretary of Labor's Order No. 12-71 (36 FR 8754), 29 CFR 1910.93c is revised to read as set forth below.

The principal changes made by the revision are:

(1) The standard as revised deals more particularly with different work operations, such as isolated environment operations, closed system operations, and open vessel operations;

(2) The particularization of the standard has permitted the specification of different control measures necessary to protect employees engaged in the different categories of operations. Compare paragraph (c)(1) with paragraph (c)(2); and,

(3) The legend on the warning sign and label is changed to apprise employees more accurately of the hazards to which they are exposed. The original findings concerning the toxicity of all the fourteen substances listed in the standard, the grave danger resulting from exposure to any of them, and the exposure of employees to them, are reconfirmed. And the standard as revised is considered necessary and sufficient to protect employees from the grave danger from exposure to any of the substances.

§ 1910.93c Carcinogens.

(a) *Scope and application.* This section applies to any workplace in which a carcinogen is manufactured, processed, used, repackaged, released, handled or stored, but shall not apply to any workplace involving transshipment of carcinogens in sealed containers.

(b) *Definitions.* (1) "Carcinogen" means any of the substances listed below, or any mixture containing 1 percent or more of such substances, by weight.

Compound No.	Chemicals	Chemical abstract registry No.
1.	2-Acetylaminofluorene.....	53063
2.	4-Aminodiphenyl.....	92671
3.	Benidine (and its salts).....	92875
4.	3,8'-Dichlorobenidine (and its salts).....	91941
5.	Dimethylaminobenzene.....	60117
6.	alpha-Naphthylamine.....	134327
7.	beta-Naphthylamine.....	91568
8.	4-Nitrodiphenyl.....	92933
9.	N-Nitrosodimethylamine.....	62759
10.	beta-Propiolactone.....	57578
11.	bis-Chloromethyl ether.....	542881
12.	Methyl Chloromethyl ether.....	107302
13.	4,4'-Methylene(bis)2-chloroaniline.....	101144
14.	Ethyleneimine.....	151564

(2) "Controlled area" means an area to which access or egress by employees is required to be restricted and controlled by the employer under this section.

(3) "Decontamination" means the removal or inactivation of a carcinogen.

(4) "Isolated environment" means a fully enclosed structure, which is impervious to the passage of a carcinogen, which is not the vessel of containment of the carcinogen, and which prevents the dispersion of a carcinogen into areas or atmospheres where employees would be exposed to contact with that carcinogen, even if leakage or spillage from the vessel of containment occurs.

(5) "Closed system" means an operation or equipment involving a carcinogen where the containment precludes, under normal conditions, the exposure by any route of employees to a carcinogen.

(6) "Laboratory type hood" means a device enclosed on three sides, and the top and bottom, ventilated to withdraw air inward and away from the open side, designed and constructed in such a way that an operation involving a carcinogen within the hood does not require the insertion of any portion of any employee's body other than his hands and arms.

(c) *Requirements for areas containing carcinogens.* A controlled area shall be established by the employer where a carcinogen is manufactured, processed, used, repackaged, released, handled or stored. All such areas shall be controlled in accordance with the requirements for the following category or categories describing the operation involved:

(1) *Isolated environment operations.* Where a carcinogen is contained within an isolated environment, such as a "glove box," employees working with such environments shall, upon each exit from

the area, be required to wash their hands and arms at the point of exit from the area containing the isolated environment.

(2) *Closed system operations.* Where a carcinogen is stored in sealed containers, or contained in a closed system, such as fully enclosed process or transfer equipment, including pipes, and sample ports or openings are not used while a carcinogen is contained within:

(i) Access to the controlled area shall be restricted to only employees who work in that area.

(ii) Upon entering the controlled area at the first entry of the work day employees shall be provided with and be required to put on and wear clean work clothing, such as smocks, coveralls, or long-sleeved shirt and long pants.

(iii) Such employees shall be required to remove and leave that clothing at the point of exit upon each exit from that area.

(iv) Such employees shall be required to wash hands and face upon each exit from that area, not necessarily at the point of exit, but in the establishment.

(v) Such employees shall be required to shower after last daily exit from that area, not necessarily at the point of exit, but in the establishment.

(3) *Closed system transfer or charging or discharging point operations.* In operations involving "laboratory type hoods," or in locations where a carcinogen is contained in an otherwise "closed system," but is transferred, charged, or discharged into other normally closed containers with venting to the atmosphere:

(i) Access to the controlled area shall be restricted to only employees who work in that area.

(ii) Continuous local exhaust ventilation shall be maintained to prevent the dispersion of the carcinogen to areas where employees could, without such ventilation, be exposed to the carcinogen.

(iii) Upon entering the controlled area at the first entry of the work day all employees shall be provided with and be required to put on and wear clean work clothing, such as smocks, coveralls or long-sleeved shirts and long pants.

(iv) Employees in the controlled area involved in carcinogen handling operations shall be provided with and be required to wear personal protective equipment adequate to prevent exposure to a carcinogen.

(v) Such employees shall be required to remove and leave that clothing at the point of exit upon each exit from that area.

(vi) Such employees shall be required to wash hands and face upon each exit from that area, not necessarily at the point of exit, but in the establishment.

(vii) Such employees shall be required to shower after last daily exit from that area, not necessarily at the point of exit.

(viii) Employees in the controlled area shall be required to remove and leave all protective equipment at the hood site or charging, discharging or transfer point after work at that site or point.

(4) *Open vessel operations.* Where a carcinogen is contained in a vessel open to the work environment:

(i) Access to the controlled area shall be restricted only to employees who work in the area.

(ii) Continuous local exhaust ventilation shall be maintained at such operation locations sufficient to prevent the dispersion of the carcinogen to areas where employees could, without such ventilation, be exposed to contact with the carcinogen.

(iii) Clean work clothing shall be provided to employees whenever they enter such a controlled area and shall be required to be worn by employees working in the controlled area. Such garments shall include footwear, socks, underwear, outerwear, and head covering.

(iv) Employees working in the controlled area shall be provided with and be required to wear personal protective equipment adequate to prevent exposure to a carcinogen.

(v) Employees working in the controlled area shall be required to remove and leave all work clothing and protective equipment at the point of exit from the controlled area, and shall shower at that point, upon each exit from the controlled area.

(vi) Toilet and drinking facilities may not be used in the controlled area.

(5) *Other Operations.* In operations involving the decontamination of surfaces containing a carcinogen, either as a part of cleanup of leaks or spills, maintenance or repair operations on systems or equipment, or any operation involving work in an area where direct contact with a carcinogen could result without protection, each employee entering an affected area where operations of that type are being performed shall:

(i) Be provided with a clean, full, impervious, pressurized, air-supplied suit;

(ii) Be required to put on the suit before entering the affected area and engaging in such operation;

(iii) Be required to wear the suit in such an area and during the operation;

(iv) Be decontaminated before leaving the area and before removing the suit; and

(v) Be required to shower after removing such suit.

(6) *"Out-of-doors operations."* In an operation described in paragraphs (c) (1) through (5) of this section that is out-of-doors, rather than being confined in an enclosed structure, general mechanical ventilation is not required.

(d) *General controlled area requirements.* In addition to the controlled area requirements for types of operations listed in paragraph (c) of this section the following requirements apply to all controlled areas.

(1) Each employer shall establish and maintain a list of employees entering a controlled area. The list shall be made available on request to authorized representatives of the Secretary of Labor.

(2) The employer shall provide all work clothing, protective clothing, equip-

ment and wash and shower supplies, including towels, required by this section.

(3) Any required shower rooms shall be provided in accordance with § 1910.141. Shower supplies may be introduced into a shower room only through a noncontaminated area.

(4) No food or beverage shall be permitted within a controlled area.

(5) No smoking or smoking materials or tobacco products shall be allowed within a controlled area.

(6) Appropriate instructions and signs shall be posted to inform employees of the procedures that must be followed in entering and leaving a controlled area.

(7) Any equipment, material, or any other items that are to be taken into or removed from a controlled area shall be taken in or removed from such area in a manner which does not contaminate any employees outside the controlled area.

(8) When only removal of outer clothing or personal protective equipment is required under paragraph (c) of this section at point of exit from a controlled area, an employee must be able, upon exit from the controlled area, to enter the change room, remove outer work garments and equipment and leave them in that room.

(9) When change and shower facilities are required under paragraph (c) of this section at point of exit from a controlled area, they shall be arranged so that upon exit, an employee must be able to enter a separate dirty change room where he can undress completely and leave every item of clothing and equipment. He must then be able to shower in an adjacent room which he can enter through an entrance designed to prevent the escape of carcinogens from the dirty change room to the shower room. Thereafter, he must be able to enter a clean change room where his street clothes are in his locker.

(10) When work area garments or protective clothing and equipment are required under paragraph (c) of this section to be worn in a controlled area, a clean change room must be provided so that before entering the controlled area the employee can change into clean work area garments or protective clothing and equipment in an area not containing contaminated or used work clothing or equipment and without passing through such a contaminated area to enter the controlled area. The clean change room shall have individual storage facilities for storage of street clothes and clean protective clothing and equipment.

(11) Continuous general mechanical exhaust ventilation shall be provided in controlled areas, or other positive means provided, so that air from the controlled area does not flow to non-controlled areas. Local exhaust ventilation may satisfy this requirement. Clean makeup air shall replace air removed.

(e) *Signs and labels.* (1) Entrances to controlled areas shall be posted with legible signs bearing the legend:

CANCER-SUSPECT AGENT

In this area

This agent may be hazardous to your health

AUTHORIZED PERSONNEL ONLY

For isolated environment operations, the sign shall be posted on or near the isolated environment structure.

(2) Equipment, material, and clothing contaminated with a carcinogen shall not be removed from a controlled area, unless it is either decontaminated or sealed in impervious containers bearing the legend:

DANGER

Contaminated with

CANCER-SUSPECT AGENT

This agent may be hazardous to your health

(3) Entrances to every controlled area for operations described in paragraph (c) (5) of this section shall be posted with legible signs bearing the legend:

CANCER-SUSPECT AGENT

EXPOSED IN THIS AREA

This agent may be hazardous to your health

FULL IMPERVIOUS PRESSURIZED AIR-SUPPLIED SUIT REQUIRED AT ALL TIMES

AUTHORIZED PERSONNEL ONLY

(f) *Cleaning.* Controlled areas involving open vessel operations or other operations, as described in paragraph (c) (4) and (5) of this section, shall be cleaned thoroughly not less than once each working day. Employees engaged in the cleaning shall be provided, and shall be required to wear, personal protective equipment adequate to prevent exposure to a carcinogen. Such employees shall be required to wash down carefully before removing protective equipment, and then shower.

(g) *Decontamination.* Decontamination processes shall be established and implemented to remove carcinogens on surfaces of equipment, materials, and the decontamination facility, that are known to be contaminated with a carcinogen.

(h) *Waste disposal.* Waste disposal methods and processes shall be established and implemented which do not permit carcinogens to be introduced into noncontrolled areas.

(i) *Medical surveillance programs.* Each employer subject to this section shall report in writing to the Occupational Safety and Health Administration, Office of Standards, Room 504, 400 First Street, NW., Washington, D.C. 20210, information as to any kind of medical surveillance program that has been voluntarily instituted by the employer.

(j) *Monitoring.* All employers subject to this section shall report in writing to the same office information as to the type of monitoring system that has been instituted.

(k) *Reporting.* Every employer subject to this section shall report in writing to the Occupational Safety and Health Administration, Office of Standards, the following information:

(1) The address of each of his controlled areas;

(2) The name and other identifying information as to the particular carcinogens present in each of his controlled areas;

(3) The approximate number of employees entering each of his controlled areas during a representative week of normal operations in the controlled area; and

(4) The manner in which the carcinogens are present in each of his controlled areas, e.g., whether a carcinogen is manufactured, processed, used, repackaged, released, or otherwise handled.

Effective date. This section shall become effective on July 30, 1973.

(Sec. 6, Public Law 91-596, 84 Stat. 1593 (29 U.S.C. 655). Secretary's Order No. 12-71 (36 FR 8754).)

Signed at Washington, D.C., this 24th day of July 1973.

JOHN STENDER,
Assistant Secretary of Labor.

[FR Doc. 73-15510 Filed 7-26-73; 8:45 am]

Title 32A—National Defense, Appendix
CHAPTER X—OFFICE OF OIL AND GAS,
DEPARTMENT OF THE INTERIOR

[Oil Import Reg. 1 (Reg. 5), Amdt. 59]

O.I. REG. 1—OIL IMPORT REGULATIONS
Miscellaneous Amendments

Correction

In FR Doc. 73-15193 appearing at page 19818 in the issue for Tuesday, July 24, 1973, in the 9th and 10th lines from the end of Sec. 11(c) the figures "15 percent" should read "25 percent".

Title 39—Postal Service
CHAPTER I—U.S. POSTAL SERVICE
PART 143—PRECANCELED STAMPS
Philatelic Sales

Regulations dealing with the sale of precanceled stamps have been amended with respect to the quantity of such stamps that may be sold to philatelists and the conditions under which they will be sold. Publication of the following amendments in the FEDERAL REGISTER is effective immediately.

1. Paragraphs (f) (1) and 2 and (g) of § 143.2 *Sale and use of precanceled stamps* are amended to read as follows:

§ 143.2 *Sale and use of precanceled stamps.*

(f) *Philatelic sales*—(1) *Nonpermit holders.* (i) A maximum of one sheet of stamps of each of the precanceled denominations in sheet form which are available at a post office may be purchased in person or by mail by nonpermit holders for collection purposes only. Complete rolls of precanceled coil stamps may not be broken for philatelic sales.

Instructions for selling plate blocks are as provided for in § 257.1(c) (1) of this chapter.

(ii) Precanceled stamps are available at post offices which have them on hand or have a hand stamp for precanceling purposes. It is not necessary to be providing stamps for a permit holder before honoring a philatelic request involving the use of a hand stamp. Hand stamps, once acquired, should be retained by post offices to fill requests from philatelists.

(iii) Each mail order must be accompanied with a stamped, self-addressed envelope for use in returning the stamps to the purchaser.

(2) *Permit holders.* Precancel permit holders may buy any quantity of precanceled stamps for philatelic purposes. Other precanceled stamps may be purchased only for the purpose of paying postage. Unused precanceled stamps may not be sold for philatelic purposes by permit holders.

(g) *Precanceling for collectors.* Postmasters will comply with requests for imprints of a precanceling device on their own stamp stock but not for imprints on blank sheets of paper or on stamps submitted by a collector or other individual. (39 U.S.C. 401)

LOUIS A. COX,
General Counsel.

[FR Doc. 73-15451 Filed 7-26-73; 8:45 am]

PART 154—CONDITIONS OF DELIVERY
Checks Issued by the Federal Government

Regulations dealing with the delivery of Federal Government checks have been amended to specify the delivery schedules for such checks. Accordingly, paragraph (d) *Checks issued by the Federal Government* of § 154.1 is amended by the addition of subparagraphs (4) and (5) as set forth below. Publication of the amendments in the FEDERAL REGISTER is effective immediately.

§ 154.1 *Delivery to persons.*

(4) Treasury checks enclosed in envelopes which do not indicate a date of delivery will be delivered on the first scheduled delivery after receipt.

(5) Treasury checks enclosed in envelopes which indicate a date of delivery will be delivered on that date or the first scheduled delivery after that date. In emergency or other infrequent situations, customers receiving delivery service may request pre-delivery of their mail at the office of delivery, providing withdrawal of the mail does not interfere with the carriers' delivery schedules.

(39 U.S.C. 401)

LOUIS A. COX,
General Counsel.

JUNE 20, 1973.

[FR Doc. 73-15452 Filed 7-26-73; 8:45 am]

Title 42—Public Health

CHAPTER I—PUBLIC HEALTH SERVICE,
DEPARTMENT OF HEALTH, EDUCATION,
AND WELFARE

SUBCHAPTER C—MEDICAL CARE AND
EXAMINATIONS

PART 37—SPECIFICATIONS FOR MEDICAL
EXAMINATIONS OF UNDERGROUND
COAL MINERS

Second Round of Chest Roentgenographic
Examinations

On February 12, 1973, a notice of proposed rulemaking was published in the FEDERAL REGISTER (38 FR 4263) to revise the subpart of Part 37 of Title 42, Code of Federal Regulations, entitled "Chest Roentgenographic Examinations" by setting forth the specifications for giving, reading, classifying, and submitting the second round of chest roentgenograms required to be given to underground coal miners by section 203 of the Federal Coal Mine Health and Safety Act of 1969 (30 U.S.C. 843). Specifications for pulmonary function tests were also proposed.

Interested persons were invited to participate in the rule making through the submission of comments and comments were received from the United Mine Workers of America, the Bituminous Coal Operators' Association, a number of hospitals and clinics, physicians, manufacturers of pulmonary function equipment, coal operators, the Pennsylvania Bureau of Occupational Health, and this Department's Bureau of Radiological Health in the Food and Drug Administration. Due consideration has been given to all material presented, with the result that a number of changes have been made in the rules which were proposed.

Both the United Mine Workers of America and the Bituminous Coal Operators' Association, in addition to other commenters, objected to the proposed requirement of the conduct of a pulmonary function test. The Union's objections were grounded upon the lack of comparability between the pulmonary function examinations and any disability criteria for black lung benefits and the fear that adoption of the proposed specifications would stifle future development of more refined pulmonary function tests or their use when they become available. The Bituminous Coal Operators' Association argued that a pulmonary function test, while a tool for measuring lung impairment, is of little value in diagnosing pneumoconiosis for transfer purposes. Both the Union and the Association supported the continuance of these tests in the Institute's National Study of Coal Workers' Pneumoconiosis. In addition, the Institute is presently not in a position to relate the test results to pneumoconiosis and miner transfer. In view of the comments, the requirements of a pulmonary function test (§§ 37.30-37.33) have been deleted. The Institute will continue the conduct of such tests

In the National Study of Coal Workers' Pneumoconiosis. Because it was geared toward the pulmonary function test, the medical history questionnaire has also been eliminated. However, the occupational history questionnaire has been retained and this questionnaire, along with the miner identification document, are considered a part of the required roentgenographic examination and are required by § 37.20(a) to be completed at the X-ray facility, at the same time the X-ray is given. Requirements for special training in the completion of the questionnaires and identification documents are now considered unnecessary in view of the elimination of the medical history questionnaire.

In response to a number of comments, the period for submitting operators' plans (§ 37.4) has been increased to 120 days following publication of these regulations, and the period for submitting roentgenograms and other documents has been extended to 21 days following the examination (§ 37.60).

A new paragraph (b) has been added to § 37.3 to state that operators may provide for alternate facilities and interpreters in plans submitted for approval. Operators, especially of larger mines, are encouraged to provide for alternate X-ray facilities and interpreters in their plans so that miners may feel more secure that confidentiality of medical information will be achieved and that the examinations may be as convenient as possible for the miners.

The specifications have also been revised to provide that miners shall be disrobed from the waist up at the time the X-ray is given (§ 37.41) and to provide for the heating of X-ray facilities to a comfortable temperature. As a result of comments from the Department's Bureau of Radiological Health, a number of technical changes have been made in the roentgenographic specifications (§ 37.41).

The regulations require the physician who will read and classify the chest roentgenograms to have demonstrated proficiency in the use of the ILO-U/C or the UICC/Cincinnati classification of the pneumoconioses, by either submitting sample chest roentgenograms that have been classified properly (§ 37.51(a)), by taking and passing a specially designed proficiency examination (§ 37.51(b)), or by successfully completing an Institute approved course in one of the classification systems (§ 37.51(a)). Information concerning these courses may be obtained from the American College of Radiology, 6900 Wisconsin Avenue, Chevy Chase, Maryland 20014. Any form referred to in the regulations may be obtained upon request to the Appalachian Laboratory for Occupational Respiratory Diseases, P.O. Box 4258, Morgantown, West Virginia 26505.

The subpart of Part 37 entitled "Chest Roentgenographic Examinations" is re-

vised as set forth below, effective on July 27, 1973.

Dated: June 25, 1973.

FREDERICK L. STONE,
Acting Administrator, Health
Services and Mental Health
Administration.

Approved: July 18, 1973.

CASPAR W. WEINBERGER,
Secretary.

Subpart—Chest Roentgenographic Examinations

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AUTHORITY: Sec. 203, 83 Stat. 763; 30 U.S.C. 843.

Subpart—Chest Roentgenographic Examinations

§ 37.1 Scope.

The provisions of this subpart set forth the specifications for giving, reading and interpreting, classifying, and submitting chest roentgenograms required by section 203 of the Act of be given to underground coal miners and new miners.

§ 37.2 Definitions.

Any term defined in the Federal Coal Mine Health and Safety Act of 1969, and not defined below shall have the meaning given it in the Act. As used in this subpart:

(a) "Act" means the Federal Coal Mine Health and Safety Act of 1969 (30 U.S.C. 801, et seq.).

(b) "ALFORD" means the Appalachian Laboratory for Occupational Respiratory Diseases, Box 4258, Morgantown, W. Va. 26505.

(c) "Chest roentgenogram" means a posteroanterior X-ray projection or radiograph of the chest at full inspiration recorded on radiographic film.

(d) "Convenient time and place" with respect to the conduct of any examination under this subpart means the locality in which the miner resides or a location that is equivalent with respect to convenience of time and place. For example, examinations at the mine during, immediately preceding, or immediately following work and a "no appointment" examination at a medical facility in a community easily accessible to the residences of a majority of the miners working at the mine, shall be considered of equivalent convenience for purposes of this paragraph.

(e) "Institute" and "NIOSH" mean the National Institute for Occupational Safety and Health, 5600 Fishers Lane, Rockville, MD 20852.

(f) "ILO-U/C 1971 International Classification of Radiographs of Pneumoconioses" or "ILO-U/C Classification" means the classification of the pneumoconioses devised in 1971 by an international committee of the International Labour Office and described in "Medical Radiography and Photography," volume 48, No. 3, December 1972.

(g) "Miner" means any individual who is working in or at any underground coal mine and who has been employed to work in or at any underground coal mine on or before December 30, 1969, but does not include any surface worker who does not have direct contact with underground coal mining or with coal processing operations.

(h) "New miner" means any individual who is working in or at any underground coal mine and who began working in or at an underground coal mine for the first time subsequent to December 30, 1969, but does not include any surface worker who does not have direct contact with underground coal mining or with coal processing operations.

(i) "Operator" means any owner, lessee, or other person who operates, controls, or supervises an underground coal mine.

(j) "Panel of Radiologists" means the U.S. Public Health Service Consultant Panel of Radiologists, c/o: ALFORD, Post Office Box 4258, Morgantown, W. Va. 26505.

(k) "Preemployment physical examination" means any medical examination which includes a chest roentgenographic examination given in accordance with the specifications of this subpart to a person not previously employed by the same operator or at the same mine for which

the miner or new miner is being considered for employment.

(1) "Secretary" means the Secretary of Health, Education, and Welfare and any other officer or employee of the Department of Health, Education, and Welfare to whom the authority involved may be delegated.

§ 37.3 Chest roentgenograms required for miners and new miners.

(a) Every operator shall provide to each miner employed in or at any of its underground coal mines an opportunity for a chest roentgenogram in accordance with this subpart by June 30, 1974. This requirement will be considered as having been fulfilled with respect to any miner for whom the required roentgenogram was made subsequent to July 1, 1972.

(b) Every operator shall provide to each new miner employed in or at any of its underground coal mines:

(1) An initial chest roentgenogram as provided herein as soon as possible, but in no event later than 6 months, after commencement of his employment; *Provided*, That a preemployment physical examination will be considered as fulfilling these requirements; *And provided further*, That an initial chest roentgenogram given to a new miner in accordance with the applicable regulations prior to the effective date of this revised subpart will be considered as fulfilling this requirement;

(2) A second chest roentgenogram in accordance with this subpart 3 years following the initial examination made under these or the former regulations of this subpart if the miner is still engaged in underground mining;

(3) A third chest roentgenogram and medical examination 2 years following the second chest roentgenogram if the miner is still engaged in underground coal mining and if the second examination shows any evidence of dust retention in the lungs.

(c) The chest roentgenograms made available by an operator for purposes of this subpart shall be provided in accordance with a plan which has been submitted and approved in accordance with this subpart.

§ 37.4 Plans for chest roentgenographic examinations.

(a) Every plan for chest roentgenographic examinations of miners and new miners shall be submitted on such forms as prescribed by the Secretary to ALFORD within 120 calendar days after the effective date of this subpart: *Provided*, That in the case of a person who after such date becomes an operator of a mine for which no plan has been approved, a plan shall be submitted within 60 days after such event occurs. Each plan shall include:

(1) The name and address of the operator(s) submitting the plan;

(2) The name, Federal Bureau of Mines identification number for respirable dust measurements, and address of each mine included in the plan;

(3) The time schedule for the required roentgenograms including the estimated number of miners and new miners to be given or offered examinations under the plan;

(4) The name of the facility or facilities where, the location(s) at which, and the approximate date(s) and time(s) during which the roentgenograms will be given to miners and new miners, in sufficient detail to enable a determination of whether such examinations will be conducted at a convenient time and place;

(5) The names and qualifications, including specialty training and experience, of the individual(s) who will:

(i) Give the chest roentgenograms; and

(ii) Interpret and classify the chest roentgenograms.

(6) The name, address, and business telephone number of the individual(s) who will coordinate the submittal as required by § 37.60(a);

(7) A description of the technical factors to be employed to meet the requirements of § 37.41; and

(8) Assurances that (i) the operator will not solicit a physician's roentgenographic or other findings concerning any miner employed by the operator, (ii) instructions have been given to the person(s) giving the examinations that duplicate roentgenograms will not be taken or made for that (except as may be necessary for the purpose of this subpart) the physician's roentgenographic and other findings, as well as the occupational history information obtained from a miner or new miner, except if obtained in a preemployment examination, will not be disclosed in a manner which will permit identification of the employee with the information about him and (iii) the roentgenographic examinations will be made at no charge to the miner.

(b) Operators may provide for alternate facilities and interpreters in plans submitted for approval.

(c) The change of operators of any mine operating under a plan approved pursuant to § 37.5 shall not affect the plan of the operator which has transferred responsibility for the mine. Every such plan shall be subject to revision in accordance with paragraph (c) of this section.

(d) The operator shall advise ALFORD of any change in its plan. Each change in an approved plan including a modification of the information submitted under paragraph (a) (5) of this section is subject to the same review and approval as the originally approved plan.

§ 37.5 Approval of plans.

(a) If, after review of any plan submitted pursuant to this subpart, the Secretary determines that the action to be taken under such plan by the operator or group of operators meets the specifications of this subpart and will effectively achieve its purpose, the Secretary will approve such plan and notify the operator(s) submitting the plan of

his approval. Such approval may be conditioned upon such terms as the Secretary deems necessary to carry out the purpose of section 203 of the Act.

(b) Where the Secretary has reason to believe that he will deny approval of a plan he will, prior to the denial, give reasonable notice in writing to the operator(s) of an opportunity to amend the plan. The notice shall specify the ground upon which approval is proposed to be denied.

(c) If a plan is denied approval, the Secretary shall advise the operator(s) in writing of the reasons therefor.

§ 37.6 Roentgenographic examinations conducted by the Secretary.

(a) The Secretary will give chest roentgenograms or make arrangements with an appropriate person, agency or institution to give the chest roentgenograms required under this subpart in the locality where the miner resides, at the mine, or at a medical facility easily accessible to a mining community or mining communities, under the following circumstances:

(1) Where, in the judgment of the Secretary, due to the lack of adequate medical or other necessary facilities or personnel at the mine or in the locality where the miner resides, the required roentgenographic examination cannot be given.

(2) Where the operator has not submitted an approvable plan.

(3) Where, after commencement of an operator's program pursuant to an approved plan and after notice to the operator of his failure to follow the approved plan and, after allowing 15 calendar days to bring the program into compliance, the Secretary determines and notifies the operator in writing that the operator's program still fails to comply with the approved plan.

(b) The operator of the mine shall reimburse the Secretary or such other person, agency, or institution as the Secretary may direct, for the cost of conducting each examination made in accordance with this section.

§ 37.7 Transfer of affected miner to less dusty area.

(a) Any miner who, in the judgment of the Secretary based upon the interpretation of one or more chest roentgenograms, shows category 2 (2/1, 2/2, 2/3) or category 3 (3/2, 3/3, 3/4) simple pneumoconiosis, or complicated pneumoconiosis, or the development of category 1 (1/0, 1/1, 1/2) simple pneumoconiosis in less than 10 years since first entering the coal mining industry (ILO-U/C classification) shall be afforded the option by the operator of transferring from his position to another position in an area of the mine where the concentration of respirable dust in the mine atmosphere is not more than 1.0 mg/m³ of air, or, if such level is not attainable in such mine, to a position in the mine where the concentration of respirable dust is the lowest attainable below 2.0 mg/m³ of air.

(b) Any transfer under this section shall be in accordance with the procedures specified in Part 90 of Title 30 of the Code of Federal Regulations.

OCCUPATIONAL HISTORY QUESTIONNAIRES AND MINER IDENTIFICATION DOCUMENTS

§ 37.20 General provisions.

(a) As part of the roentgenographic examination, an occupational history questionnaire, and a member identification document shall be completed at the facility for each miner and new miner at the same time the chest roentgenogram required by this subpart is given.

(b) The questionnaires and miner identification documents shall be submitted to ALFORD in accordance with the requirements set forth in § 37.60.

SPECIFICATIONS FOR PERFORMING CHEST ROENTGENOGRAPHIC EXAMINATIONS

§ 37.40 General provisions.

(a) The chest roentgenographic examination shall be given at a convenient time and place.

(b) The chest roentgenographic examination consisting of the chest roentgenogram, the Roentgenographic Interpretation Form (Form NIOSH 14-73 (Cin)), the occupational history questionnaire, and the mined identification document shall be completed in full and submitted to ALFORD pursuant to § 37.60.

(c) A roentgenographic examination shall be made in a facility approved in accordance with § 37.42 by or under the supervision of a physician who regularly takes chest roentgenograms and who has demonstrated his ability, in accordance with § 37.42, to take chest roentgenograms of a quality to best ascertain the presence of pneumoconiosis.

§ 37.41 Roentgenogram specifications.

(a) Every chest roentgenogram shall be a posteroanterior projection at full inspiration on a 14- by 17-inch or 14- by 14-inch film.

(b) Miners shall be disrobed from the waist up at the time the roentgenogram is given.

(c) Roentgenograms shall be made only with a diagnostic X-ray machine having a rotating anode tube with a maximum of a 2 mm. source (focal spot).

(d) Except as provided in paragraph (e) of this section, roentgenograms shall be made with units having generators which comply with the following: (1) The generators of existing roentgenographic units acquired by the examining facility prior to effective date of the regulations shall have a minimum rating of 200 mA at 100 kVp.; (2) generators of units acquired subsequent to such date shall have a minimum rating of 300 mA at 125 kVp.

NOTE: A generator with a rating of 150 kVp. is recommended.

(e) Roentgenograms made with battery-powered mobile or portable equipment shall be made with units having a minimum rating of 100 mA at 110 kVp. at 500 Hz, or of 200 mA at 110 kVp at 60 Hz.

(f) Capacitor discharge, and field emission units may be used: *Provided*, That the model of such units is approved by ALFORD for quality, performance, and safety. ALFORD will consider such units for approval when listed by a facility seeking approval under § 37.42 of this subpart.

(g) Roentgenograms shall be given only with equipment having a beam-limiting device which does not cause large unexposed boundaries. The use of such a device shall be discernible from an examination of the roentgenogram.

(h) To insure high quality chest roentgenograms:

(1) The maximum exposure time shall not exceed 1/20 of a second except that with single phase units with a rating less than 300 mA at 125 kVp and subjects with chests over 28 cm. posteroanterior, the exposure may be increased to not more than 1/10 of a second.

(2) The source or focal spot to film distance shall be at least 6 feet: *Provided*, That where space limitation in mobile units requires a shorter distance, the source to film distance shall not be less than 5 feet. Films made in mobile units with less than 6 feet between the focal spot and film shall be marked with the source to film distance.

(3) Only medium-speed film and medium speed intensifying screens shall be used.

(4) Film-screen contact shall be maintained and verified at 6 month or shorter intervals.

(5) Intensifying screens shall be inspected at least once a month and cleaned when necessary by the method recommended by the manufacturer.

(6) All intensifying screens in a cassette shall be of the same type and made by the same manufacturer.

(7) When using over 90 kV., a suitable grid or other means of reducing scattered radiation shall be used.

(8) The geometry of the radiographic system shall insure that the central axis (ray) of the primary beam is perpendicular to the plane of the film surface and impinges on the center of the film.

(i) Radiographic processing:

(1) Either automatic or manual film processing which produces a high quality roentgenogram is acceptable. A constant time-temperature technique shall be meticulously employed for manual processing.

(2) If the mineral or other impurities in the processing water introduce difficulty in obtaining a high-quality roentgenogram, a suitable filter or purification system shall be used.

(j) Before the miner is advised that the examination is concluded, the film shall be processed and inspected and accepted for quality by the physician, if available. If the physician is not available, such acceptance may be made by the radiologic technologist. In a case of a substandard film, another film shall be immediately taken.

(k) An electric power supply shall be used which complies with the voltage, current, and regulation specified by the manufacturer of the machine.

(l) A densitometric test object may be required on each roentgenogram for an objective evaluation of film quality at the discretion of ALFORD.

(m) Each roentgenogram made hereunder shall be permanently and legibly marked with the name and address or ALFORD approval number of the facility at which it is taken, the social security number of the miner, and the date of the roentgenogram. No other identifying markings shall be recorded on the film except as provided in § 37.41(h)(2).

§ 37.42 Approval of roentgenographic facilities.

(a) Approvals of roentgenographic facilities given prior to the effective date of these regulations shall terminate on the effective date of these regulations. Previously approved roentgenographic facilities may reapply in accordance with this subpart.

(b) To be eligible to participate hereunder, a roentgenographic facility shall demonstrate ability to take high quality diagnostic chest roentgenograms by submitting to ALFORD, six or more sample chest roentgenograms taken and processed at the applicant facility which are of acceptable quality to the panel of radiologists. Applicants shall also submit a radiograph of a plastic step-wedge object (available on loan from ALFORD) which was taken at the same time with the same technique as one of the roentgenograms submitted and processed at the facility for which approval is sought. At least one chest roentgenogram and one test object film shall have been taken with each unit to be used hereunder. All film shall have been taken within the 15 calendar days prior to submission and shall identify the facility where each film was taken. The chest roentgenograms will be returned and may be the same roentgenograms submitted pursuant to § 37.51.

(NOTE: The plastic step-wedge object is described in an article by E. Dale Trout and John P. Kelley appearing in "The American Journal of Roentgenology, Radium Therapy and Nuclear Medicine," Vol. 117, No. 4, April 1973.)

(c) Each roentgenographic facility submitting chest roentgenograms for approval under this section shall complete and include an X-ray facility document describing each X-ray unit to be used to take chest roentgenograms under the Act. Among other things, the form shall include: (1) The date of the last radiation safety inspection by an appropriate licensing agency or, if no such agency exists, by a qualified consultant; (2) the deficiencies found; and (3) a statement that all the deficiencies have been corrected. To be acceptable, the radiation safety inspection shall have been made within 1 year preceding the date of application.

(d) Roentgenograms submitted with applications for approval under this section will be evaluated by the panel of radiologists. Applicants will be advised of any reasons for denial of approval.

(e) Facilities shall have provision for being heated to a comfortable level.

(f) ALFORD or its representatives may make a physical inspection of the applicant's facility and any approved roentgenographic facility at any reasonable time to determine if the requirements of this subpart are being met.

(g) Approvals granted hereunder may be suspended or withdrawn by notice in writing when in the opinion of ALFORD the quality of radiographs submitted hereunder warrants such action. A copy of a notice withdrawing approval will be sent to each operator who has listed the hospital, clinic, or physician as its facility for giving chest roentgenograms.

§ 37.43 Protection against radiation emitted by roentgenographic equipment.

Except as otherwise specified in section 37.41, roentgenographic equipment, its use and the facilities (including mobile facilities) in which such equipment is used, shall conform to applicable State and Federal regulations (See 21 CFR 278.213 (37 FR 16461), a Federal regulation which becomes effective on August 1, 1974, and applies to certain components of X-ray system manufactured after that date). Where no applicable regulations exist, roentgenographic equipment, its use and the facilities (including mobile facilities) in which such equipment is used shall conform to the recommendations of the National Council on Radiation Protection and Measurements in NCRP Report No. 33 "Medical X-ray and Gamma-Ray Protection for Energies up to 10 MeV—Equipment Design and Use" (issued February 1, 1968) and in NCRP Report No. 34, "Medical X-ray and Gamma-Ray Protection for Energies up to 10 MeV—Structural Shielding Design and Evaluation" (issued March 2, 1970) which documents are hereby incorporated by reference and made a part hereof. These documents are available for examination at ALFORD, 944 Chestnut Ridge Road, Morgantown, West Virginia 26505, at the National Institute for Occupational Safety and Health, 5600 Fishers Lane, Rockville, MD, and at the Public Health Service Information Center or Regional Office Information Centers listed in 45 CFR 5.31. Copies of NCRP Reports Nos. 33 and 34 may be purchased for \$2 and \$3 each, respectively, from NCRP Publications, P.O. Box 30175, Washington, D.C. 20014.

SPECIFICATIONS FOR INTERPRETATIONS AND CLASSIFICATION OF CHEST FILMS

§ 37.50 Interpreting and classifying chest roentgenograms.

(a) The interpretation of chest roentgenograms shall be classified in accordance with the ILO-U/C Classification system and recorded on a Roentgenographic Interpretation Form (Form NIOSH 14-73 (Cin)).

(b) Interpretation and classification shall be performed only by a physician who regularly reads chest roentgenograms and who has demonstrated proficiency in the use of the ILO-U/C

Classification system in accordance with § 37.51.

(c) All interpreters hereunder, whenever interpreting chest roentgenograms made under the Act, shall have immediately available for reference a complete set of the ILO-U/C International Classification of Radiographs for Pneumoconioses, 1971.

NOTE: This set is available from the International Labour Office, Occupational Safety and Health Branch, CH 1211, Geneva 22, Switzerland.

(d) In all view boxes used for making interpretations hereunder:

(1) Fluorescent lamps shall be simultaneously replaced with new lamps at 6-month intervals;

(2) All the fluorescent lamps in a panel of boxes shall have identical manufacturer's ratings as to intensity and color;

(3) The glass, internal reflective surfaces, and the lamps shall be kept clean;

(4) The unit shall be so situated as to minimize front surface glare.

§ 37.51 Proficiency in the use of the ILO-U/C Classification.

(a) First or "A" readers:

(1) Proficiency in the use of the ILO-U/C Classification system shall be demonstrated by either:

(i) Submitting from the physician's files six sample chest roentgenograms classified by him to the panel of radiologists which are considered properly classified by the panel. The submission shall consist of two without pneumoconiosis, two with simple pneumoconiosis, and two with complicated pneumoconiosis. The films will be returned to the physician. The interpretations shall be on the Roentgenographic Interpretation Form (Form NIOSH 14-73 (Cin)). (These may be the same roentgenograms submitted pursuant to § 37.42), or:

(ii) Completion, since June 15, 1970, of a course approved by ALFORD on the ILO-U/C Classification system or the UICC/Cincinnati Classification system. As used in this subparagraph "UICC/Cincinnati Classification" means the classification of the pneumoconioses devised in 1968 by a Working Committee of the International Union Against Cancer.

(b) Final or "B" readers:

Additional proficiency in the use of the ILO-U/C Classification system shall be demonstrated by those physicians who desire to be a final or "B" reader by taking and passing a specially designed proficiency examination given on behalf of or by ALFORD. Physicians who qualify under this provision need not be qualified under paragraph (a) of this section.

(c) Physicians who wish to participate in the program shall make application on an Interpreting Physician Certification Document.

§ 37.52 Method of obtaining definitive interpretations.

All chest roentgenograms interpreted by "A" readers will be submitted by AL-

FORD to a "B" reader of its choosing, qualified as described in § 37.51 whose interpretation shall be final. If the first interpretation is by a "B" reader, it shall be final.

§ 37.53 Notification of abnormal roentgenographic findings.

(a) Findings of, or findings suggesting, enlarged heart, tuberculosis, lung cancer, or any other significant abnormal findings other than pneumoconiosis shall be communicated by the first physician to interpret and classify the roentgenogram to the designated physician of the miner or new miner indicated on the Miner's Identification Document. A copy of the communication shall be submitted to ALFORD.

(b) All final findings regarding pneumoconiosis will be sent to the miner by the Secretary of the Interior in accordance with section 203 of the Act (see 30 CFR Part 90). Positive findings with regard to pneumoconiosis will be reported to the miner's designated physician by ALFORD.

(c) ALFORD will make every reasonable effort to process the findings described in paragraph (b) of this section within 60 days of receipt of the information described in § 37.60 in a complete and acceptable form. The information forwarded to the Secretary of the Interior will be in a form intended to facilitate prompt dispatch of the findings to the miner.

SPECIFICATIONS FOR SUBMITTING ROENTGENOGRAMS, ETC.

§ 37.60 Submitting required chest roentgenograms, occupational history questionnaires, and miner identification documents.

(a) Each chest roentgenogram required to be made under this subpart, together with its interpretation(s), the occupational history questionnaire and the miner identification document, shall be submitted together for each miner or new miner within 21 calendar days after the roentgenographic examination to ALFORD and become the property of ALFORD.

(b) If ALFORD deems any part submitted under paragraph (a) of this section inadequate, it will notify the operator of the deficiency. The operator shall promptly make appropriate arrangements for the necessary re-examination.

(c) Failure to comply with paragraph (a) or (b) of this section shall be cause to revoke approval of a plan or any other approval as may be appropriate. An approval which has been revoked hereunder may be reinstated at the discretion of ALFORD after it receives satisfactory assurances and evidence that all deficiencies have been corrected and that effective controls have been instituted to prevent a recurrence.

(d) Chest roentgenograms and other required documents shall be submitted only for miners or new miners. Results of preemployment physical examinations of persons who are not hired shall not be submitted.

(e) If a miner refuses to participate in all phases of the examination prescribed in this subpart, no report need be made. If a miner refuses to participate in any phase of the examination prescribed in this subpart, all the forms shall be submitted with his name and social security account number on each. If any of the forms cannot be completed because of the miner's refusal, it shall be marked "Miner Refuses," and shall be submitted. No submission shall be made, however, without a completed miner identification document containing the miner's name, address, social security number, place of employment, and work category.

(f) The examination required under this subpart shall be complete for new miners.

NOTE: The incorporation by reference provision in this document was approved by the Director of the Federal Register on June 1, 1973.

[FR Doc.73-15273 Filed 7-26-73;8:45 am]

Title 43—Public Lands: Interior

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

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 5354]

[Arizona 7131]

ARIZONA

Withdrawal for National Forest Recreation Area and Administrative Site

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

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

SITGREAVES NATIONAL FOREST

GILA AND SALT RIVER MERIDIAN

Fools Hollow Lake Recreation Area

T. 10 N., R. 21 E.,
Sec. 12, SW $\frac{1}{4}$ of lot 4, S $\frac{1}{2}$ of lot 5, lot 8, NW $\frac{1}{4}$ and S $\frac{1}{2}$ of lot 9, lots 11, 12, 13, N $\frac{1}{2}$ of lot 16, N $\frac{1}{2}$ of lot 17, and lot 20;
Sec. 13, lots 1 and 2, and lots 5 thru 17;
Sec. 14, NW $\frac{1}{4}$ of lot 1, and lot 2.

Chevelon Ranger Station

Administrative Site

T. 13 N., R. 13 E., Sec. 1, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$.
T. 13 N., R. 14 E., Sec. 6, W $\frac{1}{2}$ of lot 5, and lot 7.

The areas described aggregate approximately 485.87 acres in Navajo and Coconino Counties.

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

JACK O. HORTON,

Assistant Secretary of the Interior.

JULY 23, 1973.

[FR Doc.73-15433 Filed 7-26-73;8:45 am]

[Public Land Order 5355]

[Colorado 17285]

COLORADO

Partial Revocation of Powersite Reserve No. 133

By virtue of the authority contained in section 24 of the Act of June 10, 1920, as amended, 16 U.S.C. sec. 818 (1970), and pursuant to the determination of the Federal Power Commission in DA-501-Colorado, it is ordered as follows:

1. The departmental order of March 25, 1910, creating Powersite Reserve No. 133, as confirmed by Executive Order of July 2, 1910, is hereby revoked so far as it affects the following described lands:

SIXTH PRINCIPAL MERIDIAN

T. 1 S., R. 78 W., Sec. 28, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$; Sec. N $\frac{1}{2}$ NE $\frac{1}{4}$.

The areas described aggregate approximately 360 acres in Grand County.

2. All of the above described lands were previously restored to entry, location or selection, subject to the provisions and reservations of section 24 of the Act of June 10, 1920, supra, pursuant to a determination of the Federal Power Commission in DA-57-Colorado of October 24, 1924, and the departmental order of August 17, 1926, and subsequently patented. The effect of this order is to relieve these restored lands from the limitations prescribed by said section 24.

JACK O. HORTON,

Assistant Secretary of the Interior.

JULY 23, 1973.

[FR Doc.73-15434 Filed 7-26-73;8:46 am]

[Public Land Order 5356]

[Sacramento 5138]

CALIFORNIA

Revocation of Executive Order No. 5550

By virtue of the authority vested in the President by section 1 of the Act of June 25, 1910, as amended, 43 U.S.C. sec. 141 (1970), and pursuant to Executive Order No. 10355 of May 26, 1952 (17 FR 4831), it is ordered as follows:

1. The Executive Order No. 5550 dated February 6, 1931, withdrawing public lands for classification is hereby revoked:

MOUNT DIABLO MERIDIAN

T. 21 S., R. 16 E.,
secs. 13, 24, and 25.

T. 21 S., R. 17 E.,
Secs. 16 to 22, inclusive;
Secs. 26 to 36, inclusive.

T. 21 S., R. 18 E.,
Sec. 31.

T. 22 S., R. 17 E.,
Secs. 1 to 5, inclusive;
Secs. 10 to 14, inclusive;
Sec. 24.

T. 22 S., R. 18 E.,
Secs. 5 to 9, inclusive;
Secs. 15 to 29, inclusive;
Secs. 33 to 36, inclusive.

T. 22 S., R. 19 E.,
Sec. 31.

T. 23 S., R. 18 E.,
Secs. 1, 2, 3, 11 to 14, inclusive;
Secs. 23, 24, 25, and 36.

T. 23 S., R. 19 E.,
Secs. 6, 7, 8, 17 to 21, inclusive;
Secs. 28 to 34, inclusive.

T. 24 S., R. 19 E.,
Secs. 3 to 10, inclusive;
Secs. 14 to 17, inclusive;
Secs. 20 to 29, inclusive;
Secs. 32 to 36, inclusive.

T. 25 S., R. 19 E.,
Secs. 1 to 4, inclusive;
Secs. 10 to 14, inclusive;
Sec. 24.

T. 25 S., R. 20 E.,
Secs. 5 to 9, inclusive;
Secs. 16 to 21, inclusive;
Secs. 27 to 29, inclusive.

The areas described aggregate approximately 97,110 acres in Fresno, King and Kern Counties.

2. All but 8,123.48 acres of the lands described in paragraph 1 of this order have been patented, some with a reservation of the minerals to the United States. The unappropriated public lands described above shall, subject to valid existing rights, the provisions of existing withdrawals and classifications, and the requirements of applicable law, be open to operation of the applicable public land laws and the regulations thereunder, effective on and after July 27, 1973.

The public lands have been, and continue to be open to the filing of applications and offers under the mineral leasing laws, and to location and entry under the United States mining laws.

Inquiries concerning the lands should be addressed to the State Director, Bureau of Land Management, Room E-2841, Federal Office Building, 2800 Cottage Way, Sacramento, California 95825.

JACK O. HORTON,

Assistant Secretary of the Interior.

JULY 23, 1973.

[FR Doc.73-15435 Filed 7-26-73;8:45 am]

[Public Land Order 5357]

[Idaho 08357]

IDAHO

Withdrawal for Experimental Forest

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

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

BOISE NATIONAL FOREST

BOISE MERIDIAN

Boise Basin Experimental Forest, Bear Run Unit

T. 6 N., R. 5 E., sec. 13, E $\frac{1}{2}$ E $\frac{1}{2}$; sec. 24, E $\frac{1}{2}$ E $\frac{1}{2}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$.
T. 6 N., R. 6 E., sec. 7, lots 3 and 4; sec. 18, lots 1, 2, 3, 4, W $\frac{1}{2}$ E $\frac{1}{2}$; sec. 19, lots 1, 2, 3, 4, W $\frac{1}{2}$ E $\frac{1}{2}$.

The areas described aggregate 1,255.16 acres in Boise County.

2. The withdrawal made by this order does not alter the applicability of those public land laws governing the use of

the national forest lands under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

JACK O. HORTON,
Assistant Secretary of
the Interior.

JULY 23, 1973.

[FR Doc.73-15436 Filed 7-26-73;8:45 am]

[Public Land Order 5358]

[Montana 064840]

MONTANA

Powersite Restoration No. 623; Partial Revocation of Powersite Reserve No. 20

By virtue of the authority contained in section 24 of the Act of June 10, 1920, as amended, 16 U.S.C. sec. 818 (1970), and pursuant to the determination of the Federal Power Commission in DA-194-Montana, it is ordered as follows:

1. The departmental order of June 8, 1909 (ratified by Executive Order of July 2, 1910), creating Powersite Reserve No. 20, is hereby revoked so far as it affects the following described lands:

PRINCIPAL MERIDIAN

T. 2 N., R. 4 W.,
Sec. 6, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$.
T. 3 N., R. 5 W.,
Sec. 36, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$,
SE $\frac{1}{4}$ SE $\frac{1}{4}$.

The areas described aggregate 582.55 acres in Jefferson County.

Title to all of the lands described above in section 36, T. 3 N., R. 5 W., will vest in the State of Montana upon the effective date of this order. The lands described above as the SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$ sec. 6, T. 2 N., R. 4 W., are privately owned.

2. At 10 a.m. on August 28, 1973, the unappropriated public lands described above as the NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$ sec. 6, T. 2 N., R. 4 W., shall be open to operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on August 28, 1973, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing. These public lands have been and will continue to be open to location and entry under the United States mining laws, and to leasing under the mineral leasing laws.

Inquiries concerning the lands should be addressed to Chief, Division of Technical Services, Bureau of Land Management, Federal Building and U.S. Courthouse, 316 N. 26th Street, Billings, Montana 59101.

JACK O. HORTON,
Assistant Secretary of
the Interior.

JULY 23, 1973.

[FR Doc.73-15437 Filed 7-26-73;8:45 am]

[Public Land Order 5359]

[Arizona 09229]

ARIZONA

Partial Revocation of Public Land Order No. 1985

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

1. Public Land Order No. 1985 of September 21, 1959, is hereby revoked so far as it affects the following described lands:

GILA AND SALT RIVER MERIDIAN

T. 41 N., R. 13 W.,
Sec. 1, lots 1 thru 4, S $\frac{1}{2}$ N $\frac{1}{2}$;
Sec. 3, S $\frac{1}{2}$;
Sec. 4, SE $\frac{1}{4}$;
Sec. 7, lots 1 thru 4, E $\frac{1}{2}$ W $\frac{1}{2}$, E $\frac{1}{2}$;
Sec. 8;
Sec. 9, N $\frac{1}{2}$;
Sec. 10, N $\frac{1}{2}$;
Sec. 18, lots 1, 2, E $\frac{1}{2}$ NW $\frac{1}{4}$.
T. 41 N., R. 14 W.,
Sec. 12, E $\frac{1}{2}$;
Sec. 13, N $\frac{1}{2}$ SW $\frac{1}{4}$;
Secs. 14 and 15;
Sec. 20, SE $\frac{1}{4}$;
Sec. 21;
Sec. 22, N $\frac{1}{2}$;
Sec. 23, NW $\frac{1}{4}$;
Sec. 28, NW $\frac{1}{4}$;
Sec. 29;
Sec. 30, lot 3, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
Sec. 31, lots 1, 2, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$.
T. 40 N., R. 15 W.,
Sec. 4, lots 1, 3, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 8, NW $\frac{1}{4}$ NE $\frac{1}{4}$.
T. 41 N., R. 15 W.,
Sec. 25, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 35, N $\frac{1}{2}$, SE $\frac{1}{4}$.

The areas described aggregate 8,515.54 acres in Mohave County.

2. All of the above described lands, except those listed as follows, are withdrawn by Public Land Order No. 5263 of September 28, 1972, for the Virgin Gorge Recreation Lands Area, and will remain so withdrawn:

T. 41 N., R. 13 W.,
Sec. 1, lots 1 through 4, S $\frac{1}{2}$ N $\frac{1}{2}$.
T. 41 N., R. 14 W.,
Sec. 20, NW $\frac{1}{4}$ SE $\frac{1}{4}$.
T. 40 N., R. 15 W.,
Sec. 4, lots 1, 3, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 8, NW $\frac{1}{4}$ NE $\frac{1}{4}$.
T. 41 N., R. 15 W.,
Sec. 25, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$; sec. 35, N $\frac{1}{2}$, SE $\frac{1}{4}$.

3. At 10 a.m. on August 28, 1973, the lands described in paragraph 2 of this order shall, subject to valid existing rights, the provisions of existing withdrawals and classifications, and the requirements of applicable law, be open to operation of the public land laws generally, including the United States mining laws, and to leasing under the mineral leasing laws, except that the lands described as the S $\frac{1}{2}$ N $\frac{1}{2}$ sec. 1, T. 41 N., R. 13 W., and N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ sec. 25, and E $\frac{1}{2}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ sec. 35, T. 41 N., R. 15 W., will not be open to location and entry under the mining laws. All valid

applications received at or prior to 10 a.m. on August 28, 1973, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

Inquiries concerning the lands should be addressed to the Chief, Division of Technical Services, Bureau of Land Management, 3022 Federal Building, Phoenix, Arizona 85025.

JACK O. HORTON,
Assistant Secretary of the Interior.

JULY 23, 1973.

[FR Doc.73-15438 Filed 7-26-73;8:45 am]

Title 46—Shipping

CHAPTER I—COAST GUARD, DEPARTMENT OF TRANSPORTATION

[CGD 72-34R]

PART 146—TRANSPORTATION OR STORAGE OF EXPLOSIVES OR OTHER DANGEROUS ARTICLES OR SUBSTANCES AND COMBUSTIBLE LIQUIDS ON BOARD VESSELS

Miscellaneous Amendments

The purpose of this amendment is to:

1. Authorize DOT-5P insulated steel drums for monoethylamine.
2. Authorize certain organic peroxides in fiberboard boxes and fiber drums.
3. Authorize specification 10GA500X tanks for nitric oxide.
4. Amend the storage and stowage chart of explosives to include cartridge, practice ammunition.
5. Authorize fiber drums for the article "Empty cartridge cases primed".

In the March 1, 1972 FEDERAL REGISTER a notice of proposed rule making was published which contained these items. A public hearing was held on May 24, 1972 and no oral or written comments were received on these items.

Two items from this notice were published on November 11, 1972 and the one remaining item will become part of a larger rule making by the Hazardous Materials Regulations Board as explained in their document published on page 20083 of this issue of the FEDERAL REGISTER. One item in the Board's document dealing with the marking of radioactive materials packages was inadvertently omitted from the Coast Guard's notice and will be covered in a future rule making.

In consideration of the foregoing, Part 146 of Title 46 of the Code of Federal Regulations is amended as follows:

§ 146.21-100 [Amended]

1. In § 146.21-100 "Table D—Classification: Inflammable liquids" for the article monoethylamine by deleting the words "Metal barrels or drums (DOT-5, 5A) not over 55 gallon cap." and inserting in place thereof the words "Metal barrels or drums DOT-5, 5A, 5P) not over 55 gallon cap."

§ 146.20-90 [Amended]

2. In § 146.20-90 Stowage and storage chart of explosives by deleting the heading of item 11 "Small arms ammunition" in both the horizontal and vertical columns and inserting in place thereof the words "Small arms ammunition or cartridges, practice ammunition."

§ 146.22-200 [Amended]

3. In § 146.22-200 Table E—Classification: Oxidizing materials for the article "Benzoyl peroxide by adding to columns 4, 5, 6, and 7 the following:

Authorized for benzoyl peroxide wet with not less than 20 percent by weight of water.
Fiberboard boxes (DOT-12B) WIC not over 25 lb. net wt.
Fiber drum (DOT-21C) WIC not over 25 lb. net wt.

§ 146.25-100 [Amended]

4. In § 146.25-100 Table H—Classification: Class A extremely dangerous poison for the article "Nitric oxide" add to column 4 the following:

Tank cars complying with DOT regulations.

§ 146.20-300 [Amended]

5. In § 146.20-300 for the article "Primers" delete in columns 4, 5, 6, and 7 the words "Empty cartridge cases, primed may also be shipped in strong, tight, outside fiberboard boxes" and insert in place thereof the words "empty cartridge cases, primed may also be shipped in strong, tight, outside fiberboard boxes and DOT 21-C fiber drums complying with DOT regulations."

(R.S. 4472, as amended, R.S. 4417a, as amended; sec. 1, 19 Stat. 252, 49 Stat. 1889, sec. 6(b) (1), 80 Stat. 937; 46 U.S.C. 170, 391a, 49 U.S.C. 1655(b) (1); 49 CFR 1.46(b))

This amendment is effective October 30, 1973.

Dated: July 20, 1973.

C. R. BENDER,
Admiral, U.S. Coast Guard
Commandant.

[FR Doc. 73-15513 Filed 7-26-73; 8:45 am]

Title 49—Transportation

CHAPTER I—DEPARTMENT OF
TRANSPORTATION

SUBCHAPTER A—HAZARDOUS MATERIALS
REGULATIONS BOARD

[Docket No. HM-97; Amdts. 171-20, 173-73, 174-18, 177-26, 179-11]

SHIPMENT OF HAZARDOUS MATERIALS

The purpose of these amendments to the Hazardous Materials Regulations of the Department of Transportation is (1) to change the definition of a portable tank; (2) to require the marking of packagings containing radioactive materials with the proper shipping name; (3) to change the proper shipping name of dry calcium hypochlorite compounds; (4) to authorize the shipment of empty primed cartridge cases in DOT-21C fiber drums; (5) to authorize the shipment of monoethylamine in DOT-5P insulated steel drums; (6) to authorize the shipment of benzoyl peroxide, wet with at

least 20 percent of water by weight, in DOT-12B and DOT-21C packagings; (7) to authorize the shipment of phosphorus trichloride in unlined, mild steel, specifications MC 310, MC 311, MC 312 cargo tanks; (8) to authorize the shipment of carbon dioxide in cylinders filled to a maximum density of 68 percent of the water capacity regardless of cylinder capacity; (9) to authorize the shipment of hydrogen sulfide in cylinders and multi-unit tank car tanks equipped with gas tight caps or plugs applied to valve outlets, and to authorize the use of metal covers over the valves of multi-unit tank car tanks in place of gas-tight valve protective covers now required; (10) to authorize the shipment of nitric oxide in DOT-106A500X tank cars; and (11) to add the loading and storage restrictions for practice ammunition cartridges to §§ 174.538 and 177.848.

On March 1, 1972, the Hazardous Materials Regulations Board published a notice of proposed rule making, Docket No. HM-97; Notice No. 72-1 (37 FR 4295), which proposed these amendments except for the portable tank definition and the editorial changes concerning calcium hypochlorite. Interested persons were invited to give their views.

These amendments do not include the proposed changes to Proposal A and B which relate to the marking of packagings containing a mixture or solution and the spelling change to monofluorotrichloromethane, respectively. The Board has concluded that the package marking changes of Proposal A require further study. However, that portion of Proposal A requiring the marking of packagings containing radioactive materials appears in this document. The spelling change proposed for monofluorotrichloromethane does not appear in these amendments because a commenter has submitted a list of halocarbon materials which should also be changed in line with the proposed changes of Proposal B. This commenter has stated that these changes would be more appropriate if published with other petitioned changes relating to halocarbon materials. The Board agrees with the commenter and the contents of Proposal B will become part of another docket which will be published at a later date.

A revised definition of a portable tank appeared as a proposal in Docket No. HM-8; Notice No. 71-13 (36 FR 9449). This proposed definition included a cargo-carrying tank on an aircraft and clarified that a DOT-110 type multi-unit tank car tank should not be construed as a portable tank. There were no objections filed to the proposal. The Board is publishing the definition as it was proposed in § 171.8(g), Docket No. HM-8; Notice No. 71-13 except for the reference to a tank on an aircraft. This will be handled at a later date.

An objection was received from a commenter concerning the proposal which provides for the shipment of benzoyl peroxide in an inside plastic container in a DOT-21C fiber drum. The objection was directed to the apparent limitation

on the number of inside containers in each fiber drum. The commenter stated that it is a common practice of industry to package this material in a number of inner plastic containers in a DOT-21C fiber drum. This practice was based on the conclusion that a given weight of benzoyl peroxide in a fiber drum would not be more hazardous if packed into several inner plastic containers than if packed in one large inner plastic container. As it was not the intent of the Board to specify that only one inner container be authorized, the regulations are changed to authorize benzoyl peroxide to be shipped in any number of inner plastic containers in a DOT-21C fiber drum provided the weight restrictions on the material are met.

Another commenter on this proposal requested that paragraphs (a) (5) and (b) (1) of § 173.157 be amended to permit the gross weight of the DOT-12B65 fiberboard box to be increased to 80 pounds provided the net weight of the material does not exceed 50 pounds. The Board has purposely omitted the permissive increase of the DOT-12B65 fiberboard box to a gross weight of 80 pounds in these two subparagraphs. The petition, which led to the development of this proposal, did not request such a regulation change. Also, the special permits issued to obtain practical shipping experience with the material in these fiberboard boxes did not authorize such a weight. Therefore, the Board does not agree with this proposed change and, in fact, is discouraging petitions for changes of this nature. If the DOT-12B65 fiberboard box has the capability of performing with a gross weight of 80 pounds, then the authorized gross weight for the specification should be so amended. No petition has been received justifying such a change.

Another objection to this proposal dealt with the proposed use of "dry weight" or "wet weight" as terms for expressing weight provisions for benzoyl peroxide. The commenter stated that the consistency of the regulations would be destroyed because weight restrictions of packagings are usually based on the actual net weight of the contents. The Board has not proposed any changes in the weight provisions for this material but has only identified the industry practice of referring to certain peroxides in a specific condition for packaging weight purposes. This type of material condition identification, expressed as "dry weight" or "wet weight," has been used by manufacturers of benzoyl peroxide for many years without any significant problems. Therefore, the Board has adopted these terms for use only in the section of the regulations dealing with benzoyl peroxide, wet.

Also, a commenter requested that the reference to asbestos as a packaging material be eliminated in this proposal because its use would constitute a health hazard. The reference to asbestos is included in the current regulations and the notice did not propose to delete asbestos. Therefore, the Board is of the opinion

that it may not make this deletion without another rule making which would directly focus upon the value of asbestos to transportation safety and the hazards asbestos might cause to personnel packing and unpacking packages. The present regulations covering benzoyl peroxide do provide for the use of an equivalent fire-resistant cushioning material in place of asbestos; thus, the shipper has the opportunity to utilize other cushioning materials.

In Docket No. HM-32; Notice 69-24 (34 FR 13426) it was proposed to shorten the shipping name of "calcium hypochlorite compounds, dry, containing more than 39 percent available chlorine." The reason for this proposal was to eliminate the quantitative phrase in this shipping name because it was determined not necessary for identification of the hazardous material from the standpoint of marking name of contents on packages and for the purpose of description on shipping papers. In addition to the subject matter, comments were received on this notice which suggested that the word "mixture" would be more appropriate than "compound" in the proper shipping name for this material since the use of the broader terminology would cover several conditions of manufacture. The Board agreed with the commenters and the changes were made in the shipping name for this material in the list of hazardous materials (§ 172.5) in Docket No. HM-32; Amendment 172-5 (35 FR 10858). Inadvertently, this change to the shipping name was not made in the Table of Contents for Part 173, or in the heading, text, and packaging references of § 173.217 which covers this material. Therefore, this amendment corrects these references where they cite the shipping name for dry calcium hypochlorite compounds.

A commenter to the proposal which authorizes the shipment of carbon dioxide in cylinders filled to a maximum density of 68 percent of the water capacity regardless of cylinder capacity objected on the basis that safety would be downgraded because it would impose a burden on cylinder filling personnel by requiring them to fill cylinders to different capacities. A number of large companies have received special permits from the Board and have satisfactory shipping experiences with these cylinders. The Compressed Gas Association has stated that these permits should be continued. However, this approach does preclude other shippers from taking advantage of higher fill densities. As the commenter has not presented any data to support his contention of safety being downgraded and on the basis of the experience obtained under special permit, the Board is authorized carbon dioxide to be shipped in any cylinder filled to a maximum density of 68 percent of its water capacity.

In consideration of the foregoing, 49 CFR Parts 171, 173, 174, 177, and 179 are amended as follows:

PART 171—GENERAL INFORMATION AND REGULATIONS

In § 171.8, paragraph (g) is amended to read as follows:

§ 171.8 Definitions.

(g) The term "portable tank" means any tank designed primarily to be temporarily attached to a motor vehicle, other vehicle, railroad car other than tank car, or vessel, and equipped with skids, mountings, or accessories to facilitate handling of the tank by mechanical means. The term "portable tank" does not include any cargo tank, any tank car, or any tank of the DOT 106A or 110A type (§§ 179.300, 179.301 of this subchapter).

PART 173—SHIPPERS

(A) In the table of contents for Part 173 §§ 173.107 and 173.217 are amended to read as follows:

Sec.

173.107 Primers, percussion caps, grenades, empty, primed, and cartridge cases, empty, primed.

173.217 Calcium hypochlorite mixtures, dry, lithium hypochlorite compounds, dry, dichloroisocyanuric acid, dry, potassium dichloroisocyanurate, dry, sodium dichloroisocyanurate, dry, and trichloroisocyanuric acid, dry.

(B) In § 173.107, the heading and paragraph (b) are amended to read as follows:

§ 173.107 Primers, percussion caps, grenades, empty, primed, and cartridge cases, empty, primed.

(b) Empty cartridge cases, primed, must be packed in strong, tight, outside wooden or fiberboard boxes, or in specification packagings as follows:

(1) Specification 21C (§ 178.224 of this subchapter) fiber drum. Each drum must be constructed to the specification requirements for a drum containing at least 250 pounds net weight of contents. Each drum having a metal top or bottom must have a protective corrugated paperboard pad inserted between the contents and the metal.

(C) In § 173.148, paragraph (a) (1) is amended to read as follows:

§ 173.148 Monoethylamine.

(a) . . .

(1) Specification 5, 5A, or 5P (§§ 178.80, 178.81, 178.92 of this subchapter). Metal barrel or drum equipped with openings not exceeding 2.3 inches in diameter. Bung labels must be applied and must meet the requirements prescribed in § 173.119(i).

(D) In § 173.157, paragraphs (a), (a) (1), and (a) (3) through (5) are amended; paragraph (b) is added to read as follows:

§ 173.157 Benzoyl peroxide, chlorobenzoyl peroxide (para), cyclohexanone peroxide, dimethylhexane dihydroperoxide, lauroyl peroxide, or succinic acid peroxide, wet.

(a) Benzoyl peroxide, chlorobenzoyl peroxide (para), dimethylhexane dihy-

droperoxide, lauroyl peroxide, and succinic acid peroxide, each wet with at least 30 percent of water by weight, and cyclohexanone peroxide over 50 percent concentration but not exceeding 85 percent concentration, wet, must be packed in specification packagings as follows:

(1) Specification 15A, 15B, or 15C (§§ 178.168, 178.169, 178.170 of this subchapter). Wooden box with inside metal containers or lining, specification 2P (§ 178.25 of this subchapter), or with securely closed inside paper bags lined with polyethylene at least 0.002 inch thick, or with inside aluminum drums of at least 16 gage metal throughout. Net weight (dry weight) in each inside DOT-2P metal container or in each paper bag may not exceed 1 pound. Gross weight may not exceed 200 pounds.

(3) Specification 12B (§ 178.205 of this subchapter). Fiberboard box with inside fiber containers securely closed by taping or gluing, or with securely closed inside paper bags lined with polyethylene at least 0.002 inch thick. Net weight (dry weight) in each inside container may not exceed 1 pound. Except for lauroyl peroxide, wet, each inside container must be surrounded by asbestos or an equivalent fire-resistant cushioning material. Gross weight in specification 12B65 fiberboard box may exceed 65 pounds, but may not exceed 80 pounds, provided the net weight (dry weight) of the contents does not exceed 50 pounds.

(4) Specification 21C (§ 178.224 of this subchapter). Fiber drum with securely closed inside plastic containers made of polyethylene film at least 0.002 inch thick for cyclohexanone peroxide over 50 percent concentration but not exceeding 85 percent concentration and for dimethylhexane dihydroperoxide; with securely closed inside plastic containers made of polyethylene film at least 0.004 inch thick for benzoyl peroxide wet with at least 30 percent of water by weight. Authorized net weight (wet weight) in one outside drum may not exceed 50 pounds for cyclohexanone peroxide, 100 pounds for dimethylhexane dihydroperoxide, or 225 pounds for benzoyl peroxide.

(5) Specification 12B (§ 178.205 of this subchapter). Fiberboard box with securely closed inside plastic containers made of polyethylene film at least 0.004 inch thick. Net weight (dry weight) in each inside container may not exceed 10 pounds. Each inside container must be surrounded by asbestos or an equivalent fire-resistant cushioning material. Authorized only for benzoyl peroxide.

(b) Benzoyl peroxide, wet with at least 20 percent of water by weight, must be packed in specification packagings as follows:

(1) Specification 12B (§ 178.205 of this subchapter). Fiberboard box with securely closed inside paper bags lined with polyethylene at least 0.002 inch thick. Net weight (dry weight) in each bag may not exceed 1 pound. Each bag must be surrounded by asbestos or an equivalent fire-resistant cushioning material.

(2) Specification 21C (§ 178.224 of this subchapter). Fiber drum with securely closed inside plastic containers made of

polyethylene film at least 0.004-inch thick. Net weight (dry weight) in each outside drum may not exceed 25 pounds.

(3) Specification 12B (§ 178.205 of this subchapter). Fiberboard box with securely closed inside plastic containers made of polyethylene film at least 0.004 inch thick. Net weight (dry weight) in each inside container may not exceed 10 pounds. Each inside container must be surrounded by asbestos or an equivalent fire-resistant cushioning material. Net weight (dry weight) in each outside box may not exceed 25 pounds.

(E) In § 173.217, the heading, the introductory text of paragraph (a) and paragraph (a)(4), and (a)(5) are amended to read as follows:

§ 173.217 Calcium hypochlorite mixtures, dry, lithium hypochlorite compounds, dry, dichloroisocyanuric acid, dry, potassium dichloroisocyanurate, dry, sodium dichloroisocyanurate, dry, and trichloroisocyanuric acid, dry.

(a) Calcium hypochlorite mixtures, dry, lithium hypochlorite compounds, dry, dichloroisocyanuric acid, dry, potassium dichloroisocyanurate, dry, sodium dichloroisocyanurate, dry, and trichloroisocyanuric acid, dry, each containing more than 39 percent available chlorine must be packed in specification packagings as follows:

(4) Specification 21C (§ 178.224 of this subchapter). Fiber drum with commodity packed in securely closed polyethylene

bag constructed of polyethylene film not less than 0.004-inch thickness. Not authorized for calcium hypochlorite mixtures and lithium hypochlorite compounds, dry.

(5) Specification 21C (§ 178.224 of this subchapter). Fiber drum must be made with integral inner body ply having 0.010-inch minimum aluminum facing and bottom interior with 0.001-inch minimum aluminum facing. Cover of drum must be gasketed. Authorized net weight not over 400 pounds. Authorized only for calcium hypochlorite mixtures, dry.

(F) In § 173.271, paragraph (a)(8) (iii) is amended to read as follows:

§ 173.271 Phosphorus oxybromide, phosphorus oxychloride, phosphorus trichloride, and thiophosphoryl chloride.

(a) * * *

(8) * * *

(iii) Tanks made from mild steel or austenitic stainless steel, without lining or cladding. Authorized only for phosphorus trichloride.

(G) In § 173.304 paragraph (a)(2), the table is amended; Note 3 is canceled, and Note 10 is added to read as follows:

§ 173.304 Charging of cylinders with liquefied compressed gas.

(a) * * *

(2) * * *

packagings must be marked in accordance with the requirements of § 173.400.

(1) Each portable tank used for the transportation of a hazardous material must be conspicuously and legibly marked, on a background of sharply contrasting color with a sign or lettering on the tank, such as "Corrosive Liquid", "Compressed Gas", or "Flammable Compressed Gas" as appropriate, and with the proper shipping name as shown in the list of hazardous materials (see § 172.5 (a) of this chapter). The height of all required lettering must be at least 2 inches or one-tenth the diameter of the tank, whichever is greater. Each portable tank must be marked with the owner's name. In addition to these markings, the trade name for the contents may be marked on the portable tank: *Provided, however, That no such marking will be of such size and character as to render the required markings inconspicuous.*

PART 174—CARRIERS BY RAIL FREIGHT

(A) In § 174.538 paragraph (a) Chart, column 4, both vertically and horizontally, is amended to read as follows:

§ 174.538 Loading and storage chart of hazardous materials.

(a) * * *

4—Small arms ammunition, or cartridges, practice ammunition.

(B) In § 174.545, paragraph (a) is amended to read as follows:

§ 174.545 Commodity name on carloads.

(a) Placards for carloads of Class B explosives and other hazardous materials must show in the space provided on the placard, the proper shipping name of the contents as shown in the list of hazardous materials (see § 172.5(a) of this chapter). Alternatively, the proper shipping name may be shown on tagboard cards measuring approximately 5 by 8 inches securely attached to each side of the car.

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

In § 177.848 paragraph (a) Chart, column 4, both vertically and horizontally, is amended to read as follows:

§ 177.848 Loading and storage chart of hazardous materials.

(a) * * *

4—Small arms ammunition, or cartridges, practice ammunition.

PART 179—SPECIFICATIONS FOR TANK CARS

In § 179.302 paragraph (a), the Table and footnote 5 are amended; footnote 6 is added to read as follows:

§ 179.302 Special commodity requirements for multiunit tank car tanks.

(a) * * *

Kind of gas	Maximum permitted filling density (see Note 1)	Containers marked as shown in this column or of the same type with higher service pressure must be used except as provided in § 173.34(a), (b), § 173.301(j) (see notes following table).
(change)	Percent	
Carbon dioxide, liquefied (see Notes 4, 7, and 8).	88	DOT-3A1800; DOT-3AA1800; DOT-3; DOT-3E1800; DOT-3HTX2000; DOT-39.
Hydrogen sulfide (see Note 10).....	92.5	DOT-3A480; DOT-3AA480; DOT-3B480; DOT-4A480; DOT-4B480; DOT-4BA480; DOT-4BW480; DOT-26-480; DOT-3E1800.

NOTE 3: [Canceled.]

NOTE 10: Each valve outlet must be sealed by a threaded cap or a threaded solid plug.

(H) In § 173.314 paragraph (c) table, Note 8 is amended to read as follows:

§ 173.314 Requirements for compressed gases in tank cars.

(c) * * *

NOTE 8: Tanks may not be equipped with safety-relief devices of any description. Each valve outlet must be sealed by a threaded cap or a threaded solid plug. In addition, the valves must be protected by a metal cover.

(I) In § 173.337, paragraph (a)(4) is added to read as follows:

§ 173.337 Nitric oxide.

(a) * * *

(4) Specification 106A500X (§§ 179.300, 179.301 of this chapter) tanks.

Nitric oxide charge in each tank may not exceed 200 p.s.i.g. at 70°F. Each tank must be equipped with gas-tight valve protection caps (see § 179.302 of this chapter). Each valve outlet must be sealed by a threaded solid plug or a threaded cap with inert luting or gasket material. Valves must be of stainless steel and the caps, plugs, and valve seats must be of material that will not be deteriorated by contact with nitric oxide or nitrogen dioxide. The tank may not be equipped with any safety relief device.

(J) In § 173.401, paragraph (a) is amended to read as follows:

§ 173.401 Hazardous materials.

(a) Packagings containing hazardous materials other than explosives must be marked, unless exempted, with the proper shipping name as shown in the list of hazardous materials (see § 172.5 (a) of this chapter). For tank cars, this marking must appear either on the placards or commodity cards. For explosives,

Commodity	Safety relief device	Valve protective housing	Miscellaneous
(Change) Hydrogen sulfide....	Prohibited ¹	Required ²	(9)
(Add) Nitric oxide.....	do ¹	Gas tight ²	

¹ Each valve outlet must be sealed by a threaded cap or a threaded solid plug.

² Valves must be protected by a metal cover.

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

AUTHORITY: Secs. 831-835 Title 18, United States Code, section 9, Department of Transportation Act 49 U.S.C. 1657, and title VI and section 902(h), Federal Aviation Act of 1958 49 U.S.C. 1421-1430, 1472(h), and 1655 (c).

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

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

ROBERT A. KAYE,
*Board Member, for the
Federal Highway Administration.*

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

D. H. CLIFTON,
*Captain, Alternate Board Member,
for the United States
Coast Guard.*

[FR Doc.73-15512 Filed 7-26-73; 8:45 am]

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

PART 501—ORGANIZATION AND DELEGATION OF POWERS AND DUTIES; PART 551—PROCEDURAL RULES

PART 553—RULEMAKING PROCEDURES

Procedures for the Motor Vehicle Information and Cost Savings Act

Parts 501, 551, and 553 of Title 49, Code of Federal Regulations, currently detail the delegated powers, general procedures, and rulemaking procedures utilized by the National Highway Traffic Safety Administration (NHTSA) to implement the National Traffic and Motor Vehicle Safety Act of 1966, Public Law 89-563. The Motor Vehicle Information and Cost Savings Act, Public Law 92-513, vests additional authority in the NHTSA. This amendment extends the applicability of Parts 501, 551, and 553 to the Cost Savings Act to establish uniform rulemaking procedures for both Acts.

Accordingly, the following amendments are made to 49 CFR Part 501, "Organization and delegation of powers and duties", Part 551, "Procedural rules", and Part 553, "Rulemaking procedures: motor vehicle safety standards".

1. Section 501.2 of Part 501 is amended by redesignating paragraphs (c), (d),

and (e) as paragraphs (d), (e), and (f), and by adding a new paragraph (c), to read:

§ 501.2 General.

(c) Carry out the Motor Vehicle Information and Cost Savings Act of 1972, as amended (86 Stat. 947; 15 U.S.C. 1901, et seq.).

§ 551.1 [Amended]

2. Section 551.1, *Scope*, of Part 551 is amended by adding "the Motor Vehicle Information and Cost Savings Act," following the "Vehicle Safety Act of 1966".

§ 551.33 [Amended]

3. Section 551.33 of Part 551 is amended by changing the number "20591" to "20590".

4. Part 553 is amended to read as set forth above.

5. Section 553.1, *Applicability*, of Part 553 is amended to read:

§ 553.1 Applicability.

This part prescribes rulemaking procedures that apply to the issuance, amendment, and revocation of rules pursuant to the National Traffic and Motor Vehicle Safety Act of 1966 and the Motor Vehicle Information and Cost savings Act.

6. Section 553.3, *Definitions*, of Part 553 is amended by the redefinition of "Act" and "Rule" to read:

"Acts" means the National Traffic and Motor Vehicle Safety Act of 1966, Public Law 89-563, 15 U.S.C. 1391, et seq., and the Motor Vehicle Information and Cost Savings Act, Public Law 92-513, 15 U.S.C. 1901, et seq.

"Rule" includes any order, regulation, or Federal motor vehicle safety standard issued under the Acts.

§ 553.5 [Amended]

7. Paragraph (b) of § 553.5, Part 553, is amended by the substitution of "applicable provisions of the Acts" for "sections 112 and 113 of the Act (15 U.S.C. 1401, 1402)".

8. Part 553 is amended by deleting "Under Sections 103 and 119 of the Act" from the heading of Part 553, Subpart B.

§ 553.11 [Amended]

9. Section 553.11, *General*, of Part 553 is amended by substituting "under applicable provisions of the Acts" for "involving rules under sections 103 and 119 of the Act."

Since this amendment relates to NHTSA organization, procedures, and practices, it is found that notice and public procedure thereon are unnecessary.

Effective date: July 27, 1973. Because this notice is only an extension of existing procedures to new areas of jurisdiction, it is found that an immediate effective date is in the public interest.

(Secs. 9, Pub. L. 89-670, 80 Stat. 944; 49 U.S.C. 1657; 103, 119, Pub. L. 89-563, 80 Stat. 718, 15 U.S.C. 1392, 1407; 102, 105, 201, 205, 302, and 408, Pub. L. 92-513, 86 Stat. 947, 15

U.S.C. 1912, 1915, 1941, 1945, 1962, and 1988; delegation of authority at 38 FR 12147)

Issued on July 23, 1973.

JAMES E. WILSON,
*Associate Administrator,
Traffic Safety Programs.*

[FR Doc.73-15424 Filed 7-26-73; 8:45 am]

[Docket No. 73-18; Notice 1]

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

New Pneumatic Tires, Tire Selection and Rims for Passenger Cars

Correction

In FR Doc. 73-13406, appearing in the issue of July 5, 1973, Item No. 2 on page 17842, adding new tire size designations to Table I-V (Motor Vehicle Safety Standard No. 109; Amendments Requested by the Rubber Manufacturers Association); the tire size designation "C50-14" should read "G50-14".

(Secs. 103, 119, 201, and 202, Public Law 89-563, 80 Stat. 718, 15 U.S.C. 1392, 1407, 1421, and 1422; delegation of authority at 38 FR 12147.)

Issued on July 23, 1973.

JAMES E. WILSON,
*Associate Administrator,
Traffic Safety Programs.*

[FR Doc.73-15423 Filed 7-26-73; 8:45 am]

CHAPTER X—INTERSTATE COMMERCE COMMISSION

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[Rev. S.O. 1120]

PART 1033—CAR SERVICE

Distribution of Covered Hopper Cars

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 19th day of July 1973.

It appearing, that an acute shortage of covered hopper cars for transporting shipments of grain, grain products, soybeans, or soybean meal exists in certain sections of the country; that some carriers have placed substantial numbers of large-capacity covered hopper cars in unit-train service for the movement of grain under tariff provisions which require that these cars remain in this service for five or more consecutive trips in the service of a single shipper; that such practices are depriving shippers, unable to ship to the destinations to which such services are available or unable to comply with tariff provisions applicable to such movements with respect to availability of tonnage in a single day or ability to receive grain in such quantities, of an equitable share of the supply of large covered hoppers; that entire areas of the country are unable to secure shipments of vitally needed feed grains because of these car distribution practices, thus creating great economic loss;

that present regulations and practices with respect to the use, supply, control, movement, and distribution of covered hopper cars are ineffective. It is the opinion of the Commission that an emergency exists requiring immediate action to promote car service in the interest of the public and the commerce of the people. Accordingly, the Commission finds that notice and public procedure are impracticable and contrary to the public interest, and that good cause exists for making this order effective upon less than thirty days' notice.

It is ordered, That:

§ 1033.1120 Service Order No. 1120.

(a) *Distribution of covered hopper cars.* Each common carrier by railroad subject to the Interstate Commerce Act shall observe, enforce, and obey the following rules, regulations, and practices with respect to its car service:

(1) *Restrictions on use of covered hopper cars.* Effective September 1, 1973, no common carrier by railroad shall permit the use in unit-grain-train services of more than twenty percent (20%) of its ownership of jumbo covered hopper cars.

(2) *Increased use in unit trains prohibited.* No common carrier by railroad shall increase the proportion of its ownership of covered hopper cars operated in unit-grain-train services above the proportion operated in unit-grain-train services on July 15, 1973.

(3) *Substitution of small cars for jumbo cars prohibited.* No common carrier shall substitute smaller covered hopper cars for jumbo covered hopper cars for use in unit-grain-train services.

(4) *Monthly reports required.* Each common carrier by railroad owning jumbo covered hopper cars shall report to Mr. R. D. Pfahler, Chairman, Railroad Service Board, Interstate Commerce Commission, Washington, D.C. 20423, on or before the tenth day of each month the number of jumbo covered hopper cars owned, as of the first of the month, the number in unit-grain-train services, the number in general grain services, the number in other services, the number of unit-grain trains operated during the previous month, and the number of trips made by such trains.

(b) *Definitions.*—(1) *Unit-grain-trains.* Unit-grain-trains are hereby defined as trains of fifty (50) or more covered hoppers organized and operated as a unit from a single point of origin, in-transit loading point, or concentration point and consigned to one destination or distribution point in order to comply with published tariff requirements.

(2) *Jumbo covered hopper cars of railroad ownership.* Jumbo covered hopper cars of railroad ownership are hereby defined as cars listed in the Official Railway Equipment Register, I.C.C. R.E.R. No. 388, issued by W. J. Trezise, or successive issues thereof as bearing reporting marks issued to a railroad and having mechanical designation "LO" and having cubical capacities of 4,000 cu. ft. or larger and weight-carrying capacities of 180,000 lbs. or greater.

(c) *Rules and regulations suspended.* In the event that the operation of any unit-grain-train is discontinued prior to September 1, 1973, as a result of this order, the discontinuance of such a train shall be deemed to have completed the tariff responsibility as to the number of consecutive trips required to be made by such unit-grain-train. The operation of all other tariff provisions or of other rules and regulations, insofar as they conflict with the provisions of this order, is hereby suspended.

(d) *Application.* The provisions of this order shall apply to intrastate, interstate, and foreign commerce.

(e) *Effective date.* This order shall become effective at 11:59 p.m., July 31, 1973.

(f) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., December 15, 1973, unless otherwise modified, changed, or suspended by order of this Commission.

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

It is further ordered, That a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this order be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.73-15494 Filed 7-26-73; 8:45 am]

Title 50—Wildlife and Fisheries
CHAPTER I—BUREAU OF SPORT FISHERIES AND WILDLIFE, FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR

PART 32—HUNTING

Flint Hills National Wildlife Refuge, Kans.

The following special regulations are issued and are effective on July 27, 1973.

§ 32.12 Special regulations; migratory game birds; for individual wildlife refuge areas.

KANSAS

FLINT HILLS NATIONAL WILDLIFE REFUGE

Public hunting of teal ducks on the Flint Hills National Wildlife Refuge, Kansas, is permitted from September 8 through September 16, 1973, inclusive, but only on the area designated by signs as open to hunting. This open area is delineated on maps available at refuge headquarters, Burlington, Kansas, and

from the Regional Director, Bureau of Sport Fisheries and Wildlife, 10597 W. Sixth Avenue, Denver, Colorado 80215. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of teal ducks subject to the following special conditions:

(1) Vehicle access shall be restricted to designated parking areas and to existing roads.

(2) Blind construction by the public is permitted but limited to temporary above-ground construction. Blind construction does not constitute a reservation of hunting space. Daily occupancy of blinds erected on refuge hunting units will be determined on a first-come first-served basis.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in 50 CFR Part 32, and are effective through September 16, 1973.

LYLE A. STEMMERMAN,
Refuge Manager, Flint Hills National Wildlife Refuge, Burlington, Kansas.

JULY 20, 1973.

[FR Doc.73-15440 Filed 7-26-73; 8:45 am]

PART 32—HUNTING

Flint Hills National Wildlife Refuge, Kans.

The following special regulation is issued and is effective on July 27, 1973.

§ 32.12 Special regulations; migratory game birds; for individual wildlife refuge areas.

KANSAS

FLINT HILLS NATIONAL WILDLIFE REFUGE

Public hunting of mourning doves, rails, woodcock and Wilson's snipe, on the Flint Hills National Wildlife Refuge, Kansas, is permitted only on the area designated by signs as open to hunting. This open area is delineated on maps available at refuge headquarters, Burlington, Kansas and from the Regional Director, Bureau of Sport Fisheries & Wildlife, 10597 W. Sixth Avenue, Denver, Colorado 80215. Hunting seasons are as follows: Mourning doves, from September 1 through October 30, 1973 inclusive; rails, from September 8 through November 11, 1973 inclusive; woodcock, from October 13 through December 16, 1973, inclusive; Wilson's snipe, from September 8 through November 11, 1973, inclusive. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of doves, rails, woodcock, Wilson's snipe are subject to the following special condition:

(1) Vehicle access shall be restricted to designated parking areas and to existing roads.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in 50 CFR

Part 32, and are effective through December 16, 1973.

LYLE A. STEMMERMAN,
Refuge Manager, Flint Hills National Wildlife Refuge, Burlington, Kansas.

JULY 20, 1973.

[FR Doc.73-15442 Filed 7-26-73;8:45 am]

PART 32—HUNTING

Flint Hills National Wildlife Refuge, Kans.

The following special regulation is issued and is effective on July 27, 1973.

§ 32.22 Special regulations: upland game; for individual wildlife refuge areas.

KANSAS

FLINT HILLS NATIONAL WILDLIFE REFUGE

The public hunting of upland game animals, upland game birds, and non game animals on the Flint Hills National Wildlife Refuge, Kansas, is permitted from October 1, 1973, through September 30, 1974, inclusive, but only on the area designated by signs as open to hunting. This open area is delineated on maps available at refuge headquarters, Burlington, Kansas, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 10597 W. Sixth Avenue, Denver, Colorado 80215. Hunting shall be in accordance with all applicable State regulations governing the hunting of upland game animals, upland game birds, and non game animals subject to the following special conditions.

(1) The use of rifles is prohibited on the refuge.

(2) Vehicle access shall be restricted to designated parking areas and existing roads.

(3) Dogs—Not to exceed two per hunter may be used only to retrieve wounded or dead squirrels, cottontail rabbits, bobwhite quail, and greater prairie chickens.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in 50 CFR Part 32 and are effective through September 30, 1974.

LYLE A. STEMMERMAN,
Refuge Manager, Flint Hills National Wildlife Refuge, Burlington, Kansas.

JULY 20, 1973.

[FR Doc.73-15441 Filed 7-26-73;8:45 am]

PART 32—HUNTING

Quivira National Wildlife Refuge, Kans.

The following special regulation is issued and is effective on July 27, 1973.

§ 32.22 Special regulations: upland game; for individual wildlife refuge areas.

KANSAS

QUIVIRA NATIONAL WILDLIFE REFUGE

Public hunting of cottontail rabbits and squirrel on the Quivira National

Wildlife Refuge, Kansas is permitted during the early teal season from September 8 through September 16, 1973, inclusive, but only in the areas designated by signs as open to hunting. These open areas, comprising 7,990 acres, are delineated on maps available at refuge headquarters, Stafford, Kansas, and from the Area Manager, Bureau of Sport Fisheries and Wildlife, Federal Building, Room 1748, 601 East 12th Street, Kansas City, Missouri 64106.

Hunting shall be in accordance with all applicable State regulations governing the hunting of cottontail rabbits and squirrel subject to the following special conditions:

(1) The use of rifles is prohibited for taking rabbits and squirrel.

(2) The hunting of any species after sunset is prohibited.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in 50 CFR Part 32 and are effective through September 16, 1973.

CHARLES R. DARLING,
Refuge Manager, Quivira National Wildlife Refuge, Stafford, Kansas.

JULY 18, 1973.

[FR Doc.73-15444 Filed 7-26-73;8:45 am]

PART 33—SPORT FISHING

Flint Hills National Wildlife Refuge, Kans.

The following special regulation is issued and is effective on July 27, 1973.

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

KANSAS

FLINT HILLS NATIONAL WILDLIFE REFUGE

Sport fishing, including the taking of frogs, on the Flint Hills National Wildlife Refuge, Kansas, is permitted only on the areas designated by signs as open to fishing. These open areas, comprising 1,500 acres of reservoir waters and approximately 28 miles of river and stream channel, are delineated on maps available at refuge headquarters, Burlington, Kansas, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 10597 W. Sixth Avenue, Denver, Colorado 80215. Sport fishing shall be in accordance with all applicable State regulations subject to the following special conditions:

(1) During the period October 1, 1973 through December 31, 1973, only Eagle Creek, the Neosho River and impoundments in the Eagle Creek and Hartford hunting units are open to public fishing, except the Neosho River Oxbow northeast of the Strawn Townsite is closed, as marked by buoys.

(2) During the period January 1, 1974 through September 30, 1974 all waters within the Flint Hills Refuge are open to sport fishing and the taking of bull frogs when in accordance with State of Kansas seasons.

(3) Vehicle access shall be confined to existing roads and trails not otherwise marked as closed to vehicle use.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in 50 CFR Part 33 and are effective through September 30, 1974.

LYLE A. STEMMERMAN,
Refuge Manager, Flint Hills National Wildlife Refuge, Burlington, Kansas.

JULY 20, 1973.

[FR Doc.73-15443 Filed 7-26-73;8:45 am]

Title 7—Agriculture

CHAPTER III—ANIMAL AND PLANT HEALTH INSPECTION SERVICE, DEPARTMENT OF AGRICULTURE

PART 331—PLANT PEST REGULATIONS GOVERNING INTERSTATE MOVEMENT OF CERTAIN PRODUCTS AND ARTICLES

Subpart—Giant African Snail

REGULATED AREA IN FLORIDA

This amendment removes from regulation three areas in Dade County and the entire area in Broward County which were previously regulated because of the giant African snail. This amendment also adds a part of the city of Opa-Locka in Dade County not previously regulated. Various minor changes are also made.

Under the authority of the Federal Plant Pest Act (7 U.S.C. 150aa-150jj) the notice of existence of hazardous situation and regulations related thereto (7 CFR 331.3, 36 FR 19667), with respect to the giant African snail is hereby amended as follows:

§ 331.3 Notice of existence of hazardous situation and regulations related thereto.

(a) Infestations of the giant African snail, *Achatina julica* Bowdich, a dangerous plant pest not widely prevalent or distributed within and throughout the United States, have been found in portions of Dade County in Florida; and it has been determined that these infestations have created a hazardous situation making it necessary to adopt a rule imposing restrictions, as provided for in this section, upon the interstate movement of certain products and articles, from the regulated portions of said county as hereinafter described, in order to prevent the interstate dissemination of the giant African snail. Accordingly, the products and articles listed in paragraph (b) of this section shall not be moved interstate from any area described in this paragraph (a), except as permitted under paragraph (c) of this section.

That area in the city of Opa-Locka bounded by a line beginning at the intersection of Perviz Avenue and Opa-Locka Boulevard, thence east and southeast along Opa-Locka Boulevard to its intersection with Superior Street, thence northeast and east along Superior Street to its junction with Northwest 24th Avenue, thence south along Northwest 24th Avenue and a projection thereof to Northwest 135th Street, thence

west along Northwest 135th Street to its junction with Northwest 31st Avenue, thence north on a projected line thereof to Perviz Avenue, thence north along Perviz Avenue to the point of beginning.

That portion of Dade County bounded by a line beginning at the intersection of Northwest 22d Avenue and Northwest 91st Street, thence extending east along Northwest 91st Street to its junction with Little River Boulevard, thence southeast and south along Little River Boulevard to the point where it merges with Northwest 14th Avenue, thence south along said avenue to its intersection with Northwest 83d Street, thence west along Northwest 83d Street to its intersection with Northwest 22d Avenue, thence north along Northwest 22d Avenue to the point of beginning.

That portion of Dade County bounded by a line beginning at the intersection of Northwest 17th Avenue and Spur Canal No. 1, thence extending northeast along Spur Canal No. 1 to its intersection with Northwest 151st Street, thence east on Northwest 151st Street to its intersection with Northwest 10th Avenue, thence south on Northwest 10th Avenue to Northwest 149th Terrace, thence east on Northwest 149th Terrace to Northwest Ninth Court, thence south on Northwest Ninth Court to Northwest 148th Street, thence west on Northwest 148th Street to Northwest 10th Avenue, thence south on Northwest 10th Avenue to Opa-Locka Boulevard, thence west on Opa-Locka Boulevard to Northwest 17th Avenue, thence north on Northwest 17th Avenue to the point of beginning.

(b) The following products and articles are subject to the measures imposed under this section:

- (1) Soil, compost, decomposed manure, separately or with other things.
- (2) Sand, gravel, bricks, concrete blocks, stones, pipes, and tile.
- (3) Forest, field, or nursery grown plants or parts thereof.
- (4) Plant debris, such as leaves and cut grass.
- (5) Sod.
- (6) Forest products, including stumpwood and timber.

(7) Any means of conveyance or other products or articles, of any character whatsoever, not covered by paragraph (b) (1) through (6) of this section, when it is determined by an inspector that they present a hazard of spread of the giant African snail, and the person in possession thereof has been so notified.

(c) Such regulated products and articles as described in paragraph (b) of this section may be moved from the regulated portions of Dade County described in paragraph (a) of this section: *Provided:*

(1) Such products and articles have been treated to destroy giant African snail infestations in accordance with procedures prescribed by the Deputy Administrator of the Plant Protection and Quarantine Programs, Animal and Plant Health Inspection Service, U.S. Department of Agriculture,¹ under the direction

of an inspector authorized by the Deputy Administrator and the products and articles are accompanied by a certificate issued by such an inspector signifying that they are eligible for interstate movement; or

(2) Such products and articles originate in an area in the said regulated portions of Dade County which have been inspected by such an inspector, and he has found that the interstate movement of the products and articles from such areas will not involve a risk of disseminating said infestations, and the products and articles are accompanied by a certificate issued by such an inspector signifying that they are eligible for interstate movement; or

(3) Such products and articles are moved under permit issued by such an inspector to an approved destination for consumption, processing, or other handling in accordance with procedures approved by said inspector, when upon evaluation of the circumstances involved in each specific case he determines that such movement will not result in the spread of the giant African snail and requirements of other applicable Federal domestic plant quarantines have been met.

(Sec. 105, 71 Stat. 32, sec. 106, 71 Stat. 33, sec. 107, 71 Stat. 34; 7 U.S.C. 150dd, 150ee, 150ff; 37 FR 28464, 28477.)

The foregoing amendments shall become effective July 27, 1973.

The Administrator of the Animal and Plant Health Inspection Service has determined that infestations of the giant African snail no longer exist in the three areas being released from regulation. Surveys have failed to reveal any infestations of giant African snail for at least two years in these three areas. However, a survey has revealed a giant African snail infestation in the area being brought under regulation in the city of Opa-Locka.

To the extent that these amendments relieve certain restrictions presently imposed, it should be made effective promptly in order to be of maximum benefit to persons subject to the restrictions which are being relieved. To the extent that these amendments imposed restrictions, they are necessary in order to prevent the spread of giant African snail, and should be made effective promptly to accomplish their purpose in the public interest.

Accordingly, it is found upon good cause under the administrative procedure provisions of 5 U.S.C. 553, that further notice and other public procedure with respect to these amendments are impracticable and contrary to the public interest, and good cause is found for making them effective less than 30 days after publication in the *FEDERAL REGISTER*.

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

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

[FR Doc.73-15473 Filed 7-26-73; 8:45 am]

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

[Lemon Reg. 596]

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 July 29-Aug. 4, 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.

§ 910.896 Lemon Regulation 596.

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

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

(i) The committee has submitted its recommendation with respect to the quantity of lemons it deems advisable to be handled during the ensuing week. Such recommendation resulted from consideration of the factors enumerated in the order. The committee further reports the demand for lemons continues quite active because of extremely warm and humid weather over the Eastern Seaboard and in the South. Supply is light in most markets and at auctions in relation to the active demand. Average f.o.b. price was \$5.34 per carton the week ended July 21, 1973, compared to \$4.96 per carton the previous week. Track and rolling supplies at 149 cars were down 14 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,

¹ Pamphlets containing such provisions are available upon request to the Deputy Administrator, Plant Protection and Quarantine Programs, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, Federal Center Building, Hyattsville, Md. 20782, or from an inspector.

engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the *FEDERAL REGISTER* (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for this section; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on July 24, 1973.

(b) *Order.* (1) The quantity of lemons grown in California and Arizona which may be handled during the period July 29, 1973, through August 4, 1973, is hereby fixed at 300,000 cartons.

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

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

Dated: July 25, 1973.

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

[FR Doc. 73-15593 Filed 7-26-73; 8:45 am]

[Lime Reg. 6]

PART 911—LIMES GROWN IN FLORIDA Limitation of Handling

This regulation fixes the quantity of Florida limes that may be shipped to fresh market during the weekly regulation period July 29-August 4, 1973. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 911. The quantity of limes so fixed was arrived at after consideration of the total available supply of Florida limes, the quantity currently available for market,

lime prices, and the relationship of season average returns to the parity price for Florida limes.

§ 911.406 Lime Regulation 6.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 911, as amended (7 CFR Part 911; 37 FR 10497), regulating the handling of limes grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Florida Lime 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 limes, as hereinafter provided, will tend to effectuate the declared policy of the act.

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

(i) The committee has submitted its recommendation with respect to the quantity of limes which it deems advisable to be handled during the succeeding week. Such recommendation results from consideration of the factors enumerated in the order. The committee further reports the fresh market demand for limes is soft, and prices are unchanged. Prices f.o.b. packinghouse continue to range \$1.35 to \$1.55 per 10 pound container. Fresh shipments for the weeks ended July 21, 1973, and July 14, 1973, were 23,899 bushels and 24,512 bushels, respectively.

(ii) Having considered the recommendation and information submitted by the committee, and other available information the Secretary finds that the quantity of limes 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 Florida limes, 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 pe-

riod 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 limes; 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 July 24, 1973.

(b) *Order.* (1) The quantity of limes grown in Florida which may be handled during the period July 29, 1973, through August 4, 1973, is hereby fixed at 24,000 bushels.

(2) As used in this section, "handled" and "limes" have the same meaning as when used in said amended marketing agreement and order, and "bushel" means 55 pounds of limes.

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

Dated: July 25, 1973.

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

[FR Doc. 73-15594 Filed 7-26-73; 8:45 am]

CHAPTER XIV—COMMODITY CREDIT CORPORATION, DEPARTMENT OF AGRICULTURE

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[Cotton Loan Program Regs., Amdt. 4]

PART 1427—COTTON

Subpart—Cotton Loan Program Regulations

MISCELLANEOUS AMENDMENTS

Notices of proposed rulemaking with respect to the loan program for the 1973 crops of upland and extra long staple cotton regarding the operating provisions to carry out the program were published in the *FEDERAL REGISTER* on September 16, 1972, January 8, 1973, and on April 9, 1973, respectively.

No comments were received concerning the proposals published on September 16, 1972, and on January 8, 1973. Responses to the proposals published on April 9, 1973, are summarized as follows: Nine responses were received concerning item (a) of the notice (Adopt Strict Low Middling 1 1/16-inch as the base quality for computing upland cotton loans). Eight responses favored the proposal and one opposed. No specific comments were received concerning items (b) through (e) of the notice. Ten responses were received concerning item (f) (Schedule of microaire differential for ELS cotton). Six favored such differentials and four opposed. Forty-seven responses were received concerning item (g) (Detailed operating provisions to carry out the loan

program for upland cotton). Specific proposals included a requirement that the ginner enter the tare weight of the bale on the gin bale tag, and elimination of the one-half cent per pound discount on upland cotton reduced in grade because of extraneous matter or spindle twist. Seven responses were received concerning the first item. All favored the proposal. Forty-seven responses were received concerning the second item, 25 of which favored the proposal. The regulations issued by Commodity Credit Corporation, published as the Cotton Loan Program Regulations, in 36 FR 13981, as amended, are hereby further amended as follows:

1. Section 1427.2(c) is amended to define the Data Systems Field Office, which has absorbed the loan recordkeeping duties of the New Orleans Office. The amended paragraph (c) reads as follows:

§ 1427.2 Definitions.

(c) "Data Systems Field Office" shall mean the Data Systems Field Office, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, 8930 Ward Parkway, Kansas City, Missouri 64114 (mailing address PO. Box 205, Kansas City, Missouri 64141).

2. Section 1427.3 is amended to reflect the Divisions administering the program and substitute the Data Systems Field Office for the New Orleans Office. The Data Systems Field Office absorbed the loan recordkeeping duties of the New Orleans Office. The amended section reads as follows:

§ 1427.3 Administration.

(a) The Cotton, Rice and Oilseeds Division, Agricultural Stabilization and Conservation Service, will administer the provisions of this subpart and the Program Operations Division will administer the provisions relating to cooperative marketing associations under the general supervision and direction of the Deputy Administrator, Programs, Agricultural Stabilization and Conservation Service, in accordance with program provisions and policy determined by the CCC Board and the Executive Vice President, CCC. In the field the program will be administered through State committees, county committees, and the Data Systems Field Office.

(b) Forms will be available at State and county offices and from loan clerks.

(c) State and county committees and employees thereof, loan clerks, the Data Systems Field Office, and employees thereof, do not have authority to modify or waive any of the provisions of this subpart or any amendment or supplement thereto.

(d) No delegation herein to a State or county committee or to the Data Systems Field Office shall preclude the Executive Vice President, CCC, or his designee, from determining any question arising under the program or from reversing or modifying any determination made by a

State or county committee or by the Data Systems Field Office.

3. Section 1427.6(f) is amended to provide that cotton must not be compressed to universal density where side pressure has been applied or to high density at a warehouse. Section 1427.6(m) is amended to provide that each bale must be ginned by a ginner who has entered the tare weight on the gin bale tag. The amended paragraphs read as follows:

§ 1427.6 Eligible cotton.

(f) Such cotton must not be compressed to universal density where side pressure has been applied, or to high density at a warehouse.

(m) Each bale must be ginned by a ginner (1) who has entered the tare weight of the bale (bagging and ties used to wrap the bale) on the gin bale tag, and (2) who has entered into CCC-809, Cooperating Ginner's Bagging and Bale Ties Certification and Agreement or certified that the bale is wrapped with bagging and bale ties meeting the requirements of paragraph (l) of this section.

4. Section 1427.8 is amended to substitute the Prairie Village ASCS Commodity Office for the New Orleans Office. The amended section reads as follows:

§ 1427.8 Approved storage.

Except as provided otherwise in § 1427.21, cotton will be accepted as security for loans only if stored at warehouses approved by CCC. When the warehouseman receives notice from CCC that a loan has been made by CCC on a bale of cotton, he shall, if such cotton is not stored within his warehouse, promptly place such cotton within the warehouse. Warehousemen desiring approval of their facilities should communicate with the Prairie Village Agricultural Stabilization and Conservation Service Commodity Office, U.S. Department of Agriculture, Brymar Office Center, 2400 West 75th Street, Prairie Village, Kansas 66208 (mailing address PO. Box 8377, Shawnee Mission, Kansas 66208). The names of approved warehouses may be obtained from the Prairie Village Office or from State or county offices. Storage charges paid by a producer on cotton which is later pledged to CCC as security for a loan will not be refunded by CCC. If cotton is redeemed from the loan, the person removing the cotton from storage shall pay all unpaid charges at the warehouseman's established tariff rate.

5. Section 1427.9(b) (1) is amended to provide that the base loan rate for upland cotton will be calculated on the basis of Strict Low Middling 1¹/₁₆-inch cotton. Subparagraph (3) is eliminated because extraneous matter and spindle twist discounts are no longer applicable. Subparagraph (4) is redesignated as subparagraph (3) and is amended to provide that discounts for micronaire readings

shall apply to extra long staple cotton. The amended subparagraphs read as follows:

§ 1427.9 Weight, loan rate, and amount.

(b) *Loan rate.* (1) The base loan rate for Strict Low Middling 1¹/₁₆-inch upland cotton of each crop at each approved warehouse location will be stated in the schedule of base loan rates for upland cotton by warehouse locations contained in the supplement to this subpart of such crop. The schedule will be available at county offices.

(3) Loan rates and micronaire discounts, if any, for extra long staple cotton of each crop will be contained in the supplement to this subpart for such crop.

6. Section 1427.19(a) is amended to delete the provision that each warehouse receipt must show the type bagging used to wrap the bale. The amended paragraph reads as follows:

§ 1427.19 Warehouse receipt and insurance.

(a) *General.* Producers may obtain loans on cotton represented by warehouse receipts only if the warehouse receipts are negotiable machine card-type warehouse receipts, are issued by CCC approved warehouses, provide for delivery of the cotton to bearer or are properly assigned by endorsement in blank so as to vest title in the holder of the receipt, and otherwise are acceptable to CCC. The warehouse receipt must contain the tag number (warehouse receipt number), must show that the cotton is covered by fire insurance, and must be dated on or prior to the date the producer signs the note. If a bale is stored at the origin warehouse (the warehouse to which the bale was first delivered for storage after ginning), the warehouse receipt must contain the gin bale number. If a bale has been moved from the origin warehouse, the warehouse receipt shall, in lieu of the gin bale number, contain the tag number and identification of the origin warehouse. Open yard endorsement, if any, on the warehouse receipt must have been rescinded with the legend "open yard disclaimer deleted" with appropriate signature of the warehouseman or his authorized representative. Block warehouse receipts will not be accepted except on cotton to be reconcentrated pursuant to § 1427.22.

(Secs. 4, 5, 62 Stat. 1070, as amended; secs. 101, 103, 401, 63 Stat. 1051, as amended; 15 U.S.C. 714 b and c; 7 U.S.C. 1441, 1444, 1421)

Effective date. This amendment shall become effective for all loans made on 1973 and subsequent crops of cotton.

Signed at Washington, D.C., on July 20, 1973.

KENNETH E. FRICK,
Executive Vice President,
Commodity Credit Corporation.

[FR Doc. 73-15508 Filed 7-26-73; 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 AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 927]

PEARS GROWN IN OREGON, WASHINGTON, AND CALIFORNIA

Proposed Limitation of Handling

This notice invites written comments relative to a proposed seasonal regulation of the grade and size of fresh winter pears to be effective from August 6, 1973, through June 30, 1974. The proposed regulation, as hereinafter set forth, was recommended by the Control Committee. The committee functions pursuant to the amended marketing agreement and Order No. 927, as amended (7 CFR Part 927), which regulate the handling of Beurre D'Anjou, Beurre Bosc, Winter Nelis, Doyenne du Comice, Beurre Easter, and Beurre Clairgeau varieties of pears grown in Oregon, Washington, and California. This program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

The proposed regulation reflects the committee's appraisal of the 1973 crop and the current and prospective market conditions. The proposed grade and size requirements are designed to prevent the handling of winter pears grading lower than the specified grade or smaller than the specified size so as to provide consumers with good quality fruit consistent with the overall quality of the crop, while improving returns to the producers pursuant to the declared policy of the act.

In addition to the basic grade and size requirements specified for Beurre D'Anjou, Beurre Bosc, and Doyenne du Comice pears, the regulation would permit the handling of such pears bearing limited damage from skin punctures, however, this reduction in market desirability would be offset by the requirement that any pears thus affected be of a specified higher grade and larger size. Likewise, Beurre D'Anjou pears, grown in the Wenatchee District, which fail to meet U.S. No. 2 grade requirements only because of specified types of damage would be required to be of considerably larger size with at least half of each pear showing no such damage. The provision that any handler may ship size 180 Beurre D'Anjou pears of at least U.S. No. 1 grade in an amount not exceeding 2 percent of his total seasonal shipments of U.S. No. 1 grade, or better, would permit the marketing of pears of a desirable quality which offsets the smaller size.

The requirement that the core temperature of Beurre D'Anjou pears grown

in the Oregon and Washington Districts and shipped prior to October 15, 1973, must have been lowered to the specified temperature (35° F.) would assure proper ripening of such pears.

The proposed regulation is as follows:

§ 927.312 Pear Regulation 12.

(a) Order: During the period August 6, 1973, through June 30, 1974, no handler shall ship any of the following varieties of pears which do not meet the requirements hereinafter specified:

(1) Beurre D'Anjou pears shall be of a size not smaller than 165 size and shall grade at least U.S. No. 2 except that any handler may ship a quantity of Beurre D'Anjou pears that are not smaller than 180 size and not less than U.S. No. 1 grade which quantity shall not exceed 2 percent of the total U.S. No. 1 or better grades of such variety shipped by the handler, during the aforesaid period: *Provided*, That pears of such variety which bear unhealed skin punctures not exceeding 3/16 of an inch in diameter may be shipped if they otherwise grade at least U.S. No. 1 and are of a size not smaller than 135 size: *Provided further*, That pears of such variety grown in the Wenatchee District which fail to meet the requirements of U.S. No. 2 grade only because of serious, but not very serious, damage caused by frost injury, healed hail marks, russeting, or limbrubs, may be shipped if they are of a size not smaller than 135 size and they are not so seriously misshapen as to preclude the cutting of at least one good half;

(2) Beurre D'Anjou pears shipped from the Medford, Hood River-White Salmon-Underwood, Wenatchee, and Yakima Districts prior to October 15, 1973, shall have an appropriate certification by the Federal-State Inspection Service, issued prior to shipment, showing that the core temperature of such pears has been lowered to 35° Fahrenheit or less;

(3) Beurre Bosc pears shall grade at least U.S. No. 1 and shall be of a size not smaller than 195 size: *Provided*, That pears of such variety which grade at least U.S. No. 2 may be shipped if they are of a size not smaller than 180 size: *Provided further*, That pears of such variety which bear unhealed skin punctures not exceeding 3/16 of an inch in diameter may be shipped if they otherwise grade at least U.S. No. 1 and are of a size not smaller than 135 size;

(4) Doyenne du Comice pears shall be of a size not smaller than 165 size and shall grade at least U.S. No. 2: *Provided*, That pears of such variety which bear

unhealed skin punctures not exceeding 3/16 of an inch in diameter may be shipped if they otherwise grade at least U.S. No. 1 and are of a size not smaller than 135 size; and

(5) Winter Nelis pears shall be of a size not smaller than 195 size and shall grade at least U.S. No. 2.

(b) During the aforesaid period, each handler may ship on any one conveyance up to, but not to exceed, 200 standard western pear boxes of any variety of pears, or an equivalent quantity of pears in other containers computed by weight to the nearest 5 pounds, without regard to the inspection requirements of § 927.60 (a), under the following conditions:

(1) Each handler desiring to make shipment of pears pursuant to this paragraph (b) (1) shall first apply to the committee, on forms furnished by the committee, for permission to make such shipments. At the time of any such shipment the handler shall report to the committee, on forms supplied by the committee, the car or truck number and the destination of the shipment.

(2) On the basis of such individual reports the committee shall require spot check inspection of such shipments.

(c) When used herein, "U.S. No. 1" and "U.S. No. 2" shall have the same meaning as when used in the United States Standards for Winter Pears such as Anjou, Bosc, Winter Nelis, Comice, and other similar varieties (7 CFR 51.1300-51.1323); "135 size," "165 size," "180 size," and "195 size," shall mean that the pears are of a size which, as indicated by the size number, will pack, in accordance with the sizing and packing specifications of a standard pack as specified in said United States Standards, 135, 165, 180, or 195 pears, respectively, in a standard western pear box (inside dimensions 18 inches long by 11 1/2 inches wide by 8 1/2 inches deep); "very serious damage" shall mean any injury or defect which very seriously affects the appearance of the edible or shipping quality of the pears; and, except as otherwise specified, all other terms shall have the same meaning as when used in the amended marketing agreement and order.

All persons who desire to submit written data, views, or arguments in connection with the proposal should file the same with the Hearing Clerk, Room 112A, U.S. Department of Agriculture, Washington, D.C. 20250, not later than July 30, 1973. All written submissions made pursuant to this notice will be made available for public inspection at the of-

file of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Dated: July 23, 1973.

FRED DUNN,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc.73-15471 Filed 7-26-73;8:45 am]

[7 CFR Part 993]

DRIED PRUNES PRODUCED IN CALIFORNIA

Proposed Salable and Reserve Percentages for 1973-74 Crop Year

Notice is hereby given of a proposal unanimously recommended by the Prune Administrative Committee to establish salable and reserve percentages for California dried prunes of 100 percent and 0 percent, respectively, for the 1973-74 crop year, pursuant to the marketing agreement, as amended, and Order No. 993, as amended (7 CFR Part 993), regulating the handling of dried prunes produced in California. The amended marketing agreement and order (hereinafter referred to collectively as the "order") are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). These percentages would be applicable to all prunes received by handlers from producers and dehydrators during the 1973-74 crop year (beginning August 1, 1973).

The Committee's recommendation is based on its estimate of 1973 California dried prune production of 160,000 tons, natural condition weight, and carryin of 6,000 tons, natural condition weight. This would result in an estimated supply of 166,000 tons. The Committee also estimated 1973-74 domestic trade demand at 106,800 tons (natural condition weight) and foreign trade demand at 34,000 tons (natural condition weight), leaving a carryout on July 31, 1974, of 25,200 tons. A carryout of 25,000 tons is deemed desirable. Therefore, the Committee recommended that the salable and reserve percentages for the 1973-74 crop year be 100 percent and 0 percent, respectively.

The Committee's estimate of California's 1973 dried prune production was the same as the Crop Reporting Board's estimate as of June 1, 1973. Since then, the Crop Reporting Board revised its estimate and, as of July 1, is estimating 1973 production at 170,000 tons.

Consideration will be given to any written data, views, or arguments pertaining to the proposal which are received by the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than August 15, 1973. All written submissions made pursuant to this notice should be in quadruplicate and will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

The proposal is as follows:

§ 993.209 Salable and reserve percentages for prunes for the 1973-74 crop year.

The salable and reserve percentages for the 1973-74 crop year shall be 100 percent and 0 percent, respectively.

Dated: July 23, 1973.

FRED DUNN,
Acting Director,
Fruit and Vegetable Division.

[FR Doc.73-15476 Filed 7-26-73;8:45 am]

[7 CFR Part 1050]

[Docket No. AO 355-A13]

MILK IN THE CENTRAL ILLINOIS MARKETING AREA

Notice of Recommended Decision and Opportunity to File Written Exceptions on Proposed Amendments to Tentative Marketing Agreement and to Order

Notice is hereby given of the filing with the Hearing Clerk of this recommended decision with respect to proposed amendments to the tentative marketing agreement and order regulating the handling of milk in the Central Illinois marketing area.

Interested parties may file written exceptions to this decision with the Hearing Clerk, United States Department of Agriculture, Washington, D.C., 20250, by August 13, 1973. The exceptions should be filed in quadruplicate. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

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

PRELIMINARY STATEMENT

The hearing on the record of which the proposed amendments, as herein-after set forth, to the tentative marketing agreement and to the order as amended, were formulated, was conducted at Bridgeton, Missouri, on May 23, 1973, pursuant to notice thereof issued on May 11, 1973, (38 FR 12926).

The material issues on the record of the hearing relate to:

1. Pooling standards for distributing plants.
2. Designation of a cooperative as a handler on bulk tank milk.
3. Order format.
4. Emergency action.

FINDINGS AND CONCLUSIONS

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

1. Pooling standards for distributing plants. The provisions of the order with

respect to pool distributing plant performance standards should be modified. For purposes of determining whether a distributing plant has met the pooling percentages specified in the order, both as to the proportion of its receipts distributed on routes in the marketing area and the proportion distributed on all routes, receipts at the distributing plant should (a) exclude the amount of fluid milk products transferred without specific Class II designation to other pool distributing plants, and (b) include all Grade A milk received by transfer from other pool plants.

The order currently provides that a pool distributing plant's total route disposition, both inside and outside the marketing area, must be at least 50 percent of its Grade A receipts from dairy farmers and cooperative associations in their capacity as bulk tank handlers during the months of August through February, and 40 percent during all other months. In addition, a pool distributing plant's route disposition in the marketing area must be not less than (a) 10 percent of such receipts, or (b) an average of 7,000 pounds per day.

A cooperative association supplying the market proposed that transfers and diversions of bulk and packaged fluid milk products from a distributing plant to other pool plants be excluded from the former plant's receipts for purposes of determining its performance percentages. Proponent contended that the proposed change in the order is needed if the possibility of loss of producer status for a substantial number of dairy farmers supplying the Central Illinois market is to be avoided. No opposition to the proposal was expressed at the hearing or in briefs.

Proponent operates a pool distributing plant that it acquired as a result of a merger with another cooperative association on November 1, 1972. Most of the fluid milk processed and packaged at this plant is distributed on routes in the marketing area. However, some of it is moved to other pool distributing plants for which proponent is a custom bottler. In addition, the association's plant is the principal supplier of bulk fluid milk for yet another pool distributing plant.

The latter plant is physically unable to receive milk directly from producers. Therefore, milk supplied to this plant is received initially at proponent's plant where it is cooled and stored until needed. It is then shipped to the second plant and pumped directly from tank trucks into the plant's own processing and packaging facilities.

The producer milk that must be received at proponent's plant in order to perform these supply plant and custom bottling plant functions ultimately is used for Class I route disposition by other pool distributing plants. The producers receipts associated with this route disposition are credited to proponent's plant while the route disposition itself is credited to the other pool plants. Proponent contends that the consequent decrease in its plant's performance percentages jeopardizes its pool status. The

association projects that during the summer, when route sales to schools are down and producer receipts are near their seasonal peak, its plant will not be able to meet the total route disposition requirement now specified in the order.

Proponent cited a recent change in its plant's supply situation as an additional factor that is contributing to its pooling difficulties. In October 1972, a large pool distributing plant ceased all processing operations leaving a substantial number of producers with no immediately available fluid outlet for their milk. Subsequently, proponent began receiving the milk of a number of these producers at its plant. Proponent has continued to receive these additional supplies since that time.

The revised method of computing pooling percentages adopted herein, by excluding transfers of fluid milk not specifically designated as Class II from the shipping plant's receipts and including them in the receiving plant's receipts, will, in effect, allocate the former plant's receipts to the plant that actually made use of such receipts for route disposition. This will enable the shipping plant to continue performing services that are vital to the fulfillment of the market's fluid needs without risking its pool plant status.

In addition the modification will provide a more logical basis for computing performance percentages for a distributing plant that receives a substantial amount of milk from pool plants. Under the present order provisions, milk transferred from pool plants to a distributing plant is not counted as part of the receiving plant's receipts for purposes of determining its pool status. However, to prevent such a distributing plant from attaining pool status when most of its receipts are utilized for Class II products it is necessary that all transfers from other pool plants, and not just those transfers without a specified Class II designation be included in a transferee distributing plant's receipts for qualifying purposes.

For similar reasons, transfers from a distributing plant to pool supply plants and nonpool plants, and transfers from a distributing plant to pool distributing plants when such transfers carry a specific Class II designation, should not be excluded from the shipping plant's receipts for purposes of determining its pool status. Under normal circumstances, milk will not be so transferred unless it is to be used for manufacturing purposes at the receiving plant. If such transfers were excluded from the shipping distributing plant's receipts for qualifying purposes, the plant could conceivably maintain its pooling percentages at or above the minimum levels specified in the order even though a major portion of its receipts were ultimately used to produce manufactured products.

2. *Designation of a cooperative as a handler on bulk tank milk.* The order should provide that a cooperative association shall be the handler for the milk of each producer (regardless of

whether he is a member of that cooperative) moved from the farm for delivery to the pool plant of another handler in a tank truck under the control of such association. However, if the milk is received by the plant operator on the basis of weights determined from its measurement at the farm and butterfat tests based on farm tank samples, the plant operator shall be the handler for such milk when the association and the plant handler so agree. In this circumstance the cooperative association would be a handler with respect to such milk only for the purpose of filing certain reports with respect to such milk. In addition, a cooperative association should be the handler for all milk (member and nonmember) it causes to be diverted for its account from a pool plant to a nonpool plant.

Under the current order provisions, a cooperative association may be a bulk tank handler or a diverting handler with respect to milk of its member producers. Moreover, a cooperative may now elect whether to be the handler with respect to milk it delivers from the farm to a pool plant in a tank truck under its control.

Milk produced for this market is handled through farm bulk tanks and moved to the market in tank trucks. After the milk has been pumped from the farm tank into the tank truck and commingled with the milk of other producers, there is no further opportunity to measure, sample, or reject the milk of the individual producer. Milk of a nonmember, when commingled in a tank truck with that of members of a cooperative association, cannot be distinguished from milk of such members. The amount of milk delivered by producers using farm bulk tanks, and the butterfat content thereof, can be determined only by measurement at the farm and from milk samples taken at the farm.

When milk is picked up at the farm by a cooperative association, or by a person under contract to, or under the control of, such association, it is the association that determines the weight and butterfat content of each producer's milk. In some instances the plant operator may not know the identity of the individual producer whose milk he receives. Accordingly, the association must be the responsible handler for such milk unless it is received by the pool plant operator on the basis of weights determined from measurement at the farm and butterfat tests determined from farm tank samples. When milk is received by the plant operator on the basis of farm weights and tests described above, the plant operator may be the responsible handler if he and the cooperative association mutually agree and so notify the market administrator prior to the date for filing reports of receipts and utilization for the first month such agreement is to be effective. When milk is received at the pool plant on the basis of such agreement, it will be a receipt at such plant from producers, not from another handler. The cooperative association, however, would be required to report to the market ad-

ministrator the total volume of milk delivered to the plant, and to file a payroll report showing the weight and butterfat content of the milk of the individual producers involved.

At the hearing, cooperative association representatives expressed opposition to any provision that would require the association, rather than the pool plant operator, to pay nonmember producers for milk moved to the pool plants of other handlers on trucks owned or operated by the association. The above described agreement will make it possible for a cooperative association to pick up on its trucks the milk of nonmember producers, without its becoming obligated to make payment to such nonmember producers for the milk.

A cooperative association's basic responsibilities under the order as a bulk tank handler will not be affected by these modifications and, under the type of agreement with the plant operator provided for, will continue to be limited primarily to filing a report as to the farm weights and tests of such milk and as to the quantities transferred to other handlers. The cooperative's monetary obligations to the pool, with respect to the milk for which it is the bulk tank handler, will continue to be with respect to any difference in the amounts of milk and butterfat as measured at the farm and those recorded at the receiving plant when the plant operator receives the milk at scale weight rather than on farm measurement. This usually will be at its value as shrinkage in accordance with the shrinkage provisions.

Several cooperative associations expressed concern at the hearing that the modifications adopted herein might require a cooperative to be the handler for the milk of nonmember producers. Nothing in the amended order as adopted requires a cooperative association to pick up the milk of nonmember producers in tank trucks under the association's control. It does provide that if a cooperative should pick up milk of nonmember producers on routes under its control, it will be, for the foregoing reasons, the responsible handler for such milk unless the plant operator to whose plant such milk is delivered purchases the milk on the basis of farm weights and butterfat tests. The cooperative association may collect payment from pool plant operators for producers who are not members of such association and with respect to whose milk the association is the bulk tank handler. The market administrator should determine, however, that each such nonmember has given the association authorization to make such collection.

In the event that the milk of a nonmember producer is diverted from a pool plant to a nonpool plant by a cooperative association for the account of such association, the cooperative should be the diverting handler with respect to such milk. Here the cooperative performs the complete handling function and, in such capacity, obviously must be held to be the responsible handler for order obligations.

In their briefs, the cooperative associations expressing concern over this matter at the hearing requested that consideration of this entire issue be deferred until a later date. In view of the above findings, it is concluded that this request should be denied.

3. **Order format.** Consideration was given at the hearing to revising the format of the Central Illinois order. It is concluded, however, that such a revision would not be appropriate at this time. Amendatory proceedings for 39 markets, including the Central Illinois market, on the proposed use of a uniform plan for classifying milk for pricing purposes under Federal milk orders are currently in progress. Consideration is being given in those proceedings to a uniform format for all 39 orders.

4. **Emergency action.** Proponent cooperative requested that emergency action be taken with respect to its proposal to revise the pool plant provisions. It claimed that emergency action is necessary if its plant is to retain its pool status through the summer months.

A suspension order, requested by proponent at the hearing pending the completion of this amendatory procedure was issued on June 26, 1973, by the Assistant Secretary. The order suspends the total route disposition requirement for the months of June through August 1973 and will enable proponent's plant to maintain its pool status during such period. In view of this action, it is concluded that a recommended decision should be issued and opportunity for filing exceptions thereto should be given. The request for emergency action is therefore denied.

RULINGS ON PROPOSED FINDING AND CONCLUSIONS

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

GENERAL FINDINGS

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

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

(b) The parity prices of milk as determined pursuant to section 2 of the Act

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

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

RECOMMENDED MARKETING AGREEMENT AND ORDER AMENDING THE ORDER

The recommended marketing agreement is not included in this decision because the regulatory provisions thereof would be the same as those contained in the order, as hereby proposed to be amended. The following order amending the order, as amended, regulating the handling of milk in the Central Illinois marketing area is recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out:

1. Section 1050.7 is revised to read as follows:

§ 1050.7 Producer.

"Producer" means any person, other than a producer-handler as defined in any order (including this part) issued pursuant to the Act, who produces milk in compliance with Grade A inspection requirements of a duly constituted health authority, and whose milk is (a) received at a pool plant, (b) diverted as producer milk pursuant to § 1050.14, or (c) accounted for by a cooperative association pursuant to § 1050.14(b).

2. In § 1050.9, paragraphs (c) and (d) are revised to read as follows:

§ 1050.9 Handler.

(c) Any cooperative association with respect to milk of producers diverted for its account from a pool plant to a nonpool plant pursuant to § 1050.14;

(d) Any cooperative association with respect to producer milk it causes to be moved from the farm for delivery to the pool plant of another person in a tank truck owned and operated by, or under contract to, such cooperative association. The cooperative association shall be the handler on such milk only for the purposes of §§ 1050.30 and 1050.31, if the plant operator and the association both notify the market administrator, on or before the due date for filing monthly reports of receipts and utilization for the first month such plan is to be operative, that the operator of the pool plant received the milk from dairy farmers as producer milk and the pool plant operator states that he is purchasing the milk

on the basis of weights determined from its measurement at the farm and butterfat tests based on farm tank samples;

3. In § 1050.12, paragraph (a) (1) and (2) is revised to read as follows:

§ 1050.12 Pool plant.

(a) * * *

(1) Disposition of fluid milk products, except filled milk, in the marketing area on routes is 10 percent or more of its Grade A receipts from dairy farmers, handlers described in § 1050.9(d), and other pool plants, such receipts to be exclusive of fluid milk products (except filled milk) transferred without specific Class II designation to other pool plants described in this paragraph, or from which an average of not less than 7,000 pounds per day of fluid milk products, except filled milk, is distributed on routes in the marketing area; and

(2) Total disposition of fluid milk products, except filled milk, on routes is 50 percent or more of its Grade A receipts from dairy farmers, handlers described in § 1050.9(d), and other pool plants, such receipts to be exclusive of fluid milk products (except filled milk) transferred without specific Class II designation to other pool plants described in this paragraph, during the months of August through February and 40 percent during all other months;

4. Section 1050.14 is revised to read as follows:

§ 1050.14 Producer milk.

Except for milk received at a pool plant by diversion from a plant at which such milk is fully subject to the pricing and pooling provisions of this or any other order issued pursuant to the Act, "producer milk" means all skim milk and butterfat contained in milk from producers that is:

(a) Received at a pool plant from producers or from a handler described in § 1050.9(d);

(b) Represented by the difference between the quantity of milk received by a handler described in § 1050.9(d) at producers' farms and the quantity of such milk delivered to pool plants. For the purposes of §§ 1050.53 and 1050.81, such milk shall be deemed to have been received by such handler at the pool plant to which all other producer milk in the same tank truck was delivered;

(c) Diverted by a handler from a pool plant for the account of the plant operator to another pool plant(s) for not more days of production of such producer's milk than is physically received at a pool plant(s) from which diverted. For pricing purposes such diverted milk shall be deemed to be received by the diverting handler at the location of the plant to which diverted;

(d) Diverted from a pool plant to a nonpool plant that is not an other order plant or to a nonpool plant that is an other order plant if diverted as Class II milk, subject to the conditions of this

paragraph. For pricing purposes, milk so diverted shall be deemed to be received at the plant from which diverted, unless the plant to which the milk is diverted is located more than 110 miles from the city hall in Peoria, Ill. (by shortest highway distance as determined by the market administrator) in which case the milk shall be deemed to be received by the diverting handler at the location of the plant to which diverted:

(1) During May, June and July the operator of a pool plant or a cooperative association may divert the milk production of a producer on any number of days;

(2) Subject to the conditions set forth in paragraph (d) (4) of this section, during the months of August through April the operator of a pool plant may divert the milk of a producer for not more days of production of such producer's milk than it is physically received at the pool plant from which diverted: *Provided*, That the total quantity of producer milk diverted does not exceed 35 percent of the physical receipts of producer milk at the handler's pool plant during the month, exclusive of milk of producers who are members of a cooperative association that is diverting milk and the milk of other producers that is diverted pursuant to paragraph (d) (3) of this section;

(3) Subject to the conditions set forth in paragraph (d) (4) of this section, during the months of August through April a cooperative association may divert the milk of its individual member producers for not more days of production of each producer's milk than is physically received at a pool plant: *Provided*, That the total quantity of producer milk does not exceed 35 percent of (i) its member milk physically received at pool plants during such month and (ii) other producer milk for which the cooperative association is the handler pursuant to § 1050.9(c) during such month;

(4) In the case where a cooperative association has notified the market administrator and the handler in writing prior to the first day of the month that milk of specified member producers will not be diverted by the cooperative and is not to be included in computing the cooperative association's diversion percentage for the month, milk of such producers shall be deducted from the cooperative's total receipts of member milk for the purposes specified in paragraph (d) (3) of this section and added to the total milk receipts included in computing the diversions of the pool plant handler who receives their milk for the purposes specified in paragraph (d) (2) of this section;

(5) When milk is diverted in excess of the limits specified in paragraph (d) (2) and (3) of this section, eligibility as producer milk under this section shall be forfeited on the excess quantity. In such event the diverting handler shall specify the dairy farmers whose milk is ineligible as producer milk. If a handler fails to

designate such dairy farmers whose milk is ineligible, producer milk status shall be forfeited with respect to all milk diverted to nonpool plants by such handler; and

(6) Milk diverted to an other order plant under the conditions specified in this section shall be producer milk pursuant to this section only if it is not producer milk under such other order.

5. In § 1050.41, paragraph (b) (7) (iii) and (vi) is revised to read as follows:

§ 1050.41 Classes of utilization.

(b) * * *

(7) * * *

(iii) One and one-half percent of milk received in bulk from handlers described in § 1050.9(c); plus

(vi) One and one-half percent of bulk transfers of milk to a pool plant of another handler; less

6. In § 1050.80, paragraphs (b) and (d) are revised to read as follows:

§ 1050.80 Time and method of payment for producer milk.

(b) Payments required in paragraph (a) of this section for milk caused to be delivered to such handler by a cooperative association qualified under § 1050.5 shall be made to such association, or its duly authorized agent, which the market administrator determines is authorized by such producers to collect payment for their milk and which has so requested the handler in writing. Such handler shall, on or before the 18th day of the following month, pay the cooperative association for milk received during the month from producers at the direction of such association as determined by the market administrator an amount equal to not less than the amounts due such producers as determined pursuant to paragraph (a) of this section, less any deductions authorized in writing by such association: *Provided*, That the association has provided the handler with a written promise to reimburse the handler the amount of any actual loss incurred by such handler because of any improper claim on the part of the cooperative association;

(d) On or before the 18th day of the following month, each handler, in his capacity as the operator of a pool plant, who receives milk for which a cooperative association is the handler pursuant to § 1050.9(d), including the milk of producers who are not members of such association, and who the market administrator determines have authorized such cooperative association to collect payment for their milk, shall pay such cooperative for such milk at the uniform price adjusted by applicable butterfat and location adjustments.

Signed at Washington, D.C., on: July 23, 1973.

JOHN C. BLUM,
Deputy Administrator,
Regulatory Programs,

[FR Doc. 73-15472 Filed 7-26-73; 8:45 am]

Animal and Plant Health Inspection Service

[9 CFR Part 381]

POULTRY EVISCERATING FACILITIES

Notice of Proposed Rulemaking

Notice is hereby given in accordance with administrative procedure provisions in 5 U.S.C. 553, that pursuant to the authority in the Poultry Products Inspection Act (21 U.S.C. 451 et seq.), the Animal and Plant Health Inspection Service proposes to amend § 381.53(f) (4) (9 CFR 381.53(f) (4)) of the poultry products inspection regulations to allow the use of other acceptable facilities in lieu of troughs flushed with water to move inedible material away from poultry eviscerating lines.

Statement of considerations. Existing poultry products inspection regulations prescribe facilities to be used for eviscerating poultry on moving conveyors. These regulations require the use of a trough beneath the suspended birds. Such troughs use large quantities of water to maintain proper sanitation and to move inedible materials away from the processing area. Because of increasing concern for conserving water supplies and abating pollution, some poultry processors are considering methods that would eliminate the conventional trough beneath the eviscerating line now required by the regulations.

The purpose of the proposed revision is to relieve the present restrictions and to permit consideration of alternative methods that would accomplish equal results in terms of a sanitary operation.

Accordingly, § 381.53(f) (4) of the poultry products inspection regulations would be revised to read as follows:

§ 381.53 Equipment and utensils.

(f) * * *

(4) When eviscerated on a conveyor, each carcass shall be suspended and a trough or other acceptable facilities for maintaining proper sanitation shall be provided beneath the conveyor. Such troughs or other facilities shall be flushed in an acceptable manner and shall extend beneath the conveyor at all places where processing operations are conducted from the point where the carcass is opened to the point where the viscera have been completely removed.

Any person wishing to submit written data, views, or arguments concerning the proposed amendment may do so by filing them in duplicate with the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C. 20250, by September 28, 1973.

Any person desiring opportunity for oral presentation of views should address such requests to the Facilities and Equipment Staff, 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 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 July 20, 1973.

G. H. WISE,
Acting Administrator.

[FR Doc. 73-15474 Filed 7-26-73; 8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 39]

[Airworthiness Docket No. 73-SW-39]

AIRWORTHINESS DIRECTIVES

Bell Model 206 Series and 47 Series Helicopters; Proposed Rule Making

The Federal Aviation Administration is considering amending Part 39 of the Federal Aviation Regulations by adding an airworthiness directive applicable to Bell Model 206 Series and 47 Series helicopters. There have been reports of fatigue cracks in the tail rotor blade, P/N 206-010-750, on Bell Model 206 Series helicopters that could possibly result in failure of the tail rotor blade. The Model 47 Series tail rotor blade, P/N 47-642-117, could also have the same type of failure since it is almost identical to P/N 206-010-750. Since this condition is likely to exist or develop in other helicopters of the same type designs, the proposed airworthiness directive would require a daily inspection of the tail rotor blade for cracks on Bell Model 206 Series and 47 Series helicopters.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or comments as they may desire. Communications should identify the docket number and be submitted in triplicate to the Regional Counsel, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101. All communications received on or before August 24, 1973 will be considered by the Director 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 Office of Regional Counsel, Southwest Region, Federal Aviation Administration, 4400 Blue Mound Road, Fort Worth, Texas.

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, 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:

BELL Applies to Model 206 Series and 47 Series helicopters, certificated in all categories, equipped with tail rotor blades, P/N 206-010-750 or 47-642-117, respectively.

Compliance required as indicated.

To prevent failure of tail rotor blades due to fatigue cracks, accomplish the following:

(a) Before the first flight of each day after the effective date of this A.D., visually check for cracks in the tail rotor blade in an area approximately seven inches outboard from the butt end of the blade and approximately 1.5 inches aft of the leading edge, using a three-power or higher magnifying glass.

(b) If a crack is found, remove and replace the tail rotor blade before further flight.

(c) If no cracks are found, continue the repetitive inspections specified above.

(d) The check in (a) may be performed by a pilot.

NOTE: For requirements regarding listing of compliance and method of compliance with this A.D. in the aircraft permanent maintenance record, see § 91.173, Federal Aviation Regulations.

(Bell Helicopter Company Technical Bulletin Nos. 206-05-73-2, 47-05-73-1, dated May 3, 1973, pertains to this subject.)

Issued in Fort Worth, Texas on July 16, 1973.

HENRY L. NEWMAN,
Director, Southwest Region.

[FR Doc. 73-15457 Filed 7-26-73; 8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 73-EA-62]

TRANSITION AREA

Proposed Designation

The Federal Aviation Administration is considering amending § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a Chesterfield, Va., Transition Area over Chesterfield County Airport, Chesterfield, Virginia.

A new instrument approach procedure developed for Chesterfield County Airport, Chesterfield, Va. requires designation of additional controlled airspace for IFR arrivals and departures at Chesterfield County Airport.

Interested parties may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attn: Chief, Air Traffic Division, Department of Transportation, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, New York 11430. All communications received on or before August 16, 1973, will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements may be made for informal conferences with Federal Aviation Administration officials by contacting the Chief, Airspace and Procedures Branch, Eastern Region.

Any data or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested parties at the Office of Regional Counsel, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, New York.

The Federal Aviation Administration, having completed a review of the airspace requirements for the terminal area of Chesterfield, Virginia, proposes the airspace action hereinafter set forth:

1. Amend § 71.181 of Part 71 of the Federal Aviation Regulations by designating a Chesterfield, Va. transition area as follows:

CHESTERFIELD, VA.

That airspace extending upward from 700 feet above the surface within a 5.5-mile radius of the center 37°24'25" N., 77°31'18" W. of Chesterfield County Airport, Chesterfield, Va. and within 2.5 miles each side of the Flat Rock, Va. VORTAC 117° radial, extending from the 5.5-mile radius area to 12.5 miles southeast of the VORTAC.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 [72 Stat. 749; 49 U.S.C. 1348] and section 6(c) of the Department of Transportation Act [49 U.S.C. 1655(c)].

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

ROBERT H. STANTON,
Acting Director,
Eastern Region.

[FR Doc. 73-15458 Filed 7-26-73; 8:45 am]

[14 CFR Parts 71 and 73]

[Airspace Docket No. 73-RM-21]

RESTRICTED AREA AND CONTINENTAL CONTROL AREA

Proposed Alteration and Designation

The Federal Aviation Administration (FAA) is considering amendments to

Parts 71 and 73 of the Federal Aviation Regulations that would designate a joint-use restricted area at Green River, Utah, and include it in the Continental Control Area.

Interested persons may participate in the proposed rule making by submitting such written data, views or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Rocky Mountain Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Park Hill Station, P.O. Box 7213, Denver, Colo. 80207. All communications received on or before August 27, 1973 will be considered before action is taken on the proposed amendments. The proposals contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue, S.W., Washington, D.C. 20591. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

The restricted area, essentially re-established R-6413, Green River, Utah, is requested to provide for the launching of the United States Army Pershing ballistic missiles. The boundaries are defined so as to contain the first stage booster impact and, when required, the unignited second stage and missile warhead. It is planned that launches would result with the expended second stage and the warhead impacting in R-5107B and R-5103, White Sands Missile Range. The proposed area will be designated for a period of approximately 3 months, commencing September 24, 1973, through December 31, 1973. Tentatively, 8 launches are scheduled for this period. The proposed restricted area would be activated for approximately two hours for each launch. Launch periods are normally scheduled during the periods of minimum air traffic activity which is usually during the nighttime hours. The launching activities would be advertised in advance in news media and broadcasted by the Federal Aviation Administration Flight Service Stations prior to issuance of a NOTAM which provides the specific hours covering the period of missile launch. Communications will be available between the air traffic control facilities, the launch site, White Sands Missile Range Control, and Holloman AFB Mission Control. The launch site restricted area would be utilized only long enough to clear the area of non-participating air traffic and to launch the missile. Immediately thereafter, the area would be released for general usage.

If adopted, Restricted Area R-6413, together with the existing restricted airspace at White Sands Missile Range, will make unnecessary earlier proposals to reestablish R-6410, Blanding, Utah, and establish a new restricted area, R-5107H, within the El Paso-Alamogordo VFR corridor for missile launch and recovery

support operations respectively. The related Airspace Dockets Numbers 73-RM-15 (38 FR 12216) and 73-SW-20 (38 FR 10117) and its Supplement (38 FR 12934) are withdrawn by Airspace Docket No. 73-WA-31.

Since the missiles will leave and re-enter restricted airspace at or above FL 600, they will not adversely affect aviation activities. The using agency must comply with the provisions of Part 101 of the Federal Aviation Regulations before conducting any missile activity outside restricted airspace, including obtaining any necessary waivers.

The need for restricted airspace for this activity is a recurring one. As there is no expected change in justification, each successive period would be announced by NOTAM published 48 hours in advance.

The FAA is considering the designation of R-6413, Green River, Utah, as follows:

1. R-6413, Green River, Utah

BOUNDARIES

Beginning at Lat. 38°57'00"N., Long. 110°09'40"W.; thence to Lat. 38°46'03"N., Long. 110°06'00"W.; to Lat. 38°31'30"N., Long. 109°57'00"W.; to Lat. 38°31'30"N., Long. 109°51'00"W.; to Lat. 38°33'27"N., Long. 109°46'00"W.; to Lat. 38°49'15"N., Long. 109°57'02"W.; to Lat. 38°58'02"N., Long. 110°05'33"W.; thence to point of beginning.

Designated altitudes. Surface to unlimited. Time of designation. As published by NOTAM issued 48 hours in advance of area activation.

Controlling agency. Federal Aviation Administration, Denver ARTC Center.

Using agency. Air Force Special Weapons Center, Air Force Systems Command, Kirtland AFB, New Mexico.

2. The continental control area would be altered by adding Restricted Area R-6413, Green River, Utah.

These amendments are proposed under the authority of Sec. 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a)) and Sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Washington, D.C., on July 20, 1973.

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

[FR Doc. 73-15459 Filed 7-26-73; 8:45 am]

[14 CFR Part 121]

[Docket No. 13057; Notice No. 73-21]

CARRIAGE OF WEAPONS AND ESCORTED PERSONS

Notice of Proposed Rule Making

The Federal Aviation Administration is considering amending Part 121 of the Federal Aviation Regulations to provide rules for the carriage of deadly or dangerous weapons and persons in the custody of law enforcement personnel aboard aircraft operated by Part 121 certificate holders. These amendments would also apply to air travel clubs certificated under Part 123 and to air taxi

operators certificated under Part 135, when conducting operations governed by those parts with large 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 regulatory docket or notice number and be submitted in duplicate to: Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, AGC-24, 800 Independence Avenue, S.W., Washington, D.C. 20591. All communications received on or before September 25, 1973, will be considered by the Administrator before taking action on the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments in the Rules Docket, for examination by interested persons.

Section 121.585 currently provides that no person may, while aboard an airplane being operated by a certificate holder, carry on or about his person a deadly or dangerous weapon, either concealed or unconcealed. Section 121.585 specifically states that it does not apply to officials or employees of a municipality or a State, or of the United States who are authorized to carry arms, and does not apply to crewmembers or other persons authorized by the certificate holder to carry arms.

Section 121.538(b) requires certain air carriers and commercial operators to adopt and put into use a screening system, acceptable to the Administrator, that is designated to prevent or deter the carriage aboard its aircraft of any explosive or incendiary device or weapon in carry-on baggage or on or about the persons of passengers, except as provided in § 121.585. In addition, § 121.538(c) requires each certificate holder to have an FAA approved security program, which includes the screening system prescribed by paragraph (b) of that section.

The FAA has observed that the large number of hijacking incidents over the past few years has created a potentially dangerous situation with respect to persons legally carrying arms aboard aircraft as authorized by § 121.585. Persons legally armed often have not been aware of the presence of other legally armed persons on board the same aircraft. Moreover, these persons are frequently escorting prisoners, whose presence requires additional security measures. In addition, there have been instances when inadequate identification procedures have resulted in the carriage of deadly or dangerous weapons by persons not authorized to do so under § 121.585. Such inadequate procedures have also disrupted law enforcement missions in which the officer's anonymity was essential to its success, because an uninformed security officer or employee of a certificate holder questioned the officer's authority to carry a weapon, after he had already been cleared through the certificate holder's security procedures.

It is proposed to amend § 121.585 by adding a new paragraph (a) to regulate the carriage of a deadly or dangerous weapon by authorized persons. New paragraph (a) would require that an official or employee of a municipality or a State who intends to carry a weapon in the passenger compartment of a certificate holder's aircraft must show to the certificate holder's satisfaction that carriage of the weapon is necessary in connection with the performance of that person's official duty while aboard the aircraft, as, for example, during the escorting of a prisoner, when additional security is needed because the means of physically restraining the prisoner are limited. The rule would not provide for this showing of necessity by officials or employees of the United States, because of the interstate nature of their jurisdiction.

It is also proposed to amend § 121.585 to provide that crewmembers and other persons authorized by the certificate holder to carry weapons aboard its aircraft must also be authorized by the Administrator. In addition, such persons would have to have successfully completed an approved course of training in the use of arms. The purpose of these proposed changes is to ensure that only responsible, properly trained persons are permitted to carry weapons on board a certificate holder's aircraft.

In addition, § 121.585(a) would provide that a certificate holder may not carry an armed person aboard its aircraft unless it has been notified of the flight on which that person intends to carry the weapon at least one hour, or in an emergency as soon as practicable, before departure, and that person has identified himself to the certificate holder by presenting credentials that include his clear, full-face picture, his signature and the signature of his supervisor. The armed person would not be allowed to use a badge, shield, or similar device as his sole means of identification.

Moreover, the proposed new provisions of § 121.585 would require the armed person to show to the satisfaction of the certificate holder that the armed person is familiar with its procedures for the carriage of a weapon aboard its aircraft, and would require the certificate holder to ensure that he has been identified to each law enforcement officer and each employee of the certificate holder responsible for security during boarding, the pilot in command, and any other person carrying a weapon in accordance with § 121.585(a).

A new paragraph (b) would be added to § 121.585 to provide that a deadly or dangerous weapon could not be carried in checked baggage unless the certificate holder determines that the weapon is unloaded, and the baggage is locked and carried in either the crew compartment or an area that is inaccessible to passengers. Only the passenger would retain the key to the baggage in which the weapon is carried.

The proposed amendments would add a new subparagraph (4) to § 121.538(c)

to require that each certificate holder's security program include procedures, facilities, or a combination thereof designed to assure that only a person authorized under § 121.585 is permitted to carry a deadly or dangerous weapon on or about his person or in carry-on baggage while aboard any of its aircraft.

It is also proposed to add a new § 121.584 to Part 121 to provide rules for the carriage of a person in the custody of law enforcement personnel. No certificate holder would be permitted to carry such a person aboard its aircraft unless it has been notified, at least one hour before departure, of the identity of the escorted person and the flight on which he will be carried, and whether the escorted person is considered dangerous by the governmental entity having custody of him. In addition, the certificate holder would have to have been assured by the escort that the person in his custody does not have any article on or about his person that may be used as a deadly or dangerous weapon. The certificate holder would not be allowed to carry an escorted person who it has been notified is considered dangerous, unless that person is accompanied by at least two escorts, and it would not be allowed to carry more than one dangerous person and his escorts on an aircraft carrying other passengers.

Furthermore, the escorted person and his escort would have to be boarded before all other passengers board, and deplaned after all deplaning passengers have left, the aircraft. They would have to be seated in the rearmost passenger seats, other than in any lounge area, that are neither next to, nor directly across the aisle from, any aircraft exit. In addition, at least one escort would have to sit between the escorted person and any aisle, and an escort would have to accompany the escorted person and keep him under surveillance at all times. The certificate holder would not be allowed to serve food or beverages, or provide metal eating utensils, to the escorted person without permission from the escort.

Section 121.575(b) would be amended to prohibit the serving of alcoholic beverages to a person carrying a deadly or dangerous weapon in accordance with § 121.585(a) or to a person being escorted in accordance with proposed § 121.584 or his escort. Under proposed § 121.585 (c) no person carrying a deadly or dangerous weapon on or about his person or in carry-on baggage, would be permitted to drink any alcoholic beverage while aboard a certificate holder's aircraft.

These amendments are proposed under the authority of sections 313(a) and 601(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a) and 1421(a)), and 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 Part 121 of the Federal Aviation Regulations as follows:

1. By amending paragraph (c) of § 121.538 by striking out the word "and"

at the end of subparagraph (2) and the period at the end of subparagraph (3), and by adding the phrase "; and" at the end of subparagraph (3) and a new subparagraph (4) to read as follows:

§ 121.538 Aircraft security.

(c) * * *

(4) Assure that only persons authorized under § 121.585(a) are permitted to carry deadly or dangerous weapons on or about their persons or in carry-on baggage while aboard any of its aircraft.

2. By amending paragraph (b) of § 121.575 to read as follows:

§ 121.575 Alcoholic beverages.

(b) No certificate holder may serve any alcoholic beverage to any person aboard any of its aircraft who—

- (1) Appears to be intoxicated;
- (2) Is escorting a person or is being escorted in accordance with § 121.584; or
- (3) Is carrying a deadly or dangerous weapon in accordance with § 121.585(a).

3. By adding a new § 121.584 to Part 121 to read as follows:

§ 121.584 Carriage of person in the custody of law enforcement personnel.

(a) No certificate holder may carry a person in the custody of law enforcement personnel, unless the following conditions are met:

(1) The certificate holder has been notified at least one hour before departure—

(i) Of the identity of the escorted person and the flight on which he will be carried; and

(ii) Whether the escorted person is considered dangerous by the governmental entity having custody of him.

(2) The escort has assured the certificate holder that the escorted person does not have any article on or about his person that could be used as a deadly or dangerous weapon.

(3) The escorted person is in the custody of at least two escorts, if the certificate holder has been notified that the escorted person is considered dangerous by the governmental entity having custody of him.

(b) The certificate holder shall determine that adequate means of restraint have been provided by the escort.

(c) The escorted person and his escort shall be—

(1) Boarded before all other enplaning passengers board, and deplaned after all other deplaning passengers have left, the aircraft; and

(2) Seated in the rearmost passenger seats that are neither located in any lounge area, nor located next to or directly across from any aircraft exit.

(d) At least one escort shall—

(1) Sit between the escorted person and any aisle; and

(2) At all times accompany the escorted person and keep him under surveillance.

(e) The certificate holder may not—

(1) Carry more than one person who it has been notified is considered dangerous, and his escort, on an aircraft carrying other passengers; or

(2) Serve food or beverages, or provide metal eating utensils, to an escorted person unless authorized by the escort.

4. By amending § 121.585 to read as follows:

§ 121.585 Carriage of weapons.

(a) No certificate holder may permit any person to carry, nor may any person carry, while aboard an aircraft being operated by the certificate holder, on or about his person or in carry-on baggage a deadly or dangerous weapon, either concealed or unconcealed, unless the following conditions are met:

(1) The person carrying the weapon is either:

(i) An official or employee of a municipality or a State, or of the United States, for whom the carriage of a weapon is authorized in connection with the performance of his official duty while aboard the certificate holder's aircraft; or

(ii) A person who is authorized by the certificate holder and the Administrator, and who has successfully completed an approved course of training in the use of arms.

(2) The certificate holder has been:

(i) Notified of the flight on which the armed person intends to carry the weapon at least one hour, or in an emergency as soon as practicable, before departure; and

(ii) Shown to its satisfaction that the carriage of a weapon by any official or employee of a municipality or a State is authorized and necessary in connection with the performance of that person's duties while aboard the certificate holder's aircraft.

(3) The armed person has identified himself to the certificate holder by presenting credentials that include his clear, full-face picture, his signature and the signature of his supervisor. A badge, shield, or similar device may not be used as the sole means of identification.

(4) The certificate holder:

(i) Has been shown to its satisfaction that the armed person is familiar with its procedures for the carriage of a deadly or dangerous weapon aboard its aircraft; and

(ii) Has ensured that the identity of the armed person is known to each law enforcement officer and each employee of the certificate holder responsible for security during the boarding of the aircraft, the pilot in command, and any other person carrying a weapon while aboard the aircraft in accordance with this section.

(b) No certificate holder may permit any person to carry, nor may any person carry, while aboard an aircraft being operated by that certificate holder, in checked baggage a deadly or dangerous weapon, unless the following conditions are met:

(1) The certificate holder has determined that the weapon is unloaded.

(2) The baggage in which the weapon is carried is locked, and only the passenger checking the baggage retains a key.

(3) The baggage is carried in either the crew compartment or an area that is inaccessible to passengers.

(c) No person carrying a deadly or dangerous weapon on or about his person or in carry-on baggage may drink any alcoholic beverage while aboard an aircraft operated under this part.

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

JAMES M. YOHE,
Acting Director of Air
Transportation Security.

[FR Doc. 73-15456 Filed 7-26-73; 8:45 am]

Federal Highway Administration

[49 CFR Part 393]

[Docket No. MC-42; Notice No. 73-20]

FRONT CLEARANCE LAMPS ON TRAILERS

Docket Closing Notice

On September 14, 1972, the Bureau of Motor Carrier Safety issued a Notice of Proposed Rule Making, inviting interested persons to comment on the advisability of deleting the requirement for the installation of two front clearance lamps on semitrailers and full trailers that are 80 inches or more in overall width (37 FR 19380). That requirement is found in section 393.14(a) of the Motor Carrier Safety Regulations. The Truck Trailer Manufacturers Association (TTMA) had filed a petition for rulemaking, asking the Bureau to revise § 393.14(a) so that the clearance lamps could be replaced with reflex reflectors.

In support of its position that motor carriers should be permitted to use reflex reflectors, rather than clearance lamps, to mark the extreme width of trailers, TTMA argued that clearance lamps are superfluous, dangerous, or both. It said that a large proportion of today's tractors, which are also required to be equipped with clearance lamps, are as wide as the trailers they tow; hence, there is no need for additional lamps to mark the width of the trailers. In addition, TTMA said that the locations of front clearance lamps on many low-silhouette trailers, such as tank trailers and flat-bed trailers, actually create a safety hazard because the light from the lamps reflects directly from the tractor's outside mirrors into the drivers' eyes.

Twenty-nine persons responded to the invitation to file comments on the subject matter of the TTMA petition. The Bureau received comments from trailer manufacturers, motor carriers, State motor vehicle departments, commercial motor vehicle drivers and groups representing their interests, insurance companies, and motor carrier trade organizations and committees thereof. Persons who supported TTMA's position generally echoed the contention that the

clearance lamps performed no useful function. There was, however, no substantive data submitted to support this contention. Carrier organizations also mentioned the cost and burden of periodic maintenance needed for replacement of clearance lamp bulbs and lenses. But the comments did not show a connection between this problem and operating safety. Finally, several motor carriers brought up the issue of glare in rear-view mirrors.

It is interesting to note, in this regard, that none of the professional drivers or driver organizations who filed comments indicated that the glare problem was a serious one. On the contrary, drivers said that the clearance lamps serve a useful purpose to them, in that they serve to alert drivers to possible electrical malfunctions in the circuit that serves both the clearance lamps and the trailer's other marker lamps.

Several comments took issue with the contention that truck tractors are generally as wide as the vehicles they tow. While late-model cab-over-engine tractors are usually as wide as trailers, there are, it was noted, a large number of cab-behind-engine tractors and others which are narrower. Deletion of a requirement for clearance lamps on trailers would leave many vehicle combinations without any lamps clearly marking their extreme widths.

The Bureau has considered, in addition to the comments filed in its own docket, the contents of the National Highway Traffic Safety Administration's Docket No. 72-19. The National Highway Traffic Safety Administration's rulemaking proceeding was undertaken for the purpose of considering an amendment to Motor Vehicle Safety Standard No. 108 (§ 571.108 of this title), deleting the requirement for front clearance lamps as original equipment on new trailers and replacing it with a requirement for reflex reflectors. The Bureau's action in closing its Docket No. MC-42 has been coordinated with, and is consistent with, the action taken by NHTSA in its parallel proceeding.

The comments filed in both dockets and other available data make it clear that, at best, adoption of the rule sought by the petitioner might result only in a marginal saving of labor costs and manpower for motor carriers. Those speculative savings are more than offset by the increased safety hazard that elimination of front clearance lamps on trailers would produce. The Director has concluded, therefore, that the public interest would not be served by the change.

If there are cases in which the glare of the clearance lamps reflected in rear-view mirrors is deemed hazardous, the problem can be mitigated or eliminated by mounting the lamps at positions other than the height of the rear-view mirrors, by use of clearance lamps of minimum required candlepower, or by both.

In consideration of the foregoing, Docket No. MC-42 is closed. The Bureau will not take, and does not now contemplate, further action upon the rulemaking

petition of the Truck Trailer Manufacturers Association.

Issued on July 20, 1973.

ROBERT A. KAYE,
Director, Bureau of Motor
Carrier Safety.

[FR Doc.73-15465 Filed 7-26-73;8:45 am]

**National Highway Traffic Safety
Administration**

[49 CFR Part 571]

[Docket No. 72-19; Notice 2]

**LAMPS, REFLECTIVE DEVICES, AND
ASSOCIATED EQUIPMENT**

**Use of Certain Lamps on Trailers;
Suspension of Rulemaking Proceeding**

This notice suspends rule making that would have substituted amber reflex reflectors on certain trailers for the front clearance lamps presently required.

On August 9, 1972, the National Highway Traffic Safety Administration proposed (Docket No. 72-19 Notice 1, 37 FR 16002) that trailers of 80 or more inches overall width with a gross vehicle weight rating of more than 10,000 pounds need not be equipped with front clearance lamps but may instead be equipped with amber reflex reflectors. The notice was issued pursuant to the petition of Truck Trailer Manufacturers Association. The petitioner had contended that front clearance lamps on low silhouette trailers shine into the rear view mirrors of truck tractors creating a glare hazard, and that clearance lamps on large trailers are in any event rendered superfluous by corresponding lamps on the truck tractors pulling them. The NHTSA received comments that both favored and opposed the proposal, and it has determined that retention of the front clearance lamps better meets the needs of overall safety than allowance of reflectors.

The minimum candlepower that Federal Motor Vehicle Safety Standard No. 108 requires for clearance lamps is 0.62, and the glare produced in rear view mirrors by this intensity is not likely to create a safety hazard. Further, although modern truck tractors may generally be the same width as the trailers they pull, some large diesel tractors are still being manufactured with conventional cabs that are narrower than the trailer. And, of course, many older truck tractors with narrower cabs are still in use. For these reasons, no final rule will be issued on the basis of the above proposal.

(Secs. 103, 119, Pub. L. 89-563, 80 Stat. 718, 15 USC 1392, 1407; delegation of authority at 38 FR 12147)

Issued on July 9, 1973.

JAMES E. WILSON,
Associate Administrator,
Traffic Safety Programs.

[FR Doc.73-14763 Filed 7-18-73;8:45 am]

**COST ACCOUNTING STANDARDS
BOARD**

[4 CFR Part 351]

DISCLOSURE STATEMENT

Revision of Proposal

The purpose of this publication by the Cost Accounting Standards Board is to propose a modification to Part 351, Basic Requirements, of its rules and regulations. A proposed modification to Part 351 was previously published in the FEDERAL REGISTER of May 21, 1973, (38 FR 13385). After considering the comments received in response to that publication (discussed below), the Board has revised that proposal. The revised proposal is being published today for comment.

Six commentators requested that the amount of subcontract awards not be included at this time in the dollar volume considered as meeting the requirement for filing a Disclosure Statement. They contended, generally, that companies did not have the information available concerning subcontracts for fiscal year 1972, the period specified in the Board proposal. They noted that many of the subcontracts which would have to be considered would have been awarded more than two years ago. They said they did not have at that time any requirement for recording whether the subcontracts received were negotiated defense subcontracts. Thus, they state that they would be required to make a retroactive determination of the nature of all subcontracts awarded in fiscal year 1972, and this would entail a special effort requiring the expenditure of a great deal of time.

The Board believes that the inclusion of the amount of subcontract awards in the Disclosure Statement filing requirement is appropriate. Subcontracts, unless specifically exempt, are subject to the Board's Standards, rules, and regulations. The Board recognizes, however, that the commentators have raised a valid point concerning the lack of available records relative to the nature of subcontracts received during fiscal year 1972. Accordingly, the Board has revised its proposal to base the calculation on prime contracts only.

Future levels of the threshold amount may include the dollar value of subcontract awards. Contractors are hereby advised that they may be required to determine the dollar value of negotiated defense subcontract awards beginning with July 1, 1973. For reasons discussed below, negotiated defense subcontracts which include the Cost Accounting Standards Clause are the type which would be included in the computation of the Disclosure Statement filing requirement, and contractors should accumulate the value of such awards.

Four commentators urged the Board to include, in computing the limit for determining who must file Disclosure Statements, only negotiated contracts which

are subject to Cost Accounting Standards. The Board is inclined to agree with the proposal made by these commentators. The Board, therefore, in its proposal being published today, specifically limits the contract awards to be included in the computation of a contractor's volume of defense contracts to those subject to the Board's jurisdiction in determining whether a filing requirement has been met.

The proposal being published by the Board to reduce the dollar level above which filing of a Disclosure Statement would be required, excludes both subcontracts and negotiated defense prime contracts not subject to Cost Accounting Standards. In view of this decision, the Board is proposing that the dollar volume of prime contract awards to be considered in computing the filing requirement should be reduced to \$10 million. Thus, this proposal contains a requirement that all negotiated defense prime contracts in excess of \$100,000 except those where the negotiated price is based on (1) established catalog or market prices of commercial items sold in substantial quantities to the general public or (2) prices set by law or regulation, or contracts which are otherwise exempt, are to be included in the computation of the volume of contract awards to be considered.

The Board's previous proposal required the inclusion of contracts awarded in fiscal year 1972 only. The Board now has available for its consideration, statistics related to contracts awarded in fiscal year 1973. It is the Board's view that the filing requirement should be related to the most current statistics if at all possible. Accordingly, the proposal being published today requires the inclusion of contracts awarded in fiscal year 1973 as well as those awarded in fiscal year 1972. Contractors who meet the threshold amount in either year would be required to file Disclosure Statements, effective January 1, 1974.

As explained above, the current proposal requires the inclusion of only those contracts subject to Cost Accounting Standards in computing the threshold amount. The initial filing requirement set by the Board included all negotiated defense contracts in the threshold amount of \$30 million. At the time the Board published its initial rules on this matter, it was felt essential to determine as accurately as possible, the number of Disclosure Statements that would be submitted by contractors at any threshold amount established. For this reason, the statistics maintained by defense agencies were used. These statistics include all negotiated defense contract awards without distinction as to whether or not they are subject to Cost Accounting Standards. Moreover, Standards were not in effect in fiscal year 1971, so it was not possible to identify only those contracts to which the Contract Clause

would be applicable. Thus, the Board established a threshold amount that included all negotiated defense contracts. The Board, therefore, does not propose to redefine the makeup of contract amounts for fiscal year 1971 which should be included in determining the applicability of the \$30 million threshold amount now in effect.

The proposed reduction of the threshold to \$10 million will require a few additional colleges and universities to file Disclosure Statements. The Board is continuing its efforts to obtain a separate Disclosure Statement for colleges and universities and it is contemplated that such a Statement will be available by the effective date of any reduction in the threshold amount.

The Board's publication of May 21, 1973, on this subject included a requirement that contractors were to submit a Disclosure Statement to the Board only after a determination of adequacy has been made of the Statement. Many contractors supported this proposal and it is again included in the material being published today.

The Board received many comments on its initial proposal to reduce the threshold. The Board is gratified by the interest shown by these commentators and will consider further those comments prior to issuing a final regulation on this matter. Parties who previously submitted comments should feel free to again send their written comments to the Board.

This proposal is in line with the Board's announced intention of phasing the requirement to file Disclosure Statements. From time to time the Board will announce the dates of applicability to other contractors and subcontractors.

The Cost Accounting Standards Board solicits comments on the proposed amendment to the Disclosure Statement filing requirement. Interested persons should submit their comments to the Cost Accounting Standards Board, 441 G Street, N.W., Washington, D.C., 20548, to be given consideration by the Board in its deliberations relative to this proposal. Written submissions must arrive no later than August 31, 1973. All written submissions made pursuant to this notice will be made available to the public for inspection at the Board's offices during regular business hours.

The following modifications to Part 351 of the Board's regulations are proposed in view of the foregoing:

1. Section 351.4 Filing requirement, is modified by adding a new § 351.4a to read as follows:

§ 351.4a Filing requirement.

In addition to those contractors and subcontractors required to submit Disclosure Statements pursuant to § 351.4, each company, which together with its subsidiaries received net awards of negotiated national defense prime contracts subject to Cost Accounting Standards during Federal fiscal years 1972 or 1973 totaling more than \$10 million, must submit a completed Disclosure Statement.

NOTE. This § 351.4a is a separate section and does not alter the requirement of § 351.4

with respect to contractors and subcontractors subject to that section or with respect to § 403.70 of this chapter.

2. Section 351.5 is modified by adding a new paragraph (c) to read as follows:

§ 351.5 Contract awards.

(c) No contract shall be awarded after January 1, 1974, to any contractor required to submit a Disclosure Statement under § 351.4a unless such submission has been made or post-award submission has been authorized pursuant to § 331.6.

§ 351.7 [Amended]

3. Section 351.7 Submission is modified by deleting the last sentence of the section and inserting in lieu thereof: Within ten days after the prime contractor or subcontractor receives notice that his Disclosure Statement, or any amendment thereto, has been determined to be adequate, he shall submit a copy of the Statement or amendment as appropriate to the Cost Accounting Standards Board, 441 G Street, N.W., Washington, D.C. 20548.

ARTHUR SCHOENHAUT,
Executive Secretary.

[FR Doc.73-15489 Filed 7-26-73;8:45 am]

**ENVIRONMENTAL PROTECTION
AGENCY**

[40 CFR Part 202]

NOISE ABATEMENT

**Interstate Motor Carrier Noise Emission
Standards**

The Environmental Protection Agency proposes to establish a new Part 202 of Title 40 of the Code of Federal Regulations establishing noise emission standards for motor carriers engaged in interstate commerce.

Introduction. Pursuant to section 18 of the Noise Control Act of 1972, Public Law 92-574, 86 Stat. 1234, the Administrator of the Environmental Protection Agency (EPA) "shall publish proposed noise emission regulations for motor carriers engaged in interstate commerce within nine months after the date of enactment of this Act." The proposed regulations shall "include noise emission standards setting such limits on noise emissions resulting from operation of motor carriers engaged in interstate commerce which reflect the degree of noise reduction achievable through the application of the best available technology, taking into account the cost of compliance." The regulations promulgated under the authority of section 18 shall be in addition to regulations proposed under section 6 of the Noise Control Act. Final regulations are to be promulgated within 90 days after publication of the proposed regulations and shall be revised from time to time as determined by the Administrator. All standards and regulations are to be promulgated only after consultation with the Secretary of Transportation to assure appropriate consideration of safety and technological feasibility. The effective date is to be developed by the Ad-

ministrator, after consultation with the Secretary of Transportation, taking into account the application of requisite technology and giving appropriate consideration to cost of compliance within such period.

As required by section 18(b), the Secretary of Transportation, after consultation with the Administrator, shall promulgate regulations to insure compliance with all standards promulgated by the Administrator under this section. The Secretary of Transportation shall carry out such regulations through the use of his powers and duties of enforcement and inspection authorized by the Interstate Commerce Act and the Department of Transportation Act.

Section 18(c)(1) of the Act requires that "no State or political subdivision thereof may adopt or enforce any standard applicable to the same operation of such motor carrier unless such standard is identical to a standard applicable to noise emissions resulting from such operation prescribed by any regulation under this section." Subsection 18(c)(2) provides for States or political subdivisions thereof to establish and enforce standards or controls on levels of environmental noise or to control, license, regulate, or restrict the use, operation or movement of any product if the Administrator, after consultation with the Secretary of Transportation, determines that such standard, control, license, regulation, or restriction is necessitated by special local conditions and is not in conflict with regulations under section 18.

On February 1, 1973, an advanced notice of proposed rulemaking on the motor carrier noise emissions standard was published in the FEDERAL REGISTER soliciting public comment. The docket established as a result of this action is maintained at the EPA headquarters, 4th & M Streets, SW., Washington, D.C., 20460, and also at EPA Regional Headquarters at 1735 Baltimore Avenue, Kansas City, Missouri, 64108, and 100 California Street, San Francisco, California, 94111. In addition to the material in the docket, a review and analysis of the hearings and reports prepared for the EPA's Report to the President and the Congress on Noise in 1971 (NCR400.1) was conducted. Additional reviews by staff and consultants of technical information from other sources were also completed. Also, a task force composed of Federal, State, and local government representatives was convened to develop recommendations for the motor carrier noise emission standards. The results of all these efforts were reviewed and considered in the development of the proposed regulations.

Summary of proposed regulation. The regulation as proposed will apply to motor vehicles operated in interstate commerce and weighing over 10,000 lb. GVWR. The following proposed standards apply to total vehicle noise:

1. 90 dB(A) at 50 feet in speed limits greater than 35 mph.
2. 86 dB(A) at 50 feet in speed limits equal to or less than 35 mph.
3. 80 dB(A) at 50 feet on level streets in speed limits equal to or less than 35 mph.

4. 88 dB(A) at 50 feet under stationary run-up test.

5. Visual exhaust system inspection.

6. Visual tire inspection.

Enforcement procedures are to be developed and promulgated under separate rule making procedures by the Department of Transportation. Such enforcement procedures will specify minimum requirements for instrumentation, test sites, and other conditions necessary to insure uniformity in testing and minimum acceptable accuracy for any testing.

Enforcement of the standards is contemplated to be more efficient under some conditions if measurements are permitted to be made at distances other than 50 feet which will provide for equivalency to the standards measured at 50 feet.

The effective date of the proposed regulation, subject to consultation with the Secretary of Transportation, is set as October 1, 1974, to allow adequate time for interstate carrier operators to install necessary equipment in a normal maintenance cycle in order to meet the requirements of the regulations.

Subpart C of the regulation addresses the provision for States and political subdivisions thereof to apply to the Administrator for a determination of whether special local conditions justify local noise emissions.

Rationale. In developing the limits proposed in these regulations, the Administrator applied his judgment as to the definition of "best available technology" and as to what should be considered in "taking into account the cost of compliance." He further had to take into account in these regulations the intent of Congress as stated under section 2(a) that "Federal action is essential to deal with major noise sources in commerce, control of which require national uniformity of treatment," and then to revise such regulations so as to be consistent with the health and welfare requirements of the Act, as specified under section 4.

To meet the requirements of the Act, to apply "the best available technology, taking into account the cost of compliance," the Agency then constructed definitions of the terms "best available technology" and "cost of compliance." In so doing, the Agency carefully considered the strict language of the Act, its legislative history, and other relevant data. Based thereon, for the purposes of these regulations, the following definitions have been established by the Administrator.

"Best available technology" was defined as that noise abatement technology available for retrofit application to motor carriers which produces meaningful reduction in the noise produced by interstate motor carriers. "Available" is further defined to include:

1. Technology applications that have been demonstrated and can be retrofitted on existing trucks.

2. Technology for which there will be a production capacity to produce the estimated number of parts required in reasonable time to allow for distribution and installation prior to the effective date of the regulation.

3. Technology that is compatible with all safety regulations and takes into account operational considerations, including maintenance, and other pollution control equipment.

The cost of compliance, as used in this regulation, means the cost of identifying what action must be taken to meet the specified noise emission level, and the additional cost of operation and maintenance. The cost for future replacement parts was also considered.

"Interstate carrier", as used in this regulation means contract carriers by motor vehicle, common carrier by motor vehicle and private carrier of property by motor vehicle as defined in the Interstate Commerce Act.

The Agency then amassed technology and cost information submitted to the official docket of the regulations as a result of the Advanced Notice of Proposed Rule Making, and information previously developed by the Agency as part of its hearings under Title IV, PL 91-604. The following discussion summarizes the technical and cost information considered in developing the proposed standards.

Truck noise emissions generally determine the penetration depth of highway noise into communities and are a major source of annoyance. The sound levels established by the proposed regulations will impact primarily on heavy duty diesel trucks, which are the predominate source of highway noise. These regulations are directed at reducing that major source. Gasoline powered trucks are subject to this regulation but generally produce less noise than diesel trucks. They will be considered in future regulations as a separate category for more stringent noise emission control standards. Interstate buses are covered by this regulation. However, they are a category of vehicles that presently produce less exterior noise emissions than diesel trucks. At highway speeds, buses emit noise levels from 75-87 dB(A) at 50 feet. Methods of reducing bus noise are similar to those for trucks. Any regulatory noise levels set for trucks will be feasible for buses to meet. Buses will be considered in future reviews of this regulation as candidates for a more restrictive noise emission level requirement.

The proposed regulations are applicable to motor carriers over 10,000 pounds gross vehicle weight rating (GVWR). Trucks in the 6,000 to 10,000 lb. GVWR class almost universally use gasoline engines (essentially passenger car engines) that, at present, are quieter than the diesel powered larger trucks. As a result of the 10,000 pound minimum limit for this regulation, in service trucks weighing less than 10,000 pounds GVWR engaged in interstate commerce will be subject to State or local operational noise control regulations applicable to their weight class, unless the Administrator, in the future, establishes noise emission regulations for this weight class.

The majority of heavy trucks on the road today are powered by diesel engines. Diesel trucks are typically 5 dB(A) decibels, measured on the A-weighting scale) noisier than gasoline powered trucks due

to power unit noise characteristics and 12 to 18 dB(A) noisier than automobiles. The noise output of trucks generally increases with age. At the present time, approximately 60 percent of the operating trucks are more than 5 years old. This increase in noise generation with age is typically a result of poor maintenance and a tendency to use replacement mufflers or recapped tires which generate higher levels of sound emissions than the original equipment. The major contributing sources of truck sound emissions are engines, exhaust, cooling fans, air intakes, and tires. Engine noise is a result of internal combustion and the resultant mechanical component vibrations radiated through the cylinder walls, valve covers and oil pans. Cooling fan noise is a function of air flow irregularities which produce related structural vibrations and is typical of high horsepower engines. Engine exhaust noise is a result of a combination of radiated combustion noise and exhaust outlet pressure variations affected by muffler design exhaust system configuration and engine exhaust backpressures. Air intake noise results from the pulsing induction of air into the engine. The amount of air intake noise depends on the following engine characteristics: Gasoline or diesel, turbo-charged or naturally aspirated, number of cylinders, two cycle or four cycle combustion process, and variations in displacement and speed. Tire noise is a function of tire-road interaction, tire construction, tire load, number of tires, and vehicle speed.

The predominate source of truck noise emissions is the exhaust system, principally because of inadequate muffling of the exhaust gases. At speeds above 45 mph tire noise may become a predominate source of truck noise. If exhaust system muffling is not adequate, exhaust noise may be the predominate source even at speeds over 45 mph.

Significant advances in muffler technology in recent years have provided the capability for significantly reducing exhaust noise levels. Noise reduction is achieved by increasing muffler volumes to obtain silencing and low backpressures. Also, acoustical wrapping or double-wall construction of mufflers has significantly reduced noise produced by vibration of the muffler's exterior wall surface.

The results of several statistical studies of highway vehicle noise levels were used in the development of the regulation. Based on these data the percentage of in-service motor carriers that would exceed the proposed vehicle noise emission levels is estimated to be approximately 19 percent.

In development of the 90 dB(A) level for over 35 mph, data were analyzed from 5,838 diesel trucks operated in California in 1965. Of these, approximately 19 percent exceeded 90 dB(A) at 50 feet in the pass-by test. These data were collected prior to a regulatory and enforcement program in California. The analysis of other data from 531 trucks collected in 1972 in the State of Washington showed a similar result. Measured noise

emissions from 1,000 heavy duty trucks on the New Jersey Turnpike in 1972 indicated that approximately 15 percent exceeded the 90 dB(A) level. The 90 dB(A) noise emission level at highway speeds is approximately equivalent to the 86 dB(A) 35 mph sound level with an additional 4 dB(A) to allow for increases in noise emissions from other speed dependent noise sources on the vehicle such as tires and aerodynamic noise.

For the 35 mph or less test for all vehicle operation conditions, the vehicle acceleration mode determines the maximum noise basis for the standard. Based on 145 tractor trailers studied in California in 1971, approximately 19 percent emitted more than 86 dB(A) at 50 feet. Additional data for 631 trucks measured in California in 1971 and 239 trucks measured in Washington in 1972 indicate that less than 10 percent of these trucks sampled would exceed 86 dB(A) in speed zones of 35 mph or less.

The 35 mph, or less, level street standard is derived from data collected on 235 trucks in California in 1971, and 105 combination vehicles on level street operations in California the same year. In this study nearly 20 percent were operated in a manner such that they would not pass the 80 dB(A) sound emission level at 50 feet. The 80 dB(A) standard for level street operation at 35 mph or less is intended to regulate the manner of operation by the driver and does not impose an additional noise reduction requirement to the vehicle beyond that needed to meet the 86 dB(A) sound level for all highway conditions at 35 mph or less. The level street operation standard of 80 dB(A) is applicable only to conditions of traffic flow in which a constant rate of speed can be maintained and does not apply within 200 feet of any intersection controlled by an official traffic control device or within 200 feet of the beginning or end of any street grade in excess of plus or minus 1 percent.

A stationary run-up test requiring a level of 88 dB(A) at 50 feet or less has been developed by DOT to provide an enforceable standard to implement at weigh stations and other locations where stationary safety inspections are conducted.

The exhaust system performance standard provides a visual inspection and enforcement tool for the DOT, State and local enforcement agencies for enforcement without the use of sound level meters.

All trucks equipped with "pocket retreads" will not be able to comply with the 90 dB(A) noise level limit applicable to high speed operation. The tire restriction provision provides visual inspection and enforcement for "pocket retread" tires.

Certain tread patterns of cross-bar tires produce noise levels which will make them unable to comply with the 90 dB(A) total vehicle noise level limit at speeds greater than 35 mph. It may be necessary for those trucks to install quieter cross-bar tires or rib tires.

The overall costs per vehicle mile of the different tires types are essentially the

same since it is the carcass of the tire that determines the number of possible retreads and, hence, the tire life. There do not appear to be any tire manufacturers or recappers who make only the noisier type of cross-bar tires or "pocket retreads," resulting in an impact involving a redirecting of the market.

Mufflers required to meet this proposed regulation may cause a small increase in backpressure, but are not expected to have a significant impact on gaseous emissions from heavy duty diesel engines. As new regulations are developed and promulgated under the Clean Air Act, noise emission regulations will be reviewed and revised, if appropriate, to assure no conflicts exist between the two regulations.

The noise levels proposed of 90 dB(A) and 86 dB(A) are presently being enforced in California and the City of Chicago, Illinois, New York City, New York, Colorado, Connecticut, Minnesota, and Indiana.

It is possible for vehicles covered by these proposed regulations to achieve these standards. However, 2 percent or less of the in-use heavy duty diesel fleet may incur relatively prohibitive costs in achieving these standards relative to age and other characteristics of these vehicles. Owners may phase these trucks out as a result of the imposition of these standards. Setting more stringent standards at this time may result in a more significant number of vehicles being phased out, because technology is not available to retrofit such vehicles to achieve the lower standards. A 2-4 decibel reduction beyond the standard proposed at this time is estimated to require partial to full engine enclosure of up to 20 percent of the in-use fleet, but such modifications could not be made to this portion of the in-service fleet within the effective date of these regulations. This key consideration has led the Administrator to propose standards that can be achieved very soon by the noisiest trucks and when retrofit technology becomes available, to propose more stringent standards providing further noise abatement.

The technology now being demonstrated by the DOT "quiet truck" program indicates that significant reductions in present noise levels from diesel trucks can be achieved on new trucks in the future. The DOT is also initiating a truck noise emission retrofit demonstration program planned to be completed during the next 12-18 months, the results of which will be applicable to retrofit of the in-service motor carrier fleet.

The results of this research and the truck tire noise research of DOT and the Department of Commerce will be used by the Administrator as the basis for early revision of these regulations to take advantage of improved technology. The goal of attaining adequate control of noise emission will require that as new technology emerges, new objectives be established. As new information becomes available the Administrator will revise these regulations. (See Section "Intent of Future Regulations.")

For the majority of the vehicles requiring corrective action, the installation of improved mufflers and the elimination of restricted tires will be the only necessary actions required to meet the proposed regulation. The normal exhaust muffler life for heavy duty diesel trucks in interstate commerce is approximately 1 1/2 years. The muffler industry is presently supplying the trucking industry with mufflers at the rate required to perform normal maintenance. A survey of the industry indicates that the need to increase production would not impose problems on the muffler industry or introduce problems in scheduling maintenance in the trucking industry. This kind of information is not available for more elaborate procedures. These facts support the proposed effective date (October 1, 1974) as the earliest date for enforcing uniform regulation.

It is estimated that the proposed standard will impose an approximate initial cost of between \$10 and \$30 million on the interstate motor carrier industry. This will require an average expenditure of \$50 to \$200 for each vehicle which cannot presently meet the proposed regulation. With these small increases in the average annual cost of operation, the change in cost per ton mile of freight carried, as a result of this regulation, is expected to be less than one-tenth of a percent increase in present operational costs.

The EPA approach for the reduction of total motor carrier fleet noise is through a phased program of total fleet operational standards issued under section 18 and new product standards issued under section 6. The new product standards to be promulgated by October 1974 will address the application of new truck noise reduction technology, and would not be a regulatory requirement for the existing fleet.

Relationship between sections of the Noise Control Act. Section 4 provides the Administrator with authority to coordinate the noise control and noise research and development programs of all of the Federal agencies; and further requires that all such agencies provide him with information "as he may reasonably require" as to nature, extent, and results of such programs. The Administrator will use his authority under section 4 to ensure that other agencies provide the necessary information, in a timely fashion, so that improvements in these regulations can be made. This authority will also be used to ensure that a comprehensive, coordinated Federal effort is continued in the future.

Section 5(a)(1) requires the development and publication of a Criteria Document that will identify the effects on public health and welfare of differing quantities and qualities of noise. In addition, section 5(a)(2) requires the preparation of an Environmental Noise Report identifying "the levels of environmental noise, the attainment and maintenance of which in defined areas under various conditions are requisite to protect public health and welfare, with an adequate margin of safety."

Section 6 of the Act provides for the development of noise emission standards for new products distributed in commerce. Standards established under section 6 are to be based on the criteria published under section 5, taking into consideration the best available technology and the cost of compliance. The combination of operational noise emission standards issued under section 18 of the Act and new vehicle noise emission standards issued under section 6 of the Act represents the regulatory program for reduction of motor carrier noise emissions that EPA is following.

Section 8 of the Act provides the Administrator with authority to require that notice be given to prospective users of a product sold wholly or in part on the basis of its effectiveness in reducing noise. Mufflers and similar acoustical devices used on motor vehicles to reduce noise emissions would be subject to such future labeling regulations.

Section 10 of the Act specifies that any violation of these and other EPA regulations implementing other sections of the Noise Control Act and any future regulations established under the authority of section 18 of the Act constitutes a prohibited act. Any person who willfully or knowingly violates the regulation shall be punished by a fine of not more than \$25,000.00 per day of violation or imprisonment for not more than one year, or by both, or a fine not exceeding \$50,000.00 per day of violation, or imprisonment for not more than two years or by both, following a conviction for a previous violation of the Noise Control Act.

In addition to these provisions, section 4 of the Act requires each Federal agency to consult with the Administrator prior to prescribing standards and regulations respecting noise. The Administrator is to review such proposed standards and regulations and to determine whether they are adequate to protect public health and welfare to the extent he believes required and feasible. This includes regulatory proposals by the Department of Transportation in relation to the Administrator's responsibilities under section 4 of the Act. The Administrator will review the enforcement of the regulations by other Federal agencies in preparing the periodic report on the status and progress of Federal activities relating to noise research and noise control as required by section 4 (a) (3).

Intent of future regulations. Passenger bus interiors are not covered by these proposed regulations due to insufficient data on the best technology available and the cost of compliance. The motor carrier operation standards and the vehicle equipment noise standards may indirectly decrease the interior noise levels through regulation of the exterior noise emission. When sufficient information on bus interior noise becomes available, a notice of proposed rulemaking will be issued.

It is recognized that auxiliary equipment, such as refrigeration equipment, may be a source of annoyance. Studies are now underway to determine whether

such equipment is a problem and to identify and document the level of noise emitted from such equipment and the technology available and cost associated to reduce that noise emission. As this information becomes available, consideration will be given to revising the proposed regulation to include noise emission standards for auxiliary equipment.

These regulations will be carefully reviewed on or before December 1974, following consideration of the results of DOT's truck noise emission retrofit demonstration and truck tire noise studies mentioned earlier. Revisions, at that time, may be made for significant reductions in the noise emission levels authorized under section 18 of the Act. Revised standards would be in addition to new product standards authorized under section 6 of the Act which will be promulgated not later than October 27, 1974. If in the course of Federal Government studies, or as the result of development by industry or private institutions, it becomes evident that significant improvements in technology are available before December 1974, prompt revision of the regulation will be initiated. Comments and recommendations by all interested persons as to new or advanced technology relevant to this are solicited. An advance notice of proposed rulemaking will be published prior to actual formulation of any revisions of these regulations so that there may be maximum contribution to the rulemaking development by interested parties. The Administrator, under section 4 of the Noise Control Act of 1972, is responsible for coordinating all Federal noise control research. In accordance with that authority, vigorous action will be taken to insure that the results of special truck and tire noise research, and other related research, is made available at the earliest possible time for use in developing revisions hereto. Comments and suggestions as to new and advanced technology relevant to retrofit requirements are solicited and should be submitted as provided for in the following Public Comment Section.

Preemption. Under section 18(c)(1), after the effective date of the regulations proposed herein, no State or political subdivision thereof may adopt or enforce any standard applicable to the same operation of such motor carriers unless such standard is identical to a standard applicable to noise emissions resulting from such operation. These regulations are not intended to diminish or to enhance the rights of any State or political subdivision to establish and enforce standards or controls on levels of environmental noise or to control, license, regulate or restrict the use, operation or movement of any product if the Administrator, after consultation with the Secretary of Transportation, determines that such standard, control, license, regulation or restriction is necessitated by local conditions and is not in conflict with the regulations issued under section 18. The procedure for State or political subdivisions thereof to request such a determi-

nation by the Administrator is briefly outlined in this regulation. The burden of proof for identifying and defending those special local conditions necessitating regulations shall be on the applicant. Further specification of the report to be submitted for such a determination will be delineated by December 31, 1973. The Administrator is interested in receiving comments and recommendations regarding the types of situations and appropriate guidelines for granting States and political subdivisions thereof special administrative approval.

Public comment. Section 18 of the Noise Control Act of 1972 requires that final regulations be promulgated not later than 90 days after the date of publication of proposed regulations, and only after consultation with the Secretary of Transportation. Interested persons may submit written data, views, or arguments in regard to the regulations proposed herein to:

Office of Noise Abatement and Control
Attention: Docket No. ONAC 7202003
Environmental Protection Agency
Washington, D.C., 20460

All relevant material received on or before July 27, 1973, will be considered. All comments will be available for public inspection during normal working hours (8:00 a.m. to 4:30 p.m.) at the Office of Public Affairs, Room 329-C, Waterside Mall, 4th & M Streets, SW., Washington, D.C. 20460.

A background document on motor carrier noise emissions and controls has been prepared and is at the Office of Public Affairs, Environmental Protection Agency, 401 M Street, SW., Washington, D.C., 20460.

Final regulations reflecting modifications as the Administrator deems appropriate, after consideration of public comments, and the views of the Secretary of Transportation, will be promulgated no later than 90 days after publication of this notice.

ROBERT W. FRI,
Acting Administrator.

JULY 24, 1973.

Part 202 of Title 40 is proposed to read as follows:

Subpart A—General Provisions	
Sec.	
202.1	Definitions.
Subpart B—Interstate Motor Carrier Operations Standards	
202.10	Applicability.
202.11	Standards for highway operations.
202.12	Standards for level operations at 35 mph or under.
202.13	Standard for operation under stationary test.
202.14	Visual exhaust system inspection.
202.15	Visual tire inspection.
202.16	Enforcement procedures.
Subpart C—Special Local Condition Determinations	
202.20	Applicability.
202.21	Application procedures.

AUTHORITY: Sec. 18(a), 86 Stat. 1249, 42 U.S.C. 4917(a).

Subpart A—General Provisions

§ 202.1 Definitions.

As used in this part, all terms not defined herein shall have the meaning given them in the Act:

(a) "Act" means the Noise Control Act of 1972 (P.L. 92-574), 86 Stat. 1234.

(b) "Common carrier by motor vehicle" means any person who holds himself out to the general public to engage in the transportation by motor vehicle in interstate or foreign commerce of passengers or property or any class or classes thereof for compensation, whether over regular or irregular routes.

(c) "Contract carrier by motor vehicle" means any person who engages in transportation by motor vehicle of passengers or property in interstate or foreign commerce for compensation (other than transportation referred to in paragraph (b) of this section) under continuing contracts with one person or a limited number of persons either (1) for the furnishing of transportation services through the assignment of motor vehicles for a continuing period of time to the exclusive use of each person served or (2) for the furnishing of transportation services designed to meet the distinct need of each individual customer.

(d) "Cutout or by-pass or similar device" means devices which vary the exhaust system gas flow so as to discharge the exhaust gas and acoustic energy to the atmosphere without passing through the entire length of the exhaust system including all exhaust system sound attenuation components.

(e) "db(A)" means weighted sound level measured by the use of metering characteristics and the prescribed A-weighting frequency response specified in American National Standard S14.1971. This publication is available from the American National Standards Institute, Inc., 1430 Broadway, New York, New York, 10018.

(f) "Exhaust system" means the system comprised of a combination of components which provides for enclosed flow of exhaust gas from engine exhaust parts to the atmosphere.

(g) "Fast meter response" means the meter ballistics of meter dynamic characteristics as specified by American National Standard S14.1971, or subsequent revisions. This publication is available from the American National Standards Institute, Inc., 1430 Broadway, New York, New York, 10018.

(h) "Gross vehicle weight rating" means the value specified by the manufacturer as the loaded weight of a single vehicle.

(i) "Highway" means the streets, roads, and public ways in any State.

(j) "Interstate commerce" means the commerce between any place in one State and any place in another State or between places in the same State through another State, whether such commerce moves wholly by motor vehicle or partly by motor vehicle and partly by rail, express, or water.

(k) "Motor carrier" means a common carrier by motor vehicle, a contract carrier by motor vehicle, or a private carrier of property by motor vehicle.

(l) "Motor vehicle" means any vehicle, machine, tractor, trailer, or semi-trailer propelled or drawn by mechanical power and used upon the highways in the transportation of passengers or property, or any combination thereof, but does not include any vehicle, locomotive, or car operated exclusively on a rail or rails.

(m) "Person" means any individual, firm, copartnership, corporation, company association, or joint-stock association and includes any trustee, receiver, assignee or personal representative thereof.

(n) "Private carrier of property by motor vehicle" means any person not included in terms "common carrier by motor vehicle" or "contract carrier by motor vehicle," who or which transports in interstate or foreign commerce by motor vehicle property of which such person is the owner, lessee, or bailee, when such transportation is for sale, lease, rent or bailment, or in furtherance of any commercial enterprise.

(o) "Sound level" means 20 times the logarithm to base 10 of the ratio of pressure of a sound to the reference pressure. The reference pressure is 20 micropascals per square meter (2×10^{-4} microbar) per American National Standard S14.1971. This publication is available from the American National Standards Institute, Inc., 1430 Broadway, New York, New York, 10018.

(p) "Street" means any roadway in business, residential, or urban districts which is not an Interstate highway or legally designated truck route or approved truck detour.

(q) "Official traffic control device" means any traffic light, stop or yield sign, official or policeman.

The provisions of Subpart B shall become effective October 1, 1974.

Subpart B—Interstate Motor Carrier Operations Standards

§ 202.10 Applicability.

The provisions of Subpart B shall apply to any motor vehicle with a gross vehicle weight rating in excess of 10,000 pounds operated by a motor carrier in interstate commerce. These provisions apply to the total sound level emitted by a motor vehicle operated under the conditions specified.

§ 202.11 Standards for highway operations.

No person shall operate a motor vehicle of a type subject to this regulation at any time or under any condition of highway grade, lead, acceleration or deceleration in such a manner as to generate in excess of 86 dB(A) measured with fast meter response at 50 feet from the centerline of lane of travel on highways with speed limits of 35 mph or less; or 90 dB(A) measured with fast meter response at 50 feet from the centerline of lane of travel on highways with speed

limits of more than 35 mph. This section shall not be construed as limiting or precluding the enforcement of any other provisions of Subparts B and C of this part.

§ 202.12 Standards for Level Street Operations 35 mph or Under.

(a) Notwithstanding the provisions of § 202.11, no person shall operate a motor vehicle upon any street with a speed limit of 35 mph or less and grade not exceeding plus or minus 1 percent in such a manner as to exceed 80 dB(A) measured with fast meter response at 50 feet from the centerline of lane of travel.

(b) This section shall not apply within 200 feet of any intersection controlled by an official traffic control device or within 200 feet of the beginning or end of any grade in excess of plus or minus 1 percent. This section shall not apply when the vehicle flow is not at a constant rate of speed and traffic is congested and requires noticeable acceleration or deceleration.

§ 202.13 Standard for operation under stationary test.

(a) No person shall operate a motor vehicle which is powered by an engine with engine speed governor which generates more noise than 88 dB(A) measured with fast meter response at 50 feet from vehicle centerline when that engine is accelerated from idle with wide open throttle to govern speed with the vehicle stationary, transmission in neutral, and clutch engaged.

(b) This section applies to the total noise from the vehicle or combinations of vehicles excluding tire noise. It shall not be construed as limiting or precluding enforcement of any other provision of Subpart B of this part.

§ 202.14 Visual exhaust system inspection.

No person shall operate a vehicle which has no expansion chamber, resonator or noise dissipative device in the exhaust system or is not equipped with an exhaust gas driven turbocharger, except that gas driven turbochargers alone will not be adequate on vehicles equipped with an engine brake unless such person can show that no such device is needed to enable said vehicle to meet noise standards under Subpart B of this part. Exhaust system components shall be in constant operation and properly maintained. No exhaust system shall be equipped with a cutout, by-pass, or similar device.

§ 202.15 Visual tire inspection.

No motor vehicle shall be operated on tires at any time having tread pattern composed primarily of cavities in the tread (excluding sipes and local chunking or irregularities of wear) which are not vented by grooves to the tire shoulder or circumferentially to each other around the tire, unless such vehicle equipped with such tires can be shown not to exceed noise standards under Subpart B of this part.

§ 202.16 Enforcement procedures.

Under separate rulemaking procedures, the U.S. Department of Transportation will establish specific procedures for enforcement of these standards. Minimum requirements for instrumentation, test sites, and other conditions necessary to insure uniformity and minimum accuracy in testing shall be so prescribed. Procedures for measurement of vehicle sound levels under conditions of varying distance (other than 50 feet) may be prescribed in which case the measurement procedures and sound level limits shall be established to be equivalent to the sound level limits established in this subpart measured at 50 feet.

Subpart C—Special Local Conditions Determinations

§ 202.20 Applicability.

The provisions of this Subpart C shall apply to any State or political subdivision thereof requesting authority to establish and enforce standards or controls on levels of environmental noise, or to control, license, regulate or restrict the use, operation or movement of any product where such standards, controls, licenses, regulations or restrictions are applicable to operations subject to this regulation in any way not identical to the provision of subpart B of this part.

§ 202.21 Application procedures.

Any State or political subdivision thereof requesting an administrative determination under section 18(c)(2) of the Act shall submit to the Administrator a detailed report delineating the special local conditions requiring consideration, how the proposal of the State or political subdivision thereof is not in conflict with Subpart B of this part and how the proposal interferes, if at all, with interstate commerce. The Administrator will publish, by December 31, 1973, a detailed report format for determination requests under this section.

[FR Doc. 73-15500 Filed 7-26-73; 8:45 am]

FEDERAL POWER COMMISSION

[18 CFR Part 141]

[Docket No. RM74-1]

FUELS FOR NUCLEAR PLANTS

Report of Cost and Quality

JULY 19, 1973.

Take notice that, pursuant to 5 U.S.C. 553 and sections 202, 301, 304(a), 309 and 311 of the Federal Power Act, the Federal Power Commission proposes to amend Part 141—Statements and Reports (Schedules) in Subchapter D—Approved Forms, Federal Power Act, Chapter I, Title 18 of the Code of Federal Regulations, by adding a new § 141.62, prescribing collection of fuel costs and quality determinants of fuel received at nuclear generating plants of electric utilities through proposed FPC Form No. 423-Nuclear.

On June 7, 1972, the Commission issued Order 453 in Docket No. R-432, which added a new § 141.61 to Title 18 of the Code of Federal Regulations prescribing a monthly reporting of cost and quality determinants of fuel for steam-electric plants of electric utilities. In that Order the Commission stated that the new FPC Form No. 423, thereby enacted, would "provide monthly information on the availability and cost of fossil fuels to electric utility companies for use in current analyses of the energy and fuel supply situation and the effects on the cost of electric power." The stated objective of the proposed Form No. 423 was to "provide timely data on a comparable basis for each type of fuel by quality determinants, thus facilitating the evaluation of developments in fuel supply which may affect the reliability of electric service, emergency preparedness, and the environmental improvement programs for the different air quality control regions in the United States." On August 3, 1972, the Commission issued an order denying rehearing in this matter.

The Commission's action in Docket No. R-432 was appealed to the United States Circuit Court of Appeals for the District of Columbia. National Coal Association v. Federal Power Commission, No. 72-1919, D.C. Cir., filed October 2, 1972. However, on May 14, 1973, the parties filed a joint motion to withdraw the appeal, which motion is pending before the Court. Subsequently, on the application of Alabama Power Company and other electric utilities, the Commission, on March 2, 1973, issued Order Denying Petition for Amendment of the Commission's Regulations with Respect to Form No. 423, in Docket No. R-432. An order denying rehearing in this latter matter was issued on April 16, 1973, and has been appealed to the Circuit Court of Appeals. Alabama Power Company, et al. v. Federal Power Commission, No. 73-1436, D.C. Cir., filed April 25, 1973.

Concurrent with the proposed rulemaking in this Docket, the Commission has pending issuance of a notice for proposed rulemaking in Docket No. R-432 (a), which will also deal with expanding the reporting requirements under FPC Form No. 423. The thrust of both proposals is to incorporate under the Form No. 423 reporting requirements the collection of cost and quality data for fuels to be used in electric generating plants other than the steam-electric facilities presently covered in Form No. 423. Docket No. R-432(A) is intended to cover the elicitation of fuel cost data for fuel to be used in gas turbine and internal combustion engine generating units.

However, because the marketing of fuel for use in nuclear plants presents considerably different patterns and considerations from those associated with purchases for non-nuclear plants, the Commission has elected to treat the consideration of reporting by electric utilities of Form No. 423-type information for nuclear plants separately in the instant Docket. Electric utilities presently report

annually their calculated total nuclear fuel cycle costs for individual plants on FPC Form 1, in accordance with the requirements established by the Uniform System of Accounts. However, unlike fossil fuel power production costs, the nuclear fuel cycle cost is not chiefly dependent upon the cost of raw fuel material; both the enrichment (separative) work and the fabrication of finished fuel elements are larger cost components. Enrichment costs are fixed by the Atomic Energy Commission, since it possesses the only enrichment facilities, and the price of fuel fabrication is set by competition between fuel fabricators in the market. Therefore, reporting of total nuclear fuel cycle costs on FPC Form 1 does not present a ready source of information on the actual cost of the raw fuel resources used by electric utilities.

The objective of the rulemaking proposed in this Docket is to obtain disclosure of the details of individual direct purchases by electric utilities of nuclear fuel material.¹ These direct purchases at present constitute about half of the total uranium ore purchases. They represent the component of total fuel cost most subject to market fluctuation. The Commission recognizes that a special analysis of each direct purchase or series of purchases would be necessary in order to determine overall fuel costs; however it believes that the purchase data will be directly useful in assessing the supply of primary energy for electric power.

In accordance with the above considerations, the Commission believes that the existing FPC Form No. 423 is inadequate for gathering data on nuclear fuel, and that a new format for the collection of this type of information is required. Therefore, the proposed new 18 C.F.R. § 141.62 will enact a separate reporting form, to be designated FPC Form No. 423-Nuclear, and Instructions thereto. See Attachment A. This proposal recognizes that it is more rational and better coordinated with the practices prevailing in the industry to garner the necessary cost and quality data at the time when an electric utility contracts to directly purchase U.O. yellowcake ore or to supplement or amend an existing contract. As indicated before, there are various ways in which electric utilities contract to satisfy their nuclear fuel needs, and the Commission believes that proposed Form No. 423-Nuclear will enable it to track ore prices through utility direct purchase reporting. This method of reporting will not disclose the total quantities of ore sold because a large portion of the ore is sold in the first instance to non-jurisdictional sources, such as reactor manufacturers, nuclear fuel fabricators, etc. However, since direct utility purchases of U.O. yellowcake presently represent about one-half the market for

¹ At the present time, the basic fuel material used in nuclear plants is U.O. yellowcake; "nuclear fuel" as used in the present notice should be understood to refer to this basic ore resource.

this substance in the United States and since yellowcake is a standard material, it is anticipated that reported prices should average very close to the total market average. Thus, it should be feasible to determine overall fuel material costs by means of electric utilities reporting their direct ore purchases in the manner proposed in this Docket.

The Atomic Energy Commission (AEC) has for many years obtained 100 percent reporting of yellowcake purchases from both producers and buyers, but on a voluntary basis and without prices. This information has been the basis for the AEC's annual report on uranium purchases. It is understood that the AEC is planning to add price information to the reporting so that it can track the average price trends annually. However, the AEC has agreed that it will not supply to other government agencies, without permission, the detailed purchase information voluntarily reported. Therefore, the AEC data will record the yearly average ore prices but will not reveal the details of individual direct purchases by electric utilities, the desired information which is the subject of the proposals in this Docket.

Any interested person may submit to the Federal Power Commission, Washington, D.C. 20426, not later than September 4, 1973, data, views, comments or suggestions in writing concerning all or part of the amendment proposed herein. Written submittals will be placed in the Commission's public files and will be available for public inspection at the Commission's Office of Public Information, 825 North Capitol Street, N.E., Room 1000, Washington, D.C. 20426, during regular business hours. The Commission will consider all such written submittals before acting on the matters herein proposed. An original and 14 conformed copies should be filed with the Secretary of the Commission. In addition, interested persons wishing to have their comments considered in the clearance of proposals incorporated in this Docket, pursuant to 44 U.S.C. 3501-3511, may, at the same time, submit a conformed copy of their comments directly to the Clearance Officer, Office of Statistical Policy, Office of Management and Budget, Washington, D.C. 20503. Submittals to the Commission should indicate the name, title, mailing address and telephone number of the person to whom communications concerning the proposal should be addressed, and whether the person filing them requests a conference with the staff of the Federal Power Commission to discuss the proposed amendment. The staff, in its discretion, may grant or deny requests for conference.

By direction of the Commission.

KENNETH F. PLUMB,
Secretary.

ATTACHMENT A

FPC FORM 423-NUCLEAR-ELECTRIC UTILITY
PURCHASES OF U₃O₈ YELLOWCAKE

(Illustrates information to be obtained but may not be the precise form used)

General instructions. This Form is designed to obtain data on the cost and quality of uranium ore (U₃O₈ yellowcake) purchases by electric utilities. The completed Form is due within 90 days from the date when:

(a) A new contract has been signed or an agreement reached for the delivery of yellowcake.

(b) An old contract or agreement with a supplier has been amended to reflect any material change in its terms.

(c) A spot purchase of yellowcake has been made.

The utilities reporting under this section shall further make reports within 15 days after every June 30th and every December 31 showing for the six month period ending on the above dates an aggregate composite of the information filed in Form No. 423-NUCLEAR during said period.

Form No. 423-Nuclear

1. (a) Name of Company: _____
Company Code: _____
Address: _____
(b) Name and Title of Reporting Company Official: _____
2. Type of Purchase: (Yellowcake)
☐ New Contract; Date of Contract: _____
☐ Amended Contract; Date of Original Contract: _____
☐ Spot Purchase;
Date of Amendment: _____
Date of Purchase: _____
3. Name and Address of Supplier (Yellowcake): _____
4. Quantity Acquired, in Lbs. of Yellowcake: _____
5. Price, \$ per pound: _____
(Report to the nearest one cent)
6. If the Terms of the Purchase Include an Escalation Clause Describe These Terms: _____
7. Does your Company Have a Financial Interest in the Company Supplying the Yellowcake
☐ Yes ☐ No
8. If the Answer to Question 7 is Yes, Describe the Extent of the Interest: _____

[FR Doc.73-15413 Filed 7-26-73; 8:45 am]

FEDERAL RESERVE SYSTEM

[12 CFR Part 217]

INTEREST ON DEPOSITS

Penalty for Early Withdrawals

The Board of Governors proposes to treat, as a payment of a time deposit before maturity, any amendment to the time deposit contract that results in either an increase in interest rate or a change in the maturity of the deposit. Such treatment would mean that the penalty for early withdrawals provided in Regulation Q would apply at the time of any such amendment to the contract.

To aid in the consideration of the matter by the Board, interested persons are invited to submit relevant data, views, or arguments. Any such material should be submitted in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than August 13, 1973. Such material will be made available for inspection and copying upon request, except as provided in § 261.6(a) of

the Board's Rules Regarding Availability of Information.

To implement its proposal, the Board proposes to amend § 217.4(d) of its Regulation Q (12 CFR Part 217) by adding a new sentence at the end thereof to read as follows:

§ 217.4 Payment of time deposits before maturity.

(d) *Penalty for early withdrawals.* * * * Any amendment of a time deposit contract that results in an increase in the rate of interest paid or in a change in the maturity of the deposit constitutes a payment of the time deposit before maturity.

By order of the Board of Governors,
July 24, 1973.

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

[FR Doc.73-15540 Filed 7-26-73; 8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR Part 249]

[Releases No. 34-10262, SIPA-4]

Broker-Dealer Registration Application Form; Submission of Certain Information Regarding Past Liquidations

Notice is hereby given that the Securities and Exchange Commission has under consideration proposed amendments to Form BD (17 CFR 249.501), the form of application for registration as a broker-dealer (or amendment to such application) under section 15(b) (15 U.S.C. 78o (b) (1)) of the Securities Exchange Act of 1934. The amendments would be adopted pursuant to section 15(b) and section 23(a) (15 U.S.C. 78w (a)) of the Securities Exchange Act of 1934 and section 10(b) (15 U.S.C. 78j (b)) of the Securities Investor Protection Act of 1970 ("SIPA Act").

The purpose of the proposed amendments would be to add a new paragraph (k) to Item 16 and to make certain technical changes discussed below. New paragraph (k) would inquire whether the Applicant, Registrant, or any of certain associated persons has ever been an officer, director, general partner, ten percent shareholder or controlling person of a broker or dealer for whom a trustee has been appointed under the SIPA Act. Under section 10(b) of the SIPA Act the Commission may by order bar or suspend for any period such persons after notice and opportunity for hearing if the Commission finds it to be in the public interest.

The Commission has found that many of the failures of broker-dealers which have resulted in the appointment of a SIPA trustee have involved a gross failure to maintain proper books and records and substantial violations of the financial responsibility rules. It would be the purpose of the amendment to Item 16 to detect an attempt on the part of persons responsible for such violations

to effect a re-entry so that the Commission could initiate a proceeding to determine whether any remedial action would be appropriate.

The text of proposed new paragraph (k) is as follows:

16. State whether the Applicant or Registrant, any person named in Items 12, 13, 14 and 15 or any Schedule thereunder or any other person directly or indirectly controlling or controlled by the Applicant or Registrant, including any employee:

(k) Has been associated at any time as an officer, director, general partner, or owner of 10 percentum or more of the voting securities or has at any time directly or indirectly through agreement or otherwise exercised or had the power to exercise a controlling influence over the management or policies of a broker or dealer for whom a trustee has been appointed pursuant to the Securities Investor Protection Act of 1970.

Yes [] No []

The Commission also has under consideration a number of technical changes in the Form. These changes are, in the main, for the purpose of obtaining additional data from Applicants or Registrants or updating wording which is obsolete. The following items on the Form would be changed or added:

Item 2—This item requests the "Full name of Applicant or Registrant" which is intended to be the name of the broker-dealer. The item then states, "If individual state last, first, middle name." This has proven confusing since many times

the person preparing the Form thought the item requested his name to be listed thereunder. The language would be amended to read, "If sole proprietor, state last, first, middle name."

Item 5—Item 5 would be amended to request the telephone number of the Applicant or Registrant which is not included on the present Form.

Item 7—Item 7 would be amended to clarify the language inquiring whether the Applicant or Registrant is a successor to another broker-dealer and to add paragraph (b) inquiring whether the Applicant or Registrant has merged with or acquired another broker-dealer.

Item 20—Item 20 would be amended to update the list of registered national securities exchanges.

Item 22—Item 22 requests information as to the type of business which would be conducted. The instruction to paragraph (q) regarding "Any other securities activity" requests that the Applicant or Registrant "Specify below." There is no longer sufficient room where details can be furnished on that page so the instruction would be amended to read "Give details on Schedule E."

Item 23—Item 23 on the Form would be revised to require the broker-dealer to state under new paragraph (c) whether the firm is registered or to be registered as an investment adviser. This corresponds to Form ADV (Registration as an Investment Adviser) which requires the firm to indicate whether it is also registered as a broker-dealer.

These changes would be prospective only and re-registration would not be required of existing broker-dealers. However, if a broker-dealer knows or has reason to know that the answer to proposed Item 16(k) on or after the effective date of these amendments is "Yes," an immediate amendment to the Form would be required.

Copies of proposed amended Form BD have been filed as a part of this document with the Office of the Federal Register and additional copies are available upon request from the Securities and Exchange Commission, Washington, D.C. 20549.

All interested persons are invited to submit their views and comments on the proposal in writing on or before August 27, 1973, to Ronald F. Hunt, Secretary, Securities and Exchange Commission, 500 North Capitol Street, NW., Washington, D.C. 20549. All such communications shall bear the File No. S7-485 and will be available for public inspection.

(Secs. 15(b), 23(a), 48 Stat. 895, Sec. 3, 49 Stat. 1377, Sec. 6, 78 Stat. 570, 15 U.S.C. 78o(b), 78w, Sec. 10(b), 80 Stat. 1651, 15 U.S.C. 78j(j)(b)).

By the Commission,

[SEAL]

RONALD F. HUNT,
Secretary.

JULY 3, 1973.

[FR Doc.73-15478 Filed 7-26-73;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 TREASURY

Bureau of Alcohol, Tobacco and Firearms NOTICE OF GRANTING OF RELIEF

Notice is hereby given that pursuant to 18 U.S.C., Section 925(c) the following named persons have been granted relief from disabilities imposed by Federal laws with respect to the acquisition, transfer, receipt, shipment, or possession of firearms incurred by reason of their convictions of crimes punishable by imprisonment for a term exceeding one year.

It has been established to my satisfaction that the circumstances regarding the convictions and each applicant's record and reputation are such that the applicant will not be likely to act in a manner dangerous to public safety, and that the granting of the relief will not be contrary to the public interest.

Anderson, David E., 1920 20th Street, Lyons, Oregon, convicted on March 24, 1970, in the Superior Court of the State of Washington.

Anderson, Leonard, 798 N. Washington, Saginaw, Michigan, convicted on August 19, 1953, for the Eastern District of Michigan, Northern Division.

Bartley, Alan K., 2203 South Third Avenue, Yakima, Washington, convicted on November 4, 1970, in the Superior Court of the State of Washington in and for Yakima County.

Becker, Edwin M., Jr., 6400 Kenilworth, Austin, Texas, convicted on May 5, 1960, in the District Court of Travis County, Texas.

Bittner, Ronald L., 2210 East Mission Avenue, Escondido, California, convicted on August 23, 1960, by the Superior Court, San Diego, California.

Bosse, James Lincoln, 917 North Avenue, Aurora, Illinois, convicted on February 15, 1961, in Corporation Court, Norfolk, Virginia.

Boyd, Robert A., 1130 East 51st Street, Tacoma, Washington, convicted on September 29, 1969, by the Superior Court of the State of Washington, Pierce County.

Brooks, Clemy, 1265 South Main Street, Apartment #19, Seattle, Washington, convicted on January 7, 1960 by the Western District Court, Tacoma, Washington.

Campbell, Terry, Michael, 217 White Drive, Apt. F-1, Tallahassee, Florida, convicted on June 9, 1969, in the United States District Court, Southern District of Texas.

Cantor, Raleigh, Jr., 1353 Gilmer Drive, Salt Lake City, Utah, convicted on January 18, 1946, Division 1, Criminal Court of Marion County, in the City of Indianapolis, Indiana, and on May 16, 1947, in Mohave County Superior Court.

Cassidy, James M., 35 West El Campo Street, Stockton, California, convicted on or about January 21, 1969, before a general court-martial which convened at Fort Bragg, North Carolina.

Chew, Jay Dee, 2020 Tyler, Joplin, Missouri, convicted on January 18, 1971, in the Circuit Court of Jasper County, Missouri.

Chierico, Michael P., 1651 Metropolitan Avenue, Bronx, New York, convicted on March 21, 1932, in Queens Supreme Court, Queens County.

Cipriani, Earl P., 1035 Argonne Road, South Euclid, Ohio, convicted on June 18, 1970, in United States District Court for Northern District of Ohio.

DeMeo, Louis M., 13512 Fifth Street, S.W., Seattle, Washington, convicted on March 5, 1949, in Superior Court of the State of Washington.

Deuel, Harold V., 5071 South 4420 West, Kearns, Utah, convicted on February 22, 1971, Third District Court, State of Utah.

Durbin, Harvey J., Jr., 910 Austin Street Apt. H, Pasadena, Texas, convicted on November 7, 1962, District Court of Pecos County, Texas.

Edwards, Kenneth M., 2312 South Francis, Port Angeles, Washington, convicted on January 21, 1958, in Superior Court, King County, Washington, and on December 28, 1970, in Superior Court, Clallam County, Washington.

Elfring, Lanny Ross, 778 Polk Street, Eugene, Oregon, convicted on March 13, 1961 and March 21, 1966, in Circuit Court, 4th Judicial Circuit, Davidson County, Mitchell, South Dakota.

Englert, Harry Lee, 13 W. Elwood Street, Ridgefarm, Illinois, convicted on November 23, 1962, in the 5th Judicial Circuit Court, Danville, Illinois.

Fuller, Albert D., 2439 Chiquita Lane, Thousand Oaks, California, convicted on May 29, 1944, in Knox County Circuit Court, Vincennes, Indiana.

Garrett, Jesse N., 1315 Cedar Street, Lewiston, Idaho, convicted on February 12, 1963, in the District court of the Tenth Judicial District of the State of Idaho.

Gassert, Joseph H., Jr., Fredericksburg, Pennsylvania, convicted on February 22, 1971, in United States District Court for Middle District of Pennsylvania.

George, John W., 7091 Rouge River Highway, Grants Pass, Oregon, convicted on September 5, 1968, in the Superior Court of the State of California for the County of Los Angeles.

Gourley, Kenneth E., R.D. #1, Strattanville, Pennsylvania, convicted on January 21, 1972, in the Court of Common Pleas of Clarion County, Pennsylvania.

Hassen, Robert N., 360 Taylor Avenue, N.W., Apartment No. 214, Renton, Washington, convicted on October 31, 1968, by the Superior Court of King County, Washington.

Hawkins, Phillip, 7469 Diven Street, Norfolk, Virginia, convicted on September 23, 1952, in Vance County Superior Court, North Carolina, on February 4, 1953, in Lauderdale County Circuit Court, Mississippi, on January 17, 1961, in Vance County Superior Court, North Carolina, and on March 18, 1965, in Virginia Beach Circuit Court, Virginia.

Hooks, Andrew J., 5211 Sandusky Road, Lima, Ohio, convicted on January 13, 1965, in the Lima, Ohio, Municipal Court.

Howland, Gary L., Box 226, McCall, Idaho, convicted on October 30, 1967, in the District Court of the Fourth Judicial District of the State of Idaho in and for the County of Ada, and on May 14, 1970, in the District Court of Fourth Judicial District of State of Idaho, in and for the County of Ada.

Hutchinson, Willie R., P.O. Box 1152, Toledo, Ohio, convicted on February 5, 1971, in the United States District Court, Northern Division, Ohio.

Hyatt, William C., 1265 Lingle Avenue, Flint, Michigan, convicted on November 14, 1950, in the United States District Court, Western Division, North Carolina.

Kovar, Rudy, Jr., 1206 Kimbro Street, Taylor, Texas, convicted on January 17, 1967, in the District Court of Travis County, Texas.

Lamotta, Joseph C., 4014 69th Street, Urbana, Iowa, convicted on September 21, 1939, in Polk County District Court, Des Moines, Iowa.

Lindsey, Ray Scott, 3825 64th Avenue, Landover, Maryland, convicted on July 7, 1969, Montgomery Circuit Court, Montgomery County, Maryland, and on September 18, 1970, in the United States District Court, Judicial District of Maryland.

Mapes, Jerry W., R. R. 1, Dallas Center, Iowa, convicted on September 15, 1965, in Dallas County District Court, Adel, Iowa.

Martin, Marshall Gates, Route 5, Martinsville, Virginia, convicted on September 13, 1957, in the United States District Court, Danville, Virginia, and on December 3, 1957, December 15, 1960, and December 27, 1961, in United States District Court, Greensboro, North Carolina.

Micoletti, Fred A., 626 Forbes Street, East Hartford, Connecticut, convicted on or about April 11, 1950, in the Superior Court of Hartford, Hartford, Connecticut.

Miller, Clayton Eugene, 306 South Enola Drive, Enola, Pennsylvania, convicted on May 9, 1961, in Court of Oyer and Terminer of Perry County, Pennsylvania, on May 12, 1961, in the Court of Oyer and Terminer of Cumberland County, Pennsylvania, on May 29, 1961, in Court of Oyer and Terminer, York County, Pennsylvania, and on September 12, 1961, in Court of Oyer and Terminer of Adams County, Pennsylvania.

Mulcahey, Clifford, Sr., 3140—57th Street, Box 93, Pennville, Michigan, convicted on January 25, 1972, in the Circuit Court for the County of Van Buren, Village of Paw Paw, Michigan.

Nedley, Paul J., 24812 Templar Avenue, Southfield, Michigan, convicted on February 21, 1938, in the Circuit Court, Oakland County, Michigan.

O'Dell, Robert E., Route 1, Box 134, Independence, Oregon, convicted on August 4, 1970, in the Circuit Court, State of Oregon for Polk County, Oregon.

Paderick, Harold D., P.O. Box 223, Troutville, Virginia, convicted on October 14, 1969, in the Circuit Court, Botetourt County, Virginia.

Pearson, John L., 1740 Beaver Place, Anchorage, Alaska, convicted on November 21, 1969, in the Circuit Court of Dane County, Madison, Wisconsin.

Pearsons, Donald Norris, Box 21, Council, Idaho, convicted on October 29, 1957, in Orange County Municipal Court, Orange County, Vermont.

Pekar, David A., 113 Franklin Street, Taylor, Texas, convicted on January 17, 1967, District Court, Travis County, Texas.

Ralston, Jerry L., RD #1, Slippery Rock, Pennsylvania, convicted on October 5, 1970, Court of Common Pleas, Butler County, Pennsylvania.

Scheibley, Ralph J., 931 Almaden Avenue, Sunnyvale, California, convicted on March 7, 1969, by the District Court of the Second Judicial District, Weber County, Ogden, Utah.

Sommer, Frank, 27582 Capri Avenue, Hayward, California, convicted on March 26, 1957, Alameda County Superior Court, California, on October 1, 1957, in San Francisco Superior Court, and on or about September 15, 1959, in Superior Court, Alameda County, California.

Spiegel, Inc., 1061 West 35th Street, Chicago, Illinois, convicted on November 17, 1972, in the United States District Court for the District of Columbia.

Stover, Luther W., Route 6, Box 313, Charleston, West Virginia, convicted on June 22, 1953, in Kanawha County Court, West Virginia.

Strong, Floyd, 2135 Myrtle Avenue, Long Beach, California, convicted on September 6, 1944, in the Tenth Judicial District of Alabama, Jefferson County, Alabama.

Ward, Luther, Box 226, Wallins, Kentucky, convicted on November 26, 1946, and April 6, 1959, in the United States District Court, London, Kentucky.

Wenger, Charles A., 1212 4th Avenue, S.E., Cedar Rapids, Iowa, convicted on June 26, 1970, in Linn County District Court, Iowa.

Werth, Alvin J., Route #2, Box 99, Hays, Kansas, convicted on or about February 5, 1952, in District Court of Ellis County, Kansas.

Wheat, Harold A., Louisville, Kentucky, convicted on September 17, 1946, in the 13th Judicial District of Oklahoma, Oklahoma County, Oklahoma.

Young, Carlton, 1646 West Grand Boulevard #36, Detroit, Michigan, convicted on or about March 27, 1926, in Recorder's Court, Detroit, Michigan.

Signed at Washington, D.C., this 20th day of July 1973.

[SEAL] REX D. DAVIS,
Director, Bureau of Alcohol,
Tobacco and Firearms.
[FR Doc.73-15477 Filed 7-26-73;8:45 am]

Office of the Secretary

PRIMARY LEAD METAL FROM CANADA

Withholding of Appraisal Notice

Information was received on February 16, 1973, that primary lead metal from Canada was being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.) (referred to in this notice as "the Act"). This information was the subject of an "Antidumping Proceeding Notice" which was published in the FEDERAL REGISTER of March 16, 1973, on page 7130. The "Antidumping Proceeding Notice" indicated that there was evidence on record concerning injury to, or likelihood of injury to, or prevention of establishment of an industry in the United States.

Pursuant to section 201(b) of the Act

(19 U.S.C. 160(b)), notice is hereby given that there are reasonable grounds to believe or suspect that the purchase price (section 203 of the Act; 19 U.S.C. 162), of primary lead metal from Canada is less, or likely to be less, than the foreign market value (section 205 of the Act; 19 U.S.C. 164).

Statement of reasons. The information currently before the Bureau of Customs tends to indicate that there are sufficient sales in the home market to provide an adequate basis of comparison for fair value purposes.

Accordingly, the probable basis of comparison for fair value purposes will be between purchase price and the adjusted home market price of such or similar merchandise.

Preliminary analysis suggests that purchase price will probably be calculated on the basis of a delivered, duty paid price, with deductions for a discount, Canadian and U.S. freight, U.S. duty, and a sales commission.

Adjusted home market price will probably be calculated on the basis of a weighted-average of delivered prices in the home market with deductions for freight, selling expenses, sales commissions and discounts, where appropriate. Adjustments will probably be made for credit terms.

Using the above criteria, there are reasonable grounds to believe or suspect that purchase price will be lower than the adjusted home market price.

Customs officers are being directed to withhold appraisal of primary lead metal from Canada in accordance with § 153.48, Customs Regulations (19 CFR 153.48).

In accordance with §§ 153.32(b) and 153.37, Customs Regulations (19 CFR 153.32(b), 153.37), interested persons may present written views or arguments, or request in writing that the Secretary of the Treasury afford an opportunity to present oral views.

Any requests that the Secretary of the Treasury afford an opportunity to present oral views should be addressed to the Commissioner of Customs, 2100 K Street, N.W., Washington, D.C. 20229, in time to be received by his office not later than 10 calendar days from the date of publication of this notice in the Federal Register. Such requests must be accompanied by a statement outlining the issues wished to be discussed.

Any written views or arguments should likewise be addressed to the Commissioner of Customs in time to be received by his office not later than August 27, 1973.

This notice, which is published pursuant to section 153.34(b), Customs Regulations (19 CFR 153.34(b)), shall become effective July 27, 1973. It shall cease to be effective January 28, 1974, unless previously revoked.

[SEAL] EDWARD L. MORGAN,
Assistant Secretary for Enforcement,
Tariff and Trade Affairs, and Operations.

JULY 20, 1973.

[FR Doc.73-15595 Filed 7-26-73;8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[R 06978]

CALIFORNIA

Order Opening National Resource Lands

JULY 19, 1973.

1. Public Land Order No. 4741 of November 6, 1969, revoked Executive Orders of November 11, 1901 and April 30, 1902, which withdrew the following described national resource lands for lighthouse purposes:

SAN BERNARDINO MERIDIAN

T. 1 S., R. 18 W.,
Sec. 29, SW¼;
Sec. 30, SE¼;
Sec. 32, Lot 4 and NW¼NW¼.

The area described aggregates 398.04 acres in Los Angeles County.

2. Pursuant to the authority redelegated to me by the Chief, Division of Technical Services, California State Office, Bureau of Land Management, approved by the California State Director effective January 12, 1972 (37 FR 491), it is ordered as follows:

3. At 10 a.m., on August 27, 1973, the lands shall be open, subject to valid existing rights, to permit the granting only of a right-of-way under section 2477, U.S. Revised Statutes (43 U.S.C. 932), to Los Angeles County, California, for the construction of a public highway as delineated on the map filed with the Bureau of Land Management and designated "County Road No. R-6910, Kimberly Canyon Road (Dume-Canyon Road 3-11)".

Inquiries concerning the lands should be addressed to the Bureau of Land Management, Room E-2841 Federal Office Building, 2800 Cottage Way, Sacramento, California 95825.

WALTER F. HOLMES,
Chief, Branch of Lands
and Minerals Operations.

[FR Doc.73-15439 Filed 7-26-73;8:45 am]

MONTICELLO DISTRICT ADVISORY BOARD

Notice of Meeting

Notice is hereby given that the Monticello District Six Advisory Board will hold a business meeting on August 16, 1973, commencing at 9:00 a.m. at the Monticello District Office Conference Room, Monticello, Utah. The agenda for the meeting will include consideration of grazing applications, exchange of use applications, applications to transfer grazing privileges, range improvement program for 1974, and any other business that should be considered by the Board.

The meeting will be open to the public. The Advisory Board Chairman is Kenneth S. Summers, P.O. Box 1147, Monticello, Utah 84535.

Dated: July 20, 1973.

FRANK C. SHIELDS,
District Manager.

[FR Doc.73-15432 Filed 7-26-73;8:45 am]

National Park Service

ADVISORY BOARD ON NATIONAL PARKS,
HISTORIC SITES, BUILDINGS AND
MONUMENTS

Notice of Meeting

Notice is hereby given in accordance with the Federal Advisory Committee Act that a special meeting of the Advisory Board on National Parks, Historic Sites, Buildings and Monuments will be held on August 7 and 8, 1973, in Room 8070, Department of the Interior, 18th and C Streets, N.W., Washington, D.C.

The purpose of the Advisory Board is to advise the Secretary of the Interior on matters relating to the National Park System, and the administration of the Historic Sites Act of 1935.

The members of the Advisory Board are as follows:

Dr. Melvin M. Payne (Chairman), Washington, D.C.
Mrs. Lyndon B. Johnson (Vice Chairman), Stoneham, Texas.
Mr. Peter C. Murphy, Jr. (Secretary), Springfield, Oregon
Honorable E. Y. Berry
Rapid City, South Dakota
Dr. A. Starker Leopold
Berkeley, California
Mr. Laurence W. Lane, Jr.
San Francisco, California
Mr. Linden C. Petty
Ludington, Michigan
Mr. Steven L. Rose
Arcadia, California
Capt. Walter M. Schirra, Jr.
Englewood, Colorado
Dr. Douglas W. Schwartz
Santa Fe, New Mexico
Dr. William G. Shade
Charlottesville, Virginia

The purpose of the meeting is to receive a report on proposals arising out of the implementation of the Alaska Native Claims Settlement Act. The Advisory Board will also consider two proposals for National Historic Landmark eligibility, Cape Krusenstern, Alaska, and Moanalua Valley, Hawaii.

The meeting will be closed to the public. The Secretary of the Interior has made a determination in accordance with section 10(d) of the Federal Advisory Committee Act that the meeting will involve matters exempt from public disclosure under the provisions of 5 U.S.C. 552(b). However, any member of the public may file with the Advisory Board a statement in writing concerning any of the matters to be discussed.

Persons desiring further information concerning this meeting or who wish to file written statements, may contact Robert M. Landau, Director, Office of Advisory Commissions, National Park Service, Washington, D.C., at 202-343-8953.

A report of the meeting will be prepared in accordance with the provisions of the Federal Advisory Committee Act.

Dated: July 19, 1973.

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

[FR Doc.73-15449 Filed 7-26-73;8:45 am]

BLUE RIDGE PARKWAY

Notice of Intention to Negotiate
Concession Contract

Pursuant to the provisions of section 5, of the Act of October 9, 1965; (79 Stat. 969; 16 U.S.C. 20) public notice is hereby given that thirty (30) days after the date of publication of this notice, the Department of the Interior, through the Director of the National Park Service, proposes to negotiate a concession contract with Crafts of Nine States, Inc., authorizing it to provide concession facilities and services for the public on the Blue Ridge Parkway for a period of 5 years from January 1, 1974, through December 31, 1978.

The foregoing concessioner has performed its obligations under the expiring contract to the satisfaction of the National Park Service, and therefore, pursuant to the Act cited above, is entitled to be given preference in the renewal of the contract and in the negotiation of a new contract. However, under the Act cited above, the Secretary is also required to consider and evaluate all proposals received as a result of this notice. Any proposal to be considered and evaluated must be submitted on or before August 27, 1973.

Interested parties should contact the Chief of Concessions Management, National Park Service, Washington, D.C. 20240, for information as to the requirements of the proposed contract.

Dated July 20, 1973.

LAWRENCE C. HADLEY,
Assistant Director,
National Park Service.

[FR Doc.73-15446 Filed 7-26-73;8:45 am]

[Order No. 2]

ADMINISTRATIVE OFFICER, ANTIETAM-C
& O CANAL GROUP

Delegation of Authority

SECTION 1. *Administrative Officer.* The Administrative Officer may issue purchase orders not in excess of \$2,000 for supplies or equipment in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds.

SEC. 2. *Revocation.* This order supercedes Order No. 1 (30 FR 7765).

(National Park Service Order No. 78 (38 FR 10477) dated April 27, 1973; National Capital Parks Order No. 5 (37 FR 14892) dated July 26, 1972).

Dated: June 29, 1973.

WILLIAM R. FAILOR,
Superintendent.

[FR Doc.73-15447 Filed 7-26-73;8:45 am]

[Order No. 2]

ADMINISTRATIVE OFFICER, CATOCTIN
MOUNTAIN PARK, MD.

Delegation of Authority

SECTION 1. *Administrative Officer.* The Administrative Officer may issue pur-

chase orders not in excess of \$2,000 for supplies or equipment in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds.

SEC. 2. *Revocation.* This order supercedes Order No. 1 (28 FR 3091), Amendment No. 1 (30 FR 6883), and Amendment No. 2 (30 FR 14279).

(National Park Service Order No. 78 (38 FR 10477) dated April 27, 1973; National Capital Parks Order No. 5 (37 FR 14892) dated July 26, 1972).

Dated: June 21, 1973.

FRANKLIN D. PRIDEMORE,
Superintendent.

[FR Doc.73-15448 Filed 7-26-73;8:45 am]

Office of the Secretary

[INT DES 73-45]

OUTER CONTINENTAL SHELF OFFSHORE
CALIFORNIA

Santa Ynez Unit, Santa Barbara Channel; Availability of Draft Environmental Impact Statement and Public Hearings Regarding Proposed Development

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Department of the Interior has prepared a draft environmental impact statement on the proposed oil and gas development by Exxon Company—U. S. A. of the 17 leases comprising the Santa Ynez Unit Area on the Outer Continental Shelf, Santa Barbara Channel, off the coast of California. The proposed oil and gas development, the impact of which is described in the draft, includes a drilling and production platform in 850 feet of water, an oil and a gas pipeline to a new onshore treatment and storage facility, modification of an existing marine terminal, and an offshore treatment and storage facility as an alternative to the proposed onshore facility.

The draft environmental statement is available for public review in the following U.S. Geological Survey Public Inquiries Offices: Room 7638, Federal Building, 300 North Los Angeles Street, Los Angeles, California 90012; Room 504, Custom House, 555 Battery Street, San Francisco, California 94111; U.S. Geological Survey Library, 345 Middlefield Road, Menlo Park, California 94025; Room 1012, Federal Building, Denver, Colorado 80202; and Map Information Office, Room 1040, GSA Building, 1800 F. Street, NW, U.S. Geological Survey, Washington, D. C. 20244. The draft statement will also be available for public review at the Santa Barbara City Library, Anapamu and Anacapa Streets, Santa Barbara, California.

Copies of the three-volume statement are available for purchase from the Los Angeles and Washington, D.C. offices at \$5.00 per set.

A public hearing will be held beginning at 9 a.m. p.d.t. on August 28, 1973, in Santa Barbara High School Auditorium,

700 East Anapamu Street, Santa Barbara, California for the purpose of receiving comments and suggestions relating to the proposed plan of development of the Santa Ynez Unit. The hearing has been scheduled to extend through August 30 if necessary. Interested individuals, representatives of organizations, and public officials who wish to testify at the hearing are requested to so inform, in writing, the Area Oil and Gas Supervisor, U.S. Geological Survey, 7744 Federal Building, 300 North Los Angeles Street, Los Angeles, California 90012, by 4 p.m. p.d.t., August 21, 1973.

Time limitations make it necessary to limit the length of oral presentations to 10 minutes. Exceptions to this time limitation may be authorized for the proponent of the plan of development (for the purpose of fully explaining the proposal) and to other persons presenting testimony who represent more than one group or organization if a formal request is presented to the Area Oil and Gas Supervisor prior to 4 p.m. p.d.t., August 21, 1973. Oral testimony may be supplemented by a more complete written statement which may be submitted to the hearing officer at the time of presentation of the oral testimony. Written statements presented in person at the hearing and supplemental materials submitted by September 11, 1973, to the Director, U.S. Geological Survey, U.S. Department of the Interior, Washington, D.C. 20244, will be considered for inclusion in the hearing record. To the extent that time is available after presentation of oral testimony by those who have given advance notice, the hearing officer will give others present an opportunity to be heard.

Written comments from those unable to attend the hearing should be addressed to the Director, U.S. Geological Survey, U.S. Department of the Interior, Washington, D.C. 20244. The Department will accept written comments on the draft environmental impact statement until September 11, 1973. This will allow ample time for those unable to testify at the hearing to make their views known. Written comments on the draft environmental impact statement will be considered for inclusion in the final statement.

The hearing will provide the Department with additional information from both the public and private sectors to help evaluate fully the potential effects of the proposed development on the total environment aquatic resources, aesthetics, recreation and other resources in the Santa Barbara Channel Area. The hearing will also provide the Department, under section 102(2)(C) of the National Environmental Policy Act of 1969, the opportunity to receive additional comments and views of interested State and local agencies.

After all testimony and comments have been received and analyzed, a final environmental statement will be prepared.

LAURENCE E. LYNN, Jr.,
Assistant Secretary of
the Interior.

JULY 23, 1973.

[FR Doc. 73-15450 Filed 7-26-73; 8:45 am]

DEPARTMENT OF AGRICULTURE

Forest Service

SITGREAVES NATIONAL FOREST GRAZING ADVISORY BOARD

Notice of Meeting

The Sitgreaves National Forest Grazing Advisory Board will meet at 9 a.m. on August 31, 1973, in the Chevelon Ranger District Office, Winslow, Arizona.

The purpose of the meeting is to discuss and view current range management practices and improvement construction on the Chevelon Canyon and Wallace Allotments. The allotments are being converted from sheep to cattle use, thus requiring a significant amount of fence construction and water development.

The meeting will be open to the public. Persons who wish to attend may contact:

Mr. Irving Gibson, Chairman, Sitgreaves Grazing Advisory Board c/o Halter Cross Ranch Heber, Arizona. Phone No. 535-4603 or Forest Supervisor Sitgreaves National Forest P.O. Box 908 Holbrook, Arizona Phone No. 524-6236

The Grazing Board has established the following rules for public participation

1. Those wishing to make a verbal statement are to submit written documentation and state the amount of time required to present the topic.
2. The information is to be received by the Chairman or Secretary of the Board not less than seven days prior to the meeting. Their addresses are shown above.
3. The Chairman and Secretary of the Board will review all requests and inform each participant of the time allotted for their presentation.

Dated: July 18, 1973.

J. N. CRAIG,
Acting Forest Supervisor.

[FR Doc. 73-15425 Filed 7-26-73; 8:45 am]

DEPARTMENT OF COMMERCE

Domestic and International Business Administration

MICHIGAN STATE UNIVERSITY ET AL.

Notice of Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Special Import Programs Division, Office of Import Programs, Washington, D.C. 20230, on or before August 16, 1973.

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

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Special Import Programs Division, Department of Commerce, Washington, D.C. 20230.

Docket Number: 74-00014-01-77040. Applicant: Michigan State University, Department of Biochemistry, East Lansing, Michigan 48823. Article: Mass Spectrometer, Mode CH-5DF and accessories. Manufacturer: Varian MAT GmbH, West Germany. Intended use of article: The article will be used at a mass spectrometry service facility to provide mass spectra of minute samples of various compounds at resolution sufficiently high to enable exact ionic and molecular formulae to be assigned. In addition, high resolution abundance determinations will be performed on some of these compounds. Advantage will be taken of field desorption, field ionization and stable isotope labeling techniques to provide the data needed for investigators in a variety of disciplines. Types of compounds typically submitted include: lipids, steroids and steroid metabolites, drugs and drug metabolites, pheromones and hormones, oligosaccharides, antibiotics, antifungals, pesticides, terpenes, simple and complex aliphatic and aromatic compounds, organometallics, amino acids and derivatives, early products of photosynthesis, peptides, and nucleosides and related compounds. Experiments to be conducted involve computer interactive high resolution mass spectra to determine molecular and ionic formulae; oligosaccharides sequencing at high resolution; monitoring of selected ions within a limited mass range at high resolution during the elution of a peak from the gas chromatograph into the ion source, using static measurements to maximize the potential of the system with computer control of the magnetic and electric sectors as well as accelerating voltage; computer controlled multiple ion detection for high resolution field desorption mass spectrometry; field desorption applications at medium to high resolution with computer acquisition and reduction of data; experiments involving computer interaction to measure the variables produced by energetic, magnetic and electrostatic changes in the mass spectrometer to stabilize these variations or remove their effects on the measured ion intensities; and daughter ion analysis for determination of fragmentation pathways to study kinetics of certain unimolecular ionic reactions.

The article will also be used to train professional and graduate students in the following courses: Bioch. 801, Biochemical Methods of Analysis; Bioch. 806, Special Laboratory Projects in Mass Spectrometry; Bioch. 961, Theory and Applications of Mass Spectrometry; Bioch. 855, Special Research Topics; and Bioch. 999, Thesis Research. Application received by Commissioner of Customs: July 2, 1973.

Docket Number: 74-00015-33-46070. Applicant: American Red Cross Blood Research Lab., 9312 Old Georgetown Road, Bethesda, Maryland 20014. Article: Scanning Electron Microscope, Model MSM-2T. Manufacturer: Akashi Seisakusho, Japan. Intended use of article: The article will be used as an essential tool in a series of experiments involving a variety of biological materials and exemplified by such studies as platelet adhesion to collagen, the role of surface macromolecules in the control of cell behavior, the antigenic nature of the surface of blood cells, the nature of freezing injury in a variety of materials including beating heart cells and in studies on age related morphological changes in the cellular components of blood. Application received by Commissioner of Customs: July 5, 1973.

Docket Number: 74-00016-33-46040. Applicant: Marine Biomedical Institute, 200 University Boulevard, Galveston, Texas 77550. Article: Electron Microscope, Model EM 301. Manufacturer: Philips Electronic Instruments NVD, The Netherlands. Intended use of article: The article is to be used in the study of the mammalian ventral root, a tissue consisting primarily of myelinated and unmyelinated axons, in which previously unsuspected unmyelinated fibers undoubtedly important in human disease have been found. The study will be conducted by performing selective surgical ablations in model mammals such as the cat or monkey and examining the ventral root in the electron microscope to see where the fibers are coming from. Application received by Commissioner of Customs: July 5, 1973.

A. H. STUART,
Director,
Special Import Programs Division.

[FR Doc.73-15480 Filed 7-26-73; 8:45 am]

UNIVERSITY OF TEXAS ET AL.

Notice of Consolidated Decision on Applications for Duty-Free Entry of Scientific Articles

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

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

Decision: Applications denied. Applicants have failed to establish that instruments or apparatus of equivalent scientific value to the foreign articles, for such purposes as the foreign articles are intended to be used, are not being manufactured in the United States.

Reasons: Section 701.8 of the regulations provides in pertinent part:

The applicant shall on or before the 20th day following the date of such notice, inform the Deputy Assistant Secretary whether it intends to resubmit another application for the same article for the same intended purposes to which the denied application relates. The applicant shall then resubmit the new application on or before the 90th day following the date of the notice of denial without prejudice to resubmission, unless an extension of time is granted by the Deputy Assistant Secretary in writing prior to the expiration of the 90 day period. . . . If the applicant fails, within the applicable time periods specified above, to either (a) inform the Deputy Assistant Secretary whether it intends to resubmit another application for the same article to which the denial without prejudice to resubmission relates, or (b) resubmit the new application, the prior denial without prejudice to resubmission shall have the effect of a final decision by the Deputy Assistant Secretary on the application within the context of § 701.11.

The meaning of the section is that should an applicant either fail to notify the Deputy Assistant Secretary of its intent to resubmit another application for the same article to which the denial without prejudice relates within the 20 day period, or fails to resubmit a new application within the 90 day period, the prior denial without prejudice to resubmission will have the effect of a final denial of the application.

None of the applicants to which this consolidated decision relates has satisfied the requirements set forth above, therefore, the prior denials without prejudice have the effect of a final decision denying their respective applications.

Section 701.8 further provides:

* * * the Deputy Assistant Secretary shall transmit a summary of the prior denial without prejudice to resubmission to the FEDERAL REGISTER for publication, to the Commissioner of Customs, and to the applicant.

Each of the prior denials without prejudice to resubmission to which this consolidated decision relates was based on the failure of the respective applicants to submit the required documentation, including a completely executed application form, in sufficient detail to allow the issue of "scientific equivalency" to be determined by the Deputy Assistant Secretary.

Docket number: 71-00429-38-67200. Applicant: University of Texas at Austin, 211 Mezes Hall, Dept. of Psychology, Austin, Texas 78712. Article: Psychological testing apparatus. Date of denial without prejudice to resubmission: April 26, 1971.

Docket number: 72-00426-65-01100. Applicant: North Carolina State University (Raleigh), NCSU Minerals Research Laboratory, Asheville, North Carolina 28801. Article: Warman Cycloizer. Date of denial without prejudice to resubmission: March 28, 1973.

Docket number: 73-00157-91-32500. Applicant: University of Georgia, Botany Department, Athens, Georgia 30601. Article: InfraRed Gas Analyser, Model SB2. Date of denial without prejudice to resubmission: March 5, 1973.

Docket number: 73-00192-00-46500. Applicant: Veterans Administration

Hospital, 4150 Clement Street, San Francisco, California 94121. Article: Diamond Knife for LKB Microtome, 2 mm edge. Date of denial without prejudice to resubmission: March 7, 1973.

Docket number: 73-00200-33-46040. Applicant: DHEW, PHS, HSMHA, Viral Oncology Laboratory, Center for Disease Control, 1600 Clifton Road, N.E. Atlanta, Georgia 30333. Article: Electron Microscope, Model EM 201. Date of denial without prejudice to resubmission: March 7, 1973.

Docket number: 73-00215-99-46070. Applicant: Tulane University, 6823 St. Charles Avenue, New Orleans, Louisiana 70118. Article: Scanning Electron Microscope, Model SS 600. Date of denial without prejudice to resubmission: March 15, 1973.

Docket number: 73-00223-33-71200. Applicant: Temple University, Broad and Montgomery Streets, Philadelphia, Pennsylvania 19122. Article: Freezing-drying Plant, Type FT-1 and accessories. Date of denial without prejudice to resubmission: March 28, 1973.

Docket number: 73-00239-33-46595. Applicant: University of California, Facility for Advanced Instrumentation, Davis, California 95616. Article: Pyramitome, LKB 11800. Date of denial without prejudice to resubmission: March 15, 1973.

Docket number: 73-00243-33-46070. Applicant: Texas Tech University, Department of Biology, Lubbock, Texas 79409. Article: Scanning Electron Microscope, Model S4. Date of denial without prejudice to resubmission: March 19, 1973.

Docket number: 73-00257-33-46595. Applicant: Baylor College of Medicine, Department of Ophthalmology, 1200 Moursund Avenue, Houston, Texas 77025. Article: LKB 11800-1 Pyramitome. Date of denial without prejudice to resubmission: March 28, 1973.

A. H. STUART,
Director, Special Import
Programs Division.

[FR Doc.73-15479 Filed 7-26-73; 8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[DESI 9149; Docket No. FDC-D-334; NDA 9-149 etc.]

CERTAIN CHLORPROMAZINE PREPARATIONS

Drugs for Human Use; Drug Efficacy Study Implementation; Follow-Up Notice

The Food and Drug Administration published an announcement in the FEDERAL REGISTER of April 3, 1971 (36 FR 6447) and an amendment on November 2, 1971 (36 FR 20997), regarding the efficacy of the following chlorpromazine preparations, among other drugs.

NDA 9-149 Thorazine Tablets, Concentrate, Injection, Syrup; and NDA 11-120 Thorazine Spansules, all marketed by Smith Kline and French Laboratories.

1500 Spring Garden Street, Philadelphia, PA 19101.

Based upon reevaluation of the drug and review of new data submitted, the following indications are reclassified from probably effective to effective:

For the control of the manifestations of the manic type of manic depressive illness; and for the relief of intractable hiccups.

Other indications previously classified as probably effective or possibly effective will be the subject of future FEDERAL REGISTER notices.

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050-53, as amended; 21 U.S.C. 352, 355) and the Administrative Procedure Act (5 U.S.C. 554), and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: July 23, 1973.

SAM D. FINE,
Associate Commissioner
for Compliance.

[FR Doc.73-15464 Filed 7-26-73;8:45 am]

[DESI 50127; Docket No. FDC-D-657;
NDA 50-127]

PHTHALYLSULFATHIAZOLE AND NEOMYCIN SULFATE

Drugs for Human Use; Drug Efficacy Study Implementation; Follow-Up Notice

In a notice (DESI 50127) published in the FEDERAL REGISTER of May 13, 1970 (35 FR 7466), the Commissioner of Food and Drugs announced his conclusions pursuant to evaluation of reports received from the National Academy of Sciences-National Research Council, Drug Efficacy Study Group on the following preparation:

Neothalidine Granules containing phthalylsulfathiazole and neomycin sulfate; Merck Sharp & Dohme, Division of Merck & Co., Inc., West Point, PA 19486 (NDA 50-127).

The notice stated that the drug was regarded as possibly effective for its labeled recommendations for use in preparation of patients for surgery of the intestinal tract; maintenance of low intestinal bacteria count postoperatively; and prevention of development of neomycin-resistant strains of *Aerobacter aerogenes*.

In response to the notice, Merck submitted one controlled study of eighty healthy human subjects comparing the variety and numbers of colonies from stool cultures following treatment with Neothalidine Granules, neomycin sulfate, phthalylsulfathiazole, and a placebo. The data submitted failed to demonstrate a significant difference between the effectiveness of the combination and the effectiveness of neomycin sulfate alone. The component phthalylsulfathiazole has not been shown to make a significant contribution to the claimed effects or to enhance the safety or effectiveness of neomycin used alone. The fixed combination therefore does not comply with the requirements of 21 CFR 3.86 Fixed-Com-

bination Prescription Drugs for Humans, and accordingly the Commissioner concludes that the combination neomycin sulfate and phthalylsulfathiazole lacks substantial evidence of effectiveness for the labeled indications.

Batches of the drug are no longer acceptable for release. There is no antibiotic drug regulation which provides for certification of the combination containing phthalylsulfathiazole and neomycin sulfate.

Any person who will be adversely affected by this action may, on or before August 27, 1973, petition for the issuance of a regulation providing for certification of the drug for such indications. 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 triplicate) 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: July 23, 1973.

SAM D. FINE,
Associate Commissioner
for Compliance.

[FR Doc.73-15463 Filed 7-26-73;8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Federal Disaster Assistance Administration

[Docket No. NFD-113]

ILLINOIS

Amendment to Notice of Major Disaster

Notice of Major Disaster for the State of Illinois, dated April 27, 1973, and published May 3, 1973 (38 FR 11013); amended May 4, 1973, and published May 10, 1973 (38 FR 12260); amended May 14, 1973, and published May 18, 1973 (38 FR 13063); amended May 30, 1973, and published June 5, 1973 (38 FR 14800); and amended July 3, 1973, and published July 11, 1973 (38 FR 18479), is hereby further amended to include the following county among those areas determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of April 26, 1973:

The county of:
DeKalb

Dated: July 20, 1973.

THOMAS P. DUNNE,
Administrator, Federal Disaster
Assistance Administration.

(Catalog of Federal Domestic Assistance Program No. 50.002, Disaster Assistance.)

[FR Doc.73-15466 Filed 7-26-73;8:45 am]

[Docket No. NFD-114]

OKLAHOMA

Amendment to Notice of Major Disaster

Notice of Major Disaster for the State of Oklahoma, dated June 13, 1973, and published June 19, 1973 (38 FR 15995); amended June 14, 1973, and published June 20, 1973 (38 FR 16113); amended June 28, 1973, and published July 5, 1973 (38 FR 17885); and amended July 3, 1973, and published July 10, 1973 (38 FR 18407), is hereby further amended to include the following counties among those counties determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of June 13, 1973:

The counties of:

Le Flore
Mayes

(Catalog of Federal Domestic Assistance Program No. 50.002, Disaster Assistance.)

Dated: July 20, 1973.

THOMAS P. DUNNE,
Administrator, Federal Disaster
Assistance Administration.

[FR Doc.73-15467 Filed 7-26-73;8:45 am]

ADVISORY COUNCIL ON HISTORIC PRESERVATION

Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given of the regular quarterly meeting of the Advisory Council on Historic Preservation, August 1-2, 1973, at 9:30 a.m., in the Conference Room (410) of the National Archives, 8th and Pennsylvania Avenues, NW, Washington, D.C. The meeting will be open to the public. Agenda and further information are available from the Executive Secretary, Advisory Council on Historic Preservation, Suite 430, 1522 K Street, NW, Washington, D.C. 20005. (202-254-3974).

Dated: July 11, 1973.

ROBERT R. GARVEY,
Executive Secretary.

[FR Doc.73-15463 Filed 7-26-73;8:45 am]

ATOMIC ENERGY COMMISSION

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS SUBCOMMITTEE ON REGULATORY GUIDES

Notice of Meeting

JULY 24, 1973.

In accordance with the purposes of sections 29 and 182 b. of the Atomic Energy Act (42 U.S.C. 2039, 2232 b.), the Advisory Committee on Reactor Safeguards' Subcommittee on Regulatory Guides will hold a meeting on August 7, 1973, in Room 1062, at 1717 H Street, NW, Washington, D.C. The subjects scheduled for discussion are drafts of proposed Regulatory Guides.

The Subcommittee is meeting to formulate recommendations to the ACRS regarding the above subjects.

I have determined, in accordance with subsection 10(d) of Public Law 92-463, that the purpose of the meeting will be

to discuss draft documents which fall within exemption (5) of 5 U.S.C. 552(b) and will consist of an exchange of opinions, the discussion of which, if written, would fall within exemption (5) of 5 U.S.C. 552(b). It is essential to close such meetings to protect the free interchange of internal views and to avoid undue interference with agency and Committee operation.

JOHN C. RYAN,
Acting Advisory Committee
Management Officer.

[FR Doc. 73-15541 Filed 7-26-73; 8:45 am]

OCCUPATIONAL HEALTH GUIDES

Notice of Issuance and Availability

The Atomic Energy Commission has issued a new guide in Division 8 ("Occupational Health Guides") of the Regulatory Guide series. The new guide is Regulatory Guide 8.8, "Information Relevant to Maintaining Occupational Radiation Exposures As Low As Practicable (Nuclear Reactors)".

Regulatory Guides are developed to describe and make available to the public methods acceptable to the Regulatory staff for implementing specific parts of the Commission's regulations and, in some cases, to delineate techniques used by the staff in evaluating specific problems or postulated accidents. Some guides also provide guidance to applicants concerning information needed by the staff in the review of applications for permits and licensees.

Regulatory Guides are available for inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. Comments and suggestions in connection with improvements in the guides are encouraged and should be sent to the Secretary of the Commission, U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Chief, Public Proceedings Staff. Requests for single copies of the issued guides (which may be reproduced) or for placement on an automatic distribution list for single copies of future guides should be made in writing to the Director of Regulatory Standards, U.S. Atomic Energy Commission, Washington, D.C. 20545. Telephone requests cannot be accommodated.

Other Division 8 Regulatory Guides currently being developed include the following:

Bioassay for Uranium
Respiratory Protection
Dosimetry for Criticality Accidents
Criticality Accident Alarm System
Surface Contamination
(5 U.S.C. 552(a))

Dated at Bethesda, Maryland this 23d day of July 1973.

For the Atomic Energy Commission,
LESTER ROGERS,
Director of Regulatory Standards.

[FR Doc. 73-15460 Filed 7-26-73; 8:45 am]

CIVIL AERONAUTICS BOARD

[Docket No. 24353]

MAINLAND U.S.-PUERTO RICO/VIRGIN ISLANDS FARES

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 September 20, 1973, at 10:00 a.m. (local time) in Room 1027, Universal Building, 1825 Connecticut Avenue, NW., Washington, D.C.

Dated at Washington, D.C., July 24, 1973.

[SEAL] RALPH L. WISER,
Chief Administrative
Law Judge.

[FR Doc. 73-15504 Filed 7-26-73; 8:45 am]

[Docket No. 23080-1]

PRIORITY AND NONPRIORITY DOMESTIC SERVICE MAIL RATES INVESTIGATION

Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled proceeding involving final domestic service mail rates for the period December 12, 1970-March 27, 1973, will be held on September 18, 1973, at 10:00 a.m. (local time) in Room 726, Universal Building, 1825 Connecticut Avenue, NW., Washington, D.C., before the undersigned.

For information concerning the issues and other details involved in this proceeding, interested persons are referred to the supplemental prehearing conference report, served in Docket 23080 on April 17, 1973, Order 73-7-29, served July 10, 1973, and other documents in Dockets 23080, 23080-1 and 23080-2 on file in the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., July 23, 1973.

[SEAL] HARRY H. SCHNEIDER,
Administrative Law Judge.

[FR Doc. 73-15502 Filed 7-26-73; 8:45 am]

[Docket No. 24421]

SERVICE TO SAIPAN CASE

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 September 12, 1973, at 10:00 a.m. (local time) in Room 1027, Universal Building, 1825 Connecticut Avenue, NW., Washington, D.C.

Dated at Washington, D.C., July 24, 1973.

[SEAL] RALPH L. WISER,
Chief Administrative Law Judge.

[FR Doc. 73-15503 Filed 7-26-73; 8:45 am]

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

CERTAIN COTTON TEXTILES AND COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN MACAO

Entry or Withdrawal from Warehouse for Consumption

JULY 19, 1973.

On May 30, 1973, the Governments of the United States and Portugal exchanged notes amending the comprehensive Bilateral Cotton Textile Agreement of December 22, 1972, concerning exports of cotton textiles and cotton textile products from Macao to the United States. Among the provisions of the agreement, as amended, are those establishing specific limits on Category 49 and on Category 51 in combination with Category 50 for the agreement year which began on January 1, 1973.

Accordingly, there is published below a letter of July 19, 1973, from the Chairman, of the Committee for the Implementation of Textile Agreements to the Commissioner of Customs, directing that the amounts of cotton textile products in the above categories produced or manufactured in Macao which may be entered or withdrawn from warehouse for consumption in the United States for the twelve-month period beginning January 1, 1973 and extending through December 31, 1973, be limited to the designated levels. The letter published below and the actions pursuant thereto are not designed to implement all of the provisions of the bilateral agreement, as amended, but are designed to assist only in the implementation of certain of its provisions.

SETH M. BODNER,
Chairman, Committee for the
Implementation of Textile
Agreements, and Deputy Assistant Secretary for Resources and Trade Assistance.

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Commissioner of Customs,
Department of the Treasury,
Washington, D.C. 20229.

JULY 19, 1973.

Dear Mr. Commissioner:

This directive amends but does not cancel the directive issued to you on January 5, 1973 by the Chairman, Committee for the Implementation of Textile Agreements, concerning imports into the United States of certain cotton textiles and cotton textile products produced or manufactured in Macao.

The first paragraph of the directive of January 5, 1973 is amended, effective as soon as possible, to read as follows:

"Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to the bilateral Cotton Textile Agreement of December 22, 1972 between the Governments of the United States and Portugal, and in accordance with procedures of Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective January 1, 1973 and for the twelve-month period extending through December 31, 1973, entry into the United States

for consumption and withdrawal from warehouse for consumption of cotton textile products in Categories 49, 50/51, and 62, produced or manufactured in Macao, in excess of the following levels of restraint:

Category	Twelve-Month Levels of Restraint ¹
49	dozen 27,692
50/51	dozen 53,380
62	pounds 152,174

Cotton textile products in Categories 49 and 51 produced or manufactured in Macao and which have been exported to the United States prior to January 1, 1973, shall not be subject to this directive.

Cotton textile products in Categories 49 and 51 which have been released from the custody of the Bureau of Customs under the provisions of 19 U.S.C. 1448(b) prior to the effective date of this directive shall not be denied entry under this directive.

The actions taken with respect to the Government of Portugal and with respect to imports of cotton textiles and cotton textile products from Macao have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the FEDERAL REGISTER.

Sincerely,

SETH M. BODNER,
Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary for Resources and Trade Assistance.

[FR Doc.73-15516 Filed 7-26-73; 8:45 am]

CERTAIN COTTON TEXTILES AND COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN THE HUNGARIAN PEOPLE'S REPUBLIC

Entry or Withdrawal from Warehouse for Consumption

JULY 19, 1973.

On August 13, 1970, the United States Government, in furtherance of the objectives of, and under the terms of, the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, concluded a comprehensive bilateral cotton textile agreement with the Government of the Hungarian People's Republic concerning exports of cotton textiles and cotton textile products from the Hungarian People's Republic to the United States over a five-year period beginning on August 1, 1970. Among the provisions of the bilateral agreement are those establishing an aggregate limit for the 64 categories and within the aggregate limit specific limits on Categories 9 and 39 for the agreement year beginning on August 1, 1973.

There is published below a letter of July 19, 1973, from the Chairman of the Committee for the Implementation of Textile Agreements to the Commissioner of Customs, directing that the amounts of cotton textiles and cotton textile products in Categories 9 and 39 produced or manufactured in the Hungarian People's Republic which may be entered or withdrawn from warehouse for consumption in the United States for the twelve-month period beginning August 1, 1973 be limited to the designated levels. The letter published below and the actions pursuant thereto are not designed to implement all of the provisions of the bilateral agreement, but are designed to assist only in the implementation of certain of its provisions.

SETH M. BODNER,
Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary for Resources and Trade Assistance.

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Commissioner of Customs
Department of the Treasury
Washington, D.C. 20229

JULY 19, 1973.

Dear Mr. Commissioner:

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to the bilateral cotton textile agreement of August 13, 1970 between the Governments of the United States and the Hungarian People's Republic, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective August 1, 1973 and for the twelve-month period extending through July 31, 1974, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles and cotton textile products in Categories 9 and 39, produced or manufactured in the Hungarian People's Republic, in excess of the following levels of restraint:

Category	Twelve-Month Levels of Restraint
9	square yards 1,273,388
39	dozen pairs 65,985

In carrying out this directive, entries of cotton textiles and cotton textile products in Categories 9 and 39 produced or manufactured in the Hungarian People's Republic and which have been exported prior to August 1, 1973, shall, to the extent of any unfilled balances, be charged against the levels of restraint established for such goods during the period of August 1, 1972 through July 31, 1973. In the event that the levels of restraint established for that twelve-month period have been exhausted by previous entries, such goods shall be subject to the levels set forth in this letter.

The levels of restraint set forth are subject to adjustment pursuant to the provisions of the bilateral agreement of August 13, 1970, between the Governments of the United States and the Hungarian People's Republic which provide, in part, that within the aggregate limit, the limitations on Categories 9 and 39 may be exceeded by not more than 5 percent; for the limited carry-over of shortfalls in certain categories to the next agreement year; and for administrative arrangements. Any appropriate adjustments pursuant to the provisions of the bilateral agreement referred to above, will be made to you by letter.

A detailed description of the categories in terms of T.S.U.S.A. numbers was published in the FEDERAL REGISTER on April 29, 1972 (37 FR 8902), as amended on February 14, 1973 (38 FR 4436).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of the Hungarian People's Republic and with respect to imports of cotton textiles and cotton textile products from the Hungarian People's Republic have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the FEDERAL REGISTER.

Sincerely,

SETH M. BODNER,
Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary for Resources and Trade Assistance.

[FR Doc.73-15514 Filed 7-26-73; 8:45 am]

COTTON, WOOL, AND MAN-MADE FIBER TEXTILES AND TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN THE REPUBLIC OF KOREA

Entry or Withdrawal from Warehouse for Consumption

JULY 17, 1973.

On May 25, 1972, there was published in the FEDERAL REGISTER (37 FR 10605) a letter dated May 19, 1972 from the Chairman, Committee for the Implementation of Textile Agreements, to the Commissioner of Customs prohibiting entry into the United States for consumption and withdrawal from warehouse for consumption of cotton, wool, and man-made fiber textiles and textile products produced or manufactured in the Republic of Korea and exported from the Republic of Korea thirty (30) days following publication for which the Republic of Korea had not issued a visa. One of the visa requirements is that the visa include the signature of one of five Korean officials authorized to issue a visa. The Government of the Republic of Korea has requested that Mr. Dong-Sik Ju be authorized to issue visas replacing Mr. Jung Soon Yun, who will cease to sign. Mr. Ju's signature will be valid for textile shipments exported from the Republic of Korea to the United States on or after May 31, 1973. This list of officials was previously amended by directive of December 21, 1972 (37 FR 28917).

Accordingly, there is published below a letter of July 17, 1973, from the Chairman of the Committee for the Implementation of Textile Agreements to the Commissioner of Customs further amending the directive of May 19, 1972, effective as soon as possible, to make the requested change in signatures of officials authorized to issue visas for textile shipments exported to the United States from the Republic of Korea on or after May 31, 1973. A facsimile of Mr. Ju's signature is published as an enclosure to that letter.

SETH M. BODNER,
Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary for Resources and Trade Assistance.

COMMITTEE FOR THE IMPLEMENTATION OF
TEXTILE AGREEMENTS

Commissioner of Customs,
Department of the Treasury,
Washington, D.C. 20009.

JULY 17, 1973.

Dear Mr. Commissioner:

This letter further amends, but does not cancel, the directive of May 19, 1972 from the Chairman, Committee for the Implementation of Textile Agreements, that directed you to prohibit, effective 30 days after publication of notice in the Federal Register, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles and cotton textile products in Categories 1-64; wool textile products in Categories 101-126, 128, and 131-132; and man-made fiber textile products in Categories 200-243; produced or manufactured in the Republic of Korea for which the Republic of Korea had not issued a visa. One of the visa requirements is that the visa include the signature of one of five Korean officials authorized to issue visas. The directive of May 19, 1972 was previously amended on December 21, 1972.

Under the provisions of the Cotton Textile Agreement of December 30, 1971 and the Wool and Man-Made Fiber Textile Agree-

ment of January 4, 1972, between the Governments of the United States and the Republic of Korea, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, the directive of May 19, 1972 is amended, effective as soon as possible, to authorize Mr. Dong-Sik Ju to issue visas, replacing Mr. Jung Soon Yun, who will no longer sign. A facsimile of Mr. Ju's signature is enclosed.

The actions taken with respect to the Government of the Republic of Korea and with respect to imports of cotton, wool, and man-made fiber textiles and textile products from the Republic of Korea have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely,

SETH M. BODNER,
Chairman, Committee for the Imple-
mentation of Textile Agreements,
and Deputy Assistant Secretary
for Resources and Trade Assist-
ance.

[FR Doc. 73-15515 Filed 7-26-73; 8:45 am]

CERTAIN WOOL AND MAN-MADE FIBER
TEXTILE PRODUCTS PRODUCED OR
MANUFACTURED IN MACAO

Entry or Withdrawal from Warehouse for
Consumption

JULY 19, 1973.

On May 30, 1973, the Governments of the United States and Portugal exchanged notes amending the comprehensive Bilateral Wool and Man-Made Fiber Textile Agreement of December 22, 1972, concerning exports of wool and man-made fiber textile products from Macao to the United States. Among the provisions of the agreement, as amended, are those establishing within the applicable aggregate limit for wool textiles specific export limitations on Categories 116 and 117; and adjusting the levels of restraint applicable to man-made fiber textile products in Categories 219, 221, 222, and 224 for the agreement year which began on January 1, 1973.

Accordingly, there is published below a letter of July 19, 1973, from the Chairman of the Committee for the Implementation of Textile Agreements to the Commissioner of Customs, directing that the amounts of wool and man-made fiber textile products in the above categories, produced or manufactured in Macao, which may be entered or withdrawn from warehouse for consumption in the United States for the twelve-month period beginning January 1, 1973 and extending through December 31, 1973, be limited to the designated levels. The letter published below and the actions pursuant thereto are not designed to implement all of the provisions of the bilateral agreement, as amended, but are designed to assist only in the implementation of certain of its provisions.

SETH M. BODNER,
Chairman, Committee for the
Implementation of Textile
Agreements, and Deputy As-
sistant Secretary for Re-
sources and Trade Assist-
ance.

COMMITTEE FOR THE IMPLEMENTATION OF
TEXTILE AGREEMENTS

Commissioner of Customs,
Department of the Treasury,
Washington, D.C. 20229.

JULY 19, 1973.

Dear Mr. Commissioner:

This directive amends but does not cancel the directive issued to you on January 5, 1973 by the Chairman, Committee for the Implementation of Textile Agreements, concerning imports into the United States of certain wool and man-made fiber textiles products produced or manufactured in Macao.

The first paragraph of the directive of January 5, 1973 is amended, effective as soon as possible, to read as follows: "Under the Bilateral Wool and Man-Made Fiber Textile Agreement of December 22, 1972, between the Governments of the United States and Portugal, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective as soon as possible and for the twelve-month period beginning January 1, 1973 and extending through December 31, 1973, entry into the United States for consumption and withdrawal from warehouse for consumption of wool textile products in Categories

SECTION V (Continued)	
<p>8. (A) Did production of goods involve costs for "assistants" (i.e., fees, profits, tooling, pricing plans, patterns, drawings, blueprints, artwork, engineering work, design and development, financial assistance) not included in the invoice price?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No. If yes, identify nature of assist involved: _____, and complete Part B.</p> <p>(B) (1) Assistants valued at _____ were supplied by: _____</p> <p><input type="checkbox"/> Manufacturer <input type="checkbox"/> Importer <input type="checkbox"/> Other (Identify): _____</p> <p>(2) Assistants were: <input type="checkbox"/> (a) Supplied without cost. <input type="checkbox"/> (b) Supplied on rental basis. <input type="checkbox"/> (c) Invoiced separately. If (c), attach copy of invoice.</p> <p>9. If the price(s) shown in column 6 is (are) higher than those shown in column 7, there is an indication of possible sales at less than fair value within the meaning of the United States Antidumping statutes. If such differential exists, please select one of the following alternatives:</p> <p>(A) <input type="checkbox"/> To the best of my knowledge and belief the differential between the column 6 and column 7 prices is the result of conditions of sale which would not result in sales at less than fair value within the meaning of the U.S. Antidumping laws.</p> <p>OR</p> <p>(B) <input type="checkbox"/> There is attached hereto an explanation of the differences between the column 6 and column 7 prices.</p> <p>NOTE: In his discretion the appraiser may nonetheless require submission of the information called for under item 9. (B).</p>	
<p>10. PURCHASE DECLARATION</p> <p>I declare that the merchandise described in this invoice is SOLD OR AGREED TO BE SOLD; that all the information contained herein is true and correct; and that there is no other invoice(s) except _____</p> <p>Explanation of Exceptions _____</p> <p>SAMPLE</p>	<p>11. NONPURCHASE DECLARATION</p> <p>I declare that the merchandise described in this invoice is shipped OTHERWISE THAN BY PURCHASE OR AGREEMENT TO PURCHASE; that all the information contained herein is true and correct; and that there is no other invoice(s) except _____</p> <p>Explanation of Exceptions _____</p> <p>U.S. CUSTOMS AND BORDER PROTECTION U.S. DEPARTMENT OF TREASURY DATE OF ISSUE _____ CATEGORY NO. _____ QUANTITY _____ UNIT: _____ TEXTILE EXPORT VISA NO. _____ Dong-Sik Ju VICE PRESIDENT REPUBLIC OF KOREA</p>
Date _____ Signature of Seller, Shipper, or Agent of Either _____	Date _____ Signature of Shipper or Agent _____
<p>This form of invoice required generally if rate of duty based upon or regulated by value of goods and purchase price or value of shipment exceeds \$500. Otherwise, use commercial invoice.</p> <p>False statements or willful omissions in any invoice or other documents executed and forwarded for United States Customs entry purposes will subject the goods to seizure and forfeiture or any person involved will be subject to a penalty equal to the value of the goods. Publicity will be given to all seizures and penalties, including the disclosure of the identity of the offenders involved (19 U.S.C. 1592).</p> <p>Vague or misleading information may result in expensive trouble to importer and delays in customs clearance.</p> <p>Supplies of this form may be secured from consular offices of the United States and from The Director, Customs Information Exchange, 201 Varick Street, New York, N.Y., 10014. Privately printed forms must conform in all respects to the official form.</p>	

116 and 117 and man-made fiber textile products in Categories 219, 221, 222, 223, 224, 229 and 230, produced or manufactured in Macao, in excess of the following twelve-month levels of restraint:

Category	Twelve-month Levels of Restraint
116	pounds 307,692
117	pounds 205,128
219	dozen 354,031
221	dozen 65,217
222	dozen 246,180
223	dozen 111,000
224	pounds 256,410
229	dozen 140,800
230	dozen 12,715

Entries of wool textile products in Categories 116 and 117 produced or manufactured in Macao and which have been exported to the United States prior to January 1, 1973 shall not be subject to this directive.

Wool textile products in Categories 116 and 117 which have been released from the custody of the Bureau of Customs under the provisions of 19 U.S.C. 1448(b) prior to the effective date of this directive shall not be denied entry under this directive.

The actions taken with respect to the Government of Portugal and with respect to imports of wool and man-made fiber textile products from Macao have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the FEDERAL REGISTER.

Sincerely,

SETH M. BODNER,
Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary for Resources and Trade Assistance.

[FR Doc.73-15517 Filed 7-26-73;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

NOISE CRITERIA DOCUMENT

Notice of Publication and Availability

Pursuant to section 5(a)(1) of the Noise Control Act of 1972 (86 Stat. 1248, Public Law 92-574) the Environmental Protection Agency has developed criteria with respect to noise reflecting the scientific knowledge most useful in indicating the kind and extent of all identifiable effects on the public health and welfare which may be expected from differing quantities and qualities of noise.

The Environmental Protection Agency has published these criteria in a Noise Criteria Document which shall be available for public inspection during normal business hours at each of the ten regional offices of the Environmental Protection Agency and at the Office of Public Affairs, Environmental Protection Agency, Fourth and M Streets, SW., Washington, D.C. Copies may be purchased from the United States Government Printing Office, Washington, D.C. 20402.

ROBERT W. FRI,
Acting Administrator.

JULY 24, 1973.

[FR Doc.73-15501 Filed 7-26-73;8:45 am]

EXPORT-IMPORT BANK OF THE UNITED STATES

ADVISORY COMMITTEE

Notice of Meeting

Pursuant to Public Law 92-463, the Federal Advisory Committee Act, notice is hereby given that a meeting of the Advisory Committee of the Export-Import Bank of the United States will take place in Washington, D.C., on August 3, 1973.

The purpose of the meeting is to review the programs and recent activities of the Export-Import Bank of the United States.

Based on 5 U.S.C. 522(b), the meeting will not be open to public participation. It is suggested that those desiring more specific information contact the Advisory Committee Management Officer, Mr. Joseph H. Regan, 811 Vermont Avenue, N.W., Washington, D.C. 20571.

Dated: July 20, 1973.

JOSEPH H. REGAN,
Advisory Committee
Management Officer.

[FR Doc.73-15419 Filed 7-26-73;8:45 am]

UNITED STATES WATER RESOURCES COUNCIL

FORMULATION AND EVALUATION OF WATER AND RELATED LAND RESOURCES PROJECTS

Change in Discount Rate

Notice is hereby given that the interest rate to be used by Federal agencies in the formulation and evaluation of plans for water and related land resources is 5% percent for the period July 1, 1973, through and including June 30, 1974.

The rate has been computed in accordance with § 704.39 of the rules and regulations of the Water Resources Council, 18 CFR 704.39, and is to be used by all Federal agencies in plan formulation and evaluation of water and related land resources projects for the purpose of discounting future benefits and computing costs, or otherwise converting benefits and costs to a common time basis.

The interest rate shall apply to all Federal and federally assisted water and related land resources project evaluation reports submitted to the Congress, or approved administratively, after the close of the 90th Congress, subject, however, to the provisions of 18 CFR 704.39(d) regarding projects authorized prior to the close of the second session of the 90th Congress where State or local governmental agencies have given, prior to December 31, 1969, satisfactory assurances to pay the required non-Federal share of project costs.

The Treasury Department informed the Water Resources Council pursuant to 18 CFR 704.39(b) that the interest rate would be 5% percent based upon the formula set forth in 18 CFR 704.39(a): " * * * the average yield during the preceding fiscal year on interest-bearing marketable securities of the United States which, at the time

the computation is made, have terms of 15 years or more remaining to maturity * * *." This rate can be used for plan formulation and evaluation for fiscal year 1974 consistent with a further provision of the Council's rules and regulations which provides " * * * [t]hat in no event shall the rate be raised or lowered more than one-quarter of 1 percent for any year." 18 CFR 704.39(a). Since the rate in fiscal year 1973 was 5½ percent, (37 FR 14445), the rate for fiscal year 1974 is 5% percent.

Dated: July 23, 1973.

REUBEN J. JOHNSON,
Acting Director.

[FR Doc.73-15481 Filed 7-26-73;8:45 am]

FEDERAL POWER COMMISSION

[Docket No. RI74-1, etc.]

RATE CHANGES

Order for Hearing on and Suspension of Proposed Changes and Allowing Changes To Become Effective Subject to Refund¹

JULY 11, 1973.

Respondents have filed proposed changes in rates and charges for jurisdictional sales of natural gas, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders: (A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR, Chapter 1), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column. Each of these supplements shall become effective, subject to refund, as of the expiration of the suspension period without any further action by the Respondent or by the Commission. Each Respondent shall comply with the refunding procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder.

(C) Unless otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period, whichever is earlier.

By the Commission.

[SEAL]

KENNETH F. PLUMB,
Secretary.

¹ Does not consolidate for hearing or dispose of the several matters herein.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until	Cents per Mcf*		Rate in effect subject to refund in docket No.
									Rate in effect	Proposed increased rate	
RI74-1	Shell Oil Co.	395	1	El Paso Natural Gas Co. (Bisti Field, San Juan County, N. Mex., San Juan Basin).	\$0,360	6-11-73		12-12-73	\$24.0	\$28.0	
RI74-2	Amoco Production Co.	593	2	El Paso Natural Gas Co. (Blanco Pictured Cliffs and undesignated Fruitland Fields, San Juan County, N. Mex., San Juan Basin).	1,056	6-13-73		12-14-73	\$26.4	\$30.8	
RI74-3	Gulf Oil Corp.	174	10	El Paso Natural Gas Co. (Dry Piney Field, Sublette County, Wyo., Uinta-Green River Basin).	6,925	6-13-73		12-14-73	\$27.6093	\$31.8837	
RI74-4	Amoco Production Co.	602	10	El Paso Natural Gas Co. (Bearpaw Field, Hill and Blaine Counties, Mont., Montana-Dakota sub area Rocky Mountain Area).	191	6-13-73		12-14-73	23.03	\$23.82	
	do.	596	3	Western Transmission Co. (Deep Creek Field, Carbon County, Wyo., Uinta-Green River Basin).	9,388	6-18-73		12-19-73	\$24.34	\$25.63	
	do.	606	1	El Paso Natural Gas Co. (Ignacio Blanco-Dakota Field, La Plata County, Colo., San Juan Basin).	11,700	6-18-73		12-19-73	\$26.4	\$30.8	
RI74-5	Atlantic Richfield Co.	492	12	El Paso Natural Gas Co. (Jalmat et al., Fields, Lea County, N. Mex., Permian Basin).		6-13-73	7-14-73	Accepted			
	do.		20	do.	43,685	6-13-73		12-14-73	\$17.0023	\$15.0	RI73-373.

* Unless otherwise stated, the pressure base is 15.025 p.s.i.a.

¹ Subject to B.T.U. adjustment.

² Order No. 435 ceiling rate.

³ Includes 2.4-cent upward B.T.U. adjustment for 1,100 B.T.U. per cubic foot gas.

⁴ Includes 2.8-cent upward B.T.U. adjustment for 1,100 B.T.U. per cubic foot gas.

⁵ Opinion No. 655 ceiling rate. (24.4807-cent base rate plus 2.8444-cent upward B.T.U. adjustment and 0.2842-cent tax reimbursement).

⁶ 27-cent base rate plus 4.644-cent upward B.T.U. adjustment and 0.2397-cent tax reimbursement. Base rate includes 1.0-cent for high pressure gas.

⁷ 21.0-cent base rate less 0.48-cent downward B.T.U. adjustment.

⁸ Includes 0.63-cent upward B.T.U. adjustment for 1,025 B.T.U. per cubic foot gas.

⁹ Erroneously reported as 24.44-cents. Certificate was issued at 26.4-cents (24-cents plus 2.44-cent upward B.T.U. adjustment).

¹⁰ Suspended until date shown insofar as proposed rate exceeds ceiling set forth in Order No. 435.

¹¹ Accepted as of date shown insofar as proposed rate does not exceed ceiling set forth in Order No. 435.

¹² Contract amendment.

¹³ Applicable to gas-well gas produced from SE¼ sec 34, T. 23S., R. 36E., only as provided by supplement No. 19.

¹⁴ Subject to quality adjustment.

¹⁵ Accepted to become effective as of the date shown in the "Effective Date" column.

¹⁶ The pressure base is 14.65 p.s.i.a.

The proposed increase of Amoco Production Company under FPC Gas Rate Schedule No. 602 is accepted insofar as it does not exceed the ceiling rate prescribed in Order No. 435.

The remaining proposed increases, including that portion of Amoco's increase under FPC Gas Rate Schedule No. 602 which exceeds the ceiling in Order No. 435, exceed the rate limit for a one day suspension, and they are suspended for five months.

The producers' proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's Statement of General Policy No. 61-1, as amended (18 CFR, Chapter I, Part 2, Section 2.56).

Nothing contained in this order shall relieve the respondents of any responsibility imposed by the Economic Stabilization Act of 1970, (Pub. L. 91-379, 84 Stat. 799, as amended by Pub. L. 92-15, 85 Stat. 38), or by any Executive Order or rules and regulations promulgated pursuant to such Act.

[FR Doc.73-15414 Filed 7-26-73;8:45 am]

[Docket No. CI74]

CITIES SERVICE OIL CO.

Notice of Application

JULY 20, 1973.

Take notice that on July 5, 1973, Cities Service Oil Company (Applicant), P.O. Box 300, Tulsa, Oklahoma 74102, filed in Docket No. CI74-7 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce to Panhandle Eastern Pipe Line Company from the Lizzie

Campbell No. 1 Unit, Ellis County, Oklahoma, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that it commenced the sale of natural gas within the contemplation of § 157.29 of the regulations under the Natural Gas Act (18 CFR 157.29) and proposes to continue said sale for one year from the end of the sixty-day emergency period on July 31, 1973, within the contemplation of § 2.70 of the Commission's General Policy and Interpretations (18 CFR 2.70). Applicant proposes to sell approximately 10,000 Mcf of gas per month at 45.0 cents per Mcf at 14.65 psia, subject to upward and downward Btu adjustment.

It appears reasonable and consistent with the public interest in this case to prescribe a period shorter than 15 days for the filing of protests and petitions to intervene. Therefore, any person desiring to be heard or to make any protest with reference to said application should on or before August 7, 1973, file with the Federal Power Commission, Washington, D.C. 20426 a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to

intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by section 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-15387 Filed 7-26-73;8:45 am]

[Docket No. CI74-8]

HNG OIL CO.

Notice of Application

JULY 20, 1973.

Take notice that on July 5, 1973, HNG Oil Company (Applicant), P.O. Box 767, Midland, Texas 79701, filed in Docket No. CI74-8 an application pursuant to Section 7(c) of the Natural Gas Act for

a certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce to Texas Eastern Transmission Corporation from the South Stowell Area, Jefferson County, Texas, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that it commenced the sale of gas on May 17, 1973, within the contemplation of § 157.29 of the regulations under the Natural Gas Act (18 CFR 157.29) and proposes to continue said sale for eighteen months from the end of the sixty-day emergency period within the contemplation of § 2.70 of the Commission's General Policy and Interpretations (18 CFR 2.70). Applicant proposes to sell approximately 1,000 Mcf of gas per day at 45.0 cents per Mcf at 14.65 psia, subject to upward and downward Btu adjustment. Initial upward Btu adjustment is estimated to be 3.330 cents per Mcf. Initial sales are estimated to be approximately 1,000 Mcf of gas per day.

It appears reasonable and consistent with the public interest in this case to prescribe a period shorter than 15 days for the filing of protests and petitions to intervene. Therefore, any person desiring to be heard or to make any protest with reference to said application should on or before August 7, 1973, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by section 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-15386 Filed 7-26-73; 8:45 am]

[Docket No. CI74-9]

MOBIL OIL CORP.

Notice of Application

JULY 20, 1973.

Take notice that on July 9, 1973, Mobil Oil Corporation (Applicant), Three Greenway Plaza East, Suite 800, Houston, Texas 77046, filed in Docket No. CI74-9 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce to El Paso Natural Gas Company from the Sand Dunes Field, Eddy County, New Mexico, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that it commenced the sale of gas within the contemplation of § 157.29 of the regulations under the Natural Gas Act (18 CFR 157.29) and proposes to continue said sale for two years from the end of the sixty-day emergency period within the contemplation of § 2.70 of the Commission's General Policy and Interpretations (18 CFR 2.70). Applicant proposes to sell approximately 1,000 Mcf per day at 45.0 cents per Mcf at 14.65 psia, subject to upward and downward Btu adjustment.

It appears reasonable and consistent with the public interest in this case to prescribe a period shorter than 15 days for the filing of protests and petitions to intervene. Therefore, any person desiring to be heard or to make any protest with reference to said application should on or before August 7, 1973, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by section 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-15388 Filed 7-26-73; 8:45 am]

[Docket No. RP74-3]

VALLEY GAS TRANSMISSION INC.

Filing of Proposed Curtailment Plan

JULY 23, 1973.

Take notice that Valley Gas Transmission, Inc., (Valley), on July 6, 1973, submitted to the Commission for filing, as part of its FPC Gas Tariff, Original Volume No. 1, a proposal to incorporate in that tariff an additional tariff sheet which enumerates procedures under which Valley will curtail deliveries to its customers. This filing is pursuant to Order No. 431, (45 FPC 570). The proposed sheet is Original Sheet No. 181 and the proposed effective date is August 5, 1973.

The proposed tariff sheet provides that if the declining availability of the natural gas reserves connected to Valley's system, and dedicated to serving a buyer, result in Valley's inability to deliver to the buyer the volumes contemplated for delivery under the current applicable rate schedules, then deliveries to those buyers will be curtailed only to the extent which will permit Valley to deliver, through its system, the maximum quantity of gas then available to Valley from the reserves dedicated to service the given buyer.

Valley states that this filing is required because Valley is ostensibly facing a gas supply emergency on its system and potentially substantial curtailments are imminent. And further, Valley has requested that its proposed curtailment plan be accepted in lieu of a plan based on Order No. 467, as amended, because of Valley's suggestion that the curtailment plan is consistent with various aspects of its overall operations.

Namely, these asserted elements of its system are 1) the special-contract gathering service which it renders for Tennessee Gas Pipe Line Co. and United Gas Pipe Line Co., 2) the fact that it is a multiple-system gatherer and 3) that it is not a long-line pipeline, 4) that it purports to have no knowledge of the actual end use of the gas it delivers and 5) that the gas it delivers into interstate commerce with respect to certain deliveries for subsequent transportation is asserted to be subject to regulation by the Commission.

Therefore, any person desiring to be heard or to make any intervention or protest with respect to this filing should, on or before July 30, 1973, file with the Federal Power Commission, 825 North Capitol St., Washington, D.C. 20426, a petition to intervene or a protest in accordance with §§ 1.8 or 1.10 of the Commission's rules of practice and procedure

(18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken, but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

MARY B. KIDD,
Acting Secretary.

[FR Doc.73-15506 Filed 7-26-73; 8:45 am]

FEDERAL RESERVE SYSTEM ALABAMA BANCORPORATION

Order Approving Acquisition of Bank

Alabama Bancorporation, Birmingham, Alabama, 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 all the voting shares (less directors' qualifying shares) of the successor by merger to The Alabama National Bank of Montgomery, Montgomery, Alabama ("Bank"). The bank into which Bank is to be merged has no significance except as a means to facilitate the acquisition of Bank. Accordingly, the proposed acquisition of shares of the successor organization is treated herein as the proposed acquisition of shares of Bank.

Notice of the application, affording opportunity to permit 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 five banks with total aggregate deposits of \$972.6 million, representing 14.3 per cent of total deposits of commercial banks in Alabama and is the largest banking organization in the State.¹ Acquisition of Bank (deposits of \$71.1 million) would not significantly increase the concentration of banking resources in Alabama.

The Department of Justice ("Justice") submitted comments concerning this application similar to those it filed in the applications of First Alabama Bancshares, Inc., to acquire The City National Bank of Tuscaloosa and The Alabama Financial Group, Inc., to acquire First National Bank of Anniston. It was the view of Justice that approval of this application would contribute to a situation where only four State-wide banking organizations would exist in Alabama.

Application noted in its reply to the comments of Justice that the bank to be acquired is a distant third in the relevant market which is dominated by two much larger banks. Approval of the acquisition would, therefore, increase competition

by making Bank a stronger competitor. Applicant also noted in its reply that even if the three Alabama applications commented on by Justice were approved by the Board, there would remain numerous independent banks of sufficient size to form valuable components of additional State-wide holding companies.

Bank is the third largest of nine banks located in the relevant banking market with about 12 per cent of the deposits in the market.² There is no substantial existing competition between any of Applicant's banking subsidiaries and Bank, primarily due to the fact that the closest banking subsidiary to Bank is approximately 80 miles distant. Furthermore, in view of the distances involved and Alabama's restrictive branching laws, there is little probability of substantial future competition developing between Applicant's banking subsidiaries and Bank. The largest bank in the market (a subsidiary of the second largest holding company in Alabama) controls about 44 per cent of market deposits and the second largest bank in the market controls about 24 per cent of market deposits. Applicant would not be obtaining a dominant position in the market, and several independent banks remain available for acquisition by other holding companies. Finally, Applicant's acquisition of Bank should enable the latter to compete more vigorously with these two large banks and could lead to the eventual deconcentration of the market.

Applicant has a nonbanking subsidiary, Engel Mortgage Company ("Engel"), with an office in Montgomery, which competes to a limited degree with Bank in the origination of mortgage loans. Engel primarily deals in mortgages on one-four family residences; Bank makes but few loans in this product line. Bank has a substantial volume of construction loans; however, Engel makes few loans of this type. Their combined share of the market for construction loans is negligible within the appropriate regional or national market. Neither Engel nor Bank is active in the origination of mortgages on income-producing property. Moreover, there are ten other mortgage companies and three savings and loan associations plus the remaining commercial banks which comprise alternative sources of mortgage credit. In the Board's view, consummation of this transaction would not have a substantially adverse effect on competition in any relevant product line of mortgage banking. Nor would it lead to a diminution of State-wide competition in banking, for reasons articulated in the Board's order of this date involving the application of First Alabama Bancshares, Inc., to acquire The City National Bank of Tuscaloosa. Based on the facts of record, the Board concludes that competitive considerations are consistent with approval of the application.

² The relevant banking market is approximated by the Montgomery Standard Statistical Area ("SMSA"), which consists of Elmore and Montgomery Counties.

The financial condition, managerial resources and future prospects of Applicant, its subsidiary banks and Bank are generally satisfactory and consistent with approval of the acquisition. Factors relating to the convenience and needs of the community to be served lend some weight for approval of the application since Applicant will be able to provide international banking services in the Montgomery SMSA, a service which is not presently offered there. 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,³ the application is approved for the reason summarized above. The transaction shall not be consummated (a) before the thirtieth calendar day following the effective date of this order or (b) later than three 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 the order of the Board of Governors, effective July 19, 1973.

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

[FR Doc.73-15483 Filed 7-26-73; 8:45 am]

ALABAMA FINANCIAL GROUP, INC.

Order Approving Acquisition of Bank

The Alabama Financial Group, Inc., Birmingham, Alabama, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire 80 percent or more of the voting shares of First National Bank of Anniston, Anniston, Alabama ("Bank"). The bank into which Bank is to be merged has no significance except as a means to facilitate acquisition of the voting shares of Bank. Accordingly, the proposed acquisition of shares of the successor organization is treated herein as the proposed acquisition of the shares of Bank.

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and the Board has considered the application and all comments, including those of the Department of Justice, in light of the factors

³ Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of Atlanta. Dissenting Statement of Governor Brimmer filed as part of the original document and available upon request.

⁴ Voting for this action: Chairman Burns and Governors Mitchell, Daane, Sheehan, Bucher, and Holland. Voting against this action: Governor Brimmer.

¹ All banking data are as of December 31, 1972, and represent bank holding company formations and acquisitions approved by the Board through May 31, 1973.

set forth in section 3(c) of the Act (12 U.S.C. 1842 (c)).

Applicant is the fourth largest bank holding company in Alabama. It controls four banks with aggregate deposits of approximately \$515 million, representing 8.4 percent of the total commercial bank deposits in the State. (All banking data are as of June 30, 1972.) Consummation of the proposal would not result in a significant increase in the concentration of banking resources in Alabama.

Bank (\$60.8 million in deposits) is the largest of nine banks located in Calhoun County and the City of Heflin, holding approximately 31 per cent of the commercial bank deposits in that market. Applicant's nearest subsidiary office to Bank is its lead bank in Birmingham, 50 miles west of Anniston. There is no significant existing competition between Bank and Applicant and, further, it is unlikely that such competition would develop in the future in view of the distances involved, the many intervening banks, and the restrictive branching laws of Alabama. Moreover, the possibility of future competition, developing through de novo entry by Applicant is slight since the market has experienced population loss since 1960 and is thus not now attractive for de novo entry. Accordingly, competitive considerations are consistent with approval of the application.

The Department of Justice has questioned the general effect that consummation of the proposed transaction and certain other transactions proposed by other Alabama bank holding companies would have upon State-wide banking structure in Alabama, but has not asserted that the proposed transaction would have an anticompetitive effect in the Calhoun County banking market. For reasons specified in the Board's Order approving the acquisition of shares of The City National Bank of Tuscaloosa by First Alabama Bancshares, Inc., the Board finds that consummation of the proposed transaction would not lead to a lessening of Statewide competition in banking.

The financial and managerial resources of Applicant, its banking subsidiaries and Bank are considered generally satisfactory. Considerations relating to the convenience and needs of the community are consistent with approval of the application. Applicant proposes to install automated teller equipment, providing the community with 24-hour-a-day deposit and withdrawal service, and it is expected that the community would benefit from such an innovation. It is the Board's judgment that consummation of the proposed transaction 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 thirtieth calendar day following the effective date of this order or (b) later than three months after the effective date of this order, unless such period is extended for good cause by the Board, or by the Fed-

eral Reserve Bank of Atlanta pursuant to delegated authority.

By order of the Board of Governors,¹
effective July 19, 1973.

[SEAL] CHESTER B. FELDBERG,
Secretary of the Board.
[FR Doc.73-15482 Filed 7-26-73; 8:45 am]

AMERICAN NATIONAL HOLDING CO.

Acquisition of Banks

American National Holding Company, Kalamazoo, Michigan, has applied in separate applications 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 all of the voting shares (less directors' qualifying shares) of the following proposed new banks: The American National Bank in South Haven, South Haven; The American National Bank in Western Michigan, Allegan; and The American National Bank in Battle Creek, Battle Creek, all located in Michigan. The factors that are considered in acting on the applications are set forth in section 3(c) of the Act (12 U.S.C. 1842 (c)).

The applications may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Chicago. Any person wishing to comment on the applications 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 August 13, 1973.

Board of Governors of the Federal Reserve System, July 19, 1973.

[SEAL] CHESTER B. FELDBERG,
Secretary of the Board.
[FR Doc.73-15487 Filed 7-26-73; 8:45 am]

ATLANTIC BANCORPORATION

Acquisition of Bank

Atlantic Bancorporation, Jacksonville, Florida, 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 per cent or more of the voting shares of Peninsula State Bank, Tampa, Florida. The factors that are considered in acting on the application are set forth in §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 August 17, 1973.

Board of Governors of the Federal Reserve System, July 19, 1973.

[SEAL] CHESTER B. FELDBERG,
Secretary of the Board.
[FR Doc.73-15485 Filed 7-26-73; 8:45 am]

¹ Voting for this action: Chairman Burns and Governors Mitchell, Daane, Brimmer, Sheehan, Bucher, and Holland.

FIRESTONE BANCORP, INC.

Acquisition of Bank

Firestone Bancorp, Inc., Akron, Ohio, 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 99.4 per cent of the voting shares of The Wadsworth Bank, Wadsworth, Ohio. 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 Cleveland. 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 August 19, 1973.

Board of Governors of the Federal Reserve System, July 18, 1973.

[SEAL] CHESTER B. FELDBERG,
Secretary of the Board.
[FR Doc.73-15427 Filed 7-26-73; 8:45 am]

FIRST ALABAMA BANCSHARES, INC.

Order Approving Acquisition of Bank

First Alabama Bancshares, Inc., Birmingham, Alabama, 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 City National Bank of Tuscaloosa, Tuscaloosa, Alabama ("Bank"). The new national bank into which Bank is to be merged has no significance except as a means to facilitate the acquisition of the voting shares of Bank. Accordingly, the proposed acquisition of shares of the successor organization is treated herein as the proposed acquisition of the shares of Bank.

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with §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 five banks, with aggregate deposits of approximately \$635 million, representing about 9½ per cent of total deposits in commercial banks in Alabama and is the second largest banking organization in Alabama. Acquisition of Bank (deposits of about \$68 million) would not increase significantly the concentration of banking resources in the State.

The Department of Justice ("Justice") commented upon this application, as well as pending applications by two other

¹ All banking data are as of December 31, 1972, unless otherwise noted, and include formations and acquisitions approved by the Board through May 31, 1973.

bank holding companies to acquire banks in Alabama.² Briefly, Justice is concerned that four large State-wide banking organizations control over 40 per cent of deposits in commercial banks in the State of Alabama, that such organizations are the most likely potential entrants into local markets throughout the State, and that, if these three acquisitions are approved, there would be only a dozen banks remaining in Alabama of a size large enough (\$30 million according to Justice) to serve as the nucleus of an additional State-wide organization. Further, Justice asserts that such a limited State-wide banking structure could produce a situation whereby only a few organizations confront each other in local markets throughout Alabama, thereby leading to a tendency on the part of such organizations to develop parallel practices in such markets to the advantage of the companies involved but not necessarily for the public good.

In its response to Justice's comments, Applicant asserts, among other things, that Alabama needs larger banking structures in order to provide adequate services to large businesses in the State and to compete with much larger out-of-State organizations which seek business in Alabama. Applicant further states that Justice has ignored the public benefits that would be provided the Tuscaloosa area by consummation of the proposal herein.

Bank is the second largest of three banks located in the relevant market and controls about 39 per cent of deposits there.³ There is no substantial existing competition between any of Applicant's banking subsidiaries and Bank. Applicant's subsidiary closest to Bank is approximately 45 miles distant. Nor is there a reasonable probability of substantial future competition developing between any of Applicant's banking subsidiaries and Bank, particularly in view of the distances between Applicant's subsidiary banks and Bank and Alabama's branching laws which preclude Applicant's subsidiaries from branching into Tuscaloosa and Bank from branching into the markets of Applicant's subsidiaries. Although the Tuscaloosa market appears attractive for de novo entry, Applicant has indicated it would not enter by this means and, in the Board's opinion, market conditions are not such as to warrant precluding Applicant's representation in this market through the acquisition of an existing bank. Other holding companies remain as potential entrants into the market through de novo means, and Applicant would not obtain a dominant position in the market through acquisition of Bank. The largest bank in the market has almost \$20 million more in deposits than Bank and appears to be a viable, strong competitor and is likely to

remain so even if Applicant acquires Bank. Moreover, the smallest bank in the market has shown a good growth rate since its establishment in 1968 and there is no indication that it would not be able to compete in those areas suitable to its size. The Board concludes that approval of the acquisition would not have substantial adverse effects on future competition in the Tuscaloosa market.

Moreover, the Board believes that the acquisition of Bank by Applicant will not necessarily increase the rigidity of the Alabama banking structure. The Board recently has approved the formation in Alabama of a fifth multibank holding company which has over \$300 million in deposits.⁴ However, apart from the prospect of holding companies in the process of being formed in Alabama, the Board is not persuaded that the existence of only the present four State-wide banking organizations in Alabama is so anticompetitive as to require denial of all bank acquisitions by those organizations. The fear expressed by Justice that parallel policies will develop in various local markets throughout the State on the basis of the four large organizations facing one another is based on speculation. There is no evidence in the record that any such policies have developed or will develop. Alabama is a State with low per capita income. The Board believes the development of larger banking organizations would be beneficial for the State since they would be able to provide better service for existing businesses within the State and perhaps attract substantial new business. Approval of this application will enable Applicant to bring its expertise and greater service capability to an Alabama location with good growth prospects and thereby make that location attractive for the large customers and industries which Alabama is seeking to attract. On the basis of the facts of record, the Board concludes that competitive considerations are consistent with approval of the application.

The financial condition, managerial resources, and future prospects of Applicant, its subsidiary banks and Bank are regarded as satisfactory. Applicant proposes to increase Bank's capital and this aspect lends some support for approval of the acquisition. Moreover, Applicant would be in a position to provide Bank with a source of management personnel, which is particularly important due to the fact that two senior officials of Bank have recently left the Bank. Factors related to the convenience and needs of the community to be served are consistent with approval and may lend some weight for approval, since Bank, after affiliation with Applicant, would be in a better position to serve the larger businesses that have recently located in the Tuscaloosa area. 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.

⁴ See Board Order of June 15, 1973.

On the basis of the record "the application is approved for the reasons summarized above. The transaction shall not be consummated (a) before the thirtieth calendar day following the effective date of this Order, or (b) later than three 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,⁵ effective July 19, 1973.

[SEAL]

CHESTER B. FELDBERG,
Secretary of the Board.

[FR Doc. 73-15498 Filed 7-26-73; 8:45 am]

FIRST ARKANSAS BANKSTOCK CORP. Proposed Acquisition of National Credit Corporation

First Arkansas Bankstock Corporation, Little Rock, Arkansas, 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 National Credit Corporation, "An Industrial Loan Institution" Pine Bluff Arkansas. Notice of the application was published on May 22, 1973 in The Commercial a newspaper circulated in Jefferson County, Arkansas.

Applicant states that the proposed subsidiary would (engage in) the activities of an industrial loan institution, primarily making consumer loans, soliciting investment certificates, and acting as agent or broker in the sale of credit life, health, and accident insurance and physical damage insurance directly related to an extension of credit by it. Such activities have been specified by the Board in § 225.4(a)(2) and (9) 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

⁵ Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of Atlanta. Dissenting Statements of Governors Brimmer and Bucher filed as part of the original document and available upon request.

⁶ Voting for this action: Chairman Burns and Governors Mitchell, Daane, Sheehan, and Holland. Voting against this action: Governors Brimmer and Bucher.

² Alabama Bancorporation to acquire The Alabama National Bank of Montgomery and The Alabama Financial Group, Inc., to acquire First National Bank of Anniston.

³ The relevant banking market is approximated by Tuscaloosa County.

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 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 August 17, 1973.

Board of Governors of the Federal Reserve System July 18, 1973.

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

[FR Doc.73-15428 Filed 7-26-73;8:45 am]

FIRST NATIONAL CHARTER CORP.

Order Approving Acquisition of Bank

First National Charter Corporation, Kansas City, Missouri, 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 all the voting shares (less directors' qualifying shares) of the successor by merger to American National Bank in Springfield, Springfield, Missouri, ("Bank"). The bank into which Bank is to be merged has no significance except as a means of facilitating the acquisition of the voting shares of Bank. The proposed acquisition of shares of the successor organization is treated herein as the proposed acquisition of the shares of Bank.

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act; the time for filing comments and views has expired and none has been received. The Reserve Bank pursuant to authority delegated to it by the Board of Governors 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, the fourth largest bank holding company in Missouri, controls ten banks with deposits totaling \$693.9 million,¹ representing 4.97 per cent of the commercial bank deposits in the State. Acquisition of Bank would increase Applicant's share of State deposits by only .13 per cent to 5.10 per cent and would have no effect on competition in the State.

Bank has \$18.3 million in deposits and is the fifth largest of twelve commercial banks operating in the Springfield banking market which is approximated by Greene County, Missouri. It controls approximately 4.7 per cent of the total market deposits. Competition in Springfield is very keen. Through affiliation

with Applicant, access to the extensive credit resources of the holding company would permit Bank to become more competitive with the larger Springfield banks, a majority of which are presently affiliated with multi-bank holding companies.

There is no overlap of competition with Applicant's subsidiary banks, the closest of which is located 130 miles to the northwest of Bank; the development of competition is unlikely in view of Missouri statutes which prohibit branch banking. While the prospects for continued expansion of the economy in the Springfield vicinity are favorable, de novo entry into the market by Applicant seems unlikely in view of recent changes in Missouri statutes providing for detached banking facilities. Commercial banks operating within Missouri are presently permitted to establish two limited-power facilities, separated from the main banking office but within the limits of the same city. The Reserve Bank concludes that competitive considerations are consistent with approval of the application.

The financial and managerial resources and future prospects of Applicant and its present subsidiaries are regarded as satisfactory; Bank's inadequate capitalization will be bolstered by the injection of capital funds inherent in the proposed merger. Considerations relating to the banking factors would thus lend weight toward approval of the application. Considerations relating to the convenience and needs of the community to be served also lend weight toward approval of the application.

It is the Reserve Bank'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 August 13, 1973, or (b) later than October 15, 1973, unless such period is for good cause extended by order of the Board of Governors or by the Federal Reserve Bank of Kansas City pursuant to delegated authority.

By the order of the Federal Reserve Bank of Kansas City pursuant to authority delegated by the Board of Governors of the Federal Reserve System, effective July 13, 1973.

[SEAL] WILBUR T. BILLINGTON,
Senior Vice President.

[FR Doc.73-15429 Filed 7-26-73;8:45 am]

FIRST COMMERCIAL BANKS, INC.

Acquisition of Bank

First Commercial Banks, Inc., Albany, New York, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 per cent (less directors' qualifying shares) of the voting shares of the successor by merger to The Homer National Bank, Homer, New York. The factors that are considered in acting on the application are set forth in

section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of New York. Any person wishing to comment on the application should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than August 17, 1973.

Board of Governors of the Federal Reserve System, July 20, 1973.

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

[FR Doc.73-15486 Filed 7-26-73;8:45 am]

INTERBANK CORP.

Formation of Bank Holding Company

Interbank Corp., Chicago, Illinois, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 100 per cent (less directors' qualifying shares) of the voting shares of South Side Bank, Chicago, Illinois. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Chicago; and any person wishing to comment on the application should submit his views in writing to the Federal Reserve Bank of Chicago, to be received not later than August 10, 1973.

Board of Governors of the Federal Reserve System, July 19, 1973.

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

[FR Doc.73-15484 Filed 7-26-73;8:45 am]

MERCANTILE BANCORPORATION INC.

Order Approving Acquisition of Bank

Mercantile Bancorporation Inc., St. Louis, Missouri, 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 all of the voting shares (less directors' qualifying shares) of Mercantile National Bank of St. Louis County, St. Louis County, Missouri ("Bank"), a proposed new 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 the light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant controls the largest bank in the State of Missouri and seven other Missouri banking subsidiaries and is the largest banking organization in the

¹ All banking data are as of December 31, 1972, and reflect holding company formations and acquisitions approved through May 30, 1973, unless otherwise noted.

State, controlling \$1.2 billion of deposits which represent 9.6 per cent of the total commercial bank deposits in the State. (All banking data are as of June 30, 1972.)

Several competitors of Applicant and future competitors of Bank have expressed their views opposing the proposed transaction. Briefly stated, their objections are grounded on their views that Applicant presently is dominant in the St. Louis banking market¹ in which Bank would operate and that, therefore, rather than permit Applicant to foreclose the banking opportunity represented by Bank, the Board should deny the instant application and, thereby preserve that opportunity for a smaller banking organization, thus increasing the likelihood of deconcentration of the market and erosion of Applicant's "dominant" position in that market.

Applicant controls three banks in the St. Louis banking market with aggregate deposits of \$1.0 billion, representing 17 per cent of the total commercial bank deposits in that market area. Since 1966, the share of total deposits held by its subsidiaries in the area approximated by the City of St. Louis and St. Louis County has declined from 25.2 per cent to 19.9 per cent.

In the St. Louis Standard Metropolitan Statistical Area ("SMSA") which is approximated by the City of St. Louis, St. Louis, Franklin, Jefferson, and St. Charles Counties in Missouri and Madison and St. Clair Counties in Illinois, the share of total deposits held by Applicant's predecessors (Mercantile Trust Company, N.A. and Mercantile Commerce Trust Company) has decreased from 20.6 per cent in 1966 to 16.1 per cent at year-end 1972, despite its acquisition of two banks in the SMSA during that period. The average mean percentage of total deposits held by the largest banking organizations in SMSAs with populations of one million and over in unit banking States was 21.5 per cent as of June, 1970, at which time Applicant's predecessors held 17.6 per cent of total deposits in the St. Louis SMSA. In fact, Applicant's share of the relevant market, of the St. Louis SMSA and of St. Louis City and County is overstated when calculated on the basis of total deposits. Applicant's lead bank is a correspondent bank with over 18 per cent of its total deposits owing to other banks. It competes for correspondent balances with one other St. Louis bank and several banks in Kansas City, Chicago, Memphis, and other money centers. As a result of its correspondent business, Bank has a large volume of deposits in the process of collection; whereas its total deposits, as of December 31, 1972, amounted to \$1.0 billion, its net demand deposits are

less than \$500 million, and its gross demand deposits approximate \$682 million. Its share of the St. Louis market is more meaningfully measured by its deposits received from individuals, partnerships, and corporations, ("IPC deposits") particularly such deposits under \$100,000 in amount. Applicant's lead bank, as of June, 1972, held total IPC deposits under \$100,000 amounting to \$396.6 million, representing 9.6 per cent of such deposits held by banks in the St. Louis SMSA. Based on these facts, the Board does not consider Applicant "dominant" in any area. Further, the St. Louis banking market is not considered highly concentrated. As of June 30, 1972, the fifteen largest banking organizations in that market held 67.3 per cent of total deposits in that market, and the five largest banking organizations held 45.4 per cent of total deposits in that market. This compares to an average market share, as of June, 1970, of 55.7 per cent by the five largest banking organizations in SMSAs with populations of one million and over in unit banking States, and is less than the average market share of the three largest banking organizations in such SMSAs.

Of the 110 banks in the market, six are located on the periphery of Bank's primary service area in central St. Louis County. None of Applicant's banking subsidiaries derives more than 0.8 per cent of its deposit accounts from Bank's service area. The six banks presently located on the edge of that service area have together experienced an annual rate of deposit growth in the last five years triple the Statewide deposit growth rate. Three of those six banks are either present or planned subsidiaries of other bank holding companies.

Since Bank is a proposed bank and the other service area banks are relatively well-established, consummation of the proposal would not eliminate existing competition; nor does there appear to be a likelihood that establishment of a new bank would have an undue adverse effect on the other banks in the market. Furthermore, it appears unlikely that Applicant's acquisition of Bank would preclude other banking organizations from entering the market. On the basis of population figures for the period 1960-70, Bank's primary service area has been growing at a rate approximately four times faster than that of St. Louis County and 16 times faster than that of the State as a whole. That two banks have been chartered in the area since 1970 and applications for four more bank charters for banks to be located in the area are pending reflects this growth. Any increase in the share of market deposits held by Applicant that might result in the short run following consummation of this proposal may be dissipated with the arrival of new entrants to serve the expanding area. In the Board's view, the competitive factors in this case are distinguishable from those in a recent case involving a proposal to acquire a proposed new bank where the Board found

that the Applicant was dominant;² in that case, at least one other bank in the area had not yet had sufficient time to establish itself as a viable competitor, and the population of the relevant area had remained somewhat stable. In brief, the Board believes that consummation of the proposal under consideration will not have such a significant adverse effect on potential competition in the St. Louis market as to warrant denial.

The financial and managerial resources of Applicant and its present subsidiary banks are generally satisfactory; prospects of Bank under Applicant's control appear favorable. The establishment of Bank will provide, through affiliation with Applicant, a convenient source of a full range of banking services to the residents and businesses of Bank's primary service area. Thus, banking factors, as well as considerations relating to the convenience and needs of the communities to be served, are consistent with approval of the application.

It is the Board's judgment that the proposed acquisition would be in the public interest and that the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be consummated (a) before August 13, 1973 or (b) later than October 12, 1973, and (c) Mercantile National Bank of St. Louis County, shall be opened for business not later than six months after the effective date of this Order. Each of the periods described in (b) and (c) may be extended for good cause by the Board, or by the Federal Reserve Bank of St. Louis pursuant to delegated authority.

By order of the Board of Governors,³ effective July 12, 1973.

[SEAL]

CHESTER B. FELDBERG,
Secretary of the Board.

[FR Doc. 73-15430 Filed 7-26-73; 8:45 am]

UNITED VIRGINIA BANK/CITIZENS OF SOUTH BOSTON

Order Approving Application for Merger With Citizens Bank of South Boston

United Virginia Bank/Citizens of South Boston, South Boston, Virginia (United Virginia/Citizens), an organizing State bank which has applied for membership in the Federal Reserve System, has applied to the Board of Governors of the Federal Reserve System for prior approval pursuant to the Bank Merger Act (12 U.S.C. 1828(c)) to merge with Citizens Bank of South Boston, South Boston, Virginia (Citizens), a member State bank of the Federal Reserve System, the resulting bank to operate under the charter and with the name of United Virginia/Citizens. The

¹ First at Orlando Corporation, 1973 Federal Reserve Bulletin 302.

² Voting for this action: Vice Chairman Mitchell and Governors Daane, Brimmer, Sheehan, Bucher, and Holland. Absent and not voting: Chairman Burns.

³ The St. Louis banking market is the relevant geographic market in this case and is approximated by the City of St. Louis, St. Louis County, St. Charles County, and portions of Jefferson County in Missouri, and portions of Madison and St. Clair Counties in Illinois.

application is to be acted upon by the Federal Reserve Bank of Richmond (Reserve Bank) under authority delegated by the Board of Governors (12 CFR Part 265).

As required by the Bank Merger Act, notice of the proposed merger, in form approved by the Board of Governors, has been published and reports on competitive factors have been requested from the Attorney General, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation. The Reserve Bank has considered the application and all comments and reports received in light of the factors set forth in the Act.

On the basis of the record in this case, the application is approved for the reasons summarized in the Reserve Bank's Order of this date relating to the application of United Virginia Bankshares Incorporated to acquire Citizens Bank of South Boston. However, the transaction shall not be consummated (a) before August 15, 1973, or (b) later than October 16, 1973, unless such period is extended for good cause by the Board of Governors of the Federal Reserve System or by the Federal Reserve Bank of Richmond pursuant to delegated authority.

By order of the Federal Reserve Bank of Richmond, acting pursuant to delegated authority for the Board of Governors of the Federal Reserve System, effective July 16, 1973.

[SEAL]

ROBERT P. BLACK,
First Vice President.

[FR Doc.73-15431 Filed 7-26-73;8:45 am]

UNITED VIRGINIA BANKSHARES INC.

Order Approving Acquisition of Bank

United Virginia Bankshares Incorporated, Richmond, Virginia (Applicant), a bank holding company within the meaning of the Bank Holding Company Act (12 U.S.C. 1842), has applied for prior approval under section 3(a) (3) of the Act to acquire 100 percent of the voting shares of the successor by merger to Citizens Bank of South Boston, South Boston, Virginia (Citizens), a State member bank.

The bank into which Citizens is to be merged has no significance except as a means of acquiring the voting shares of Citizens. Accordingly, the proposed acquisition of the successor organization is treated herein as a proposed acquisition of the shares of Citizens. The application is to be acted upon by the Federal Reserve Bank of Richmond (Reserve Bank) under authority delegated by the Board of Governors (12 CFR Part 265). Notice of the receipt of the application has been given in accordance with section 3(b) of the Act, and the time for filing comments and views has expired. The Reserve Bank 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)) and finds that:

Applicant controls 12 banking affiliates operating 123 banking offices with aggregate deposits of \$1.5 billion, an amount equivalent to 14.1% of total commercial bank deposits in Virginia. In terms of deposits it is the State's largest banking organization. Acquisition of Citizens (deposits of \$13.6 million as of June 30, 1972) would increase Applicant's share of deposits in the State by approximately .14 percent. Consummation of the proposed transaction would not significantly increase the concentration of banking resources within the State.

Citizens is one of three banking organizations located in the relevant geographic market, which includes the independent city of South Boston and surrounding Halifax County. Of these three, Citizens ranks second, with 27.6% of total area deposits. Applicant's lead bank, United Virginia Bank, is located in Richmond and serves the Richmond SMSA, which represents a separate banking market from that in which Citizens competes. The closest office of any of Applicant's subsidiary banks to Citizens is some 60 road miles distant, located in Lynchburg, Virginia. There is no significant competition existing between Citizens and any existing bank subsidiary of Applicant, and there appears to be no significant incentive for Applicant to establish a de novo bank in the market served by Citizens. It is concluded that consummation of the proposal would have no adverse effect on banking competition and that the competitive effects of the proposal are not inconsistent with approval of the application.

The financial and managerial resources of Applicant and Citizens are generally satisfactory, and future prospects appear favorable. In addition, Applicant has a demonstrated past history of willingness and ability to supply needed management assistance and capital to its subsidiary banks. Banking factors, therefore, lend weight toward approval of the application. Although there is no evidence that significant banking needs of the area are unserved, consummation of the proposed acquisition should enable Citizens to initiate new services now offered by Applicant's other banking subsidiaries, which will include trust, computer, and credit services. Convenience and needs considerations also favor approval. It is the Reserve Bank's judgment that consummation of the proposed transaction would be in the public interest.

On the basis of the record in this case, the application is approved for the reasons summarized above. However, the transaction shall not be consummated (a) before August 15, 1973, or (b) later than October 16, 1973, unless such period is extended for good cause by the Board of Governors of the Federal Reserve System or by the Federal Reserve Bank of Richmond pursuant to delegated authority.

By order of the Federal Reserve Bank of Richmond, acting pursuant to dele-

gated authority for the Board of Governors of the Federal Reserve System, effective July 16, 1973.

[SEAL]

ROBERT P. BLACK,
First Vice President.

[FR Doc.73-15426 Filed 7-26-73;8:45 am]

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[V-73-16]

POLYURETHANE MANUFACTURERS ASSOCIATION

Grant of Interim Order

I. Notice of application. Notice is given that Polyurethane Manufacturers Association, 600 South Michigan Avenue, Chicago, Illinois 60605, has applied under section 6(d) of the Williams-Steiger Occupational Safety and Health Act of 1970 (84 Stat. 1596) and 29 CFR 1905.11 for a variance, and for an interim order pending a decision on the application for a variance, from paragraphs (c) (1) and (2), and (e) (1), (2), (4), (5), (6), and (10) of 29 CFR 1910.93c (38 FR 10929), concerning exposure to 4,4'-Methylene (bis)-2-Chloroaniline. The application, as amended, is made on behalf of the following members of the association and places of employment:

The Abaris Company
7477 E. Davison Avenue
Detroit, Michigan 48212
Acushnet Company
744 Belleville Avenue
New Bedford, Ma. 02742
Advanced Machine Planning, Inc.
2500 A. So. Clinton Avenue
So. Plainfield, NJ 07080
Albany Plastic Company
Urethane Products Div.
20 Starr Street
Johnston, RI 02919
Anderson Development Company
1415 East Michigan Street
Adrian, MI 49221
Carolina Rubber Hose Company
Avenue C at Railroad Street
Salisbury, NC 28144
Cemco Products, Inc.
Bldg. 228, Snohomish County Airport
Everett, WA 98204
Colo-Mart Industries, Inc.
6735 W. 58th Place
P.O. Box 666
Arvada, Co. 80001
Conap, Inc.
184 E. Union Street
Allegany, NY 14706
Creative Urethanes, Inc.
P.O. Box 722
Purcellville, Va. 22132
Custom Electronic System, Inc.
2222 North Olney
Indianapolis, In. 46218
Dicar, Inc.
111 Clinton Road
Fairfield, NJ 07006
Carolina Rubber Hose Co.
Donaldson Center
Greenville, SC 29606
Dynasatur Corp.
3511 Tree Court Industrial Blvd.
St. Louis, Mo. 63122
Gallagher Corporation
2030 Lehigh Avenue
Glenview, Il. 60025.

Grafco Roller Co., Inc.
300 Lodi Street
Hackensack, NJ

Griffith Polymers, Inc.
2315 N.W. 21st Place
Portland, Or. 97210

Guyan Machinery Company
P.O. Box 150
Logan, WV 25601

Hexcel Corporation
Rezolin Division
20701 Nordhoff Street
Chatsworth, Ca. 91311

Hugh Incorporated
2275 Platt Road
Ann Arbor, MI. 48104

The Kallay Gear Works
P.O. Box 308
Fairfield, CT 06430

McCreary Industrial Products Co.
P.O. Box 769
Indiana, Pa. 15701

Mern Industries
P.O. Box 771
Metuchen, NJ 08840

Nazar Rubber Company
2727 Avondale Avenue
Toledo, Ohio 43607

Dike-O-Seal Incorporated
3965 South Keeler Avenue
Chicago, Illinois 60632

Perma-Flex Roller Corporation
711 Hwy. 17
Carlstadt, NJ 07072

Permathane, Inc.
21 Saco Street
Westbrook, Maine 04092

Plasticast Co.
Div. of Pekar Iron Works, Inc.
E. 9th Street and 10th Avenue
Columbus, Ga. 31902

Plastomer Corporation
Box 787, N. First Street
Stroudsburg, Pa. 18360

Regal Tool & Rubber Co., Inc.
P.O. Box Drawer "E"
Grapevine, Tex. 76051

Rubber Rolls, Inc.
294 Corliss Street
Pittsburgh, Pa. 15220

The Seal-Flex Company
35 Airline Avenue
Portland, CT 06480

Smooth-On, Inc.
1000 Valley Road
Gillette, NJ 07933

Stowe-Woodward Company
Essex Polymer Division
20 Island Street
Lawrence, Ma. 01840

Tennessee Wheel & Rubber Company
817 18th Avenue North
Nashville, Tenn. 37202

Trew Industrial Wheels, Inc.
2011 Nolensville Road
Nashville, Tenn. 37214

O-Rings, Inc.
12322 Exposition Blvd.
Los Angeles, Ca. 90025

Parkway Products, Inc.
10293 Burlington Road
Cincinnati, Ohio 45231

Molded Dimensions, Inc.
701 Sunset Road
Port Washington, WI 53074

Winfield Industries, Inc.
1855 Clinton Street Buffalo, NY 14206

Rapistan Incorporated
507 Plymouth, NE.
Grand Rapids, Michigan 49505

Ren Plastics
5656 S. Cedar Street
Lansing, Michigan 48909

Vall Rubber Works, Inc.
521 Langley Avenue
St. Joseph, MI 49085

Whittaker Corporation
Dayton Chemical Products Div.
P.O. Box 27
West Alexandria, Ohio 45381

Maco Industries, Inc.
4219 South Wolcott Street
Chicago, Illinois 60609

Esco Plastics Company
3402 Amanda
P.O. Box 36829
Houston, Texas 77036

The Lange Company
Box 308
Broomfield, Colorado 80020

Polly Pig by Knapp, Inc.
1209 Hardy Street
Houston, Texas 77020

T.D. Williamson, Inc.
3102-A E. Pine
Tulsa, Oklahoma 74101

The application states that these employers have informed their respective employees of the application by giving a copy of it to their authorized representative, if any, and by posting a statement given a summary of the application and specifying where a copy of the application may be examined. The affected employees have been informed in the same manner of their right to petition the Assistant Secretary of Labor for a hearing on the application.

The application, as amended, represents that the majority of the members of the association are small businesses with fewer than fifty employees, which depend on the use of the chemical known as 4,4'-Methylene (bis)-2-Chloroaniline for the continuation of their business viability. The application further alleges that strict enforcement of § 1910.93c would cause most of the members of the association to go out of business. Accordingly, the association has proposed, on behalf of all the member employers listed, the following alternative safeguards, which, it argues, are substantially equivalent in protection to those required by the standard:

(1) 4,4'-Methylene (bis)-2-Chloroaniline is to be used only in clearly delineated areas which only authorized personnel may enter. These areas must be so designed as to be under negative air pressure during working hours. All open-process vessels and open containers must be under local exhaust ventilation adequate to keep dust and fumes out of the room atmosphere.

(2) All persons entering an area where 4,4'-Methylene (bis)-2-Chloroaniline dust may be present must wear protective, long-sleeved clothing, and impermeable gloves. When exposure to vapors of the chemical cannot be avoided, appropriate absorbent cartridge face masks must also be worn.

(3) In case any area is contaminated by the chemical in molten form, the employees must be promptly evacuated from the area and may not be allowed to return until after the contaminant has solidified and any vapor drawn off by the ventilation system. Employees may then be allowed to break up the solidified material, sweep it up mechanically and dispose of it properly.

(4) An alternative is also proposed to the requirements concerning warning signs.

A copy of the application will be made available for inspection and copying, upon request, at the Office of Standards, U.S. Department of Labor, Railway Labor Building, 400 First Street NW., Room 504, Washington, D.C. 20210 and at the following Regional and Area Offices:

REGIONAL OFFICES

U.S. Department of Labor
Occupational Safety and Health Administration
Fourth Floor
18 Oliver Street
Boston, Massachusetts 02110

U.S. Department of Labor
Occupational Safety and Health Administration
Gateway Building
3535 Market Street, Room 15220
Philadelphia, Pennsylvania 19104

U.S. Department of Labor
Occupational Safety and Health Administration
300 South Wacker Drive
Room 1201
Chicago, Illinois 60606

U.S. Department of Labor
Occupational Safety and Health Administration
823 Walnut Street
Waltower Building—Room 300
Kansas City, Missouri 64106

U.S. Department of Labor
Occupational Safety and Health Administration
1515 Broadway (1 Astor Plaza)
New York, New York 10036

U.S. Department of Labor
Occupational Safety and Health Administration
1375 Peachtree Street, NE.
Suite 587
Atlanta, Georgia 30309

U.S. Department of Labor
Occupational Safety and Health Administration
7th Floor—Texaco Building
1512 Commerce Street
Dallas, Texas 75201

U.S. Department of Labor
Occupational Safety and Health Administration
Federal Building—Room 15010
P.O. Box 3588, 1961 Stout Street
Denver, Colorado 80202

U.S. Department of Labor
Occupational Safety and Health Administration
9470 Federal Building
450 Golden Gate Avenue
Box 36017
San Francisco, California 94102

U.S. Department of Labor
Occupational Safety and Health Administration
506 Second Avenue
1808 Smith Tower Building
Seattle, Washington 98104

AREA OFFICES

U.S. Department of Labor
Occupational Safety and Health Administration
Custom House Building, State Street
Boston, Massachusetts 02109

U.S. Department of Labor
Occupational Safety and Health
Administration
Federal Building—Room 617
450 Main Street
Hartford, Connecticut 06103

U.S. Department of Labor
Occupational Safety and Health
Administration
Federal Office Building
970 Broad Street—Room 635
Newark, New Jersey 07102

U.S. Department of Labor
Occupational Safety and Health
Administration
1317 Filbert Street—Suite 1010
Philadelphia, Pennsylvania 19107

U.S. Department of Labor
Occupational Safety and Health
Administration
1600 Hayes Street—Suite 302
Nashville, Tennessee 37203

U.S. Department of Labor
Occupational Safety and Health
Administration
1371 Peachtree Street, NW, Rm. 723
Atlanta, Georgia 30309

U.S. Department of Labor
Occupational Safety and Health
Administration
Federal Building—Room 425
55 Pleasant Street
Concord, New Hampshire

U.S. Department of Labor
Occupational Safety and Health
Administration
Room 203—Midtown Plaza
700 East Water Street
Syracuse, New York 13210

U.S. Department of Labor
Occupational Safety and Health
Administration
Room 802, Jonnet Building
4099 William Penn Highway
Monroeville, Pennsylvania 15146

U.S. Department of Labor
Occupational Safety and Health
Administration
Room 8018 Federal Bldg.
P.O. Box 10186
Richmond, Virginia 23240

U.S. Department of Labor
Occupational Safety and Health
Administration
1361 East Morehead Street
Charlotte, North Carolina 28204

U.S. Department of Labor
Occupational Safety and Health
Administration
300 South Wacker Drive Rm 1200
Chicago, Illinois 60606

U.S. Department of Labor
Occupational Safety and Health
Administration
Michigan Theatre Bldg. Rm 626
220 Bagley Avenue
Detroit, Michigan 48226

U.S. Department of Labor
Occupational Safety and Health
Administration
U.S. Post Office and Courthouse
Rm 423, 46 East Ohio Street
Indianapolis, Indiana 46204

U.S. Department of Labor
Occupational Safety and Health
Administration
Room 734 Federal Office Bldg.
234 N. Summit Street
Toledo, Ohio 43604

U.S. Department of Labor
Occupational Safety and Health
Administration
210 North 12th Blvd. Rm. 554
St. Louis, Missouri 63101

U.S. Department of Labor
Occupational Safety and Health
Administration
Hartwell Building—Room 514
19 Pine Avenue
Long Beach, California 90802

U.S. Department of Labor
Occupational Safety and Health
Administration
Room 526 Pittock Block
921 SW Washington Street
Portland, Oregon 97205

U.S. Department of Labor
Occupational Safety and Health
Administration
Clark Building—Room 400
633 West Wisconsin Avenue
Milwaukee, Wisconsin 53203

U.S. Department of Labor
Occupational Safety and Health
Administration
Room 5522 Federal Office Bldg.
550 Main Street
Cincinnati, Ohio 45202

U.S. Department of Labor
Occupational Safety and Health
Administration
Room 6B1—Federal Building
1100 Commerce Street
Dallas, Texas 75202

U.S. Department of Labor
Occupational Safety and Health
Administration
Squire Plaza Building
8527 W. Colfax Avenue
Lakewood, Colorado 80202

U.S. Department of Labor
Occupational Safety and Health
Administration
506 Second Avenue
1906 Smith Tower Building
Seattle, Washington 98104

Interested persons, including affected employers and employees, are invited to submit written data, views, and arguments regarding the application for a variance, by August 27, 1973. In addition, employers and employees who believe they would be affected by a grant or denial of the variance may request a hearing on the application by August 27, 1973, in conformity with the requirements of 29 CFR 1905.15. Submissions of written comments and requests for a hearing should be in quadruplicate, and shall be addressed to the Office of Standards at the address given above.

II. *Interim order.* As already stated, the applicant has requested, on behalf of its member employers listed above, an interim variance from paragraphs (c) (1) and (2), and (e) (1), (2), (4), (5), (6) and (10) of § 1910.93c, pending decision on the application for a variance.

(1) Paragraph (c) (1) provides that any area in which a carcinogen is present must be deemed a controlled area. Since this provision is in the nature of a definition, the request of an interim variance from it is inappropriate, and, for this reason, is denied.

(2) Paragraph (e) (4) requires that an area in which a carcinogen is present must be posted at all entrances with legible danger signs indicating the presence of a "cancer-producing agent" in the area. The applicant proposes a different sign which would only indicate the presence of a chemical "which may be dangerous to health."

It does not appear likely that the applicant will establish that the warning sign proposed accomplishes the objective of the standard. For this reason, the request of an interim variance from paragraph (e) (4) is denied. See, however, the revision of the standard published in the FEDERAL REGISTER on this date.

(3) Paragraphs (e) (5), (6) and (10) are reporting requirements. No alternative reporting procedures have been proposed. Accordingly, the request of an interim variance from paragraphs (e) (5), (6) and (10) is denied.

(4) Paragraph (c) (2) provides that open-process vessels and open containers of a carcinogen are permitted only at container filling points and at points where the contents of containers are charged into process vessels, and only to the extent necessary to permit transfer of contents. The transfers are required to be under continuous local exhaust ventilation.

Paragraph (e) (1) (i) and (ii) requires that every employee engaged in an operation where there is a direct exposure to a carcinogen, such as cleanup of leaks or spills of a carcinogen, must be provided, and required to wear, a clean full impervious pressurized air-supplied suit.

Paragraph (e) (2) requires the establishment of decontamination processes to remove carcinogens on surfaces of equipment, materials, and the decontamination facility.

The applicant argues that so long as open-process vessels and open containers are located or handled under local exhaust ventilation adequate to keep dust and fumes out of the work area, the workplace is as safe and healthful as it would be if the use of open-process vessels and open containers were limited in accordance with paragraph (c) (2). The applicant further argues that the proposed cleanup procedure for removal of spills of the chemical in molten form, and the personal protective equipment proposed to be used in cases of exposure to dust and fumes, would afford substantially the same protection as would compliance with paragraph (e) (1) (i) and (ii), and (2).

The effect of paragraph (c) (2) is to eliminate the use of open-process vessels and open containers, except where transfer of contents must take place. Essentially, the applicant seeks permission to use open-vessel processes and open containers in cases outside the exception provided by the standard, but under the same condition of local exhaust ventilation which the standard recognizes as adequate where transfer of contents must take place. Finally, the substance of the application for a variance from paragraphs (e) (1) (i) and (ii) and (e) (2) is that the protective equipment proposed for cases of exposure to dust and fumes, and the proposed procedure for cleanup of spills of the molten chemical, would afford as much protection as strict compliance with paragraphs (e) (1) (i) and (ii), and (e) (2).

It is to be noted that § 1910.93c regulates exposure to 14 substances with possibly varying physical, chemical, and biological properties. It is further to be noted that the application for a variance is limited to exposure to 4,4'-Methylene (bis)-2-Chloroaniline.

It may be that the applicant will be able to show in the proceeding on the variance application that, in view of the specific properties of 4,4'-Methylene (bis)-2-Chloroaniline and of the uses

made of it in the work operations of its members, the equipment and procedures it proposes would assure as safe and healthful employment as would strict compliance with the standard. In view of this and of the short period covered by an interim order, and in order to prevent the extreme consequences which are alleged would result from strict compliance, it is ordered, pursuant to section 6(d) of the Williams-Steiger Occupational Safety and Health Act of 1970 and 29 CFR 1905.11(c), that each employer listed above be, and it is hereby, authorized to conduct the following work operations in accordance with the following conditions, means, equipment, and procedures, in lieu of complying with paragraphs (c) (2), (d), (e) (1) (i) and (ii), and (e) (2) of § 1910.93c:

(1) 4,4'-Methylene (bis)-2-Chloroaniline may be used only in clearly delineated areas which may be entered only by employees necessary to perform work. The areas must be designed so that negative air pressure will be constant during working hours. Open-process vessels and open containers of the carcinogen may be located and handled only in such an area and only under continuous local exhaust ventilation adequate to keep dust and fumes out of the atmosphere of the area;

(2) Each employee about to work in an area designated for open-process vessels or open containers of the carcinogen must be required, before entering the designated area, to put on and wear clean work area garments, impervious gloves and aprons, safety glasses, and appropriate head covering and footwear. At the end of the work operation or shift, whichever occurs first, each employee shall be required to remove and leave in the designated area all work garments and personal protective equipment, shower, and put on other clothes;

(3) In case a ventilation system in an area designated for open-process vessels or open containers of the carcinogen stops functioning or begins to function improperly, all employees working in the area must be evacuated from the area, and must be required to remove and leave in the designated area work area garments and personal protective equipment, shower, and put on other clothes. No employee, other than those engaged in repairing the system, may be allowed to return to the area until after it is ascertained that the ventilation system has been adjusted and does function properly, and has functioned properly for a time sufficient to draw off dust and vapors from the area. Any employee engaged in repairing the system shall be deemed exposed to dust and fumes, and the requirements of item (4) shall apply;

(4) Where exposure to dust or fumes of the carcinogen can reasonably be expected, each employee to be exposed shall be provided with, and required to wear, in addition to the ordinary work garments, impervious gloves, safety glasses, and appropriate head covering and footwear, coveralls of impervious material and an appropriate absorbent

cartridge face mask. At the end of the work operation or shift, whichever occurs first, each employee shall be required to remove and leave in the designated area all work garments and personal protective equipment, shower, and put on other clothes;

(5) In cases of significant spillage of the carcinogen in molten form, all employees in the area must be evacuated and must be required to remove and leave in the designated area all work garments and personal protective equipment, shower, and put on other clothes. No employee, other than those engaged in the cleanup of the spills, may be allowed to reenter the area until the molten material has been removed. Any employee engaged in the removal of the solidified material by breaking and sweeping, shall be deemed exposed to dust, and the requirements of item (4) shall apply;

(6) Every employee working in an area designated for open-process vessels or open containers shall be required to wash hands and face before smoking, eating, or drinking; and

(7) As soon as possible each employer listed above shall give notice to all its affected employees of the terms of this interim order by the same means required to inform them of the application for variance.

Effective date. This interim order shall be effective as of July 27, 1973, and shall remain in effect until a decision is rendered on the application for a variance.

Signed at Washington, D.C., this 24th day of July, 1973.

JOHN STENDER,
Assistant Secretary of Labor.

[FR Doc. 73-15511 Filed 7-26-73; 8:45 am]

RHODE ISLAND DEVELOPMENTAL PLAN

Submission of Plan and Availability

1. *Submission and description of plan.* Pursuant to section 18 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667) and § 1902.11 of the Title 29, Code of Federal Regulations, notice is hereby given that an occupational safety and health plan for the State of Rhode Island has been submitted to the Assistant Secretary of Labor for Occupational Safety and Health. The Assistant Secretary has preliminarily reviewed the Plan and hereby gives notice that the question of approval of the plan is in issue before him.

The Plan designates the Rhode Island Department of Labor as the agency responsible for administering and enforcing the Plan throughout the State. In addition, the Rhode Island Department of Health will perform certain duties relating to health and report to the Director of Labor. The Plan defines the covered occupational safety and health issues as defined by the Secretary of Labor in 29 CFR 1902.2(c) (1). Initially occupational safety and health standards promulgated by the U.S. Secretary of Labor are adopted under the Plan, except

29 CFR Parts 1915, 1916, 1917, 1918, and 1926.

The Plan includes enabling legislation enacted by the Rhode Island legislature during its January 1973 session to bring the Plan into conformity with the requirements of Part 1902. Under the legislation, the Department of Labor has the statutory authority to implement an occupational safety and health plan modeled after the Federal Act. It provides for the coverage of all employees within the State, including employees of State agencies and municipalities.

There are provisions within the legislation granting the Director of Labor the authority to inspect workplaces and to issue citations for violations and their abatement and there is included a prohibition against advance notice of any such inspection. The legislation is also intended to insure employer and employee representatives the opportunity to accompany inspectors and to call attention to possible violations; to insure notification of employees or their representatives where no compliance action is taken as a result of alleged violations; to insure protection of employees against discrimination in terms and conditions of employment; and to insure adequate safeguards to protect trade secrets. There is provision made for the prompt restraint of imminent danger situations and a system of penalties for violations of the proposed legislation.

The legislation sets forth the general authority and scope for implementing the Rhode Island Plan. The Plan includes amended safety legislation; adopted federal standards as state occupational safety and health codes; adopted regulations concerning notification of employees of decisions of compliance action of the State, the appointment of a State Occupational Safety and Health Review Board, employee protections and obligations, a voluntary compliance program, a State Compliance Procedure Manual, the implementation of coverage of State and local government employees, the procedures on employee discrimination, the Review Board procedures, the completion of staffing and training of personnel, and employer recordkeeping and reporting procedures under 29 CFR Part 1904.

The legislation has been accompanied by a statement of the Governor's support for it and an opinion that it meets the requirements of the Occupational Safety and Health Act of 1970 and is consistent with the constitution and other laws of the State.

2. *Location of plan for inspection and copying.* A copy of the Plan may be inspected and copied during normal business hours at the following locations: Office of Federal and State Operations, Occupational Safety and Health Administration, Room 305, 400 First Street, N.W., Washington, D.C. 20210; Regional Administration, Occupational Safety and Health Administration, Fifth Floor, 18 Oliver Street, Boston, Massachusetts 02110, and the Rhode Island State Department of Labor Division of Occupational Safety, 235 Promenade Street, Providence, Rhode Island 02903.

[Notice 73-57]

2 August 1973

NASA AD HOC COMMITTEE FOR THE EVALUATION OF THE APOLLO-SOYUZ TEST PROGRAM EXPERIMENT PROPOSALS

Notice of Meeting

The NASA Ad Hoc Committee for the Evaluation of the Apollo-Soyuz Test Program (ASTP) Experiment Proposals will meet in Houston 31 July 1973 to 2 August 1973. The meeting will be held at the Johnson Space Center, on the first floor of Building 29. The meeting will be concerned with a scientific and technical evaluation of flight proposals for the ASTP mission, which is currently scheduled for flight in 1975. Since much of the Committee discussions will be used by NASA as an aid in the subsequent contractor selection process, attendance will be limited to committee members, project officials, and a list of proposers invited for interviews by the Chairman. Those proposers who are invited may enter the Johnson Space Center via the main gate (on NASA Road 1, Clear Lake, Texas). They will be directed to the Visitor Reception Building, where they may obtain a pass to visit Building 29 after identifying themselves.

The Ad Hoc Committee for the Evaluation of the Apollo-Soyuz Test Program Experiment Proposals was established by the NASA Administrator for the purpose of advising NASA on the scientific merit and technical feasibility of proposals submitted in response to the Administrator's general letter of 29 June 1973 soliciting science and applications proposals for experiments on the ASTP flight. The Chairman of the Committee is Dr. Alois W. Schardt, NASA Headquarters, Washington, DC 20546. The Executive Secretary is Dr. Lawrence D. Kavanagh, Jr., also of NASA Headquarters. There are approximately fifteen other members on the Committee. Questions may be directed to Dr. Kavanagh, telephone (202) 755-3685.

The agenda for the meeting is as follows:

31 JULY 1973

Time	Topic
9:00 am-10:00 am	Orientation (The Chairman will explain the evaluation procedure to be used, and proposals will be distributed to Committee members).
10:00 am-5:00 pm	Subgroup Discussions (The Committee will be divided into several subgroups according to areas of expertise. Rest of day will be devoted to subgroups reading and informally discussing proposals).

1 August 1973

9:00 am-5:00 pm	Proposer Interviews (Individual proposers who have been invited to this session will be interviewed by Committee members and questioned on various aspects of their proposals).
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Time	Topic
9:00 am-12 Noon	Proposal Categorizations (Committee as a whole will vote a specific evaluation on each proposal).
1:00 pm-5:00 pm	Payload Recommendations (Proposals which have received high evaluations will be grouped into attractive payload combinations for consideration in final NASA selection).
5:00 pm	Adjourn.

HOMER E. NEWELL,
Associate Administrator, National Aeronautics and Space Administration.

JULY 25, 1973.

[FR Doc.73-15644 Filed 7-26-73;8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice 306]

ASSIGNMENT OF HEARINGS

JULY 24, 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 121499 Sub 6, William Hayes Lines, Inc., now being assigned hearing September 17, 1973 (1 week), at Atlanta, Ga., in a hearing room to be later designated.

MC-F-11726, Estes Express Lines—Purchase (Portion)—Johnson's Express, Inc. (O. Tracy Parks, III, Trustee), and MC-F-11727, Boyd Brothers Transportation Co., Inc.—Purchase (Portion)—Johnson's Express, Inc. (O. Tracy Parks, III, Trustee), now being assigned hearing September 24, 1973, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 119777 Sub 245, Ligon Specialized Hauler, Inc., now being assigned hearing September 25, 1973, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 48213 Sub 34, C. E. Lizza, Inc., now being assigned hearing September 26, 1973, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 55889 Sub 40, Cooper Transfer Co., Inc., is continued to August 13, 1973, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC-50862 Sub 6, White Circle Line, Inc., now assigned September 10, 1973, will be held in Room 1112, John F. Kennedy Bldg., Government Center, Boston, Mass.

MC-F-11677, Brush Hill Transportation Co.—Purchase (Portion)—Union Street Railway Co., now assigned September 12, 1973, will be held in Room 1112, John F. Kennedy Bldg., Government Center, Boston, Mass.

3. Public participation. Interested persons are hereby given until August 27, 1973, to submit to the Assistant Secretary written data, views, and arguments concerning the Plan. The submissions are to be addressed to the Director, Office of Federal and State Operations, Room 305, 400 First Street, N.W., Washington, D.C. 20210. The written comments will be available for public inspection and copying at the above address.

Any interested person(s) may request an informal hearing concerning the proposed plan, or any part thereof, whenever particularized written objections thereto are filed by August 27, 1973. If the Assistant Secretary finds that substantial objections are filed, he shall hold a formal or informal hearing on the subjects and issues involved.

The Assistant Secretary for Occupational Safety and Health shall thereafter consider all relevant comments and arguments presented and issue his decision as to approval or disapproval of the Plan.

Signed at Washington, D.C. this 21st day of July, 1973.

JOHN STENDER,
Assistant Secretary of Labor.

[FR Doc.73-15490 Filed 7-26-73;8:45 am]

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 73-56]

ADVISORY COMMITTEES

Notice of Establishment

Pursuant to section 9(a)(2) of the Federal Advisory Committee Act (Public Law 92-463), and after consultation with the Office of Management and Budget, I have determined that the establishment of the following four advisory groups is in the public interest in connection with the duties imposed upon NASA by law:

1. Ad Hoc Synthesis Review Panel for the Evaluation of Lunar Data Analysis and Synthesis Proposals.
2. Ad Hoc Subcommittee for the Evaluation of Possible Sites for the NASA Large Aperture Ground-Based Infrared Telescope.
3. Ad Hoc Subcommittee for the Review of the Investigations on the Second and Third High Energy Astronomy Observatory (HEAO) Missions.
4. Ad Hoc Committee for the Evaluation of the Apollo-Soyuz Test Program (ASTP) Experiment Proposals.

The function of these advisory groups is to obtain the advice of the scientific and technical community on proposals in the specialized areas identified by the name of the group.

Dated: July 25, 1973.

JAMES C. FLETCHER,
Administrator, National Aeronautics and Space Administration.

[FR Doc.73-15643 Filed 7-26-73;8:45 am]

FD-27401. Coastal Industries, Inc., & MC-F-11748, Coastal Industries, Inc.—Control—P. B. Mutrie Motor Transportation, Inc., now assigned September 17, 1973, will be held in Room 1112, John F. Kennedy Bldg., Government Center, Boston, Mass. MC 134922 Sub 41, B. J. McAdams, Inc., now being assigned hearing September 10, 1973 (1 day), at Dallas, Tex., in a hearing room to be later designated.

MC-C-8096, The Squaw Transit Company—Investigation and Revocation of Certificates—, now being assigned hearing September 11, 1973 (2 days), at Dallas, Tex., in a hearing room to be later designated. MC-P-11866, Mid-States Trucking Co.—Control and Merger—(A) Govan Express, Inc., and (B) Denton Produce, Inc., now being assigned hearing September 13, 1973 (2 days), at Dallas, Tex., in a hearing room to be later designated.

No. W-536 Sub 13, Hennepin Towing Company, now being assigned hearing September 17, 1973 (1 week), at New Orleans, La., in a hearing room to be later designated.

MC-1977 Sub 15, Northwest Transport Service, Inc., is continued to September 10, 1973 (4 weeks), at the Strater Hotel, 7th and Main Street, Durango, Colo.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.73-15491 Filed 7-26-73; 8:45 am]

FOURTH SECTION APPLICATIONS FOR RELIEF

JULY 24, 1973.

An application, as summarized below, has been filed requesting relief from the requirements of section 4 of the Interstate Commerce Act to permit common carriers named or described in the application to maintain higher rates and charges at intermediate points than those sought to be established at more distant points.

Protests to the granting of an application must be prepared in accordance with Rule 1100.40 of the General Rules of Practice (49 CFR 1100.40) and filed within 15 days from the date of publication of this notice in the Federal Register.

FSA No. 42717—*Joint Water-Rail Container Rates—Zim Israel Navigation Co., Ltd.* Filed by Zim Israel Navigation Co., Ltd., (No. 3), for itself and interested rail carriers. Rates on general commodities, from rail stations on the West Coast, to ports in the United Kingdom, Ireland, Scandinavia, Continental Europe and Mediterranean Sea.

Grounds for relief—Water competition.

Tariff—Zim Israel Navigation Co., Ltd., I.C.C. No. 2, F.M.C. No. 22. Rates are published to become effective on August 20, 1973.

FSA No. 42718—*Sand from Brady, Texas.* Filed by Southwestern Freight Bureau, Agent, (No. B-423), for interested rail carriers. Rates on sand, NOIBN, in carloads, as described in the application, from Brady, Texas, to Cortland, Ohio.

Grounds for relief—Rate relationship.

Tariff—Supplement 191 to Southwestern Freight Bureau, Agent, tariff 162-X,

I.C.C. No. 4797. Rates are published to become effective on September 1, 1973.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.73-15495 Filed 7-26-73; 8:45 am]

[Ex Parte No. MC-43]

K&W BOAT TRANSPORT INC. AND MARINE MOTOR TRANSPORT INC.

Lease and Interchange of Vehicles by Motor Carriers

At a session of the Interstate Commerce Commission, Motor Carrier Leasing Board, held at its office in Washington D.C. on the 20th day of July, 1973.

It appearing, that petition has been filed by the K & W Boat Transport, Inc. (MC-108169) and Marine Motor Transport, Inc. (MC-115658) under common control, for waiver of paragraphs (a) (3) and (c) § 1057.4 of the Lease and Interchange of Vehicle Regulations (49 CFR 1057) concerning equipment leased between petitioners;

It further appearing, that petitioners cooperatively and jointly apply the same standards of inspection and maintenance to equipment in accordance with the safety regulations of the U.S. Department of Transportation;

It further appearing, that the U.S. Department of Transportation reports that until such time as there is more substantive data received in which to constitute a sound basis for evaluation of petitioners' safety compliance, the U.S. Department of Transportation has no alternative but to recommend that approval of the petition with respect to waiver of the requirements of paragraphs (c) of § 1057.4 be granted.

It is ordered, That waiver of the requirements of paragraphs (a) (3) and (c) of § 1057.4 be, and it is hereby granted, provided that the equipment is inspected on the day it is to be leased and found to meet the requirements of the safety regulations of the U.S. Department of Transportation and that petitioners remain in satisfactory compliance with those regulations and under common control.

By the Commission, Motor Carrier Leasing Board.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.73-15493 Filed 7-26-73; 8:45 am]

[Notice 320]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

Synopses of orders entered by the Motor Carrier Board of the Commission pursuant to sections 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

Each application (except as otherwise specifically noted) filed after March 27,

1972, contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application. As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings on or before August 16, 1973. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-74447. By order of July 18, 1973, Motor Carrier Board approved the transfer to Backhaus Garage, Inc., 205 4th Avenue, St. Nazianz, Wis., 54232, of Certificate of Registration No. MC-97757 (Sub-No. 1) issued June 10, 1964, to Joseph Backhaus, 205 4th Avenue, St. Nazianz, Wis. 54232, evidencing a right to engage in transportation in interstate commerce as described in certificate No. CC-247, dated September 5, 1935, issued by the Public Service Commission of Wisconsin.

No. MC-FC-74490. By order of July 16, 1973, the Motor Carrier Board approved the transfer to Frick Transfer, Inc., R.D. 2, Bushkill Drive, Easton, Pa. 18047, of a portion of the operating rights set forth in Certificate No. MC-1344 issued May 3, 1966, to Union Transfer of Allentown, Pa., R.D. 2, Bushkill Drive, Easton, Pa., authorizing the transportation of contractors' equipment and machinery, between Allentown, Pa., on the one hand, and, on the other, New York, N.Y., and points in New Jersey within 50 miles of Allentown.

No. MC-FC-74550. By order of July 20, 1973, the Motor Carrier Board approved the transfer to Glueck Trucking Co., Inc., West New York, New Jersey, of Certificate No. MC 38880, issued April 21, 1960, to Francis G. Flynn, Doing Business as Glueck Trucking Co., West New York, New Jersey, authorizing the transportation of cork, from New York, N.Y., to Newark, N.J.; mica, from New York, N.Y., to South Plainfield, N.J.; generators, transformers, regulators, machinery and electrical equipment, between New York, N.Y., on the one hand, and, on the other, points in New York and New Jersey, within 50 miles of New York, N.Y.; and furniture (church, school, theatre and laboratory furniture) and laboratory equipment, between points in New York and New Jersey, within 50 miles of New York, N.Y. including New York, N.Y. Robert B. Pepper, 168 Woodbridge Avenue, Highland Park, New Jersey 08904 representative for applicants.

No. MC-FC-74571. By order of July 18, 1973, the Motor Carrier Board approved the transfer to J-V Inc., 9832 Tonya Drive, Sandy, Utah 84070, of Permit No. MC 134701 (Sub No. 2) issued to Robert Withers, dba Robert Withers Trucking, Maywood, Calif., authorizing the transportation of: Bananas, and agricultural

commodities subject to certain conditions and restrictions, from points in California and Arizona to Ports of Entry on the U.S.-Canadian Boundary Line, located at or near Sweetgrass, Mont.

No. MC-FC-74583. By order of July 20, 1973, the Motor Carrier Board approved the transfer to William P. Bowman, D/B/A Bowman's Bus Service, Milford, Del., of Certificate No. MC-107367 issued May 28, 1948, to Carlos E. Streets, Millsboro, Del., authorizing the transportation of passengers and their baggage in the same vehicle with passengers, in round-trip charter operations, beginning and ending at points in Sussex County, Del., and extending to points in Md., N.J., N.Y., Pa., Va., and D.C. Chester A. Zyblut, 1522 K Street, N.W., Washington, D.C. 20005 Attorney for applicants.

No. MC-FC-74591. By order entered July 18, 1973, the Motor Carrier Board approved the transfer to Command Deliveries, Inc., Columbia, Md., of the operating rights set forth in Permit No. MC-126503 (Sub-No. 2), issued July 18, 1968, to Willard E. Lawrence and Thomas W. Lawrence II, Arlington, Va., authorizing the transportation of photographic equipment and supplies, such commodities as are usually sold by wholesale dealers in drugs and drugstore supplies, bedding, towels, hosiery, handwear, clothing and clothing accessories, and returned shipments of the above-specified commodities, from and to Washington, D.C., and specified points and places in Maryland and Virginia, under contract with specified shippers. Daniel B. Johnson, 716 Perpetual Building, 1111 E Street, N.W., Washington, D.C. 20004

No. MC-FC-74610. By order entered July 20, 1973, the Motor Carrier Board approved the transfer to Warth Express, Inc., Bricktown, N.J., of that portion of the operating rights set forth in Certificate No. MC-85233 (Sub-No. 4), issued January 17, 1968, to Metro Carrier Corp., Clifton, N.J., authorizing the transportation of general commodities, with the usual exceptions, between New York, N.Y., on the one hand, and, on the other, Belmar, N.J. George A. Olsen, 69 Tonnele Ave., Jersey City, N.J. 07306, representative for applicants.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc. 73-15496 Filed 7-26-73; 8:45 am]

[Notice 100]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JULY 23, 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 1131) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 17051 (Sub-No. 13 TA) filed May 29, 1973 Applicant: BARNET'S EXPRESS, INC. 758 Lidgerwood Avenue Mail: P.O. Box 111 Elizabethport Station Elizabeth, N.J. 07202 Applicant's representative: George A. Olsen 69 Tonnele Avenue Jersey City, N.J. 07306 Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Wearing apparel, on hangers and equipment, materials and supplies used in the manufacture and sale of wearing apparel, (1) between the facilities of Cooper Sportswear Manufacturing Co., Inc., at Fall River, Mass.; Carteret, Perth Amboy, and Newark, N.J.; New York, N.Y.; Johnstown, N.Y.; Athens, Tenn.; Salisbury, N.C.; Brunswick, Ga.; East Rockingham, N.C.; and Gordo, Ala., (2) between the facilities of Polskin, Inc., at Plainfield, N.J.; Argyle, Ga.; York, S.C.; West Point and Nichols, Ga.; (3) between the facilities of Pollak Leather, Inc., at Newburgh, New York, Johnstown, and Gloversville, N.Y.; East Douglas, Mass.; Providence, R.I.; Corinna, Maine, points in New Jersey, Richmond, Va.; Waynesboro and Duluth, Ga.; and Chicago, Ill. and (4) between the facilities of Excelled Sheepskin & Leather Coat Co., Inc., Somerset, N.J.; New York, N.Y.; Athens, Tenn. and Chatham, Va., for 180 days. SUPPORTING SHIPPERS: Polskin, Inc., 1112 North Ave., P.O. Box 2769, Plainfield, N.J. 07062; Excelled Leather Coat Co., 55 School Ave., Somerset, N.J. 08873; Cooper Sportswear Manufacturing Company, Inc., 720 Frelinghuysen Ave., Newark, N.J. 07114; and Pollak Leather, Inc., 390 Fifth Ave., Suite 612, New York, N.Y. 10018. SEND PROTESTS TO: District Supervisor Robert E. Johnson, Bureau of Operations, Interstate Commerce Commission, 970 Broad St., Newark, N.J. 07102.*

No. MC 20992 (Sub-No. 28 TA) filed July 9, 1973 Applicant: DOTSETH TRUCK LINE, INC. Knapp, Wis. 54749 Applicant's representative: Robert G. Planansky 605 S. 14th Street Lincoln, Nebr. 68501 Authority sought to operate

as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Agricultural machinery, equipment and implements;* (2) *loaders and attachments;* and (3) *parts, accessories and attachments of or for commodities described in parts (1) and (2) moving independently thereof or in connection therewith, from Madison, S. Dak., to points in Montana, Wyoming, North Dakota, South Dakota, Nebraska, Kansas, Minnesota, Iowa, Missouri, Wisconsin, Illinois, Michigan, Indiana, Ohio, Kentucky, New York, Pennsylvania, West Virginia, Virginia, Maryland, Vermont, New Hampshire, Maine, Massachusetts, Connecticut, New Jersey and Delaware, for 180 days. SUPPORTING SHIPPER: The Gehl Company, 143 Water St., West Bend, Wis. 53095. SEND PROTESTS TO: District Supervisor Raymond T. Jones, Interstate Commerce Commission, Bureau of Operations, 448 Federal Bldg., 110 S. 4th St. Minneapolis, Minn. 55401.*

No. MC 64932 (Sub-No. 517 TA) filed July 13, 1973 Applicant: ROGERS CARTAGE CO. 10735 South Cicero Avenue Oak Lawn, Ill. 60453 Applicant's representative: William F. Farrell (same address as above) Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: (A) *Liquid chemicals, in bulk, from South Bend, Ind., to points in Ohio, Illinois, Michigan, and Wisconsin, and (B) acid waste, in bulk, from Clinton, Ind., to Toledo, Ohio, for 90 days. SUPPORTING SHIPPER: Mr. R. J. Persyn, Traffic Manager, Inland Chemical Corporation, 1810 Magnavox Way, Fort Wayne, Ind. 46804. SEND PROTESTS TO: Robert G. Anderson, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Everett McKinley Dirksen Building, 219 So. Dearborn, Rm. 1086, Chicago, Ill. 60604.*

No. MC 82841 (Sub-No. 124 TA) filed July 13, 1973. Applicant: HUNT TRANSPORTATION, INC., 10770 "I" Street, Omaha, Nebr. 68127. Application's representative: Donald L. Stern, 530 Univac Building, 7100 W. Center Road, Omaha, Nebr. 68106. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Trailers used to transport recreational vehicles, and parts, from Lenox, Iowa, to points in Maine, Connecticut, Vermont, New York, Michigan, Wisconsin, Minnesota, Colorado, and Montana, for 180 days. SUPPORTING SHIPPER: Hoover Bell & Bearing—Lenox Division, James J. Lehmann, Gen. Mgr., Dallas & Walnut Sts., Lenox, Iowa 50851. SEND PROTESTS TO: District Supervisor Carroll Russell, Bureau of Operations, Interstate Commerce Commission, 711 Federal Office Building, Omaha, Nebr. 68102.*

No. MC 108449 (Sub-No. 357 TA) filed July 9, 1973 Applicant: INDIANHEAD TRUCK LINE, INC. 1947 West County Road "C" St. Paul, Minn. 55113. Applicant's representative: W. A. Mylenbeck (same address as above). Authority

sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gasoline and fuel oils*, in bulk, in tank vehicles, from Minneapolis and St. Paul, Minn., to points in Minnesota, restricted to shipments having a prior movement by rail, for 180 days. SUPPORTING SHIPPER: Oskey Gasoline & Oil Co. Inc., 2950 Metro Drive, Minneapolis, Minn. SEND PROTESTS TO: District Supervisor Raymond T. Jones, Interstate Commerce Commission, Bureau of Operations, 448 Federal Bldg., 110 S. 4th Street, Minneapolis, Minn. 55401.

No. MC 111170 (Sub-No. 206 TA) filed July 11, 1973 Applicant: WHEELING PIPE LINE, INC. P.O. Box 1718 El Dorado, Ark. 71730 Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ground slate*, in bulk, from Bryant, Ark., to Lone Star, Tex., for 180 days. SUPPORTING SHIPPER: Reilly Tar & Chemical Corporation, 1615 Merchants Bank Building, Indianapolis, Ind. 46204. SEND PROTESTS TO: District Supervisor William H. Land, Jr., 2519 Federal Office Building, 700 West Capitol, Bureau of Operations, Interstate Commerce Commission, Little Rock, Ark. 72201.

No. MC 119441 (Sub-No. 36 TA) filed July 10, 1973 Applicant: BAKER HI-WAY EXPRESS, INC. Box 484 Dover, Ohio 44622 Applicant's representative: Richard Brandon 79 E. State Street Columbus, Ohio 43215 Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Rubbish and trash compactors and containers* for compacted rubbish and trash, from Sugar Creek, Ohio, to Lumberton, N.C.; Athens, Ga.; Macon, Ga.; Milwaukee, Wis.; and Rochester, N.Y., for 180 days. SUPPORTING SHIPPER: Uhrden, Inc., Sugar Creek, Ohio 44681. SEND PROTESTS TO: District Supervisor Frank L. Calvary, Interstate Commerce Commission, Bureau of Operations, 255 Federal Building & U.S. Courthouse, 85 Marconi Boulevard, Columbus, Ohio 43215.

No. MC 123048 (Sub-No. 264 TA) filed July 11, 1973. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., 1919 Hamilton Avenue, P.O. Box A (Box ZIP 53401), Racine, Wis. 53403. Applicant's representative: Carl S. Pope (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tractors* (except truck tractors), *tractor parts and attachments thereof*, from Romeo, Mich., to points in Arizona, California, Idaho, Montana, Nevada, Oregon, Utah and Washington, for 180 days. SUPPORTING SHIPPER: Ford Motor Company, Tractor Operations Corporation, 2500 East Maple Road, Troy, Mich. 48064 (Charles K. Crawford, Senior Analyst Transportation & Traffic Department). SEND PROTESTS TO: District Supervisor John E. Ryden, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street—Room 807, Milwaukee, Wis. 53203.

No. MC 125293 (Sub-No. 8 TA) filed July 12, 1973. Applicant: INDUSTRIAL CONTRACT CARRIERS, INC., 1828 N.W. Raleigh, Portland, Ore. 97209. Applicant's representative: George R. LaBissoniere, Suite 101, 130 Andover Park East, Seattle, Wash. 98188. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Canned fruits and vegetables*, between Portland, Ore. and/or Vancouver, Wash., and Los Angeles County and San Francisco Bay area, Calif., and Seattle and Tacoma, Wash., and their commercial zones, for 180 days. SUPPORTING SHIPPER: Northwest Packing Company, 440 N. Columbia Blvd., P.O. Box 1126, Portland, Ore. 97211. SEND PROTESTS TO: District Supervisor A. E. Odoms, Bureau of Operations, Interstate Commerce Commission, 450 Multnomah Bldg., 319 S.W. Pine, Portland, Ore. 97204.

No. MC 125985 (Sub-No. 16 TA) filed July 13, 1973 Applicant: AUTO DRIVE-WAY COMPANY 343 South Dearborn Street Chicago, Ill. 60604 Applicant's representative: John F. Sohl (same address as above) Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Motor homes* by driveway, between points in Alabama, Florida, Georgia, Iowa, Illinois, Indiana, Kentucky, Michigan, Minnesota, Missouri, North Carolina, North Dakota, Ohio, South Carolina, South Dakota, Tennessee, Virginia, West Virginia and Wisconsin, for 180 days. SUPPORTING SHIPPERS: Mr. Robert B. Brown, Sales Manager, Tioga Industries of Indiana, Inc., 1420 W. Peterson St., Decatur, Ind. 46733 and Mr. Paul Saalfeld, Sales Manager, Pace Arrow of Indiana, Inc., 1410 Paterson St., Decatur, Ind. 46733. SEND PROTESTS TO: William J. Gray, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations, 219 South Dearborn St., Room 1086, Chicago, Ill. 60604.

No. MC 125985 (Sub-No. 17 TA) filed July 13, 1973 Applicant: AUTO DRIVE-WAY COMPANY 343 South Dearborn Street Chicago, Ill. 60604. Applicant's representative: John F. Hohl (same address as above) Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Motor homes* by driveway service, between points in Northumberland County, Pa., on the one hand, and, on the other, points in the United States, for 180 days. SUPPORTING SHIPPER: Mr. Marshall F. Crisran, Sales Manager, Pace-Arrow of Pennsylvania, Inc., Paxinos, Pa. SEND PROTESTS TO: William J. Gray, Jr., District Supervisor, Bureau of Operations, Interstate Commerce Commission, 219 South Dearborn St., Room 1086, Chicago, Ill. 60604.

No. MC 128383 (Sub-No. 35 TA) filed July 13, 1973 Applicant: PINTO TRUCKING SERVICE, INC. 1414 Calcon Hook Road Sharon Hill, Pa. 19079 Applicant's representative: Gerald K. Gimmel 666 Eleventh St., N.W. Washington, D.C.

20001 Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except commodities in bulk and except motor vehicles requiring the use of special equipment), between Chicago O'Hare International Airport, at or near Chicago, Ill.; Kansas City International Airport, at or near Kansas City, Mo.; Minneapolis-St. Paul International Airport, at or near Minneapolis-St. Paul, Minn.; Metropolitan International Airport, at or near Detroit, Mich.; and Cleveland Hopkins International Airport at or near Cleveland, Ohio, restricted to the transportation of traffic having a prior or subsequent movement by air or moving in a substitute for air service, for 180 days. SUPPORTING SHIPPERS: Skyline Airfreight, 1511 Carmen Dr., Elk Grove, Ill. 60007; Five Star Air Freight Corp., 3rd & Governor Printz Blvd., Lester, Pa. 19113; Airlift International, Inc., P.O. Box 535, Miami, Fla. 33148; Mercury International Organization, 7 Rue Bourdard-Lefure-92600 Asnieres, France; USAIR Freight, Inc., P.O. Box 66308, O'Hare International Airport, Chicago, Ill. 60666; and Bor-Air Freight Co., Inc., 351 West 38th St., New York, N.Y. 10018. SEND PROTESTS TO: Peter R. Guman, District Supervisor, Bureau of Operations, Interstate Commerce Commission, William J. Green, Jr. Federal Bldg., 600 Arch St., Room 3238, Philadelphia, Pa. 19106.

No. MC 128988 (Sub-No. 24 TA) filed July 9, 1973 Applicant: JO/KEL, INC. P.O. Box 1249 15055 E. Salt Lake Ave. City of Industry, Calif. 91749 Applicant's representative: Patrick E. Quinn 605 South 14th Street P.O. Box 82028 Lincoln, Nebr. 68501 Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* dealt in by manufacturers or distributors of electric and electronic products and devices, and equipment, materials and supplies used in the manufacture, sale and distribution thereof, from the warehouse and distribution center of Westinghouse Electric Corporation at or near Irwin, Pa., to points in Arizona, California, Nevada, Oregon and Washington, for 180 days. RESTRICTIONS: Restricted to a transportation service to be performed under a continuing contract or contracts with Westinghouse Electric Corporation of Pittsburgh, Pa. Note: Applicant will interline shipments at points on the West Coast for furtherance to Alaska and Hawaii. SUPPORTING SHIPPER: Westinghouse Electric Corporation, RD #5 Leger Road, Irwin, Pa. 15642. SEND PROTESTS TO: Walter W. Strakosch, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 7708 Federal Bldg., 300 North Los Angeles St., Los Angeles, Calif. 90012.

No. MC 129516 (Sub-No. 18 TA) filed July 13, 1973 Applicant: PATTONS, INC. 2300 Canyon Road Ellensburg, Wash. 98926 Applicant's representative: James T. Johnson 1610 IBM Building Seattle,

Wash. 98101 Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pulverized wood fiber*, from Bellingham, Wash., to points in California, Nevada, Arizona, Utah, Nebraska and Montana, for 180 days. **SUPPORTING SHIPPER:** Georgia-Pacific Corporation, Bellingham Division, P.O. Box 1236, Bellingham, Wash. 98225. **SEND PROTESTS TO:** District Supervisor W. J. Huetig, Bureau of Operations, Interstate Commerce Commission, 450 Multnomah Bldg., 319 SW Pine St., Portland, Oreg. 97204.

No. MC 135942 (Sub-No. 3 TA) filed July 12, 1973 Applicant: MAX BRONES doing business as BRONES LIVESTOCK Joice, Iowa 50446 Applicant's representative: Clayton L. Wornson 824 Brick & Tile Building Mason City, Iowa 50401 Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Corrugated plastic drainage tubing*, from Lake Mills, Iowa, to points in Michigan and (2) *materials, equipment, and supplies used in the manufacture, distribution, and installation of corrugated plastic drainage tubing (except commodities in bulk)*, from points in Michigan, to Lake Mills, Iowa, for 180 days. **SUPPORTING SHIPPER:** Certain-Teed/Daymond Co., Suite 150, 230 Colingwood, Ann Arbor, Mich. 48103. **SEND PROTESTS TO:** Herbert W. Allen, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 138595 (Sub-No 1 TA) filed July 10, 1973 Applicant: ROBERT RID-
DIOUGH R.D. 3 Smithville, Ontario, Canada Applicant's representative: Lauren D. Rachlin 1212 Genesee Building Buffalo, N.Y. 14202 Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Scrap metal*, between the International Boundary line between the United States and Canada on the Niagara River and points in Erie and Niagara Counties,

N.Y., for 150 days. **SUPPORTING SHIPPER:** I. Waxman & Sons Limited, 75 Windermere Road, Hamilton, Ontario, Canada L8H 7M8. **SEND PROTESTS TO:** George M. Parker, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 612 Federal Building, 111 West Huron Street, Buffalo, N.Y. 14202.

No. MC 138890 (Sub-No. 1 TA) filed July 3, 1973 Applicant: MOODIE, INC. 301 Acorn Street Stevens Point, Wis. 54481 Applicant's representative: Michael J. Wyngaard 329 W. Wilson Street Madison, Wis. 53703 Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen and processed potatoes and frozen and processed potato products and advertising materials, equipment, and supplies*, from points in Portage County, Wis., to points in Minnesota, Wisconsin, Iowa, Illinois, Indiana, Kansas, Kentucky, Tennessee, Michigan, New York, Missouri, Pennsylvania, West Virginia, Virginia, Maryland, and Washington, D.C., for 180 days. **SUPPORTING SHIPPER:** Okray's Ltd., 3000 Welsby Avenue, Stevens Point, Wis. 54481. **SEND PROTESTS TO:** Barney L. Hardin, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 139 W. Wilson Street, Room 202, Madison, Wis. 53703.

No. MC 138903 (Sub-No. 1 TA) filed July 13, 1973 Applicant: DELBERT HOUSER 432 N. Turnpike Road Dalton, Pa. 18414 Applicant's representative: Kenneth R. Davis 999 Union Street Taylor, Pa. 18517 Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mobile homes and travel trailers*, from Harrisburg and Wilkes-Barre, Pa., and Elmira, N.Y., to points in Mississippi, Louisiana, Ohio, Missouri, Illinois, Arkansas, Tennessee, Michigan and Kentucky, for 150 days. **RESTRICTION:** Restricted to traffic moving to disaster areas designated by the U.S. Government. **SUPPORTING SHIPPER:** U.S. Depart-

ment of Housing and Urban Development, Washington, D.C. **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 138905 TA filed July 3, 1973 Applicant: R. & L. TRANSPORT, INC. Bellevue, Mo. 63623 Applicant's representative: Thomas P. Rose Jefferson Building P.O. Box 205 Jefferson City, Mo. 65101 Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and lumber products, including pallet parts*, from points in Dent, Iron, Reynolds, and St. Francois Counties, Mo., to points in Delaware, Illinois, Iowa, Indiana, Maryland, Michigan, Ohio, Minnesota, Pennsylvania, and Wisconsin, for 180 days. **SUPPORTING SHIPPER:** Ozark Oak Flooring Co. Inc., Bismarck, Mo. 63624. **SEND PROTESTS TO:** District Supervisor J. P. Werthmann, Bureau of Operations, Interstate Commerce Commission, 210 N. 12th Street, Room 1465, St. Louis, Mo. 63101.

No. MC 138907 TA filed July 13, 1973 Applicant: MORIS WEBSTER AND RODNEY WEBSTER doing business as WEBSTER BROTHERS St. Vincent, Minn. 56755 Applicant's representative: Andrew R. Clark 1000 First National Bank Bldg. Minneapolis, Minn. 55402 Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Soybean meal*, from Dawson and Mankato, Minn., to points on the United States-Canadian Boundary in Minnesota, for 180 days. **SUPPORTING SHIPPER:** L. V. Patterson Ltd., 215 Panet Road, Winnipeg, Manitoba, Canada. **SEND PROTESTS TO:** J. H. Ambbs, District Supervisor, Bureau of Operations, Interstate Commerce Commission, P.O. Box 2340, Fargo, N. Dak. 58102.

By The Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.73-15497 Filed 7-26-73; 8:45 am]

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148	17841		25	19222		PROPOSED RULES:		
154	20076		3540	18883		61	18256	
156	18877, 19041		PROPOSED RULES:			64	18908	
164	19041, 19911		3000	19748		73	18256,	
171	18878		3200	19748		18564, 18688, 18689, 18915, 19843,		
PUBLIC LAND ORDERS:			4110	19914		19915		
1985 (revoked in part by PLO			PUBLIC LAND ORDERS:			83	18256	
5359)	20082		1985 (revoked in part by PLO					
5173 (amended by PLO 5321)	19911		5359)					

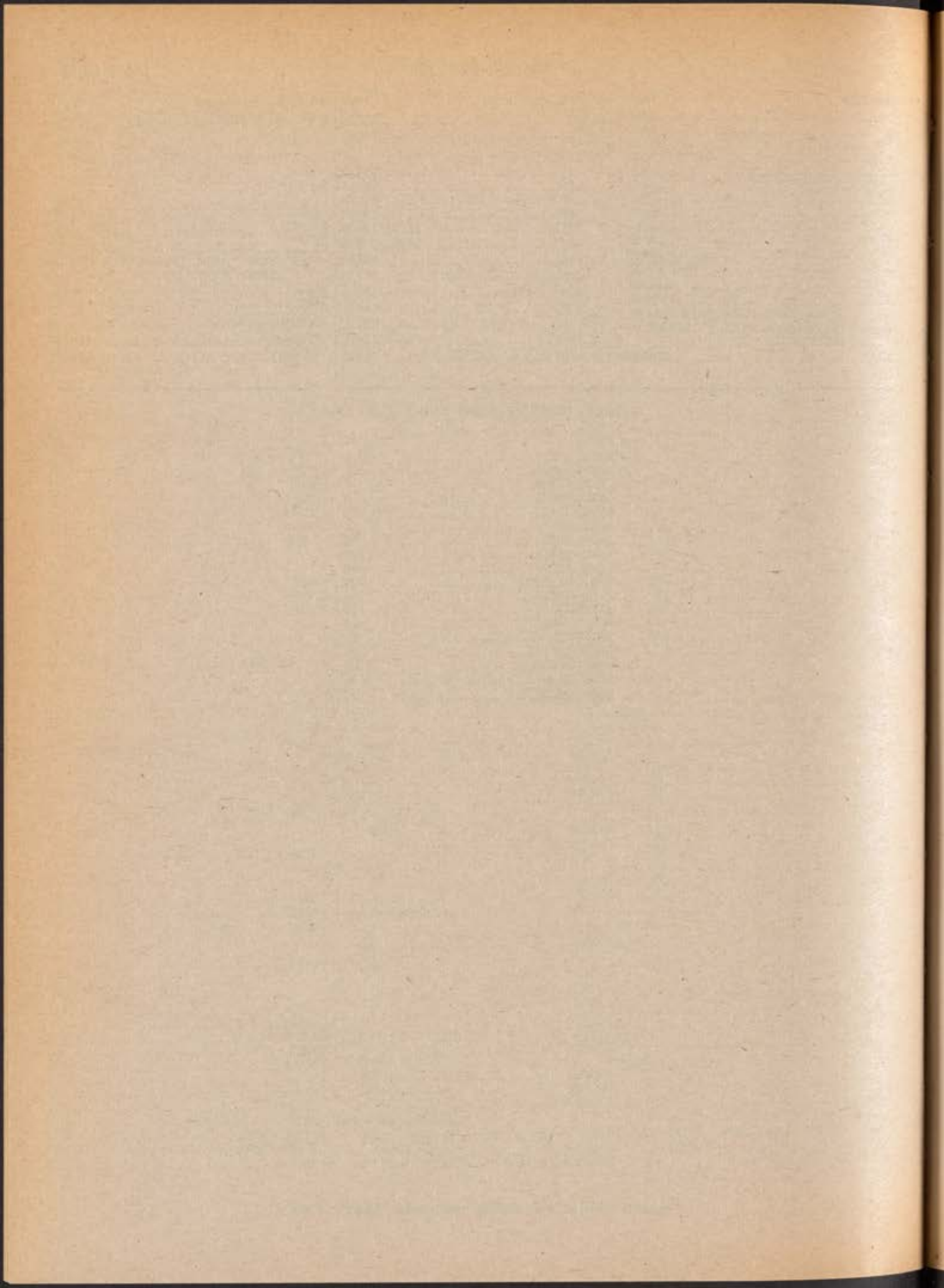
FEDERAL REGISTER

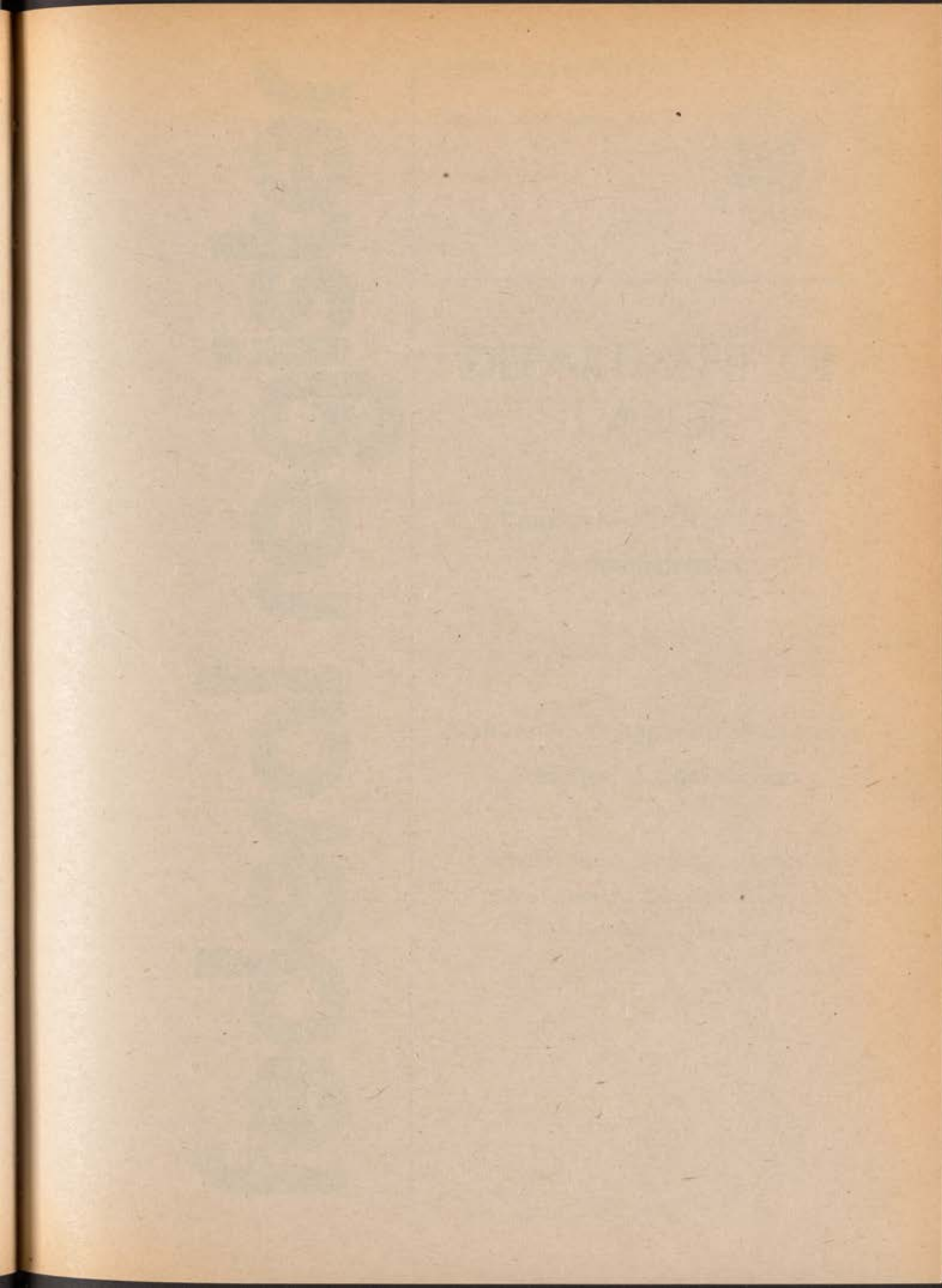
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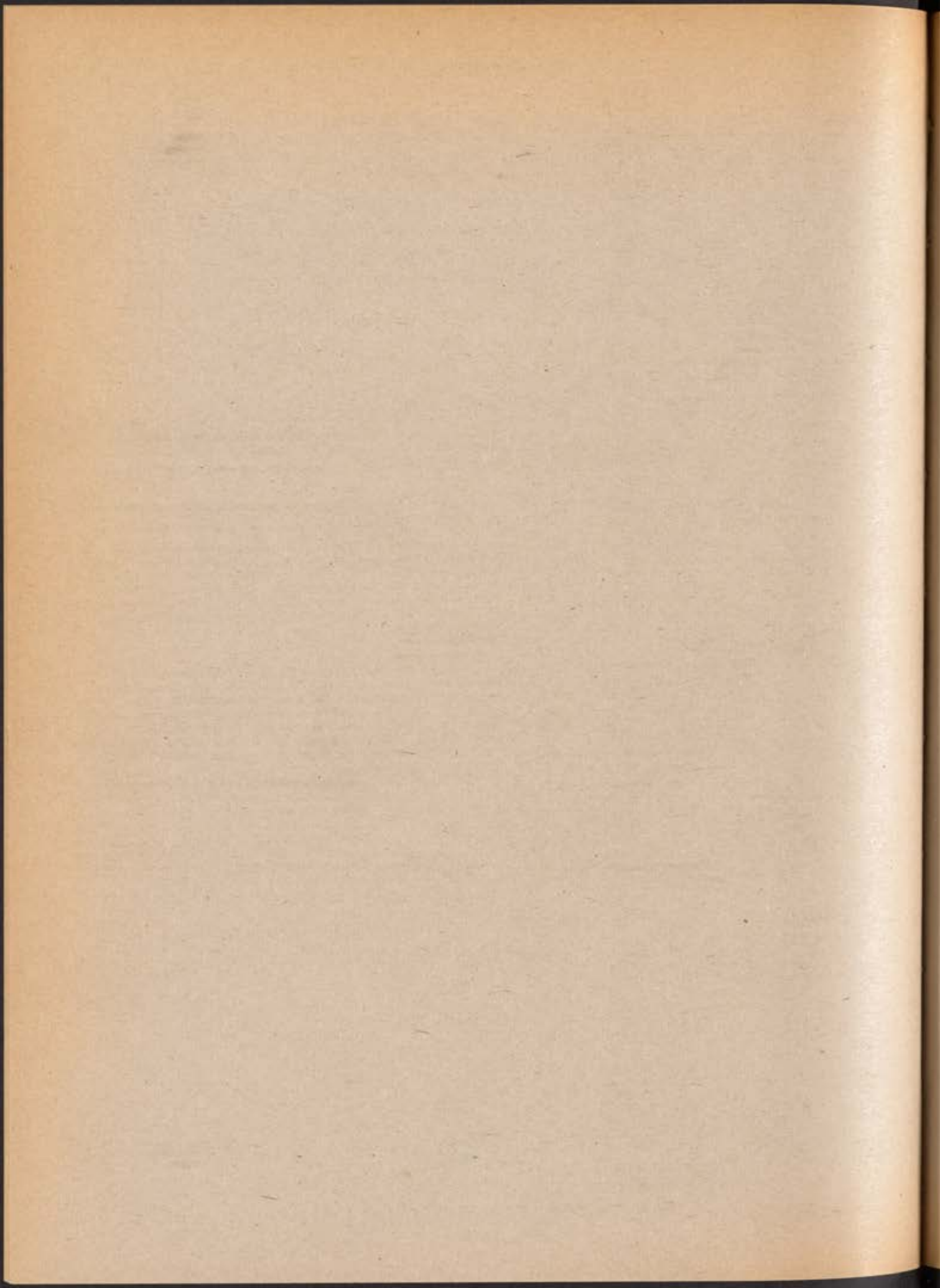
49 CFR	Page	49 CFR—Continued	Page	49 CFR—Continued	Page
7	18659	1056	18253	PROPOSED RULES—Continued	
21	17996	1322	18253	1107	18387
99	19378	PROPOSED RULES:		1307	18691
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173	20084	213	18905	50 CFR	
174	20085	221	18906	10	19379
177	20085	390	19692	20	17841
179	20085	391	18904, 19692	28	18550
501	20086	393	19692, 20100	32	17443,
551	20086	394	19692		18379, 19126, 19379, 19912, 19913,
553	20086	395	19692		19971, 20087, 20088
571	17842, 20086	396	19692	33	20088
1002	18379	397	19692	258	18550
1033	17843,	571	17511, 18564, 19049, 20101	PROPOSED RULES:	
	17845, 18024-18026, 18151, 18465,	1005	17849, 18471	20	18670
	18659, 18660, 18876, 19126, 19223,	1106	18257	240	19832
	19831, 20086				
1048	19046				

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19001-19103	17
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federal register

FRIDAY, JULY 27, 1973

Volume 38 ■ Number 144

PART II



DEPARTMENT OF LABOR

**Employment Standards
Administration**



Minimum Wages for Federally Assisted Construction

**Modifications, and Supersedeas
Decisions to General Wage
Determination Decisions**

DEPARTMENT OF LABOR

Employment Standards Administration

MINIMUM WAGES FOR FEDERAL AND
FEDERALLY ASSISTED CONSTRUCTIONModifications and Supersedeas Decisions
to General Wage Determination Decisions

General wage determination decisions. General 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 determination frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General Wage Determination Decisions are effective from their date of publication in the FEDERAL REGISTER without limitation as to time and are to be used in accordance with the provisions of 29 CFR Parts 1 and 5. Accordingly, the applicable decision together with any modifications issued subsequent to its publication date shall be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR

Part 5. The wage rates contained therein shall be the minimum paid under such contract by contractors and subcontractors on the work.

Modifications and supersedeas decisions to general wage determination decisions. Modifications and Supersedeas Decisions to General 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 General Wage Determination Decisions, as hereby modified, and/or superseded shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and Federally assisted construction projects to laborers and mechanics of the specified classes engaged in contract work of the character and in the localities described therein.

Modifications and Supersedeas Decisions are effective from their date of publication in the FEDERAL REGISTER without limitation as to time and are to be used in accordance with the provisions of 29 CFR Parts 1 and 5.

Any person, organization, or governmental agency having an interest in the wages determined as prevailing is encouraged to submit wage rate information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Office of Special Wage Standards, Division of Wage Determinations, Washington, D.C. 20210. The cause for not utilizing the rule-making procedures prescribed in 5 U.S.C. 553 has been set forth in the original General Wage Determination Decision.

Modifications to general wage determination decisions. Modifications to General 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):

Colorado:		
AP-296	-----	Apr. 27, 1973
AP-299	-----	May 4, 1973
AP-918	-----	July 6, 1973
Illinois:		
AP-690; AP-691; AP-1003;		
AP-1004	-----	June 8, 1973
Iowa:		
AM-2448; AM-2451; AM-		
2459	-----	Aug. 11, 1971
AP-527	-----	May 11, 1973
Kansas:		
AP-501	-----	Aug. 11, 1972
AP-503	-----	Aug. 25, 1972
AP-531; AP-532	-----	May 25, 1973
AM-6708	-----	Apr. 7, 1972
AM-6717	-----	Apr. 14, 1972
Kentucky:		
AP-141	-----	Dec. 1, 1972
Michigan:		
AP-80; AP-81; AP-82; AP-		
83; AP-84; AP-85; AP-		
86; AP-87; AP-88; AP-		
89; AP-90; AP-91; AP-		
92; AP-93; AP-94; AP-		
95; AP-96; AP-97; AP-		
98; AP-99; AP-600; AP-		
601	-----	Dec. 29, 1973
Missouri:		
AP-504	-----	Sept. 1, 1972
AP-506; AP-507; AP-508;		
AP-509	-----	Oct. 13, 1973
AP-534	-----	July 6, 1973
Nevada:		
AP-912	-----	June 29, 1973
New Mexico:		
AP-740	-----	July 6, 1973
New York:		
AP-486	-----	Mar. 9, 1973
Oklahoma:		
AP-364	-----	Dec. 8, 1973
AP-731	-----	May 11, 1973
Tennessee:		
AP-190; AP-191; AP-192;		
AP-726; AP-729	-----	May 25, 1973
Texas:		
AP-721; AP-723; AP-725;		
AP-726; AP-729	-----	Apr. 27, 1973
Virginia:		
AP-858	-----	June 29, 1973
Washington, D.C.:		
AP-823	-----	May 18, 1973

Supersedeas decisions to general wage determination decisions. Supersedeas Decisions to General 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 decisions being superseded):

bers 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 decisions being superseded):

Arizona:		
AP-258(AQ-1004)	-----	Jan. 12, 1973
Delaware:		
AP-804(AQ-2002)	-----	May 4, 1973
Louisiana:		
AP-735(AQ-8)	-----	June 1, 1973
New Mexico:		
AP-737(AQ-9)	-----	June 15, 1973

Signed at Washington, D.C., this 20th day of July 1973.

WARREN D. LANDIS,
Assistant Administrator,
Wage & Hour Division.

NOTICES

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Modifications P. 1

Modifications P. 2

REGISTRATION #AP-255 - Mod. #4
(38 FR 10567 - April 27, 1973)
Pueblo County, Colorado

Changes:
Electricians:
Zone 1 (0-12 miles from Post Office)
Electricians
Cable Splicers
Zone 11 (12-20 miles from Post Office)
Electricians
Cable Splicers
Zone 111 (20-40 miles from Post Office)
Electricians
Cable Splicers
Zone 1V (Over 40 miles from Post Office)
Electricians
Cable Splicers
Electrical Contractors less than \$5,000 in Zones 111 and 1V
Glaziers
Painters:
Brushband roller; Taper and band textures
Tapers using automatic tools and spray; Paperhangers; Spray; Steel spray

Basic Hourly Rates	Fringe Benefits Payments				Other
	H & W	Pension	Vacation	App. Tr.	
7.72	.30	.50		.04	
8.90	.32	15¢ / .25		1/10%	
9.30	.32	15¢ / .25		1/10%	
8.90	.32	15¢ / .25		1/10%	
9.30	.32	15¢ / .25		1/10%	
9.25	.32	15¢ / .25		1/10%	
10.05	.32	15¢ / .25		1/10%	
10.00	.32	15¢ / .25		1/10%	
10.80	.32	15¢ / .25		1/10%	
6.16	.32	15¢ / .25		1/10%	
6.43					
5.38	.20			.02	
5.88	.20			.02	
6.38	.20			.02	

REGISTRATION #AP-259 - Mod. #3
(38 FR 11232 - May 4, 1973)
Statensido, Colorado

Changes:
Electricians:
Archuleta, Baca, Bent, Chaffee, Crowley, Gustaf, Prescott, Huerfano, Montez, Las Animas, Mineral, Otero, Prowers, Pueblo, Rio Grande Cos.
Zone 1 (within 12 miles of Pueblo Main Post Office)
Electricians
Cable Splicers
Zone 2 (12 to 20 miles from Pueblo Main Post Office) and
(0 to 12 miles from Post Office in Canon City)
Electricians
Cable Splicers
Zone 3 (20 to 40 miles from Pueblo Main Post Office)
Electricians
Cable Splicers
Zone 4 (40 miles and over from Pueblo Main Post Office)
Electricians
Cable Splicers
Electrical Contractors less than \$5,000 in Zones 3 and 4
Electricians
Cherone, Elbert, El Paso, Kit Carson, Lincoln, Park and Teller Counties
Electricians
Painters:
Baca, Bent, Crowley, Gustaf, Prescott, Huerfano, Kiowa, Las Animas, Otero, Prowers and Pueblo Counties
Brush
Structural Steel; Spray
Spray Steel

Basic Hourly Rates	Fringe Benefits Payments				Other
	H & W	Pension	Vacation	App. Tr.	
8.50	.32	15¢ / .25		1/10%	
9.30	.32	15¢ / .25		1/10%	
8.90	.32	15¢ / .25		1/10%	
9.70	.32	15¢ / .25		1/10%	
9.25	.32	15¢ / .25		1/10%	
10.05	.32	15¢ / .25		1/10%	
10.00	.32	15¢ / .25		1/10%	
10.80	.32	15¢ / .25		1/10%	
6.16	.32	15¢ / .25		1/10%	
8.57	.32	15¢		.01	
5.38	.20			.02	
5.88	.20			.02	
6.38	.20			.02	

Basic Hourly Rates	Fringe Benefits Payments				
	H & W	Pensions	Vacation	App. Tn.	Other
DECISION #AP-1003 - Mod. #1 (38 FR 15502 - June 8, 1973) Cook County, Illinois					
CHANGE:					
Boilermakers	.40	.90	.4%		.01
Boilermakers' Helpers	.40	.90	.4%		.01
Carpenters:					
Carpenters & Soft Floor Layers	.50	.63			.06
Millwrights & Piledrivers	.50	.63			.06
Pipefitters	.47	.50			.02
Plumbers	.40	.30			.05
Painters, Caulkers & Cleaners	.55	.70			.12
Sprinkler Fitters	.35	.50			
Tile Setters' Helpers	.30-5/8	.425			
DECISION #AP-1004 - Mod. #1 (38 FR 15505 - June 8, 1973) DuPage County, Illinois					
CHANGE:					
Carpenters:					
Carpenters & Soft Floor Layers	.50	.63			.06
Millwrights & Piledrivers	.50	.63			.06
Cement Masons	.50	.45			.03
Sprinkler Fitters	.35	.50			.12
Tile Setters' Helpers	.30-5/8	.425			

Basic Hourly Rates	Fringe Benefits Payments				
	H & W	Pensions	Vacation	App. Tn.	Other
DECISION #AP-019 - Mod. #1 (38 FR 19133 - July 6, 1973) El Paso County, Colorado					
CHANGE:					
Building Construction					
Bricklayers: Stonemasons	.30	.50		.04	
Carpenters:					
Millwrights	.45	.40	.40	.04	
Electricians	.32	.15		.01	
Glassblowers					
Painters:					
Brush and roller; Tapers hand texture	.40	.20		.02	
Paperhangers; Spray; and Steel	.40	.20		.02	
DECISION #AP-590 - Mod. #1 (38 FR 15250 - June 8, 1973) Cook County, Illinois					
CHANGE:					
Boilermakers	.40	.90	.4%	.01	
Boilermakers' Helpers	.40	.90	.4%	.01	
Carpenters:					
Carpenters & Soft Floor Layers	.50	.63		.06	
Millwrights & Piledrivers	.50	.63		.06	
Pipefitters	.47	.50		.02	
Plumbers	.40	.30		.05	
Painters, Caulkers & Cleaners	.55	.70		.12	
Sprinkler Fitters	.35	.50			
Tile Setters' Helpers	.30-5/8	.425			
DECISION #AP-591 - Mod. #1 (38 FR 15256 - June 8, 1973) DuPage County, Illinois					
CHANGE:					
Carpenters:					
Carpenters & Soft Floor Layers	.50	.63		.06	
Millwrights & Piledrivers	.50	.63		.06	
Cement Masons	.50	.45		.03	
Ironworkers:					
Argonne & Vicinity	1.35	.125		.02	
Plumbers & Pipefitters:					
Argonne & Vicinity	.40	.30		.05	
Plumbers	.47	.50		.02	
Pipefitters	.35	.50		.12	
Sprinkler Fitters					
Tile Setters' Helpers	.30-5/8	.425			

DECISION #AP-501 - Mod. #5 (37 FR 16312 - August 11, 1972) Shawnee County, Kansas	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Change: Building Construction Laborers: General laborer Power tool operators; Compac- tors; Concrete breakers; Chipping tools; Drilling tools; Concrete saws; Mechanically operated Georgia buggy Mason tenders; Mortar mixers for masonry and cement finishers; All stocking scaffold; Clean up for masons (building and wrecking)	\$ 5.80	.35	.25		
Concrete masons operated Georgia buggy Mason tenders; Mortar mixers for masonry and cement finishers; All stocking scaffold; Clean up for masons (building and wrecking)	6.00	.35	.25		
Sand and concrete gun nozzle man and powderman Plasterers Roofers: Flat, Slate & Tile; Dampproofers and Waterproofers Tile Setters Line Construction Schedule	6.15 6.20 7.45 7.16 7.00	.35 .35 .18	.25 .25 .40		.01
Quit: Building Construction Laborers: Plaster tenders Roofers: Using Pitch	6.00 7.34	.275 .18	.25 .40		

DECISION #AN-2, 448 - Mod. #5 (36 FR 16796 - August 25, 1971) Cerro Gordo County (Wason City), Iowa	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Change: Building Construction: Bricklayers-Stonemasons	\$6.92		.25		
DECISION #AN-2, 451 - Mod. #4 (36 FR 16806 - August 25, 1971) Dubuque County (City of Dubuque & abutting municipalities), Iowa	6.70 7.10 7.20	.37 .37 .37			
Change: Building Construction: Carpenters: Carpenters: Piledrivers Millwrights	7.00 7.30	.30 .30	.25 .25		.01 .01
DECISION #AN-2, 459 - Mod. #3 (36 FR 16833 - August 25, 1971) Woodbury County (City of Sioux City & abutting municipalities), Iowa	7.00 7.30	.30 .30	.25 .25		.01 .01
Change: Building Construction: Carpenters: Carpenters: Piledrivers Millwrights	7.00 7.30	.30 .30	.25 .25		.01 .01
DECISION #AP-527 - Mod. #3 (38 FR 11264 - May 4, 1973) Black Hawk County (City of Water- loo & abutting municipalities), Iowa	7.00 7.30	.30 .30	.25 .25		.01 .01
Change: Building Construction: Carpenters: Carpenters: Piledrivers Millwrights Soft floor layers	7.00 7.30 6.57 6.57	.31 .31 .31 .31	.25 .25 .25 .25		.01 .01 .01 .01

[illegible]

DECISION #AP-531 - Mod. #4
(38 FR 13929 - May 25, 1973)
Cass, Clay, Jackson, Platte and
Ray Counties, Missouri; and
Johnson and Wyandotte Counties,
Kansas

Change:
Line Construction (Western 3/4 of
Johnson County, Kansas)

Kansas Line Construction #1

Basic Monthly Rates	Fringe Benefits Payments					Gr
	M & V	Pensions	Vacation	App. Vs.	Gr	
87.06	.35	11		1/21		
7.41	.35	11		1/21		
4.41	.35	11		1/21		
3.37	.35	11		1/21		
5.86	.25	11		1/21		
4.52	.35	11		1/21		
5.39	.35	11		1/21		
5.86	.35	11		1/21		

"Douglas, Jefferson, Miami, Shawnee,
and Southwest 2/3 of Leavenworth
Counties"

LINE CONSTRUCTION:

Lineaman
Cable splicers
Groundman, over 1 year
Groundman, 1st year
Powderman
Line truck & equipment operator:
1st year
2nd year
Over 2 years' experience

Modifications P. 12

Modifications P. 11

DECISION #AP-531 (CONTD.)

Kansas Line Construction #1

WESTERN 3/4 of Johnson County, Kansas

LINE CONSTRUCTION:

Lineman
Cable splicers
Groundman, over 1 year
Groundman, 1st year
Powderman
Line truck & equipment operator:
1st year
2nd year
Over 2 years' experience

Basic Hourly Rates	Fringe Benefits Payments				Or
	M & W	Pensions	Vacation	App. T.	
\$7.06	.35	1%		1/22	
7.41	.35	1%		1/22	
4.41	.35	1%		1/22	
3.37	.35	1%		1/22	
5.86	.25	1%		1/22	
4.52	.35	1%		1/22	
5.39	.35	1%		1/22	
5.86	.35	1%		1/22	

Basic Hourly Rates	Fringe Benefits Payments				Or
	M & W	Pensions	Vacation	App. T.	
\$8.325	.43	.175		.02	
7.68	.45	.25		.02	
7.75					
8.05					
7.50					
7.75					
5.65	.45	.25			
5.80	.45	.25			
6.10					

DECISION #AP-532 - Mod. #1
(38 FR 13922 - May 25, 1973)
Sedgewick County, Kansas

Change:
Building Construction
Asbestos Workers
Bricklayers; Stonemasons
Carpenters
Millwrights; Piledrivermen
Cement Masons
Cement masons
Trowelling machine operator
Laborers:
Common laborers
Machine tool operators (air or electric); All sewer and drain in tile layers; Mortar mixers, Rod carriers and plaster tappers; All men erecting scaffolds and directly tending masons and plasterers; Men mixing dryer and mortar mixers for cement finishers; Pipe dopers and pipe painters; Work on swing scaffold; Power buggies taking place of wheelbarrows and concrete buggies; Powdermen; Gunnite nozzleman; Gunnite mixerman; Gunnite rodder; Core driller wagon drill-diamond; Air track drill; Sandblaster, nozzleman and/or potman
Marble Setters; Terrazzo Workers; Tile Setters

Modifications P. 15

DECISION #AM-6,717 (CONT'D.)

Modifications P. 16

Kansas Line Construction #1

	Basic Hourly Rates	Fringe Benefits Payments				App. To	Other
		H & W	Pension	Vacation			
Change: Building Construction: Laborers: General laborer Power tool operators; Compactors; Concrete breakers; Chipping Tools; Drilling tools; Concrete saws; Mechanically operated Georgia buggy Mason tenders; Mortar mixers for masons and cement finishers; All stocking scaffold; Clean up for masons (building wrecking) Sand and concrete gun nozzle man and powderman Plasterers Roofers: Flat, Slate & Tile; Dampproofers and Waterproofers Tile setters Line Construction Schedule	\$5.80 6.00 6.15 6.20 7.45 7.16 7.00	.35 .35 .35 .35 .18	.25 .25 .25 .25 .40	.25 .40			
Omit: Building Construction Laborers: Plaster tenders Roofers: Using Pitch	6.00 7.34	.275 .18	.25 .40				

LINE CONSTRUCTION:

Lineman
Cable splicers
Groundman, over 1 year
Groundman, 1st year
Powderman
Line truck & equipment operator:
1st year
2nd year
Over 2 years' experience

Basic Hourly Rates	Fringe Benefits Payments				App. To	Other
	H & W	Pension	Vacation			
\$7.06 7.41 4.41 3.37 5.86 4.52 5.39 5.86	.35 .35 .35 .35 .25 .35 .35 .35	11 11 11 11 11 11 11 11			1/22 1/22 1/22 1/22 1/22 1/22 1/22 1/22	

Modifications P. 16

Basic Hourly Rates	Fringe Benefits Payments				Char
	H & W	Pensions	Vacation	App. Tr.	
DECISION #AF-50 - Mod. #2 (37 FR 28872 - December 29, 1972) Allegan County, Michigan					
Change: Electricians, Remainder of County Power Equipment Operators: Underground Construction Power shovels, etc. Trencher 8' & smaller, etc. Air compressors (2 or more), etc. Hydraulic pipe pushing mach., etc. Oiler & Fireman	.30	7.5%		.01	
DECISION #AF-51 - Mod. #2 (37 FR 28875 - December 29, 1972) Alpena County, Michigan					
Change: Electricians: Industrial & Commercial electrical Contracts not to exceed \$10,000. All other work Power Equipment Operators: Underground Construction Power shovels, etc. Trencher 8' & smaller, etc. Air compressors (2 or more) etc. Hydraulic pipe pushing mach. etc. Oiler & Fireman	.30 .30 .50 .50 .50 .50 .50 .50	15+.15 15+.15 .55 .55 .55 .55 .55 .55		.12 .12 .05 .05 .05 .05 .05 .05	
DECISION #AF-52 - Mod. #2 (37 FR 28850 - December 29, 1972) Barago, Noughton, Keweenaw & Ontonagon Counties, Michigan					
Change: Carpenters (bldg.) & Soft Floor layers Piledriverman Millwright	.40 .40 .40 .40	.40 .40 .40 .40		.01 .01 .01 .01	

Modifications P. 17

DECISION #AF-141 - Mod. #3
(37 FR 25590 - December 1, 1972)
Boone, Campbell, & Kenton Counties,
Kentucky

Change:
Label on Power Equipment Operators' Schedule to read:
Heavy and Highway Construction

Basic Hourly Rates	Fringe Benefits Payments				Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	App. Tr.		H & W	Pensions	Vacation	App. Tr.
DECISION #AP-86 - Mod. #2 (37 FR 28837 - December 29, 1972) Chippewa and Mackinac Counties, Michigan									
Change: Bricklayers & Stonemasons									
Carpenters:									
Building									
Water Front Work									
Cement Masons									
Millwrights									
Painters:									
Brush									
Hand taping									
Machine Taping									
Paper hanging									
Spray									
Steel									
Steel to 39 ft. from ground or water level									
Sandblasting									
Filed drivers									
Plasterers									
Plumbers & Steamfitters									
Sheetmetal Worker									
Soft Floor layer									
Terrazzo Workers & tile setters									
Tile & terrazzo helpers									
Glassers									

Basic Hourly Rates	Fringe Benefits Payments				Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	App. Tr.		H & W	Pensions	Vacation	App. Tr.
DECISION #AP-83 - Mod. #2 (37 FR 28838 - December 29, 1972) Berrien County, Michigan									
Change: Electricians									
Sheetmetal Workers									
Power Equipment Operators:									
Underground Construction									
Power shovels, etc.									
Trencher 8' & smaller, etc.									
Air Compressors (2 or more), etc.									
Hydraulic pipe pushing mach., etc.									
Oilier & Fireman									
DECISION #AP-84 - Mod. #2 (37 FR 28831 - December 29, 1972) Calhoun County, Michigan									
Change: Electricians									
Plasterers									
Roofers:									
Slate, tile & asbestos Composition									
DECISION #AP-85 - Mod. #2 (37 FR 28834 - December 29, 1972) Charlevoix County, Michigan									
Change: Electricians									
Power Equipment Operators:									
Underground Construction									
Power shovels, etc.									
Trencher 8' & smaller, etc.									
Air Compressors (2 or more), etc.									
Hydraulic pipe pushing mach., etc.									
Oilier & Fireman									

Basic Hourly Rates	Fringe Benefits Payments				Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	App. Tn.		H & W	Pensions	Vacation	App. Tn.
DECISION #AP-88 - Mod. #2 (37 FR 28870 - December 29, 1972) Genesee County, Michigan									
Change: Lathers	\$7.79	.27	.10	.25					
Marble Setters	8.05	.40	.60	.01					
Painters:									
Brush & roller	7.45	.50	.40						
Spray	7.95	.50	.40						
Terrazzo Workers	8.05	.40	.60						
Tile Setters	8.05	.40	.60						
DECISION #AP-89 - Mod. #2 (37 FR 28842 - December 29, 1972) Gogebic County, Michigan									
Change: Carpenters	6.99	.40	.40	.01					
Piledrivers	7.09	.40	.40	.01					
Soft floor layers	6.99	.40	.40	.01					
DECISION #AP-90 - Mod. #2 (37 FR 28873 - December 29, 1972) Grande Traverse and Leelanau Counties, Michigan									
Change: Electricians	8.38	.30	17+.15	.11					
Laborers:									
Airtool Op.	5.00	.35	.30	.25					
Mortar Mixers	5.15	.35	.30	.25					
Crock & Pipe layers	5.15	.35	.30	.25					
Plasterers tenders	5.15	.35	.30	.25					
Sewer & Caisson Workers	5.15	.35	.30	.25					
Plumbers	8.32	.40	.30	.03					
Sheetmetal Workers	8.34	.35	.33	.02					
Power Equipment Operators:									
Underground Construction									
Power Shovels, etc.									
Trencher 8' & smaller, etc.	7.53	.50	.55	.05					
Air Compressors (2 or more) etc.	7.24	.50	.55	.05					
Hydraulic pipe pushing mach. etc.	6.74	.50	.55	.05					
Oil & Fireman	6.46	.50	.55	.05					

Basic Hourly Rates	Fringe Benefits Payments				Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	App. Tn.		H & W	Pensions	Vacation	App. Tn.
DECISION #AP-91 - Mod. #2 (37 FR 28879 - December 29, 1972) Huron County, Michigan									
Change: Sheetmetal Workers	\$8.87	.30	.40						
DECISION #AP-92 - Mod. #2 (37 FR 28844 - December 29, 1972) Ingham County, Michigan									
Change: Plumbers & Steamfitters	8.45	.50	.45	.60					
DECISION #AP-93 - Mod. #2 (37 FR 28847 - December 29, 1972) Kalamazoo County, Michigan									
Change: Electricians:									
(Township of Ross & Charleston (Remainder of County))	8.70	.30	.75	.01					
Power Equipment Operators:	8.65	.30	7.52	.01					
Underground Construction									
Power shovels, etc.	7.53	.50	.55	.05					
Trencher 8' & smaller, etc.	7.24	.50	.55	.05					
Air Compressors (2 or more) etc.	6.74	.50	.55	.05					
Hydraulic pipe pushing mach. etc.	6.46	.50	.55	.05					
Oil & Fireman	6.46	.50	.55	.05					
DECISION #AP-94 - Mod. #2 (37 FR 28852 - December 29, 1972) Marquette County, Michigan									
Change: Asbestos workers	6.85	.35	.20	.06					
Carpenters (Bldg.)	6.99	.40	.40	.01					
Carpenters (waterfront work)	7.09	.40	.40	.01					
Ironworkers (all types)	7.45	.25	1.30	.01					
Millwrights	7.45	.40	.40	.01					
Piledrivermen	7.34	.40	.40	.01					
Plumbers & Steamfitters	8.38	.35	.30	.02					
Soft Floor Layers	6.99	.40	.40	.01					

Modifications P. 24

Basic Hourly Rates	Fringe Benefits Payments					Basic Hourly Rates	Fringe Benefits Payments								
	H & W	Pensions	Vacation	App. Tr.	Other		H & W	Pensions	Vacation	App. Tr.	Other				
DECISION #AP-98 - Mod. #2 (37 FR 28860 - December 29, 1972) St. Clair County, Michigan															
Change: Painters: Brush, preparatory work Ladder work over 40' swing stage Spray work under 40' Spray work 40' and over Steep Jack 40' and over	8.35 8.85 8.85 9.30 9.90	.42 .42 .42 .42 .42	.30 .30 .30 .30 .30												
DECISION #AP-99 - Mod. #2 (37 FR 28863 - December 29, 1972) Washtenaw County, Michigan															
Change: Electricians Laborers: Laborers Air tool (jackhammer, vibrator) Mortar Mixer Pipe & Crock Laborers	8.83 7.34 7.54 7.54 7.66	.48 .35 .35 .35 .35	124.30 .30 .30 .30 .30	10%											
DECISION #AP-500 - Mod. #2 (37 FR 28866 - December 29, 1972) Wayne, Oakland & Macomb Counties, Michigan															
Change: Bricklayers: Bricklayers, Caulkers & Cleaners Cement masons: Cement masons Grinders & Chipping Hammer Glassers Ironworkers (structural & ornamental & reinforcing Marble Setters Millwrights Pipefitters Plasterers Plumbers Terrazzo workers	8.939 8.1489 8.3489 8.40 8.40 9.99 8.50 8.565 9.50 8.92 8.62	.60 .60 .60 .50 8% .40 .55 .75 .60 .75 .30	8% 10% 10% .45 14% .40 .85 .685 .50 .685 .40	11% 10% 10% .45 17% .50 1.53 1.35 1.24 .50											

Modifications P. 23

Basic Hourly Rates	Fringe Benefits Payments					Basic Hourly Rates	Fringe Benefits Payments				
	H & W	Pensions	Vacation	App. Tr.	Other		H & W	Pensions	Vacation	App. Tr.	Other
DECISION #AP-95 - Mod. #2 (37 FR 28854 - December 29, 1972) Mason County, Michigan											
Change: Power Equipment Operators: Underground Construction Power Shovel, etc. Trencher 8' & smaller etc. Air Compressors (2 or more), etc. Hydraulic Pipe pushing mach., etc. Oiler and Fireman						7.53 7.24 6.74 6.46 6.46	.50 .50 .50 .50 .50	.55 .55 .55 .55 .55		.05 .05 .05 .05 .05	
DECISION #AP-96 - Mod. #2 (37 FR 28876 - December 29, 1972) Saginaw County, Michigan											
Change: Electricians Plumbers						9.85 9.15	.49	124.15 .50		10011 .01	
DECISION #AP-97 - Mod. #2 (37 FR 28857 - December 29, 1972) Muskegon & Oceana Counties, Michigan											
Change: Power Equipment Operators: Underground Construction Power shovels, etc. Trencher 8' & smaller, etc. Air Compressors (2 or more), etc. Hydraulic pipe pushing mach., etc. Oiler and Fireman						7.53 7.24 6.74 6.46 6.46	.50 .50 .50 .50 .50	.55 .55 .55 .55 .55		.05 .05 .05 .05 .05	

Residential Construction - St.
Charles County
POWER EQUIPMENT OPERATORS:

Modifications P. 26
MO 4-FEB-1 (1-2)

Basic Monthly Rates	Fringe Benefits Payments				Other
	H & W	Pensions	Vacation	App. Tr.	
Bricklayers: Bricklayers, Caulkers & closers	8.989	.60	81	111	.05
Cement masons: Cement masons	8.1489	.60	101	101	.01
Grinders & Chipping Hammer	8.3489	.60	101	101	.01
Glassers	8.40	.50	.45		
Ironworkers (structural, Ornamental & Reinforcing)	8.40	81	141	171	.04
Marble Setters	9.99	.30	.40	.50	
Millwrights	8.50	.555	.85	1.53	.05
Pipefitters	8.565	.75	.85	1.35	.05
Plasterers	9.50	.60	.50		
Plumbers	8.92	.75	.65	1.24	.005
Terrazzo-workers	8.61	.30	.40	.50	

DECISION #AP-501 - Mod. #2
(37 FR 28797 - December 29, 1972)
Wayne, Oakland, Macomb Counties,
Michigan

Changes:
Bricklayers:
Bricklayers, Caulkers & closers
Cement masons:
Cement masons
Grinders & Chipping Hammer
Glasers
Ironworkers (structural, Ornamental
& Reinforcing)
Marble Setters
Millwrights
Pipefitters
Plasterers
Plumbers
Terrazzo-workers

Basic Monthly Rates	Fringe Benefits Payments				Other
	H & W	Pensions	Vacation	App. Tr.	
Residential Building Construction - Site Preparation, Incidental Pav- ing & Utilities - St. Louis County Power Equipment Operator Schedule					
Residential Construction - St. Charles County Power Equipment Operator Schedule					
Residential Building Construction - Site Preparation, Incidental Pav- ing & Utilities - St. Louis County Power Equipment Operator Schedule					
Residential Construction - St. Charles County Power Equipment Operator Schedule					

DECISION #AP-504 - Mod. #5
(37 FR 17881 - September 1, 1972)
St. Louis & St. Charles Counties,
Missouri

Onit:
Residential Building Construction -
Site Preparation, Incidental Pav-
ing & Utilities - St. Louis County
Power Equipment Operator Schedule

Residential Construction - St.
Charles County
Power Equipment Operator Schedule

Add:
Residential Building Construction -
Site Preparation, Incidental Pav-
ing & Utilities - St. Louis County
Power Equipment Operator Schedule

Residential Construction - St.
Charles County
Power Equipment Operator Schedule

Basic Monthly Rates	Fringe Benefits Payments				Other
	H & W	Pensions	Vacation	App. Tr.	
Asphalt finishing machine & trench widening spreader; Asphalt plant con- sole operator; Autograder; Automatic slipform paver; Backhoe; Blade opera- tor-all types; Boat operator-tow; Boil- ers - 2; Central mix concrete plant operator; Clinkerball operator; Concrete mixer paver; Crane operator; Derrick or derrick trucks; Ditching machine; Dozer operator; Dragline operator; Dredge booster pump; Dredge engine; Dredge operator; Drill cat with com- pressor mounted on Cat; Drilling or boring machine rotary self-propelled; Highlander; Hoisting engine - 2 active drums; Jackhammer wheel; Locomotive operator - standard gauge; Mechanics and welders; Mucking machine; Piledriv- ers; Mucking machine; Piledriver opera- tor; Pitan crane operator; Push cat operator; Quad trac; Scoop operator - all types; Shovel operator; Sideboom cats; Skimmer scoop operator; Trench- ing machine operator; Truck crane.	\$ 8.50	.35	.40		.02

Group 1
Asphalt finishing machine & trench
widening spreader; Asphalt plant con-
sole operator; Autograder; Automatic
slipform paver; Backhoe; Blade opera-
tor-all types; Boat operator-tow; Boil-
ers - 2; Central mix concrete plant
operator; Clinkerball operator; Concrete
mixer paver; Crane operator; Derrick
or derrick trucks; Ditching machine;
Dozer operator; Dragline operator;
Dredge booster pump; Dredge engine;
Dredge operator; Drill cat with com-
pressor mounted on Cat; Drilling or
boring machine rotary self-propelled;
Highlander; Hoisting engine - 2 active
drums; Jackhammer wheel; Locomotive
operator - standard gauge; Mechanics
and welders; Mucking machine; Piledriv-
ers; Mucking machine; Piledriver opera-
tor; Pitan crane operator; Push cat
operator; Quad trac; Scoop operator -
all types; Shovel operator; Sideboom
cats; Skimmer scoop operator; Trench-
ing machine operator; Truck crane.

Group 2
A-frame; Asphalt hot-mix silo; Asphalt
plant fireman (drum or boiler); Asphalt
plant man; Asphalt plant mixer opera-
tor; Asphalt roller operator; Backfill-
er operator; Barber Greene loader;
Boat operator (bridges & dams); Chip
spreader; Compressor maintenance opera-
tor - 2; Concrete mixer operator - skip
loader; Concrete plant operator; Con-
crete pump operator; Crusher operator;
Dredge oiler; Elevating grader opera-
tor; Fork lift; Greaser-fleet; Hoist-
ing engine - 1; Locomotive operator -
narrow gauge; Multiple compactor; Pave-
ment breaker; Power broom - self-pro-
pelled; Power shield; Rooter; Side dis-
charge concrete spreader; Slip form
finishing machine; Stumpcutter machine
Throttle man; Tractor operator (over
50 H.P.); Welding machine maintenance
operator - 2; Winch truck

DECISION #AF-504 (CONT'D.)
 Modifications P. 27
 NO 4-FEO-1

(2-2)

Modifications P. 28
 11-No.-FEO-1-1 (1-4)

DECISION #AF-504 (CONT'D.)
 Modifications P. 28
 11-No.-FEO-1-1 (1-4)

Basic Hourly Rates	Fringe Benefits Payments			Basic Hourly Rates	Fringe Benefits Payments		
	M & W	Vacation	App. Tn.		M & W	Vacation	App. Tn.
<p>Group 3</p> <p>Boilers - 1; Chip spreader (front man); Churn drill oper.; Glef plane operator; Compressor maintenance oper. - 1; Concrete saw operator (self-propelled); Conveyor operator; Curb finishing machine; Distributor operator; Finishing machine operator; Firearm-rig; Flex plane operator; Float operator; Form grader operator; Generator-maintenance operator; Light plant maintenance operator; Maintenance operator; Oiler driver; Pugmill operator; Pump maintenance oper. (other than dredge); Roller operator, other than high type asphalt; Screening & washing plant oper.; Siphons & jets, Sub-grading machine operator; Spreader box operator, self-propelled (not asphalt); Tank car heater operator (combination boiler & booster); Tractor operator (50 H.P. or less); Ullmac, Ulric or similar spreaders; Vibrating machine oper., not hand; Welding machine maintenance oper. - 1</p>	\$ 8.10	.35	.40	.02			
<p>Group 4</p> <p>Oiler</p> <p>Classhells, 3 yd. capacity or over; Crane, rigs or piledrivers 100 ft. of boom or over (including jib); Draglines, 3 yds. capacity or over; Hoisting engines over 2 drums; Shovels, 3 yds. capacity or over</p>	7.50	.35	.40	.02			
<p>Crane, rigs or piledrivers 200 ft. or over</p>	8.75	.35	.40	.02			
<p>Tandem scoop operator</p>	9.25	.35	.40	.02			
<p>Work in tunnel or tunnel shafts (not air shafts or coffer dams) of 25 ft. or more in length or depth 50¢ per hour above basic rate.</p>	9.00	.35	.40	.02			

"Residential Building Construction - Site Preparation, Incidental Paving & Utilities - St. Louis County"
 POWER EQUIPMENT OPERATORS
 Group I
 Backhoe; cableway; crane, crawler or truck; Crane, hydraulic-truck or trailer mounted - 16 tons & over; Crane, locomotive; derrick, steam; Derrick car & derrick boat; Dragline; Dredge; Grapple, crawler or tire mounted; Locomotive, gas, steam & ether powers; Pile driver, land or floating; Scoop, skimmer; Shovel, power (steam, gas, electric or other powers) Switch boat; Whirley
 Group II
 Air tugger w/air compressor; Anchor placing barge; Asphalt spreader; Athey force feed loader (self-propelled); Backfilling machine; Boat operator-push boat or tow boat (job site); Boiler, high pressure breaking in period; Boom truck, placing or erecting; Boring machine footing foundation; Belfloat; Cherry picker; Combination concrete hoist & mixer such as mixermobile; Compressors, two, not more than 20 ft. apart; Compressors, not more than five ft. apart; Compressor-welder combination; Concrete breaker (truck or tractor mounted); Concrete pump, such as a pumpcrete machine; Concrete spreader; Conveyor, large (not self-propelled) hoisting or moving brick and concrete into, or into and on floor level, one or both; Crane, hydraulic-rough terrain, self-propelled; Crane hydraulic-truck or crawler mounted-under 16 tons; Drilling machines, self-powered, used for earth or rock drilling or boring (wagon drills and any hand drills obtaining power from other sources including concrete breakers, jacksamers and Barco equipment - no engineer required); Elevator grader; Engine man, dredge; Excavator or powerbelt machine; Finishing machine,

DECISION #AF-504 (CONT'D.)

Modifications P. 29

11-Mo.-PEO-1-1 (2-6)

DECISION #AF-504 (CONT'D.)

Modifications P. 30

11-Mo.-PEO-1-1 (3-4)

Basic Hourly Rates	Fringe Benefits Payments				Basic Hourly Rates	Fringe Benefits Payments																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																				
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self-propelled oscillating screed; Forklift; Grader, road with power blade; Highlift; Hoist, concrete and brick (brick cages on concrete skips operating in or on tower, towermobile, or similar equipment); Hoist, stack; Hydro-hammer; Lad-A-Vactor, hoisting brick or concrete; Loading machine (such as Barber-Greene); Mechanic, on job site; Mixer, paving; Mixermobile; Mocking machine; Pipe cleaning machine; Pipe wrapping machine; Plant ready-mix job site; Plant, heating-job site; Plant mixing-job site; Plant, power, generating-job site; Pump, self-powered, over 2" (one operator will operate two); Pumps, electric submersible, one through three, over 4"; Quad-track; Roller, asphalt, top or subgrade; Scoop, tractor drawn; Spreader box; Sub-grader; Tie tamper; Tractor-crawler, or wheel type with or without power unit, power take-offs, and attachments regardless of size; Trenching machine; Tunnel boring machine; Vibrating machine, automatic, automatic-propelled; Welding machines (gasoline or diesel) more than one but not over four (regardless of size); Well drilling machine					\$8.52	.35	.40		\$7.97	.35	.40																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																															
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Air tugger w/plant air; Boiler, for power or heating on construction projects; Boiler, temporary; Compressor, air-one; Compressor, air (mounted on truck); Concrete saw, self-propelled; Conveyor, large (not self-propelled); Conveyor, large (not self-propelled) moving brick and concrete (distributing) on floor level; Curb finishing machine; Ditch paving machine; Elevator (building construction or alteration); Endless chain hoist; Fireman; Form grader; Generator, one over 30									7.52	.35	.40																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																															
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Boat operator-outboard motor (job site); Conveyor (such as Con-way-it) regardless of how used; Oiler; Sweeper, floor									9.32	.35	.40																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																															
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Air pressure; Oiler engineer; Operating under ten pounds									10.07	.35	.40																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																															
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Air pressure engineer operating under ten pounds									11.27	.35	.40																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																															
Crane-pile driving with leads; Crane using rock socket tool; Dragline - 7 cu. yds. and over; Shovel, power - 7 cu. yds. and over; Crane, climbing (such as ladder); Derrick, diesel, gas, electric hoisting material and practicing steel - 150' or more above																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																										

Modifications P. 32

DECISION #AP-504 (CONT'D.)
11-86--PEO-1-1 (4-4)

Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	App. Tr.
POWER EQUIPMENT OPERATORS (CONT'D)				
Group V (Cont'd) ground; hoist, three or more drums; Scoop, tandem; Tractor, tandem crawler	.35	.40		
Beaters	.35	.40		
Crane, with boom (including jib) over 100' from pin to pin (add 1c per foot to maximum of 75c) above basic rate for crane.				
Mod jack (where mod jack is used in conjunction with an air compressor, operator)	.35	.40		
Work in tunnel or tunnel shaft, .25c above base rate				

DECISION #AP-506 - Mod. #1
(37 FR 21774 - October 13, 1972)
Bolt County, MissouriChange:
Description of Work to Read:
Heavy Construction

Carpenters & piledrivermen

Omit:
ElectriciansAdd:
Electricians:
Electrical contracts over
\$10,000.00
Electrical contracts \$10,000.00
and underDECISION #AP-507 - Mod. #2
(37 FR 21776 - October 13, 1972)
Scott County, MissouriChange:
Description of Work to Read:
Heavy Construction

Carpenters & Piledrivermen

Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	App. Tr.
\$ 7.12	.33	.30		.03
7.52	.20	1%	7%	
8.08	.25	1%	7%	.01
7.85	.25	1%	7%	.01
7.32	.23			.03

Modifications P. 34

Basic Hourly Rates	Fringe Benefits Payments				Other
	M & W	Pensions	Vacation	App. Tn.	
DECISION # AP-534 - Mod. #1 (38 FR 18141 - July 6, 1973) St. Louis & St. Charles Counties, Missouri					
Onit: Building, Heavy & Highway - St. Louis City & County Power Equipment Operator Schedule					
Building Construction - St. Charles County Power Equipment Operator Schedule					
Add: Building, Heavy & Highway - St. Louis City & County Power Equipment Operator Schedule					
Building Construction - St. Charles County Power Equipment Operator Schedule					

Modifications P. 33

Basic Hourly Rates	Fringe Benefits Payments				Other
	M & W	Pensions	Vacation	App. Tn.	
DECISION #AP-508 - Mod. #2 (37 FR 21779 - October 13, 1972) Linn and Pettis Counties, Missouri					
Change: Description of Work to Read: Heavy Construction					
Carpenters & pilledrivers Cement masons: Pettis County Electricians (Pettis County): Electrical contracts over \$5,000.00 Electrical contracts \$5,000.00 and under	.33			.03	
	.20	1% + .25	.70	.03	
	.20	1% + .25	.70	.03	
DECISION #AP-509 - Mod. #1 (37 FR 21783 - October 13, 1972) Barton, Laclede and Lawrence Counties, Missouri					
Change: Description of Work to Read: Heavy Construction					
Carpenters & pilledrivers Electricians: Barton & Lawrence Counties Laclede County Ironworkers: Lawrence County	.33	.30		.03	
	.25	1%	6%	.005	
	.30	1%		.01	
	.30	.35		.05	

DECISION #AP-534 (CONT'D.)
 "Building Construction - St.
 Charles County"
 POWER EQUIPMENT OPERATORS:

Modifications P. 35

MO 4-FED-1 (1-2)

Basic Monthly Rates	Fringe Benefits Payments				Cd
	H & W	Pensions	Vacation	App. Tr.	
Group 1 Asphalt finishing machine & trench widening spreader; Asphalt plant concrete slipform paver; Backhoe; Blade operator-all types; Boat operator-tow; Boilers - 2; Central mix concrete plant operator; Clamshell operator; Concrete mixer paver; Crane operator; Derrick operator; Ditching machine; Dozer operator; Dragline operator; Dredge booster pump; Dredge engine; Dredge operator; Drill cat with compressor mounted on Cat; Drilling or boring machine rotary self-propelled; Highloader; Hoisting engine - 2 active drums; Locomotive wheel; Locomotive operator - standard gauge; Mechanics and welders; Mucking machine; Pile driver; Mucking machine; Pile driver operator; Pitman crane operator; Push cat operator; Quad Trac; Scoop operator - all types; Shovel operator; Sideboom cat; Skimmer scoop operator; Trenching machine operator; Truck crane.	\$ 8.50	.35	.40		.02
Group 2 A-frame; Asphalt hot-mix silo; Asphalt plant fireman (drum or boiler); Asphalt plant man; Asphalt plant mixer operator; Asphalt roller operator; Backfiller operator; Barber Greene loader; Boat operator (bridges & dams); Chip spreader; Compressor maintenance operator - 2; Concrete mixer operator - skip loader; Concrete plant operator; Concrete pump operator; Crusher operator; Dredge oiler; Elevating grader operator; Fork lift; Grasser-fleet; Hoisting engine - 1; Locomotive operator - narrow gauge; Multiple compactor; Pavement breaker; Powerbroom - self-propelled; Power shield; Rooter; Side discharge concrete spreader; Slip form finishing machine; Stump-puller machine; Throttle man; Tractor operator (over 50 H.P.); Welding machine maintenance operator - 2; Winch truck	8.30	.35	.40		.02

DECISION #AP-534 (CONT'D.)

Modifications P. 36

MO 4-PEO-1

(2-2)

Basic Monthly Rates	Fringe Benefits Payments				Cd
	H & W	Pensions	Vacation	App. Tr.	
Group 3 Boilers - 1; Chip spreader (front man); Churn drill oper.; Clef plane operator; Compressor maintenance oper. - 1; Concrete saw operator (self-propelled); Conveyor operator; Curb finishing machine; Distributor operator; Finishing machine operator; Fireman-rig; Flex plane operator; Float operator; Form grader operator; Generator-maintenance operator; Light plant maintenance operator; Maintenance operator; Oiler driver; Pughall operator; Pump maintenance oper. (other than dredge); Roller operator, (other than high type asphalt); Screening & washing plant oper.; Siphons & jets, Sub-grading machine operator; Spreader box operator, self-propelled (not asphalt); Tank car heater operator (combination boiler & booster); Tractor operator (50 H.P. or less); Ulmac, Ulmic or similar spreaders; Vibrating machine oper., not hand; Welding machine maintenance oper. - 1	\$ 8.10	.35	.40		.02
Group 4 Oiler	7.50	.35	.40		.02
Clamshells, 3 yd. capacity or over; Crane, rigs or pile-drivers 100 ft. of boom or over (including jib); Draglines 3 yds. capacity or over; Hoisting engine over 2 drums; Shovels, 3 yds. capacity or over	8.75	.35	.40		.02
Crane, rigs or pile-drivers 200 ft. or over	9.25	.35	.40		.02
Tandem scoop operator	9.00	.35	.40		.02
Work in tunnel or tunnel shafts (not air shafts or coffer dams) of 25 ft. or more in length or depth 50¢ per hour above basic rate.					

DECISION #AP-534 (CONT'D.)
 11-86, -920-1-1 (1-4)

Modification P₁₁ 86, -920-1-1 (3-4)

Basic Hourly Rates	Fringe Benefits Payments			Or
	H & W	Pension	Vacation	
\$8.52	.35	.40		

Basic Hourly Rates	Fringe Benefits Payments			Or
	H & W	Pension	Vacation	
\$8.52	.35	.40		

POWER EQUIPMENT OPERATORS

Group I
 Backhoe; cableway; crane, crawler or truck; Crane, Hydraulic-truck or crawler mounted - 16 tons & over; Crane, locomotive; derrick, steam; Derrick car & derrick boat; Dragline; Bredge; Grapple, crawler or tire mounted; Locomotive, gas, steam & other powers; File driver, land or floating; Scoop, skimmer; Shovel, power (steam, gas, electric or other power) Switch boat; Whirley

Group II
 Air tugger w/air compressor; Anchor Placing barge; Asphalt spreader; Athey force feed loader (self-propelled); Backfilling machine; Boat operator-push boat or tow boat (job site); Boiler, high pressure breaking in period; Boom truck, placing or erecting; Boring machine footing foundation; Bullfloat; Cherry picker; Combination concrete hoist & mixer such as mixer; Compressors, two, not more than 20 ft. apart; Compressors, not more than five ft. apart; Compressor-welder combination; Concrete breaker (truck or tractor mounted); Concrete pump, such as a pump-ed; Concrete spreader; Conveyor, large (not self-propelled) hoisting or moving brick and concrete into, or into and on floor level, one or both; Crane, hydraulic-rough terrain, self-propelled; Crane hydraulic-truck or crawler mounted-under 16 tons; Drilling machines, self-powered, used for earth or rock drilling or boring (wagon drills and any hand drills obtaining power from other sources including concrete breakers, jackhammers and Barco equipment - no engineer required); Elevating grader; Engine man, dredge; Excavator or powerbelt machine; Finishing machine,

POWER EQUIPMENT OPERATORS (CONT'D)

Group II (Cont'd)
 self-propelled oscillating, screed; Forklift; Grader, road with power blade; Highlift; Hoist, concrete and brick (brick cages on concrete ships operating in or on tower, trolley, or similar equipment); Hoist, stack; Hydro-hammer; Lad-A-Tator, hoisting brick or concrete; Loading machine (such as Barber-Greene); Mechanic, on job site; Mixer, paving; Mixer; Mobile; Machine; Pipe wrapping machine; Plant ready-mix job site; Plant, heating-job site; Plant mixing-job site; Pump, power, generating-job site; Pump, self-powered, over 2" (one operator will operate two); Pumps, electric submersible, one through three, over 4"; Quad-track; Roller, asphalt, top or subgrade; Scoop, tractor drawn; Spreader box; Sub-grader; Tile tamper; Tractor-crawler, or wheel type with or without power unit, power take-offs, and attachments regardless of size; Trenching machine; Tunnel boring machine; Vibrating machine, automatic, automatic propelled; Welding machines (gasoline or diesel) more than one but not over four (regardless of size); Well drilling machine

Group III
 Air tugger w/plant air; Boiler, for power or heating on construction projects; Boiler, temporary; Compressor, air-one; Compressor, air (mounted on truck); Concrete saw, self-propelled; Conveyor, large (not self-propelled); Conveyor, large (not self-propelled) moving brick and concrete (distributing) on floor level; Curb finishing machine; Ditch paving machine; Elevator (building construction or alteration); Endless chain hoist; Fireman; Form grader; Generator, one over 30

DECISION #AP-534 (CONTD.)

Modifications P. 39

11-No.-PED-1-1 (3-4)

DECISION #AP-534 (CONTD.)

Modifications P. 40

11-No.-PED-1-1 (4-4)

POWER EQUIPMENT OPERATORS (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments				Fringe Benefits Payments	Basic Hourly Rates	Fringe Benefits Payments			
		M & V	Pension	Vacation	App. Tn.			M & V	Pension	Vacation	App. Tn.
Group III (Cont'd)											
KN or any number developing over 30 KN; Greaser; Hoist, one drum regardless of size (except brick or concrete); Let-A-Water, other hoisting; Manlift; Mixer, asphalt, over 8 cu. ft. capacity; Mixer, if two or more mixers of one bag capacity or less are used by one employer on job, an operator is required; Mixer, with outside loader, 2 bag capacity or more; Mixer, with side loader, regardless of size, not paver; Oiler on dredge; Oiler on truck crane; Pug mill operator; Pump, pump-self-powered, automatic controlled over 2" during use in connection with construction work; Sweeper, street; Welding machine, one over 400 amp.; Winch operating from truck	\$7.97	.35						.35	.40		
Group IV											
Boat operator-outboard motor (job site); Conveyor (such as Con-ray-it) regardless of how used; Oiler; Sweeper, floor	7.52	.35									
Group V											
Air pressure; Oiler engineer; Operating under ten pounds	9.32	.35									
Air pressure; Oiler engineer operating over ten pounds	10.07	.35									
Air pressure engineer operating under ten pounds	10.52	.35									
Air pressure engineer operating over ten pounds	11.27	.35									
Crane-pile driving with leads; Crane using rock socket tool; Dragline - 7 cu. yds. & over; Shovel, power - 7 cu. yds. and over; Crane, climbing (such as Linden); Derrick, diesel, gas, electric hoisting material and jacking steel - 150' or more above											
Group V (Cont'd)											
ground; Hoist, three or more drums; Scoop, tandem; Tractor, tandem crawler	99.02	.35						.35	.40		
Heaters	8.02	.35						.35	.40		
Crane, with boom (including jib) over 100' from pin to pin (add 1c per foot to maximum of 75c) above basic rate for crane.											
Mud jack (where mud jack is used in conjunction with an air compressor, operator)	8.52	.35						.35	.40		
Work in tunnel or tunnel shaft, .25c above base rate											

Modifications P. 41

DECISION #AP-912 - Mod. #1
(38 FR 17421 - June 29, 1973)
Clark and Southern Half of Nye
Counties, Nevada

Change:
Ironworkers:
Reinforcing
Ornamental; Structural

Basic Hourly Rates	Fringe Benefits Payments				Other
	H & W	Festivals	Vacation	App. Tn.	
\$8.12	.63	.875	.75	.02	
8.23	.63	.875	.75	.02	

Modifications P. 42

DECISION #AP-740 - Mod. #1
(38 FR 18148 - July 6, 1973)
Statewide, New Mexico

Change:
Carpenters:
Zone (2) - 15 to 35 road miles
from nearest basing point:
Millwrights - Piledriversmen
Painters:
Colfax, Harding, Los Alamos, Mora,
Sandoval, San Miguel, Rio Arriba,
Taos, Union, and Santa Fe Counties:
Painters and rollers
Paperhangers
Spray painter; pressure roller,
and gunite operator
Steel painter; bridges, structural
steel, machinery tank, towers,
pipes, boiler rooms and power
plant-brush and spray
Dry wall finisher:
Hand finisher
Ames tool operator and machine
finishing
High Pay:
30 to 75 feet
75 to 100 feet
100 feet and over

Omit:

Painters (Lea and Eddy Counties):
Painters, rollers and dry wall
finisher
Sandblaster, pot tender, paperhanger
Spray
Laborers and Power Equipment Operators
Schedules for General Building and
Heavy Engineering Construction

Add:

Painters (Lea and Eddy Counties):
Zone A - a 40 mile radius from the
courthouse in Carlsbad:
Brush, roller & dry wall finisher
Spray
Paperhanger & Sandblaster
Zone B - the remainder of Eddy
and Lea Counties:
Brush, roller & dry wall finisher
Spray
Paperhanger & Sandblaster
Laborers and Power Equipment Operators
Schedules for Building Construction
Laborers and Power Equipment Operators
Schedules for Heavy Engineering
Construction

Basic Hourly Rates	Fringe Benefits Payments				Other
	H & W	Festivals	Vacation	App. Tn.	
\$6.66	.30	.40	.25	.04	
5.00	.30			.01	
5.25	.30			.01	
5.65	.30			.01	
5.50	.30			.01	
5.50	.30			.01	
5.75	.30			.01	
5.50	.30			.01	
6.00	.30			.01	
7.00	.30			.01	
4.85	.25				
5.10	.25				
5.35	.25				
5.00	.30				
5.50	.30				
5.25	.30				
5.75	.30				
6.25	.30				
6.00	.30				

Modifications P. 43

DECISION #AF-740 (Cont'd)

New Mexico I - Lab I - C

Basic Hourly Rates	Fringe Benefits Payments				D-
	M & W	Pensions	Vacation	App. Tr.	
BUILDING CONSTRUCTION					
LABORERS					
UNSKILLED:					
Building and Common Laborers, Carpenter tenders, Concrete workers, Chainmen-stakedrivers, Concrete buggy operators	44.32	.26	.15		
Hand					
SEMI-SKILLED:					
Air and power tool operator, Asphalt rakers, Demolition, Gunite rebound men, Fog Machine Operator, Power Buggy Operators, Rodmen, Sand blasters (pork men), Nozzlemen, Window washer, wagon, core and diamond drillers tenders outside	4.62	.26	.15		
Wagon Core, Diamond Drillers	4.72	.26	.15		
MISCELLANEOUS:					
Concrete Burner, Cement mason tenders, Rodcarriers, Mortar mixers, Plaster spreader operators, plaster tenders, Gunite nozzlemen, Pipe Layer, Pumpcrete nozzlemen	4.925	.26	.15		
Powdermen and Blasters	5.075	.26	.15		

Modifications P. 44

New Mexico 1-P20 1-3

(1-2)

Basic Hourly Rates	Fringe Benefits Payments				D-
	M & W	Pensions	Vacation	App. Tr.	
BUILDING CONSTRUCTION					
POWER EQUIPMENT OPERATORS					
GROUP I					
Fireman, Oiler, Helpers-Mechanic Welder, Greaser Truck, Screedman Scale Operator, such as (Bin-A-Sitch), Rubber Tired Farm-Type Tractor, Tractors under 50 HP W/O Attachments, Breakman, Concrete Paving Curing Machine (Bridge Type)	4.78	.25	.20		.06
GROUP II					
Rollers, Sheepfoot or Pneumatic Self propelled W/O Boser, Concrete Conveyor, Service Truck Operator (Head Oiler), Air Compressor (300 CFM and over), Pumps (6" and over), Screening Plants, Concrete Mixers (under 1 CF), Concrete Saw or Grinder-Span Type, Hoists, 1 drum, Air Tugger, Elevating Belt Type Loaders, Forklift Lumber Stacker, Tractor-Farm Type (under 50HP W/Attachments) Motor men and Industrial Locomotive Operator, Winch Trucks, Front End Loader (Under 2 CF), Power Plants which generate over 15 KW, Welding Machines	5.32	.25	.20		.06
GROUP III					
Bituminous Distributors, Rollers, Retort and Hot Oil Heaters, Concrete Paver-Single Drum), Drilling Equipment, Motor Graders (Bough), Shaft and Tunnel Equipment-Refrigeration, Slusher, Jumbo form, Trenching Machines (all types), Pumpcrete and Gunite Machines, Slifform Paver, Mechanical Bulldozers, Concrete slab, Spreading Machine, Concrete Slab Finishing Machine, Asphalt Plants, Bituminous Finishing Machines, Crushing Plants	5.40	.25	.20		.06
GROUP IV					
Front End Loader (2 thru 10 CF), Rollers Steel Wheeled-All Types, Bulldozers, Scrapers, (Motor or Towed), Elevating Graders, Concrete Batching Plants, Self Propelled Rollers-Equipped with Dozer, Twin-Bowl Scrapers and Quad 8 or 9 Pushers (35¢ over basic rate) Three Bowl Scrapers (60¢ over basic rate)	5.46	.25	.20		.06

Modifications P. 46
New Mexico 2-Lab 2-A

DECISION #AP-740 (Cont'd)

Basic Hourly Rates	Fringe Benefits Payments				C-A
	H & W	Pensions	Vacation	App. Tr.	
HEAVY ENGINEERING CONSTRUCTION LABORERS:					
Unskilled:					
Construction and general laborers, carpenter tenders, concrete workers, stake drivers, concrete buggy operator	.26	.15			
Semi-Skilled:					
Air and power tool operators, asphalt makers, cutting torch operators, demolition, gunite rebound men, rod and chainmen, power buggy operators, sandblasters (spot men), nozzle men, wagon core and diamond drillers' tenders, outside scalers, fog machine operator	.26	.15			
Wagon, Core, Diamond drillers	.26	.15			
MISCELLANEOUS:					
Concrete burner, cement masons tender, hod carriers, mortar mixers, plaster spreader operator, plaster tenders, gunite nozzle men, pipe layer, pump-crete	4.925	.15			
Foodermen and blasterers	5.075	.15			

Modifications P. 45

New Mexico 1-FSD 1-E (2-2)

DECISION #AP-740 (Cont'd)

Basic Hourly Rates	Fringe Benefits Payments				C-A
	H & W	Pensions	Vacation	App. Tr.	
BUILDING CONSTRUCTION					
POWER EQUIPMENT OPERATORS (Cont'd)					
GROUP V					
Hydraulic Cranes-with less than 50 ft. of boom (20 tons and under), Concrete Paver-Double Drum, Cat Cranes, Hysters, Side and Swingboom Cats, Hoist-2 drum, Auto Fine Grader	5.52	.25	.20	.06	
GROUP VI					
Mucking Machines-All types, Motor Grader-Finish, Mechanic-Welder	5.62	.25	.20	.06	
GROUP VII					
Steam Engineers, Loader (Front End over 10 CY)	5.72	.25	.20	.06	
GROUP VIII					
All Shovel Type Equipment: Cranes, Draglines, Buckhoes, Derricks, Guy and Stiff Leg, Pipemobile (No. 2 Op.), Pile Driver, Hydraulic Cranes (20 tons and over), Wire Hoist (Salt Loader "C.W.I." Type), Cranes, Draglines-with booms and jib over 150 ft. 25¢ per hour additional	5.90	.25	.20	.06	
GROUP IX					
Shovel (Wheel Type), Boring Machine (Tunnel or Shaft Hole), Pipe Mobile	6.70	.25	.20	.06	

Modifications P. 47
New Mexico 2-PED-2A (1-2)
DECISION #AF-740 (Cont'd)

Modifications P. 48
New Mexico 2-PED-2A (2-2)
DECISION #AF-740 (Cont'd)

Basic Hourly Rates	Fringe Benefits Payments				Oth
	H & W	Pensions	Vacation	App. Tn.	
POWER EQUIPMENT OPERATORS HEAVY ENGINEERING					
GROUP I Fireman, Oiler, Helpers-Mechanic, Scale Welder, Grease Truck, Screamman, Scale operator such as (Bin-a-Batch), Rubber tired farm-type tractor, Tractors (under 50 HP w/o attachments), Breakman, Concrete paving curing machine, (bridge type)	\$4.73	.25	.20	.06	
GROUP II Rollers, Sheepfoot or Pneumatic, Self propelled W/O Doser, Concrete Conveyor, Service Truck Operator (Head Oiler), Air Compressor (500 CFM and over), Pumps (6" and over), Screening Plants, Concrete Mixers (Under 1 CY), Concrete Saw or Grinder-Span Type, Hoists, 1 drum, Air Tugger, Elevating, Belt Type Loaders, Forklift Lumber Stacker, Tractor-Farm Type (Under 50 HP w/o Attachments), Motorman and Industrial Locomotive Operator, Winch Truck, Front End Loader (Under 2 CY), Power Plants which generate over 15 KW, Welding Machines	5.27	.25	.20	.06	
GROUP III Bituminous Distributors, Boilers, Retort and Hot Oil Heaters, Concrete Mixers (1 CY and over), Concrete Paver-Single Drum, Drilling Equipment, Motor Graders (Bough), Shaft and Tunnel Equipment-Refrigeration, Slusher, Jumbo Form, Trenching Machines-All types, Pump Grete and Omite Machines, Slipform Paver, Mechanical Rollfloats, Concrete Slab Finishing Machine, Asphalt Plants, Bituminous Finishing Machines, Crushing Plants	5.35	.25	.20	.06	
GROUP IV Front End Loader (2 thru 7 CY), Rollers, Steel Wheeled-All Types, Bulldozers, Scrapers, (Motor or Towed), Scrapers, (Motor or Towed), Elevating Graders, Concrete Batching Plants, Self-Propelled Rollers-Equipped with Doser, Twin-Bowl Scrapers and Quad 3 or 9, Pushers (35% over basic rate) Three Bowl Scrapers (60% over basic rate)	5.41	.25	.20	.06	

POWER EQUIPMENT OPERATORS
HEAVY ENGINEERING (CONT'D)

GROUP V
Front End Loader (over 7 thru 10 CY), Hydraulic Cranes With less than 50 ft. of boom (20 tons and under), Concrete paver-double drum, Cat Cranes, Hysters, Side and Swingboom Cats, Hoist-2 drum, Auto Fine Grader

GROUP VI
Mucking Machines-All types (blade-motor grader-finish), Mechanic-Welder

GROUP VII
Steam Engineers, Loader (Front End over 10 CY)

GROUP VIII
All Shovel Type Equipment:
Cranes, Draglines, Backhoes, Derricks, Guy & Stiff Legs, Pipemobile (No. 2 Operator), Pile driver, Hydraulic Cranes (20 tons and over), Mine Hoist (Belt Loader "C.M.I." Type)

GROUP IX
Shovel (Wheel Type), Boring Machine (Tunnel or Shaft Mole), Pipe Mobile

DECISION #AF-486 - Mod. #1
(38 FR 6516 - March 9, 1973)
Steuben County, New York

Basic Hourly Rates	Fringe Benefits Payments				Oth
	H & W	Pensions	Vacation	App. Tn.	
Changes: Carpenters: Remainder of County: Carpenters, Heavy & Highway	\$7.47	.40	.75	.025	

Modifications P. 50

Basic Hourly Rates	Fringe Benefits Payments				Others
	M & W	Pensions	Vacation	App. Tr.	
<p>DECISION #AP-190 - Mod. #3 (38 FR 14068 - May 25, 1973) Anderson and Roane Counties, Tennessee - Oak Ridge, Atomic Energy Commission Only.</p> <p>Change: Power Equipment Operators: Group A Group B Group C Group D</p>					
\$6.13 5.70 4.80 4.42	.20 .20 .20 .20	.20 .20 .20 .20			.02 .02 .02 .02
<p>DECISION #AP-191 - Mod. #2 (38 FR 14070 - May 25, 1973) Hamilton County, Tennessee</p> <p>Change: Roofers: Composition, damp & waterproofers Slate and tile Kettlemen Power Equipment Operators: Group A Group B Group C Group D</p>					
\$6.25 6.45 5.95 6.15 5.35 4.75 4.45	.20 .20 .20 .20 .20 .20 .20	.10 .10 .10 .20 .20 .20 .20			
<p>DECISION #AP-192 - Mod. #2 (38 FR 14073 - May 25, 1973) Knox County, Tennessee</p> <p>Change: Power Equipment Operators: Group A Group B Group C Group D</p>					
\$6.13 5.70 4.80 4.42	.20 .20 .20 .20	.20 .20 .20 .20			.02 .02 .02 .02

Modifications P. 49

Basic Hourly Rates	Fringe Benefits Payments				Others
	M & W	Pensions	Vacation	App. Tr.	
<p>DECISION #AP-164 - Mod. #5 (37 FR 26249 - December 8, 1972) Tulsa County, Oklahoma</p> <p>Change: Ironworkers: Structural; Ornamental; Reinforcing</p>	.30	.35	.05		
<p>DECISION #AP-731 - Mod. #3 (38 FR 12592 - May 11, 1973) Oklahoma, Cleveland, Canadian, Lincoln, and Pottawatomie Counties, Oklahoma</p> <p>Change: Ironworkers Laborers (Oklahoma, Canadian, Lincoln, and Cleveland Counties): Unskilled laborers Air tool operator (jackhammer and vibrator); mason tender; mortar mixer; pipelayer (concrete and clay); plasterers' tender Laborers (Pottawatomie County): Unskilled laborers Air tool operator (jackhammer and vibrator); mason tender; mortar mixer; pipelayer (concrete and clay); plasterers' tender</p>	.30	.35	.05		
\$7.74 4.50 4.65 4.05 4.17					

Basic Hourly Rates	Fringe Benefits Payments					Basic Hourly Rates	Fringe Benefits Payments				
	M & W	Vacation	App. Tc.	Others			M & W	Vacation	App. Tc.	Others	
DECISION #AP-726 - Mod. #5 (38 FR 10600 - April 27, 1973) Lubbock County, Texas											
Change: Building Construction: Carpenters						\$6.05	.25	.30			.01
DECISION #AP-729 - Mod. #2 (38 FR 10609 - April 27, 1973) Collin, Dallas, Denton, Ellis, Grayson, Hood, Hunt, Johnson, Kaufman, Palo Pinto, Parker, Rockwall, Tarrant & Wise Counties, Texas											
Change: Building Construction: Carpenters: Millwrights: Collin, Dallas, Ellis, Hunt, Kaufman, Rockwall, Denton, Hood, Johnson, Palo Pinto, Parker, Tarrant & Wise Counties						8.32					.02
Labors: Hood, Johnson, Palo Pinto, Parker, Tarrant & Wise Counties						8.06	.25				.04
Plasterers: Denton, Hood, Johnson, Palo Pinto, Parker, Tarrant & Wise Counties						8.335					.01

Basic Hourly Rates	Fringe Benefits Payments					Basic Hourly Rates	Fringe Benefits Payments				
	M & W	Vacation	App. Tc.	Others			M & W	Vacation	App. Tc.	Others	
DECISION #AP-721 - Mod. #4 (38 FR 10585 - April 27, 1973) Bexar County, Texas											
Change: Building Construction: Asbestos workers Glassers Painters: Brush Spray Structural steel Spray on structural steel; sandblaster Sheet metal workers						\$7.53 5.60 5.60 5.85 6.10 7.35	.30 .20 .20 .20 .20 .30		.03		
DECISION #AP-723 - Mod. #6 (38 FR 10591 - April 27, 1973) Travis County, Texas											
Change: Building Construction: Asbestos workers Sheet metal workers						7.68 7.35	.30 .30		.03 .05		
DECISION #AP-725 - Mod. #4 (38 FR 10597 - April 27, 1973) Armstrong, Carson, Castro, Childress, Collingsworth, Dallas, Deaf Smith, Donley, Gray, Hansford, Hartley, Hemphill, Hutchinson, Lipscomb, Moore, Ochiltree, Oldham, Potter, Randall, Roberts, Sherman, Sutherland & Wheeler Counties, Texas											
Change: Building Construction: Plasterers						6.30				.01	

STATE: Arizona
 COUNTY: Statewide
 DECISION NUMBER: AQ-1,004
 Superseded Decision No. AP-258 dated January 12, 1973, in 38 FR 1440.
 DESCRIPTION OF WORK: Heavy and Highway Construction
 Establish a point 35 miles due north from the city hall of the City of Flagstaff and establish another point 35 miles due north from the city hall of the City of Kingman, then draw a straight line from the first point to the second point and extend that same line to the intersection of the Arizona-Nevada State line. Establish a third point 35 miles due north of the city hall of the City of Holbrook, and draw a straight line from the first point to the third point and from the third point extend a line due east to the intersection of the Arizona-New Mexico State line.

Basic Hourly Rates	Fringe Benefits Payments				App. To	Others
	M & W	Pensions	Vacation			
LINE CONSTRUCTION						
Zone I (Phoenix and Tucson 30 mile radius from center of Town):						
Groundman	\$7.22	.23	134.35		1/21	
Equipment operators; Powdermen; Mechanics	8.33	.23	134.35		1/21	
Linenmen; Technician; Crane operator; Linemen welder	8.85	.23	134.35		1/21	
Cable splicers	9.17	.23	134.35		1/21	
Zone I-A (Douglas, Flagstaff, Globe, Kingman, Prescott and Yuma 10 mile radius from center of town):						
Groundman	7.84	.23	134.35		1/21	
Equipment operators; Powdermen; Mechanics	8.91	.23	134.35		1/21	
Linenmen; Technician; Crane operator; Linemen welder	9.43	.23	134.35		1/21	
Cable splicers	9.78	.23	134.35		1/21	
Zone II (Other Areas)						
Groundman	8.43	.23	134.35		1/21	
Equipment operators; Powdermen; Mechanics	9.49	.23	134.35		1/21	
Linenmen; Technician; Crane operator; Linemen welder	10.00	.23	134.35		1/21	
Cable splicers	10.30	.23	134.35		1/21	

	Basic Hourly Rates	Fringe Benefits Payments			App. To	Others
		M & W	Pensions	Vacation		
Decision MAP-858 - Mod #1 (38 FR 17350 - June 29, 1973) Montgomery and Prince Georges Counties, Maryland; City of Alexandria, Virginia; Arlington and Fairfax Counties, Virginia and Dulles International Airport						
CHANCE: Painters: Brush, spray, paperhangers, tapers	\$7.97	.41	.18		.06	
Steel, sandblasting, swing stage, power brushing	8.30	.41	.18		.06	
Sprinkler fitters	9.10	.30	.50		.05	
Cement Masons:						
Grinding machine	8.05	.255	.28		.05	
Decision MAP-823 - Mod #5 (38 FR 13304 - May 18, 1973) Washington, D. C.	8.25	.255	.28		.05	
CHANCE: Painters: Brush, spray, paperhangers, tapers	7.97	.41	.18		.06	
Steel, sandblasting, swing stage, power brushing	8.30	.41	.18		.06	
Sprinkler fitters	9.10	.30	.50		.05	
Cement Masons:						
Grinding machine	8.05	.255	.28		.05	
	8.25	.255	.28		.05	

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	Fringe Benefits Payments				Basic Hourly Rates	Fringe Benefits Payments				Basic Hourly Rates	Fringe Benefits Payments				Basic Hourly Rates
	H & W	Pension	Vacation	App. Tr.		H & W	Pension	Vacation	App. Tr.		H & W	Pension	Vacation	App. Tr.	
BRICKLAYERS: (Phoenix Area) Bricklayers; Manhole Builders Zone A (0-25 miles from the City Hall of Phoenix); Flagstaff and Yuma Zone B (25-40 miles from the City Hall of Phoenix; and Williams AFB) Zone C (40-70 miles from the City Hall of Phoenix) Zone D (70-100 miles from the City Hall of Phoenix) Zone E (100-200 miles and over from the City Hall of Phoenix) Zone F (200 miles and over from the City Hall of Phoenix) Bricklayers (Tucson Area)					\$8.85	.35	.30		.03		.275	.50		.04	
					9.74	.35	.30		.03		.275	.50		.04	
					10.18	.35	.30		.03		9.83	.50		.04	
					10.62	.35	.30		.03						
					11.06	.35	.30		.03						
					11.51	.35	.30		.03						
					8.575	.40	.30	.25	.02		9.40	134.60		1/21	
					8.95	.40	.30	.25	.02		10.90	134.60		1/21	
					9.325	.40	.30	.25	.02		9.60	134.60		1/21	
					10.075	.40	.30	.25	.02		11.10	134.60		1/21	
Manhole Builders: Zone A Zone B Zone C Zone D CARPENTERS: (Central and Southern Areas): Carpenters Power tools (Northern Area): Carpenters Power tool operator CEMENT MASONS (Central and Southern Areas) CEMENT MASONS (Northern Area) DETWALL INSTALLERS: From Court House in Phoenix, Mesa, Inc., Williams AFB and Luke AFB Tapers					8.825	.40	.30	.25	.02		8.58	13		1/21	
					9.20	.40	.30	.25	.02		9.30	13		1/21	
					9.575	.40	.30	.25	.02		9.175	13		1/21	
					10.325	.40	.30	.25	.02		9.875	13		1/21	
					7.75	.35	.60		.025		10.475	13		1/21	
					8.25	.35	.60		.025		11.175	13		1/21	
					9.625	.35	.60		.025		9.425	13		1/21	
					10.125	.35	.60		.025		10.125	13		1/21	
					7.585	.35	.65		.025		10.725	13		1/21	
					9.51	.35	.65		.025		11.425	13		1/21	
Zone A (0-40 miles) Zone B (40-60 miles) Zone C (60 miles and over)					8.48	.275		.50	.04						
					9.48	.275		.50	.04						
					9.73	.275		.50	.04						

NOTICES

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AO-1,000 P. 5

AO-1,000 P. 4

Basic Monthly Rates	Fringe Benefits Payments				Fringe Benefits Payments			
	H & W	Pensions	Vacation	App. Yr.	H & W	Pensions	Vacation	App. Yr.
ELECTRICIANS: (Phoenix-Kingman-Prescott Area)								
Zone A (Beginning at the northeast corner, a line extending southward on Bush Highway to McKellips Road; a line extending east on McKellips Road to a point one mile east of the intersection of State Highway 88 and U. S. 60 and 70 near Apache Junction; southward to Baseline Road; west on Baseline Road to the intersection of Baseline Road and Ellsworth Road; south on Ellsworth Road to Hunt Highway; west on Hunt Highway to Powers Road; a line extending south on Powers Road five miles, then extending straight west to a point five miles west of Interstate 10, then northwest on a line parallel with Interstate 10 to intersect with Pecos Road, west on Pecos Road to intersect with Cotton Lane. North on Cotton Lane to Belmont Road, west on Belmont Road to Airport Road. North on Airport Road in a straight line to intersect Waddell Road. East on Waddell Road to intersect with Cotton Lane. North on Cotton Lane to Deer Valley Drive and east on Deer Valley Drive to intersection with Bush Highway including Luke and Williams Air Force Bases.)	\$8.95							
	9.36							
Electricians								
Cable splicers								
Zone B (Area outside of Zone A and bounded by a line formed by measuring sixteen (16) road miles from the outer boundaries of an area enclosed by the following boundaries: Powers Road on the east, from Hunt Highway on the south to one mile south of Pinnacle Peak Road on the north. One mile south of Pinnacle Peak Road to Cotton Lane on the west. Cotton Lane to Pecos Road on the south. Pecos Road to Price Road and from Price Road to Hunt Highway on the south. Hunt Highway to Powers Road on the east.)								
Electricians								
Cable splicers								
Zone C (outside edge of Zone B and extend to the outside limits of the union's jurisdiction.)								
Electricians								
Cable splicers								
ELECTRICIANS: (Tucson Area)								
Zone A (Area within 16 road miles from City Hall of Tucson and Douglas)								
Electricians								
Cable splicers								
Zone B (From the 16th road mile and extend up to and including the 32nd road mile from Tucson only)								
Electricians								
Cable splicers								
Zone C (From 32nd road mile and extend up to and incl. the 48th road mile from Tucson only)								
Electricians								
Cable splicers								
Zone D (From the 48th road mile and extend to the outside limits of the units jurisdiction) and (Douglas Zone D shall be from the 16th road mile and extend to the outside limits of the units jurisdiction)								
Electricians								
Cable splicers								

FREE ZONE 0 - 15 MILES

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Basic Hourly Rates	Fringe Benefits Payments				Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Festivals	Vacation	App. Tr.		H & W	Festivals	Vacation	App. Tr.
<p>LABORERS: (cont'd)</p> <p>GROUP V</p> <p>AIR AND WATER WASH-OUT NOZZLEMAN; Asphalt rakers and ironers; Drillers; Grade setter (pipeline); Band guided trencher and similar operated equipment; Jackhammer and/or pavement breakers; Pipe layer (including but not limited to non-metallic, transite and plastic pipe, water pipe, sewer pipe, drain pipe, underground tile and conduit); Rock slinger; Scaler (using bos'ng chair or safety belt); Tamper (Mechanical - all types)</p> <p>GROUP VI</p> <p>CONCRETE CUTTING TORCH; CONCRETE SAW (hand guided); Driller (core, diamond, wagon or air track); Drill doctor and/or air tool repairman; Gunman and mixerman (gunnite); Sandblaster (nozzleman)</p> <p>GROUP VII</p> <p>CONCRETE ROAD FORM SETTER; Gunnite nozzleman or rodman; Drillers, Joy Mustang, PR 143, 2200 Gardner-Denver, hydraulic; Powder man; Scaler (drillert); Welders and/or pipe layers installing process piping</p> <p>MASON TENDERS</p> <p>PLASTERERS' TENDERS</p> <p>Employees working underground shall receive twenty cents (20¢) per hour additional above the regular rate, except where herein specifically covered.</p> <p>Laborers employed where they may have a free fall over thirty (30) feet or on construction scaffolds above thirty (30) feet or bos'm chair above thirty (30) feet, or where gas masks are necessary, shall receive fifty cents (50¢) per hour in addition to their regular rate, except where inherent in classifications.</p>	.35	.60	.05		\$7.595	.35	.60	.05	
<p>LABORERS: (cont'd)</p> <p>TUNNEL AND SHAFT WORKERS</p> <p>GROUP I</p> <p>BULL GANG, MUCKERS, TRACKMAN; HUMPHREY; Concrete crew (includes rollers and spreaders); GROUT crew; Swamper (brakeman and switchmen on tunnel work)</p> <p>GROUP II</p> <p>NIFFER; CRACKTENDER, CARLETENDER; Vibratorman, jackhammer, pneumatic tools (except driller)</p> <p>GROUP III</p> <p>GROUT GUNMAN</p> <p>GROUP IV</p> <p>TIMBERMAN, RETIMBERMAN - wood or steel blaster, driller powderman; Cherry pickerman; Powderman - primer house; Steel form raiser and setter; Kemper and other pneumatic concrete placer operator; Miner - finisher</p> <p>GROUP IV-A</p> <p>MINERS - Tunnel (hand or machine)</p> <p>GROUP V</p> <p>DIAMOND DRILL</p> <p>GROUP V-A</p> <p>SHAFT AND RAISE MINER WELDER</p>	.35	.60	.05		\$7.35	.35	.60	.05	
	.35	.60	.05		7.485	.35	.60	.05	
	.35	.60	.05		7.585	.35	.60	.05	
	.35	.60	.05		7.685	.35	.60	.05	
	.35	.60	.05		7.885	.35	.60	.05	
	.35	.60	.05		8.02	.35	.60	.05	
	.35	.60	.05		8.22	.35	.60	.05	

AG-3, CON. P. 13

AG-3, CON. P. 12

Northern area of Arizona

POWER EQUIPMENT OPERATORS:

GROUP I

Aggregate Plant Operator; Field equipment operator; Heavy duty repair helper; Heavy duty welder helper; Oilier; Pump operator

GROUP II

Conveyor Operator; Generator operator; Portable; Power grizzly operator; Self-propelled chip spreading machine-conveyor operator; Watch Fireman; Welding machine operator - gasoline and diesel power

GROUP III

Concrete Mixer Operator-Skip Type; Dinky operator - (under 20 tons wt.); Driver-moto paver, slurry seal machine, and similar type equipment; Motor crane driver; Power sweeper operator - self-propelled; Ross carrier or fork lift operator; Skip loader operator - all types with rated capacity 1-1/2 cu. yds. or less; Wheel type tractor operator (Ford, Ferguson, or similar type) with attachments such as Fresno, push blade, post hole auger, mower, etc., excluding compacting equipment

GROUP IV

A-Frame Boom Truck or Winch Truck Operator; Asphalt plant fireman; Elevator hoist operator (including Tuskley hoist or similar types); Grade checker (excluding civil engineer); Multiple power concrete saw operator; Pavement breaker, mechanical compactor operator, power propelled; Roller operator - all types except as otherwise classified; Screed operator; Self-propelled chip spreading machine operator (including slurry seal machine operator); Stationary pipelapping and cleaning machine operator; Tugger operator

POWER EQUIPMENT OPERATORS (cont'd)

GROUP V

Aggregate Plant Operator (including crushing screening and sand plants, etc.); Asphalt laydown machine operator; Asphalt plant mixer operator; Belicrete machine; Boring machine operator; Concrete mechanical tamping, spreading or finishing machine (incl. Clary, Johnson or similar types); Concrete pump operator; Concrete batch plant operator; all types and sizes; Conductor, Brake-man, or handler; Elevating grader operator - all types and sizes (except as otherwise classified); Field equipment serviceman; Highline cableway signman; Kolman belt loader operator or similar type, wheel width 48" or over; Locomotive engineer (including Dinky-20 tons weight and over); Motor paver and similar type equipment operator; Operating engineer rigger; Pneumatic-tired scraper operator (Turnapell, Euclid, Cat, D-W, Hancock and similar equipment) up to and incl. 12 cu. yds.; Power jumbo form setter operator; Pressure grout machine operator (as used in heavy engineering construction); Road oil mixing machine operator; Roller operator-on all types asphalt pavement; Self-propelled compactor, with blade; Skip loader operator-all types with rated capacity over 1 1/2 but less than 4 cu. yds.; Slip form operator (power driven lifting device for concrete forms); Soil cement road mixing machine operator single pass type; Stationary central generating plant operator - rated 300 k.w. or more; Surface heater and planer operator; Traveling pipelapping machine operator

GROUP V-A

Heavy Duty Mechanic and/or Welder; Pneumatic tired scraper, all sizes and types over 12 cu. yds. up to and incl. 45 cu. yds. MNC (Turnapell, Euclid, Cat, D-W, Hancock, and similar equipment); Tractor operator (Pusher, Bulldozer, Scraper) up to 400 net horsepower rating; Trenching machine operator

Basic Hourly Rates	Fringe Benefits Payments				Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	Asp. Tn.		H & W	Pensions	Vacation	Asp. Tn.
\$8.06	.45	.50	.02		\$9.63	.45	.50		.02
8.35	.45	.50	.02		9.89	.45	.50		.02
8.75	.45	.50	.02						
9.19	.45	.50	.02						

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POWER EQUIPMENT OPERATORS (cont'd)	Fringe Benefits Payments				
	Basic Hourly Rates	H & W	Pensions	Vacation	Asp. Tr.
GROUP VI Auto-Grade Machine (CMI and similar equipment); Boring machine operator (including mole, badger and similar type); Concrete mixer operator-paving type; and mobile mixer; Concrete pump operator with boom attachment (truck mounted); Crane operator-crawler and pneumatic type, under 100 ton capacity; Crawler type tractor operator - with boom attachment; Derrick operator; Forklift operator for hoisting personnel; Grade-all operators; Helicopter hoist; Highline cableway operator (less than 20 tons rated capacity); Mass excavator operator (150 Berytus Erie and similar types); Mechanical hoist operator (two or more drums); Motor grader operator - any type power blade; Motor grader operator with elevating grader attachment; Bucking machine operators; Operating Engineer electricians - including linemen, tower erector, cable splicers, etc.; Overhead crane operator; Piledriver engineer (portable, stationary or skid rig); Pneumatic-tired scraper operator - all sizes and types (Turnaguli, Euclid, Cat D-9, Hancock and similar equipment over 45 cu. yds. MHC); Power driven ditch lining or ditch trimming machine operator; Skip loader operator - all types with rated capacity 4 cu. yds. but less than 8 cu. yds.; Slip form paving machine operator (including Gunnert, Zimmerman and similar types); Specialized power digger operator - attached to wheel-type tractor; Tower crane (or similar type) operator; Tractor operator (pusher, bulldozer, scraper) 400 net horsepower and over; Tugger operator (two or more); Universal equipment operator - Shovel, Backhoe, Dragline, Clamshell, etc., up to 8 cu. yds.	\$10.17	.45	.50		.02

POWER EQUIPMENT OPERATORS (cont'd)	Fringe Benefits Payments				
	Basic Hourly Rates	H & W	Pensions	Vacation	Asp. Tr.
GROUP VII Crane Operator - Pneumatic or Crawler (100 ton hoisting capacity and over MHC rating); Helicopter pilot - FAA qualified when used in construction work; Highline cableway operator, over 20 ton rated capacity and using traveling head and tail tower; Remote control earth moving equipment operator; Skip loader operator - all types with rated capacity of 8 cu. yds. or more; Universal equipment - Shovel, Backhoe, Dragline, Clamshell, etc., 8 cu. yds and over	\$10.69	.45	.50		.02
MULTIPLE-UNIT EARTH MOVING EQUIPMENT: Tractor Operator-Pneumatic-tired or track type, two units - fifty cents (50¢) per hour more than the base single-unit rate established in Group V, Group V-A, or Group VI, and one dollar (\$1.00) per hour for each additional unit. All Operator, Oiler, and Motor Crane Drivers on equipment with booms of 80 and over, incl. job shall receive .0075 (3.4 of a cent) per foot per hour premium pay additional to the regular rate of pay. Oiler shall be required on all track or crawler-type cranes, backhoes, shovels, clamshells, draglines, gradalls, etc. Oiler drivers shall be required on all truck mounted or self-propelled excavating and/or hoisting equipment have the configuration for two men.					

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Basic Hourly Rates	Fringe Benefits Payments				Oth.
	H & W	Pensions	Vacation	App. T.	
\$8.575	.35	.60		.02	

TRUCK DRIVERS (CONT'D):

GROUP VII

BULK CEMENT SPREADER (8 axle); Dump (8 axle); Flatrack (8 axle)

GROUP VIII

OFF-HIGHWAY EQUIPMENT DRIVER (2 or 4 wheel power unit, i.e. Cat 1W series, Euclid, International, and similar type equipment, transporting material when top loaded or by external means, including pulling water tanks, fuel tanks, or other Teamsters classifications; Bulk cement spreader (9 axle); Dump (9 axle); Dumptor or dumpter, 16 c.y. & over; Eject-all; Flatrack (9 axle); Rock truck (Dart, Euclid or other similar end-dump type); 16 c.y. & over

HEAVY DUTY MECHANIC/WELDER

HEAVY DUTY MECHANIC/WELDER HELPER

FIELD EQUIPMENT SERVICEMAN OR FUEL TRUCK DRIVER

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Basic Hourly Rates	Fringe Benefits Payments				Oth.
	H & W	Pensions	Vacation	App. T.	
\$7.295	.35	.60		.02	
7.405	.35	.60		.02	
7.565	.35	.60		.02	
7.855	.35	.60		.02	
7.985	.35	.60		.02	
8.125	.35	.60		.02	
8.235	.35	.60		.02	

TRUCK DRIVERS

GROUP I

FLOUPE; STATION WAGON; TEAMSTERS

GROUP II

MUGGYBILLE, 1 C. Y. OR LESS; Bulk cement spreader (2 or 3 axle); Bus driver; Dump (2 or 3 axle); Flatrack (2 or 3 axle); Water (under 2500 gal.)

GROUP III

BULK CEMENT SPREADER (4 AXLE); Dump (4 axle); Dumptor or dumpter, less than 7 c.y.; Flatrack (4 axle); Water (2500 gal. but less than 4000 gal.)

GROUP IV

BULK CEMENT SPREADER (5 AXLE); Dump (5 axle); Dumptor or dumpter, 7 c.y. but less than 16 c.y.; Flatberly spreader or similar type equipment or leverman; Flatrack (5 axle); Slurry-type equipment or leverman; Transit mix, 8 c.y. or less

GROUP V

BULK CEMENT SPREADER (6 AXLE); Dump (6 axle); Flatrack (6 axle); Rock truck (Dart, Euclid and other similar type end dumps, single unit) less than 16 c.y.

GROUP V-A

OIL TANKER OR SPREADER TRUCK DRIVER and/or Bootman, Telfortman or leverman

GROUP VI

BULK CEMENT SPREADER (7 AXLE); Concrete pump truck driver, (when integral part of transit mix truck); Dump (7 axle); Flatrack (7 axle); Hydro lift, Swedish crane, Iowa 300 and similar types; Boss carrier fork lift or lift truck; Transit mix, over 10.5 c.y. but less than 14 c.y. mixer capacity

Northern area of Arizona

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LABORERS:	Fringe Benefits Payments				Basic Hourly Rates	Fringe Benefits Payments				Basic Hourly Rates
	H & V	Pensions	Vacation	App. Tr.		H & V	Pensions	Vacation	App. Tr.	
LABORERS: (cont'd)										
GROUP V										
AIR AND WATER WASH-OUT NOZZLEMAN; Asphalt rakers and ironers; Driller; Grade setter (pipeline); Hand guided trencher and similar operated equipment; Jackhammer and/or pavement breakers; Pipe layer (including but not limited to non-metallic, transite and plastic pipe, water pipe, sewer pipe, drain pipe, underground tile and conduit); Rock slinger; Scaler (using box's chair or safety belt); Tampers (mechanical - all types)										
						.35	.60			.05

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Central & Southern Area of Arizona

LABORERS:

GROUP I

ALL HELPERS NOT HEREIN SEPARATELY
CLASSIFIED; Cesspool diggers and
installers; Chat box man; Checker,
tool dispatcher; Concrete dump man-
belt, pipe and/or hoseman; Dumper
and/or spotter; Fence builder, guard
rail builder boy; Form strippers;
Labor, general or construction;
Landscape gardener and nurseryman;
Packing rod steel and pans; Rip rap
stoneman

GROUP II

CEMENT FINISHER TENDER; Concrete curet
(imperious membrane); Cutting torch
operator; Fine grader (highway,
engineering and sewer work only);
Kettleman - tarman; Power type concrete
buggy

GROUP III

HANDER; CHUCKTENDER (except tunnel);
Creosote tieman; Guinea chaser;
Powderman helper; Rip-rap stone paver;
Sandblaster (pot tender); Spikers
and wrenchers

GROUP IV

CEMENT MIXERS (skip-type mixer or
handing bulk cement); Chain saw
machines (on clearing and grubbing);
Concrete vibrating machines; Cribber
and shorer (except tunnel); Floor
sanders - concrete; Hydraulic jacks,
and similar mechanical tools not
separately herein classified;
Operators and tenders of pneumatic and
electric tools; Pipe caulkers and/or
Backup man (pipeline); Pipe wrapper;
Pneumatic gopher; Rigger/signalman
(pipeline)

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Central & Southern Areas of Arizona
POWER EQUIPMENT OPERATORS:

POWER EQUIPMENT OPERATORS:

Basic Monthly Rates	Fringe Benefits Payments			
	M.B.W.	Pensions	Vacation	Sick Pay
\$8.42	.45	.50		.02
6.73	.45	.50		.02
7.13	.45	.50		.02
7.57	.45	.50		.02

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LABORERS (cont'd)

Laborers employed where they may have to stand for long periods of time shall be paid an extra rate of 50% per hour in addition to their regular rate, except where inherent in the classification.

TUNNEL AND SHAFT WORKERS

Basic Hourly Rates	Fringe Benefits Payments			
	M & M	Pensions	Vacation	App. To C
\$5.725	.35	.60		.05
5.86	.35	.60		.05
5.86	.35	.60		.05
6.06	.35	.60		.05
6.26	.35	.60		.05
6.395	.35	.60		.05
6.595	.35	.60		.05

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POWER EQUIPMENT OPERATORS (cont'd)	Fringe Benefits Payments				Basic Hourly Rates
	H & V	Pensions	Vacation	App. Tr.	
GROUP V Aggregate plant operator (including crushing screening and sand plants, etc.); Asphalt laydown machine operator; Asphalt plant mixer operator; Beltcrete machine; Boring machine operator; Concrete mechanical tamping, spreading or finishing machine (incl. Clary, Johnson, or similar type); Concrete pump operator; Concrete batch plant operator, all types and sizes; Conductor, brakeman, or handler; Elevating grader operator - all types and sizes (except as otherwise classified); Field equipment servicemen classified; Highline cableway signalman; Kolan belt loader operator or similar type, w/belt width 48" or over; Locomotive engineer (including Dinky-10 tons wt. and over); Moto-paver and similar type equipment operator; Operating engineer rigger; Pneumatic-tired scraper operator (Turnapull, Euclid, Cat, D-W, Hancock and similar equipment) up to and incl. 12 cu. yds.; Power jumbo form setter operator; Pressure grout machine operator (as used in heavy engineering construction); Road oil mixing machine operator; Roller operator on all types asphalt pavement; Self-propelled compactor, with blade; Skip loader operator-all types with rated capacity over 1-1/2 but less than 4 cu. yds.; Slip form operator (power driven lifting device for concrete forms); Soil cement road mixing machine operator-single pass type; Stationary Central generating plant operator-rated 300 k.w. or more; Surface heater and planer operator; Traveling pipecapping machine operator	.45	.50		.02	\$8.01
GROUP V-A Heavy duty mechanic and/or welder; Pneumatic tired scraper, all sizes and types over 12 cu. yds. up to and incl. 45 cu. yds. MRC (Turnapull, Euclid, Cat, D-W, Hancock, and similar equipment); Tractor operator (Pusher, Bulldozer, Scraper) up to 400 net horsepower rating; Trenching machine operator	.45	.50		.02	8.27

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POWER EQUIPMENT OPERATORS (cont'd)	Fringe Benefits Payments				Basic Hourly Rates
	H & V	Pensions	Vacation	App. Tr.	
GROUP VI Auto-Grade Machine (CMI and similar equipment); Boring machine operator (including Mole, Badger and similar type); Concrete mixer operator-paving type, and mobile mixer; Concrete pump operator with boom attachment (truck mounted); Crane operator-crawler and pneumatic type, under 100 ton capacity MRC; Gravel type tractor operator - with boom attachment; Derrick operator; Forklift operator for hoisting personnel; Grade-all operator; Helicopter hoist; Highline cableway operator (less than 20 tons rated capacity); Mass excavator operator (150 Bucyrus Erie and similar types); Mechanical hoist operator (two or more drums); Motor grader operator - any type power blade; Motor grader operator with elevating grader attachment; Mocking machine operator; Overhead crane operator; Piledriver engineer (portable, stationary or skid rig); Pneumatic-tired scraper operator-all sizes and types (Turnapull, Euclid, Cat, D-W, Hancock and similar equipment over 45 cu. yds. MRC); Power driven ditch lining or ditch trimming machine operator; Skip loader operator - all types with rated capacity 4 cu. yds. but less than 8 cu. yds.; Slip form paving machine operator (including Conner, Zimmerman and similar types); Specialized power digger operator - attached to wheel-type tractor; Tower crane (or similar type) operator; Tractor operator (Pusher, Bulldozer, Scraper) 400 net horsepower and over; Tugger operator (two or more); Universal equipment operator - Shovel, Backhoe, Dragline, Clamshell, etc., up to 8 cu. yds.	.45	.50		.02	\$8.55

AQ-1, 000 P. 25

Central & Southern Areas of Arizona
TRUCK DRIVERS

Basic Hourly Rates	Fringe Benefits Payments				App. To	Of
	M & V	Pensions	Vacation	App. To		
\$5.67	.35	.60		.02		
5.78	.35	.60		.02		
5.94	.35	.60		.02		
6.23	.35	.60		.02		
6.36	.35	.60		.02		
6.50	.35	.60		.02		
6.61	.35	.60		.02		

GROUP I
FLIGHT; Station wagon; TeamstersGROUP II
BUCKYMOBILE, 1 C.Y. OR LESS; Bulk cement spreader (2 or 3 axle); Bus driver; Dump (2 or 3 axle); Flatrack (2 or 3 axle); Water (under 2500 gal.)GROUP III
BULK CEMENT SPREADER (4 AXLE); Dump (4 axle); Dumpster or dumpster, less than C.Y.; Flatrack (4 axle); Water (2500 gal. but less than 4000 gal.)GROUP IV
BULK CEMENT SPREADER (5 AXLE); Dump (5 axle); Dumpster or dumpster, 7 C.Y. but less than 16 C.Y.; Flaberry spreader or similar type equipment or leverman; Flatrack (5 axle); Slurry type equipment or leverman; Transit mix, 8 C.Y., or less mixer capacityGROUP V
BULK CEMENT SPREADER (6 AXLE); Dump (2 axle); Flatrack (6 axle); Rock truck (dart, euclid, and other similar type end dumps, single unit) less than 16 C.Y.GROUP V-A
OIL TANKER OR SPREADER TRUCK DRIVER and/or bootman, retortman or levermanGROUP VI
BULK CEMENT SPREADER (7 AXLE); Concrete pump truck driver, (when integral part of transit mix truck); Dump (7 axle); Flatrack (7 axle); Hydro lift, Swedish crane, Iowa 300 and similar types; Boss carrier fork lift or lift truck; Transit mix, over 10.5 C.Y. but less than 14 C.Y. mixer capacity

AQ-1, 000 P. 26

POWER EQUIPMENT OPERATORS (cont'd)

GROUP VII
Crawler Operator - pneumatic or crawler (100 ton hoisting capacity and over MEC rating); Helicopter pilot - FAA qualified when used in construction work; Highline cableway operator, over 20 ton rated capacity and using traveling head and tail tower; Remote control earth moving equipment operator; Skip loader operator - all types with rate capacity of 8 cu. yds. or more; Universal equipment - shovel, backhoe, dragline, clamshell, etc., 8-cu. yds. and over

MULTIPLE-UNIT EARTH MOVING EQUIPMENT:
Tractor Operator - pneumatic-tired or track type, two units - fifty cents (50¢) per hour more than the base single-unit rate established in Group V, Group V-A, or Group VI, and one dollar (\$1.00) per hour for each additional unit.

All Operators, oiler, and motor crane drivers on equipment with booms of 80 and over, incl. jib shall receive .0075 (3/4 of a cent) per foot per hour premium pay additional to the regular rate of pay.

Oiler shall be required on all track or crawler-type cranes, backhoes, shovels, clamshells, draglines, gradalls, etc.

Oiler drivers shall be required on all truck mounted or self-propelled excavating and/or hoisting equipment having the configuration for two men.

AQ-1,004 P. 26

SUPERSEDES DECISION

STATE: Delaware
 DECISION NUMBER: AQ-2,002
 SUPERSEDES DECISION NO. AF-804, dated May 4, 1973, in 38 FR 11262
 DESCRIPTION OF WORK: Building construction, (excluding single family homes and garden type apartments up to and including 4-stories), heavy and highway construction.

COUNTY: STATEWIDE

DATE: Date of Publication

TRUCK DRIVERS: (cont'd)

GROUP VIII
 BULK CEMENT SPREADER (8 axle); Dump
 (8 axle); Flatrack (8 axle)

GROUP VIII
 OFF-HIGHWAY EQUIPMENT DRIVER (2 or 4 wheel power unit, i.e. Cat 9M series, Euclid, International, and similar type equipment, transporting material when top loaded or by external means, including pulling water tanks, fuel tanks, or other tankers classifications; Bulk cement spreader (9 axle); Dump (9 axle); Dump or dumper, 16 c-y. and over; Eject-allis; Flatrack (9 axle); Rock truck (Dart, Euclid, or other similar end dump types) 16 c-y. and over

HEAVY DUTY MECHANIC/WELDER

HEAVY DUTY MECHANIC/WELDER HELPER

FIELD EQUIPMENT SERVICEMAN or FUEL
Truck driverCombination Man - 30¢ over the highest
rated work

Multiple-unit equipment driver - two units 50¢ per hour more than the base single unit rate established in Group 8 above; and \$1.00 per hour for each additional unit.

Basic Hourly Rates	Fringe Benefits Payments			
	M & W	Pensions	Vacation	App. To
\$6.95	.35	.60		.02
7.365	.35	.60		.02
8.24	.35	.60		.02
6.39	.35	.60		.02
7.98	.35	.60		.02

1-BEL-1-2-3-4

1 of 5

BUILDING, HEAVY AND HIGHWAY CONSTRUCTION

Basic Hourly Rates	Fringe Benefits Payments			
	M & W	Pensions	Vacation	App. To
\$8.55	.20	.50		.01
8.85	.50	1.00		.01
7.65	.30	.70	.20	.01
8.25	.60	.85		
9.00	.48	.40		.02
7.84	.25	.40		.02
8.65	.48	.21		
9.25	.31	.41		
9.25	.345	.20	284¢±	.015
6.475	.345	.20	284¢±	.015
4.625				
8.38	.35	.30		.01
8.62	.47	1.03		.05
6.60	.40	.30		
6.85	.40	.30		
7.10	.40	.30		
7.85	.40	.30		
7.10	.40	.30		
6.40	.40	.30		

Asbestos workers
 Boilermakers (New Castle Co.)
 Boilermakers (Kent and Sussex Cos.)
 Bricklayers
 Carpenters, Building and Heavy:
 New Castle and Kent Cos.:
 Sussex Co.
 Carpenters, Highway New Castle & Kent Cos.
 Cement masons
 Electricians
 Elevator constructors
 Elevator constructors' helpers
 Elevator constructors' helpers (prob.)
 Glaziers
 Ironworkers:
 Structural, ornamental, reinforcing,
 riggers and machinery movers
 Laborers: (New Castle Co., Bldg.)
 General construction, dumpmen & truck
 d spotters
 Caulkers, ops. of pneumatic & elec-
 tric tools, vibrating machines, con-
 crete saws, pumps, pot tenders, sewer
 pipe layers, demolition (use of hand
 tools), driller (except core, diamond
 or multiple wagon), mason & plasterer
 tenders, cement workers, mobile buggy
 ops., ops., of power saws (port-
 able), scaffold builders, hookup men,
 signal men, stripping of flat arch &
 form work & cleaning & oiling thereof,
 tool room attendant & welder
 Burners, driller (core, diamond, or
 multiple wagon) sandblaster (nozzle-
 man)
 Blasters
 Concrete workers:
 Industrial: fume stack men, nozzle-
 men & rodmen
 Laborers: (Kent & Sussex Co., Bldg.)
 General construction dumpmen & truck
 spotters
 Caulkers, ops., of pneumatic & elec-
 tric tools, vibrating machines, con-
 crete saws, pumps, pot tenders, sewer
 pipe layers, demolition (use of hand
 tools), driller (except core, diamond
 or multiple wagon), mason & plasterer
 tenders, cement workers, mobile buggy

1-DEL-1-2-3-K

	Fringe Benefits Payments			
	Basic Hourly Rates	M & W	Pension	Vacation
oper., oper., of power saws (portable), scaffolders, hookup men, signal men, stripping of flat arch & form work & cleaning & oiling thereof tool room attendant & welder	\$6.65	.40	.30	
Burners, drillers (core, diamond, or multiple wagon) sandblaster (nozzle man)	6.90	.40	.30	
Blasters	7.65	.40	.30	
Concrete Workers:				
Industrial form stack men, nozzle-men & rodmen	6.90	.40	.30	
Laborers (New Castle County - Heavy and Highway)				
Common laborers; landscapers; planters seeders; aborists; asphalt tamers & rakers; concrete pitmen; puddlers; rubber magazine tenders; railroad trackmen; signal men	3.35	.40	.30	
Pipelayers	3.50	.40	.30	
Wagon drill, diamond point drill; gunnite nozzle-men; form setters; blasters; caisson & cofferdam (open-air, below 8')	3.65	.40	.30	
Laborers (Kent & Sussex Counties - Heavy and Highway)				
Common laborers; landscapers; planters seeders; aborists; asphalt tamers & rakers; concrete pitmen; puddlers; rubber magazine tenders; railroad trackmen; signal men	3.20	.40	.30	
Pipelayers	3.35	.40	.30	
Wagon drill; diamond point drill; gunnite nozzle-men, form setters; blasters; caisson & cofferdam, (open-air, below 8')	3.50	.40	.30	
Lathers	7.90	.20	.15	
Line Construction				
Line men, cable splicers	9.45	.15	.11	
Winch truck operator	6.62	.15	.11	
Groundmen	5.67	.15	.11	
Marble setter	8.25	.60	.85	
Millwrights (New Castle & Kent Cos., Painters:	9.37	.47	.52	
Brush	6.94	.50	.15	
Tanks, sandblasting & spray	7.44	.50	.15	
Filledrivermen, wharf & dock builders	9.22	1.08	.40	
Plasterers	8.42	.25		
Plumbers (New Castle Co. & Kent Co., North of the Southern Boundary of Dover City)	7.94	.55	.50	
* Millwrights (Sussex Co.)	7.84		.25	

1-DEL-1-2-3-K

	Fringe Benefits Payments			
	Basic Hourly Rates	M & W	Pension	Vacation
Plumbers (Sussex & Kent Cos., South of the Southern Boundary of Dover City)	\$7.50	.45	.35	1.254d
Roofers:				
Composition, damp and waterproofing	8.425	.80	.55	
Helper	8.70	.80	.55	
Soft floor layers (Sussex County)	8.40	.25	.20	
Soft floor layers (New Castle and Kent Cos. only)	7.84		.25	
Sprinkler fitters	9.00	.48	.40	
	8.75	.30	.50	
Steamfitters & pipe fitters (New Castle and Kent County, North of the Southern Boundary of Dover City)	8.77	.30	.55	.08134d
Steamfitters (Sussex Co. & Kent Co. South of the Southern Boundary of Dover City)	7.50	.45	.35	1.254d
Stone masons	8.25	.70	.75	
Terrazzo workers	7.23	.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	8	8	
Tandems & batch truck, A-frame, semi-trailers, low boy trucks, asphalt distributor trucks, agitator or mixer trucks, mechanics, dispatcher	3.75	8	8	
Specialized earth moving equipment, euclid or similar off-highway equipment, off-highway tandem back-dump, twin engine equipment, double-bitted equipment, water tank sprinkler trucks, winch trucks	3.85	8	8	
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	8	8	
Tandems, batch trucks, mechanics, dispatchers, A-frame, semi-trailers, lowboys, asphalt distributors, agitators, mixers	2.90	8	8	
Special earth moving equipment	3.00	8	8	
** (Euclid)				

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.

POKER EQUIPMENT OPERATORS
BUILDING AND HEAVY CONSTRUCTION

1-REL-STD-1-2-3

Basic Hourly Rates	Fringe Benefits Payments			
	M & W	Pensions	Vacation	Exp. To.
WAGE GROUP I Machines doing hook work, any machine handling machinery, cable spinning machines, helicopters, machines similar to the above	\$ 9.44	4.6%	9.5%	1.2%
WAGE GROUP II All types of cranes, all types of backhoes, cableways, draglines, kaystons, all types of shovels, derricks, trench shovels, trenching machines, hoists with two towers, pavers 21E and over, all types overhead cranes, building hoists (double drum), gradalls, mucking machines in tunnel, all front end loaders 3-4 cu. yds. and over, tandem scrapers, pipping type backhoes, boat captains, batch plant operators (concrete), drills, fork lifts, 20 ft. lift and over, machines similar to the above	9.15	4.6%	9.5%	1.2%
WAGE GROUP III Conveyors, building hoists (single drum), scrapers and touraspulls, spreaders, high or low pressure boilers, concrete pumps, well drillers, bulldozers and tractors, asphalt plant engineers, roller (high grade finishing), ditch wench type trencher, all loaders under 3-4 cu. yds., mechanic-welders, motor patrols, drill helper-self contained rotary drills, core drill operator, forklift trucks under 20 ft. lift, machines similar to the above	8.27	4.6%	9.5%	1.2%
WAGE GROUP IV Welding machines, well points, pumps, heaters, farm tractors, form line graders, fine grade machine, road finishing machines, concrete breaking machines, rollers, seaman pulverizing mixer, power broom, seeding spreader, fireman (for power equipment), compressors, machines similar to the above	7.50	4.6%	9.5%	1.2%
WAGE GROUP V Firemen, grease truck	7.02	4.6%	9.5%	1.2%

1-REL-STD-1-2-3

Basic Hourly Rates	Fringe Benefits Payments			
	M & W	Pensions	Vacation	Exp. To.
WAGE GROUP VI Oilers and deck hands (personnel boats), core drill helper	\$ 6.10	4.6%	9.5%	1.2%
WAGE GROUP VII All machines with booms (incaulding, jibs, masts, leads, etc): 100 ft. and over 150 ft. and over 200 ft. and over	9.69 9.94 10.19	4.6% 4.6% 4.6%	9.5% 9.5% 9.5%	1.2% 1.2% 1.2%
FOOTNOTE: a. Paid Holidays: New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; Veteran's Day; and Christmas Day, provided the employee works the scheduled working day before and after the holiday.				
D				

SUPERSTENDAS DECISION

AQ-2, 002 P. 8

POWER EQUIPMENT OPERATORS
HIGHWAY CONSTRUCTION

1-REL-590-3-C

STATE: Louisiana

EXISTENTS: Acadia, Allen, Ascension, Assumption, Beauregard, Calcasieu, Cameron, East Baton Rouge, East Feliciana, Evangeline, Iberia, Iberville, Jefferson, Jefferson Davis, Lafayette, Lafourche, Livingston, Orleans, Plaquemine, Pointe Coupee, St. Bernard, St. Charles, St. Helena, St. James, St. John the Baptist, St. Landry, St. Martin, St. Mary, St. Tammany, Tangipahoa, Terrebonne, Vermilion, Washington, West Baton Rouge and West Feliciana

DECISION NO. 1: AQ-8

DATE: Date of Publication

Superstendas Decision No. AP-735, dated June 1, 1973, in 35 FR 14594.

DESCRIPTION OF WORK: Building construction, (excluding single family homes and garden type apartments up to and including 4 stories).

(1 - 30)

	Basic Monthly Rates	Fringe Benefits Payments			
		H & W	Pension	Vacation	App. Tr.
WAGE GROUP I Piping type backhoe, ecold loader, all types of cranes, all types of backhoes, draglines, all types of shovels, kaystones, paved 21E and over, trenching machines, cableways, all loaders 2 cu. yds. and over, machines similar to the above.	\$ 8.46	4.6%	9.5%		1.2%
WAGE GROUP II Carryalls, toomapsulls, asphalt spreaders, motor patrols, concrete pumps, asphalt plant engineers, well drillers, all bulldozers, tractors, maintenance engineer, welders, conveyor loader, all loaders under 2 cu. yds., machines similar to the above	7.64	4.6%	9.5%		1.2%
WAGE GROUP III Form line grader, farm tractor, road finishing machine, concrete spreader, fine grade machines, compressors, pumps -- four inches or over, pumps -- two or more any size, well point pumps, concrete breaking machines, roller (grade fill and stone base), firemen, machines similar to the above.	6.85	4.6%	9.5%		1.2%
WAGE GROUP IV Oilers	5.71	4.6%	9.5%		1.2%

ASBESTOS WORKERS:

Ascension, Assumption, East Baton Rouge, East Feliciana, Iberia, Iberville, Jefferson, Lafayette, Lafourche, Livingston, Orleans, Plaquemine, Pointe Coupee, St. Bernard, St. Charles, St. Helena, St. James, St. John the Baptist, St. Landry, St. Martin, St. Mary, St. Tammany, Tangipahoa, Terrebonne, Washington, West Baton Rouge and West Feliciana Parishes
Acadia, Allen, Beauregard, Calcasieu, Cameron, Evangeline, Jefferson Davis and Vermilion Parishes

BOILERMAKERS

BRICKLAYERS-STONEMASONS:

Ascension, East Baton Rouge, East Feliciana, Iberville, Livingston, St. Helena, Tangipahoa, West Baton Rouge and West Feliciana Parishes
Evangeline, Pointe Coupee and St. Landry Parishes
Acadia, Allen, Beauregard, Calcasieu, Cameron, Jefferson Davis and Vermilion Parishes

Basic Monthly Rates	Fringe Benefits Payments			
	H & W	Pension	Vacation	App. Tr.
\$6.65	.30	.70		
7.325	.325	.30		.02
6.80	.30	.50		.02
6.66	.20	.15		.01
6.33				
7.25	.30	.20		.02

AQ-8 P. 2

(2 - 30)

Basic Hourly Rates	Fringe Benefits Payments				Basic Hourly Rates
	H & W	Pensions	Vacation	App. Tr.	Others
BRICKLAYERS-STONEMASONS (CONT'D): Assumption, Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, St. Charles, St. James, St. John the Baptist, St. Tammany (extending northward to that part of St. Tammany Parish from the Tangipahoa Parish line on the west, along U. S. Highway #190 through the lower limits of Covington, along State Highway #58, through the lower limits of Abita Springs and Talibook and on a line due east from Talibook to the Mississippi state line) and Terrebonne Parishes St. Tammany (north half including Covington north of Highway #190 and Washington Parishes Iberia, Lafayette, St. Martin and St. Mary Parishes CARPENTERS: Acadia, Evangeline, Iberia (west of the Atchafalaya River), Lafayette, St. Landry, St. Martin (west of the Atchafalaya River), St. Mary (west of the Atchafalaya River) and Vermilion Parishes Allen, Beauregard, Calcasieu, Cameron and Jefferson Davis Parishes St. Tammany (to the overpass at Slidell, Louisiana, along State Highway #464 in St. Tammany Parish to the city limits of the town of Ponchartraine running north and south to Acite, Louisiana in Tangipahoa Parish including the town of Covington, Louisiana in St. Tammany Parish), Tangipahoa and Washington Parishes Ascension (north of the Mississippi River), East Baton Rouge, East Feliciana, Iberville, Livingston, Pointe Coupee, St. Helena, St. James (north of the Mississippi River), West Baton Rouge and West Feliciana Parishes	\$7.55	.25	.15	.035	
6.00					
7.25					
6.05					
6.55	.25	.18			.05
5.55					
6.53	.15	.15			.04

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(3 - 30)

Basic Hourly Rates	Fringe Benefits Payments				Basic Hourly Rates
	H & W	Pensions	Vacation	App. Tr.	Others
CARPENTERS (CONT'D): Carpenters (Cont'd): Ascension (south of the Mississippi River), Assumption, Jefferson, Orleans, Plaquemines, St. Bernard, St. Charles, St. James (south of the Mississippi River) and St. John the Baptist Parishes Iberia (northeast of the Atchafalaya River), Lafourche, St. Martin (southern segment), St. Mary (northeast of the Atchafalaya River), St. Tammany (southern portion and Terrebonne Parishes Millwrights: Allen, Beauregard, Calcasieu, Cameron and Jefferson Davis Parishes Ascension (south of the Mississippi River), Assumption, Iberia (northeast of the Atchafalaya River), Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, St. Charles, St. James (south of the Mississippi River), St. John the Baptist, St. Martin (southern segment), St. Mary (northeast of the Atchafalaya River), St. Tammany, Tangipahoa, Terrebonne and Washington Parishes Ascension (north of the Mississippi River), East Baton Rouge, East Feliciana, Iberville, Livingston, Pointe Coupee, St. Helena, St. James (north of the Mississippi River), West Baton Rouge and West Feliciana Parishes Acadia, Evangeline, Iberia (west of the Atchafalaya River), Lafayette, St. Landry, St. Martin (west of the Atchafalaya River), St. Mary (west of the Atchafalaya River) and Vermilion Parishes	\$7.17	.20	.20		.04
7.005	.20	.20			.04
7.23					.04
7.455	.20	.20			.04
7.975					.01
6.775					

AQ-8 P. 4

(4 - 30)

Basic Hourly Rates	Fringe Benefits Payments				Others
	M & W	Pensions	Vacation	App. Tr.	
<p>CARPENTERS (CONT'D): <u>Pledrivermen:</u> <u>St. Tammany (to the overpass at Slidell, Louisiana, along State Highway #484 in St. Tammany Parish to the city limits of the town of Ponchatoula running north and south to Ande, Louisiana in Tangipahoa Parish, including the town of Covington, Louisiana in St. Tammany Parish), Tangipahoa and Washington Parishes</u> <u>Ascension (north of the Mississippi River), East Baton Rouge, East Feliciana, Iberville, Livingston, Pointe Coupee, St. Helena, St. James (north of the Mississippi River), West Baton Rouge and West Feliciana Parishes</u> <u>Ascension (south of the Mississippi River), Assumption, Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, St. Charles, St. James, St. John the Baptist, St. Martin (southern portion) and the Atchafalaya River), St. Tammany (southern portion) and Terrebonne Parishes</u> <u>Acadia, Allen, Bezauregard, Calcasieu, Cameron, Evangeline, Iberia, Jefferson Davis, Lafayette, St. Landry, St. Martin (west of the Atchafalaya River), St. Mary (west of the Atchafalaya River) and Vermilion Parishes</u> CEMENT MASONS: <u>Ascension, Assumption, East Baton Rouge, East Feliciana, Iberville, Livingston, Pointe Coupee, St. Helena, St. James, St. John the Baptist, St. Martin (southern portion) and the Atchafalaya River), St. Tammany (southern portion) and Terrebonne Parishes</u> <u>Acadia, Allen, Bezauregard, Calcasieu, Cameron, Evangeline, Iberia, Jefferson Davis, Lafayette, St. Landry, St. Martin (west of the Atchafalaya River), St. Mary (west of the Atchafalaya River) and Vermilion Parishes</u></p>	6.53	.15	.15	.04	
<p>CEMENT MASONS (CONT'D): <u>Allen, Bezauregard, Calcasieu, Cameron and Jefferson Davis Parishes</u> <u>Evangeline Parish</u> <u>Acadia, Iberia, Lafayette, St. Landry, St. Martin, St. Mary and Vermilion Parishes</u> <u>Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, St. Charles, St. John the Baptist, St. Tammany (southern portion) and Terrebonne Parishes</u> <u>St. Tammany (north half including Covington north of Highway #190) and Washington Parishes</u> ELECTRICIANS: <u>Electricians:</u> <u>Ascension, East Baton Rouge, East Feliciana, Iberville, Livingston, Pointe Coupee, St. Helena, St. Landry, West Baton Rouge and West Feliciana Parishes</u> <u>St. Tammany, Tangipahoa and Washington Parishes</u> <u>Allen, Bezauregard, Calcasieu, Cameron and Jefferson Davis Parishes</u> <u>Evangeline Parish</u> <u>Acadia, Iberia, Lafayette, St. Martin (that portion north of Iberia Parish), St. Mary (that portion southwest of the Atchafalaya River) and Vermilion Parishes</u> <u>Assumption, Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, St. Charles, St. James, St. John the Baptist, St. Martin (that portion south of Iberia Parish), St. Mary (that portion northeast of the Atchafalaya River) and Terrebonne Parishes</u></p>	7.88	.20	.15+10	.03	

AQ-8 P. 5

(5 - 30)

Basic Hourly Rates	Fringe Benefits Payments				Others
	M & W	Pensions	Vacation	App. Tr.	
<p>CARPENTERS (CONT'D): <u>Pledrivermen:</u> <u>St. Tammany (to the overpass at Slidell, Louisiana, along State Highway #484 in St. Tammany Parish to the city limits of the town of Ponchatoula running north and south to Ande, Louisiana in Tangipahoa Parish, including the town of Covington, Louisiana in St. Tammany Parish), Tangipahoa and Washington Parishes</u> <u>Ascension (north of the Mississippi River), East Baton Rouge, East Feliciana, Iberville, Livingston, Pointe Coupee, St. Helena, St. James (north of the Mississippi River), West Baton Rouge and West Feliciana Parishes</u> <u>Ascension (south of the Mississippi River), Assumption, Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, St. Charles, St. James, St. John the Baptist, St. Martin (southern portion) and the Atchafalaya River), St. Tammany (southern portion) and Terrebonne Parishes</u> <u>Acadia, Allen, Bezauregard, Calcasieu, Cameron, Evangeline, Iberia, Jefferson Davis, Lafayette, St. Landry, St. Martin (west of the Atchafalaya River), St. Mary (west of the Atchafalaya River) and Vermilion Parishes</u> CEMENT MASONS: <u>Ascension, Assumption, East Baton Rouge, East Feliciana, Iberville, Livingston, Pointe Coupee, St. Helena, St. James, St. John the Baptist, St. Martin (southern portion) and the Atchafalaya River), St. Tammany (southern portion) and Terrebonne Parishes</u> <u>Acadia, Allen, Bezauregard, Calcasieu, Cameron, Evangeline, Iberia, Jefferson Davis, Lafayette, St. Landry, St. Martin (west of the Atchafalaya River), St. Mary (west of the Atchafalaya River) and Vermilion Parishes</u></p>	6.05	.30	.20	.05	
<p>CEMENT MASONS (CONT'D): <u>Allen, Bezauregard, Calcasieu, Cameron and Jefferson Davis Parishes</u> <u>Evangeline Parish</u> <u>Acadia, Iberia, Lafayette, St. Landry, St. Martin, St. Mary and Vermilion Parishes</u> <u>Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, St. Charles, St. John the Baptist, St. Tammany (southern portion) and Terrebonne Parishes</u> <u>St. Tammany (north half including Covington north of Highway #190) and Washington Parishes</u> ELECTRICIANS: <u>Electricians:</u> <u>Ascension, East Baton Rouge, East Feliciana, Iberville, Livingston, Pointe Coupee, St. Helena, St. Landry, West Baton Rouge and West Feliciana Parishes</u> <u>St. Tammany, Tangipahoa and Washington Parishes</u> <u>Allen, Bezauregard, Calcasieu, Cameron and Jefferson Davis Parishes</u> <u>Evangeline Parish</u> <u>Acadia, Iberia, Lafayette, St. Martin (that portion north of Iberia Parish), St. Mary (that portion southwest of the Atchafalaya River) and Vermilion Parishes</u> <u>Assumption, Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, St. Charles, St. James, St. John the Baptist, St. Martin (that portion south of Iberia Parish), St. Mary (that portion northeast of the Atchafalaya River) and Terrebonne Parishes</u></p>	7.75	.25	.15+20	3/102	
<p>CEMENT MASONS (CONT'D): <u>Allen, Bezauregard, Calcasieu, Cameron and Jefferson Davis Parishes</u> <u>Evangeline Parish</u> <u>Acadia, Iberia, Lafayette, St. Martin (that portion north of Iberia Parish), St. Mary (that portion southwest of the Atchafalaya River) and Vermilion Parishes</u> <u>Assumption, Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, St. Charles, St. James, St. John the Baptist, St. Martin (that portion south of Iberia Parish), St. Mary (that portion northeast of the Atchafalaya River) and Terrebonne Parishes</u></p>	7.10	.15	.15	1/22	
<p>CEMENT MASONS (CONT'D): <u>Allen, Bezauregard, Calcasieu, Cameron and Jefferson Davis Parishes</u> <u>Evangeline Parish</u> <u>Acadia, Iberia, Lafayette, St. Martin (that portion north of Iberia Parish), St. Mary (that portion southwest of the Atchafalaya River) and Vermilion Parishes</u> <u>Assumption, Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, St. Charles, St. James, St. John the Baptist, St. Martin (that portion south of Iberia Parish), St. Mary (that portion northeast of the Atchafalaya River) and Terrebonne Parishes</u></p>	7.99	.25	.15+10	1/22	
<p>CEMENT MASONS (CONT'D): <u>Allen, Bezauregard, Calcasieu, Cameron and Jefferson Davis Parishes</u> <u>Evangeline Parish</u> <u>Acadia, Iberia, Lafayette, St. Martin (that portion north of Iberia Parish), St. Mary (that portion southwest of the Atchafalaya River) and Vermilion Parishes</u> <u>Assumption, Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, St. Charles, St. James, St. John the Baptist, St. Martin (that portion south of Iberia Parish), St. Mary (that portion northeast of the Atchafalaya River) and Terrebonne Parishes</u></p>	7.80	.25	.15	.03	

40-6 P. 6					(6 - 30)					40-6 P. 7					(7 - 30)				
Basic Hourly Rates		Fringe Benefits Payments				Basic Hourly Rates		Fringe Benefits Payments				Basic Hourly Rates		Fringe Benefits Payments					
H & W	Pension	Vacation	Age-Tn.	Others	H & W	Pension	Vacation	Age-Tn.	Others	H & W	Pension	Vacation	Age-Tn.	Others					
ELECTRICIANS (CONT'D):																			
Cable splicers:																			
Ascension, East Baton Rouge, East Feliciana, Iberville, Livingston, Pointe Coupee, St. Helena, St. Landry, West Baton Rouge and West Feliciana Parishes																			
\$8.00	.25	14+.20	3/10X							\$6.625	.17	.20		.01					
7.60		1X								4.35									
St. Tammany, Tangipahoa and Washington Parishes																			
8.24	.25	14+.10	1/2X																
7.75	.30	1X																	
Allen, Beauregard, Calcasieu, Cameron and Jefferson Davis Parishes																			
Evangeline Parish																			
Acadia, Iberia, Lafayette, St. Martin (that portion north of Iberia Parish), St. Mary (that portion southwest of the Atchafalaya River) and Vermilion Parishes																			
8.05	.25	1X																	
Assumption, Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, St. Charles, St. James, St. John the Baptist, St. Martin (that portion south of Iberia Parish), St. Mary (that portion northwest of the Atchafalaya River) and Terrebonne Parishes																			
7.88	.20	14+.10	.03							7.50	.20	.25		.02					
ELEVATOR CONSTRUCTORS:																			
Elevator constructors																			
6.32	.195	.20																	
701R	.195	.20																	
ELEVATOR CONSTRUCTORS' helpers																			
Elevator constructors' helpers (prob)																			
GLAZIERS:																			
Allen (except northeast corner), Beauregard, Calcasieu, Cameron & Jefferson Davis Parishes																			
4.65																			
Ascension (north & west of Highway #22), Assumption (north of Grand Bayou), East Baton Rouge, East Feliciana, Iberville, Livingston (north & west of Highway #22), Pointe Coupee, St. Helena, Tangipahoa (west of Highway #31), West Baton Rouge & West Feliciana Parishes																			
5.60										7.65	.30	.25		.015					
All of Allen, Beauregard, Calcasieu, Cameron and Jefferson Davis Parishes																			
Parts of Acadia (See Footnote "n"), Evangeline (See Footnote "n"), Lafayette (See Footnote "n"), Lafourche (See Footnote "n"), Livingston (See Footnote "n"), St. James (See Footnote "n"), St. Landry (See Footnote "n"), Tangipahoa (See Footnote "n"), Terrebonne (See Footnote "n"), Vermilion (See Footnote "n") and Washington (See Footnote "n") Parishes																			
All of Allen, Beauregard, Calcasieu, Cameron and Jefferson Davis Parishes																			
Parts of Acadia (See Footnote "n"), Evangeline (See Footnote "n"), Lafayette (See Footnote "n"), St. Landry (See Footnote "n") and Vermilion (See Footnote "n") Parishes																			
										7.05	.30	.35		.025					

AQ-8 P. 10

(10 - 30)

Basic Hourly Rates	Fringe Benefits Payments				Others
	H & W	Families	Vacation	App. Tr.	
LABORERS (CONT'D): All of Ascension, East Baton Rouge, East Feliciana, Iberville, Livingston, Pointe Coupee, St. Helena, West Baton Rouge and West Feliciana Parishes; Parts of Assumption (See Footnote "a"), St. James (See Footnote "g"), St. John the Baptist (See Footnote "g"), and Tangipahoa (See Footnote "h") Parishes: Building and general laborers, carpenter tenders Power tool operators (hammer men, tamper men, vibrators, power buggies, concrete chippers or cutters, chain saw operators, etc); pipelayers (non-metallic) Mason tenders, plaster tenders, cement mix (wet or dry) tenders, hod carrier tender; mortar mixers & cement mixers (wet or dry) Jefferson (except Grand Isle), Orleans, Plaquemines, St. Bernard, St. Charles, St. John the Baptist (on the west bank of the Mississippi River and the portion of St. John the Baptist on the east bank of the Mississippi River as far as the Sycamore Inn Litcher and north to Blind River and Manchac) and St. Tammany (north as far as Bayou LaCombe, east to the Mississippi state line at Pearlington) Parishes: Building laborers Laborers handling steel pans, stone masons helpers, mechanical tool operators, seamen (bottom men, caulkers, tenders, joint wipers, hot pot, grade carriers, layers and ditchers, 4 feet and over), sand blaster (mazzlemen and pot tender), laying non-metallic pipe over 4 feet deep, septic tank diggers and installers over 4 feet deep, gas and oil pipeline laborers and wrappers Gunter tool operators	.10	.10	.10		
\$4.31					
4.41	.10	.10	.10		
4.46	.10	.10	.10		
5.16	.10	.10	.10		
5.26	.10	.10	.10		
5.41	.10	.10	.10		

AQ-8 P. 11

(11 - 30)

Basic Hourly Rates	Fringe Benefits Payments				Others
	H & W	Families	Vacation	App. Tr.	
LABORERS (CONT'D): Jefferson (except Grand Isle), Orleans, Plaquemines, St. Bernard, St. Charles, St. John the Baptist (on the west bank of the Mississippi River and the portion of St. John the Baptist on the east bank of the Mississippi River as far as the Sycamore Inn Litcher and north to Blind River and Manchac) and St. Tammany (north as far as Bayou LaCombe, east to the Mississippi state line at Pearlington) Parishes: (Cont'd): Bricklayers tenders and mason tenders Hod carriers using a prime mover to serve a bricklayer Mortar mixers Assumption, (north of Napoleonville), Jefferson (Grand Isle), Lafourche, St. James (on the west bank and including the town of Vacherie) and Terrebonne Parishes: Common laborers Jackhammersmen, seamen, mason tenders, plasterer tenders, stone masons helpers, vibrator-men Mortar mixers LABORERS: Acadia, Ascension, Assumption (that portion up to a 40 mile radius of Baton Rouge), East Baton Rouge, East Feliciana, Evangeline (that portion up to a 40 mile radius of Lafayette), Iberia, Iberville, Lafayette, Livingston, Pointe Coupee, St. Helena, St. James (that portion up to a 40 mile radius of Baton Rouge), St. Landry, St. Martin, St. Mary (that portion up to a 40 mile radius of Lafayette), Vermilion, West Baton Rouge and West Feliciana Parishes	.10	.10	.10		
\$5.28					
5.38	.10	.10	.10		
5.38	.10	.10	.10		
4.905	.10	.10	.10		
5.055	.10	.10	.10		
5.105	.10	.10	.10		
6.05		.15			.01

AQ-S, P. 12

(12 - 30)

Basic Monthly Rates	Fringe Benefits Payments				Others
	H & W	Pensions	Vacation	App. Tr.	
\$6.83	.20	.15			
6.00	.125			.01	
7.55	.25	.15			.035
7.25	.30	.20			.02
5.05	.15				

LAYERS (CONT'D):

Assumption (that portion beyond a 40 mile radius of Baton Rouge), Jefferson, Lafourche, Orleans, Plaquemine, St. Bernard, St. Charles, St. James, St. John the Baptist, St. Tammany (extending northward to that part of St. Tammany Parish from the Tangipahoa Parish line on the west, along U. S. Highway #190 through the lower limits of Covington, along State Highway #58, through the lower limits of Abita Springs and Tallisheek and on a line due east from Tallisheek to the Mississippi state line) and Terrebonne Parishes Acadia, Allen, Beauregard, Calcasieu, Cameron, Jefferson Davis and Vermillion Parishes Iberia, Lafayette, St. Martin and St. Mary Parishes

MARBLE SETTERS' HELPERS:

Assumption, Jefferson, Lafourche, Orleans, Plaquemine, St. Bernard, St. Charles, St. James, St. John the Baptist, St. Tammany (extending northward to that part of St. Tammany Parish from the Tangipahoa Parish line on the west along U. S. Highway #190 through the lower limits of Covington, along State Highway #58, through the lower limits of Abita Springs and Tallisheek and on a line due east from Tallisheek to the Mississippi state line) and Terrebonne Parishes

AQ-S, P. 12

(13 - 30)

Basic Monthly Rates	Fringe Benefits Payments				Others
	H & W	Pensions	Vacation	App. Tr.	
\$5.70					
5.815					
5.90					
6.045					
6.185					
5.15					
5.15					
5.50					
6.00					
5.70					
6.075					
5.95					

PAINTERS:

Allen (except northeast corner), Beauregard, Calcasieu, Cameron and Jefferson Davis Parishes:

Brush on steel, buffer on wood or wall

Paperhanging, taping & floating

Spray, wood & wall, rollers

Steeplejack, sandblasting, spider operator, rubberizing & pyroflexing, steam jennier, spray, steel

Allen (northeast corner) & Evangeline Parishes:

Painters, paperhangers, tappers, floaters

Commercial steel, such as churches or any commercial building with closed roof deck or walls

Other commercial work, brush spray, stage, window jacks, flagpoles and steeple work

All industrial work including sandblasting or power tools of any kind

Assumption (north & west of Highway #22), Assumption (north of Grand Bayou), East Baton Rouge, East Feliciana, Iberville, Livingston (north & west of Highway #22), Pointe Coupee, St. Helena, Tangipahoa (west of Highway #51), West Baton Rouge and West Feliciana Parishes:

Brush

Industrial & steel

Taping, floating and texture

All spray painting: roller operator & using of mitts - 25c above journeyman's basic rate.

All power tools for cleaning and preparing surfaces for painting - 25c above journeyman's basic rate.

All work on stacks, steeples, flag poles and all towers and tanks over 50 feet - 25c above journeyman's basic rate.

AQ-8 P. 14

(1A - 30)

Basic Hourly Rates	Fringe Benefits Payments				Others
	H & W	Pensions	Vacation	App. Tr.	
PAINTERS (CONT'D): Ascension (north & west of Highway #22), Assumption (north of Grand Bayou), East Baton Rouge, East Feliciana, Iberville, Livingston (north & west of Highway #22), Pointe Coupee, St. Helena, Tangipahoa (west of Highway #51), West Baton Rouge and West Feliciana Parishes (Cont'd): All work off swing stage, boson chair and spiders - 25¢ above journeymen's basic rate. All work with creosote material or any similar material such as service cement paint - 25¢ above journeymen's basic rate. Ascension (east & south of Highway #22), Assumption (south of Grand Bayou), Lafourche, Livingston (east & south of Highway #22), Jefferson, Orleans, Plaquemine, St. Bernard, St. Charles, St. James, St. John the Baptist, St. Mary (Morgan City Area), St. Tammany (southern portion) and Terrebonne Parishes: Painters, pipehangers and sheet-rock tapers and floaters Structural steel painters of new buildings under construction and bridges; the following overall of thirty (30) feet: tanks, air conditioning-towers, smoke stacks, sprinkler systems, wharves, and structural steel in old buildings; spray painters, swing stage painters Industrial Acadia, Iberia, Lafayette, St. Landry, St. Martin, St. Mary (except Morgan City Area) and Vermilion Parishes: Brush, wood or wall Industrial & steel Textone, pipehanging, wall covering & spray	\$5.875	.175	.20	.05	
6.25 7.125	.175 .175	.20 .20	.05 .05		
5.25 5.62 5.90					

AQ-8 P. 15

(15 - 30)

Basic Hourly Rates	Fringe Benefits Payments				Others
	H & W	Pensions	Vacation	App. Tr.	
PAINTERS (CONT'D): St. Tammany (northern portion), Tangipahoa (east of Highway #51) and Washington Parishes: Commercial brush Industrial Roller, power tools Spray, sandblasting Paperhangers Sheetrock finishers PLASTERERS: St. Tammany (north half including Covington north of Highway #190) and Washington Parishes Acadia, Iberia, Lafayette, St. Landry, St. Martin, St. Mary and Vermilion Parishes Allen, Beauregard, Calcasieu, Cameron and Jefferson Davis Parishes Evangeline Parish Ascension, Assumption, East Baton Rouge, East Feliciana, Iberville, Livingston, Pointe Coupee, St. James, St. Helena, Tangipahoa, West Baton Rouge and West Feliciana Parishes Jefferson, Lafourche, Orleans, Plaquemine, St. Bernard, St. Charles, St. John the Baptist, St. Tammany (Parish line on the west, along U. S. Highway #190 through the lower limits of Covington and Abita Springs along State Highway #435 to Talisbeek and on a line due east from Talisbeek to the Mississippi state line) and Terrebonne Parishes FLINGERS-PIPEFITTERS: Allen (northeast corner), Evangeline (except southwest corner) Parishes	\$4.25 5.00 4.50 5.50 5.00 4.50 5.45 5.70 6.49 4.75 5.875 6.75 7.15				.01 .01 .01 .03 .05

(16 - 30)

Basic Hourly Rates	Fringe Benefits Payments				Others
	H & W	Vacation	App. Tr.	App. Tr.	
PLUMBERS-PIPEFITTERS (CONT'D): Acadia, Allen (except northeast corner), Beaufort, Calcasieu, Cameron, Evangeline (southeast corner), Iberia (western 1/2 of Parish), Jefferson Davis, Lafayette, Pointe Coupee (northwest corner), St. Landry (western 1/3 of Parish), St. Martin (west of Highway #31), St. Mary (western tip) and Vermilion Parishes	\$7.43	.42	.32	.06	
Acadia, Assumption, East Baton Rouge, East Feliciana, Iberia, Iberville, Lafayette, Livingston, Pointe Coupee, St. Helena, St. Landry, North St. Martin, Tangipahoa, West Baton Rouge and West Feliciana Parishes:					
Roofers					
Roofers' helpers					
SHEET METAL WORKERS:					
Calcasieu Parish					
Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, St. Charles, St. James, St. John the Baptist, St. Tammany, Terrebonne and Washington Parishes					
Acadia, Allen, Assumption, Beaufort, Cameron, East Baton Rouge, East Feliciana, Evangeline, Iberia, Iberville, Jefferson Davis, Lafayette, Livingston, Pointe Coupee, St. Helena, St. Landry, St. Martin, St. Mary, Tangipahoa, Vermilion, West Baton Rouge and West Feliciana Parishes	7.20	.365	.475	.035	
Jefferson, Lafourche (except small portion of western part of Parish), Livingston (northeast corner), Orleans, Plaquemines, St. Bernard, St. Charles, St. James (northern 2/3 of Parish), St. John the Baptist, St. Tammany, Tangipahoa (southern 1/2 of Parish), Terrebonne (eastern 1/3 of Parish) and Washington Parishes					
Roofers:					
Allen, Beaufort, Calcasieu, Cameron, Evangeline, Jefferson Davis and Vermilion Parishes:	7.90	.30	.40	.06	
Roofers					
Roofers' helpers	6.23	.10	.10		
	4.86				

(17 - 30)

Basic Hourly Rates	Fringe Benefits Payments				Others
	H & W	Vacation	App. Tr.	App. Tr.	
ROOFERS (CONT'D): Assumption, Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, St. Charles, St. James, St. John the Baptist, South St. Martin, St. Mary, St. Tammany, Terrebonne and Washington Parishes:	\$6.30	.35	.45	.20	
Roofers					
Acadia, Assumption, East Baton Rouge, East Feliciana, Iberia, Iberville, Lafayette, Livingston, Pointe Coupee, St. Helena, St. Landry, North St. Martin, Tangipahoa, West Baton Rouge and West Feliciana Parishes:					
Roofers					
Roofers' helpers	5.685	.25	.20	.01	
SHEET METAL WORKERS:	4.285	.25	.20	.01	
Calcasieu Parish	7.42	.15		.04	
Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, St. Charles, St. James, St. John the Baptist, St. Tammany, Terrebonne and Washington Parishes					
Acadia, Allen, Assumption, Beaufort, Cameron, East Baton Rouge, East Feliciana, Evangeline, Iberia, Iberville, Jefferson Davis, Lafayette, Livingston, Pointe Coupee, St. Helena, St. Landry, St. Martin, St. Mary, Tangipahoa, Vermilion, West Baton Rouge and West Feliciana Parishes	7.315	.25	.35	.25	.06
Roofers and West Feliciana Parishes					
SOFT FLOOR LAYERS:	7.05	.15	.25	.12	
Allen, Beaufort, Calcasieu, Cameron and Jefferson Davis Parishes	6.555	.25	.18	.05	
Assumption (south of the Mississippi River), Assumption, Jefferson, Orleans, Plaquemines, St. Bernard, St. Charles, St. James (south of the Mississippi River) and St. John the Baptist Parishes					
Iberia (northeast of the Atchafalaya River), Lafourche, St. Martin (southern segment), St. Mary (northeast of the Atchafalaya River), St. Tammany (southern portion) and Terrebonne Parishes	7.17	.20	.20	.04	
	7.005	.20	.20	.04	

AQ-8 P. 18

(18 - 30)

Basic Hourly Rates	Fringe Benefits Payments				Charges
	H & W	Vacation	App. Tr.	Others	
SOFT FLOOR LAYERS (CON'T'd): St. Tammany (to the overpass at Slideell, Louisiana, along State Highway #454 in St. Tammany Parish to the city limits of the town of Pontchartrac running north and south to Assite, Louisiana in Tangipahoa Parish including the town of Covington, Louisiana in St. Tammany Parish), Tangipahoa and Washington Parishes	\$5.55 8.05				
SPRINKLER FITTERS		.50	.05		
TERRAZZO WORKERS: Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, St. Charles, St. John the Baptist, West St. Tammany and Terrebonne Parishes	6.85	.25			
Acadia, Allen, Beauregard, Calcasieu, Cameron, Jefferson Davis and Vermilion Parishes	7.25	.30	.20	.02	
Iberia, Lafayette, St. Martin and St. Mary Parishes	6.25				
TERRAZZO WORKERS' HELPERS: Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, St. Charles, St. John the Baptist, West St. Tammany and Terrebonne Parishes	5.05	.15			
TILE SETTERS: Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, St. Charles, St. John the Baptist, West St. Tammany and Terrebonne Parishes	6.85	.15			
Acadia, Allen, Beauregard, Calcasieu, Cameron and Jefferson Davis Parishes	5.87	.20			
St. Tammany (north half including Covington north of Highway #190) and Washington Parishes	6.00				
TILE SETTERS' HELPERS: Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, St. Charles, St. John the Baptist, West St. Tammany and Terrebonne Parishes	5.05	.15			

AQ-8 P. 19

(19 - 30)

Basic Hourly Rates	Fringe Benefits Payments				Charges
	H & W	Vacation	App. Tr.	Others	
TRUCK DRIVERS: Allen, Beauregard, Calcasieu, Cameron and Jefferson Davis Parishes: Teamsters, Pick-up drivers & chauffeurs Stake bodies (all sizes) Trucks trailer & dumps over 8 yds. Mixers on trucks up to and including 3 yds. Mixers on trucks over 3 yds. Winch trucks Mississippi wagons & Koehring dumpsters & similar dirt moving equipment (up to and including 8 yds.) Trucks - Dumps Mississippi wagons & Koehring dumpsters & similar dirt moving equipment over 8 yds. Acadia, Evangeline, Iberia, Lafayette, St. Landry, St. Martin, St. Mary and Vermilion Parishes: Teamster, pick-up drivers Stake bodies (all sizes) Truck & trailer; Dump Mixers on trucks, up to and including 3 yds. Mixers on trucks over 3 yds. Winch trucks Mississippi wagons & Koehring dumpsters, tandem and similar dirt moving equipment, up to and including 8 yds. Mississippi wagons, Koehring dumpsters, tandem and similar dirt moving equipment, over 8 yds. WELDERS - receive rate prescribed for craft performing operation to which welding is incidental.	\$4.91 5.34 5.55 5.35 5.55 5.45 5.55 5.37 5.76 4.45 4.65 5.51 5.39 5.77 5.84 6.09 6.24				

AQ-8 P. 20

(20 - 30)

Basic Hourly Rates	Fringe Benefits Payments				Others
	H & W	Pensions	Vacation	App. Tr.	
\$7.92	.25	.15			
7.67	.25	.15			
5.93	.25	.15			
5.93	.25	.15			
5.93	.25	.15			
5.62	.25	.15			

POWER EQUIPMENT OPERATORS:

All of Jefferson, Lafourche, Orleans, Plaquemine, St. Bernard, St. Charles, St. John the Baptist, St. Tammany and Terrebonne Parishes; Parts of Assumption (See Footnote "u"), Livingston (See Footnote "u"), St. James (See Footnote "u"), St. Martin (See Footnote "u"), St. Mary (See Footnote "u"), Tangipahoa (See Footnote "u") and Washington (See Footnote "u") Parishes:

Master mechanic
Assistant master mechanic
Batch plant operator
Mechanic helpers
Oilers (driver)
Oilers

Heavy Equipment Operators:
A-frame truck, when working with ironworkers or pipefitters;
Balldozers, D-6 and larger;
Cableways; Concrete mixers (over 16-s); Paving machines;
Cranes, derricks, draglines and clam shells; Deck winches (2); Gradaalls; Hit-Bo and similar type equipment; Hoist, 1 drum 4 stories and over; Hoist, 2 drums or more; Gyro cranes; Mechanic; Motor patrol; File drivers; Rollers on brick and asphalt; Rubber tired front end loader, with or without blade attachments, 1 cu. yd. capacity or more; Scrapers; Shovel, backhoes (all types); Side boom cranes; Stabilizers, 3 drums or more; Traxcavators; Trenching machines; Unit operator; Welding journeyman; Wall point systems (gas, diesel, electric, etc.)

AQ-8 P. 21

(21 - 30)

Basic Hourly Rates	Fringe Benefits Payments				Others
	H & W	Pensions	Vacation	App. Tr.	
\$6.38	.25	.15			

POWER EQUIPMENT OPERATORS (CONT'D):

All of Jefferson, Lafourche, Orleans, Plaquemine, St. Bernard, St. Charles, St. John the Baptist, St. Tammany and Terrebonne Parishes; Parts of Assumption (See Footnote "u"), Livingston (See Footnote "u"), St. James (See Footnote "u"), St. Martin (See Footnote "u"), St. Mary (See Footnote "u"), Tangipahoa (See Footnote "u") and Washington (See Footnote "u") Parishes (Cont'd):

Light Equipment Operators:
A-frame, except when working with ironworkers or pipefitters; Air compressor; Asphalt plant engine; Asphalt finisher, screed men; Blade graders; Boat operator; Bell floats; Concrete joining machines; Concrete mixers, 16-s and under; Concrete spreader; Crusher operator; Deck winch operator (1); Dis-tributors, asphalt "itch witch" and similar equipment; Electric elevators (inside); Finishing Machine; Fireman; Form graders, Fork lifts; Hoist, 1 drum, under 4 stories; Power subgraders; Pugmill operator; Pull tractors; Pump; Pumpcrete; Rollers except on brick and asphalt; Rubber tired front end loader (with or without blade attachments) less than 1 cu. yd. capacity; Scale operator; Scoop mobile; Snatch cats; Spray machines; Stabilizers, less than 3 drums; Straddlebuggy; Track machines and equivalent machines; Tractors or bulldozers smaller than D-6

AQ-8 P. 24

(24 - 30)

Basic Hourly Rates	Fringe Benefits Payments				Other
	H & W	Pensions	Vacation	App. To	
\$5.945	.25	.15			
7.245	.25	.15			
7.245	.25	.15			
5.465	.25	.15			
5.715	.25	.15			
5.325	.25	.15			
5.155	.25	.15			
5.405	.25	.15			
5.325	.25	.15			
5.485	.25	.15			

POWER EQUIPMENT OPERATORS (CONT'D):
 Allen, Besaurand, Calcasieu, Cameron and Jefferson Davis Parishes (Cont'd):
 Light Duty Operators:
 Bush hog, Compressors; Concrete pumps-under 6" discharge; Concrete saw; Kolum buff machines; Mixers (1 sack and under); Motorized street sweepers self-propelled; Pumps (3" and over); Deck winch (1 drum); Distributors; Rowel bar machines; Farm-type tractors (when used to pull discs, grasscutters, etc.); Test pump-internal combustion engine powered; Ditching or trenching machines (non-riding type); Water blast pumps; Hoist (1 drum under 4 stories) Combination oiler-fitterman operator
 Combination oiler-compressor operator
 Batch plant operator
 Fireman
 Mechanic helper
 Oiler
 Oiler-driver on motor crane
 Pumps under 3" suction
 Scale operator

AQ-8 P. 25

(25 - 30)

Basic Hourly Rates	Fringe Benefits Payments				Other
	H & W	Pensions	Vacation	App. To	
\$5.13	.25	.15			
5.56	.25	.15			
5.81	.25	.15			
5.85	.25	.15			
6.09	.25	.15			

POWER EQUIPMENT OPERATORS (CONT'D):
 Acadia, Iberia (west of a line drawn from the city of Berwick to the junction of the Iberville-St. Landry Parishes border); Lafayette, St. Martin (west of a line drawn from the city of Berwick to the junction of the Iberville-St. Landry Parishes border); St. Mary (west of a line drawn from the city of Berwick to the junction of the Iberville-St. Landry Parishes border) and Vermilion Parishes:
 Oiler
 Mechanic helper
 Oiler-driver
 Scaleman
 Light Duty Operators:
 Air compressor; Asphalt plant operator; Bulldozers, D-4 and equivalent & under; Bullfloats; Concrete spreader; Finishing machines; Concrete mixer (16-S or less); Concrete saw; Distributors (bitum surface); Rowel bar machine; Farm-type tractor (with all attachments except backhoe); Fireman; Forklifts (other than setting steel, machinery or pipe); Hoist; 1 drum less than 4 stories; Kolum buff machine; Pull cats; Pump (3" & over); Pump, concrete (under 6"); Rollers, except on asphalt or brick; Straddle buxgies; Sweepers on streets & roads (motorized); Winch truck, A-frame (other than handling steel or pipe)

AQ-8 P. 26

(26 - 30)

Basic Monthly Rates	Fringe Benefits Payments					Totals
	H & W	Pensions	Vacation	Acc. T.L.	Others	
7.10	.25	.15				

POWER EQUIPMENT OPERATORS (Cont'd):
Aradisa, Iberia (west of a line drawn from the city of Berwick to the junction of the Iberville-St. Landry Parishes border); Lafayette, St. Martin (west of a line drawn from the city of Berwick to the junction of the Iberville-St. Landry Parishes border); St. Mary (west of a line drawn from the city of Berwick to the junction of the Iberville-St. Landry Parishes border) and Vermilion Parishes (Cont'd):
 Heavy Duty Operators:
 Asphalt spreader; Backhoe; Bulldozer, over 3-4 and equivalent; Cablesaws; Concrete mixer, over 16-s; Cranes; Derricks; Digging or trenching machines; Draglines; Fork lifts (setting steel, machinery or pipe); Front end loaders (except fire-type tractors); Grease service-man; Hoist (1 drum 4 stories); Hoist (2 drums or over); Hydrilifts; Heavy duty mechanic; Motor patrol; Pipeline drivers; Pump concrete (6" & over); Road pavers; Rollers on asphalt or brick; Scoopmobiles; Scrapers; Stakeboom cats; Shovels; Tractor-torators; Welder, journeyman; Well point system; Winch cats (hoisting); Winch truck, A-Frame (handling steel or pipe).

100-8 P. 27

(27 - 30)

Basic Hourly Rates	Fringe Benefits Payments					Deductions
	H & W	Pensions	Vacation	App. Tr.	Other	
\$6.66	.10	.15				
6.03	.10	.15				

POWER EQUIPMENT OPERATORS (CONT'D):

All of Ascension, East Baton Rouge,
East Feliciana, Iberville, Pointe
Coupee, St. Helena, West Baton
Rouge and West Feliciana Parishes;
Parts of Assumption (See Footnote
"u"), Iberia (See Footnote "u"),
Livingston (See Footnote "k"), St.
James (See Footnote "u"), Southern
St. Martin (See Footnote
"u"), Tangipahoa (See Footnote
"u") and Washington (See Footnote
"k") Parishes:

Heavy Duty Operators:

Bachhoe; Caisway; Concrete
mixer, 16-s & up; Crane; Der-
rick; Dragline; Dredge; Equip-
ment maintenance; Mechanic;
Hoist (2 drum); Locomotive
crane; Paving mixer; Piledriver;
Road paver; Roller on asphalt or
brick (5 tons & over); Shovel;
Sideboom cat; Bulldozer (6 &
over); Motor patrol; Scraper;
Hydrolift crane, hydrolift truck,
yard crane, cherry picker, etc.;
Foundation, boring & reaming
machine; Cement stabilizer;
Trenching machine; Asphalt
spreader; Tractorvator & similar
front-end loading equipment
with scoop or bucket of one (1)
cu. yd. or more capacity; Tug
boat operator; Turnapall, exclud
DN-10 and other similar self-
loading earth moving equipment;
Concrete pump (not pump crane)

Medium Duty Operators:

A-frame truck; Bulldozer (under
6); Crane boat operator; Fireman
Fork lift; Straddle buggy;
Tractorvator, scoopmobile &
similar front-end loading equip-
ment with scoop or bucket under
one (1) cu. yd. capacity; Loco-
motive; Well point system; Unit
operator; Hoist, 1 drum, 4
stories or over

AQ-8 P. 29	(29 - 30)
<p>LINE CONSTRUCTION:</p> <ul style="list-style-type: none"> Assumption, Jefferson, Lafourche, Oreana, Plaquemine, St. Bernard, St. Charles, St. James, St. John the Baptist, St. Martin (that portion south of Iberia Parish), St. Mary (that portion northeast of the Atchafalaya River) and Terrebonne Parishes; 	AQ-8 P. 29 \$7.88 .20 \$7.88 .20
<p>Licenses</p> <ul style="list-style-type: none"> Operator hole digging equipment; operator, tractor with winch & derrick; operator line truck with winch & derrick working hot lines Operator using hole truck and trailer, or pole hauling and setting truck (not in energized lines) Operator using truck without winch Groundmen (1-1/2 years service or over) Groundman (Starting rate to 1- 1/2 years service) 	.03 .03 .03 .03 .03 .03 .03 .03
<p>Ascension, East Baton Rouge, East Feliciana, Iberville, Livingston, Pointe Coupee, St. Helena, St. Landry, West Baton Rouge and West Feliciana Parishes:</p> <p>Linemans, line equipment & line truck operators</p> <p>Allon, Beauregard, Calcasieu, Cameron and Jefferson Davis Parishes:</p> <p>Linemans, equipment operator Groundmen</p> <p>Acadia, Iberia, Lafayette, St.</p> <p>Martin (that portion north of Iberia Parish). St. Mary (that portion southwest of the Archafalaya River) and Vermilion Parishes:</p> <p>Linemens & equipment operators Groundman</p>	3/10X 3/10X 3/10X 3/10X 3/10X 3/10X 3/10X 3/10X
<p>\$5.36 .10 \$5.36 .10</p> <p>Batch plant operator</p> <p>Mechanic helper</p> <p>Oiler</p> <p>Pumps, under "3-inch section</p> <p>Pumps, 3-inch section or more</p> <p>Snaitch cat</p>	.15 .15 .15 .15 .15 .15 .15 .15
<p>POWER EQUIPMENT OPERATORS (CONT'D):</p> <ul style="list-style-type: none"> All of Ascension, East Baton Rouge, East Feliciana, Iberville, Pointe Coupee, St. Helena, West Baton Rouge and West Feliciana Parishes; Parts of Assumption (See Footnote "j"), Iberia (See Footnote "k"), St. Livingston (See Footnote "k'), St. Jones (See Footnote "l"), Southern & Northern St. Martin (See Footnote "m"), Tangipahoa (See Footnote "n") and Washington (See Footnote "o") Parishes (Cont'd); 	(28 - 30)
<p>Light Duty Operators:</p> <ul style="list-style-type: none"> Air compressor; Asphalt plant engineer; Blade grader, Distributor (bitum surface); Finishing machine (concrete, paving); Hoist (1 drum less than 4 stories); Concrete mixer under 16-s); Oiler Driver; Pump crete; Street and road sweeper; Roller (except on asphalt or brick); Roller, asphalt or brick (under 5 tons); Post-hole digger; Tractor operated bush hog and similar grass or brush cutting equipment 	(28 - 30)

SUPERVISOR'S DECISION

STATE: New Mexico
 Decision No. AQ-9
 COUNTY: Statewide
 DATE: Date of Publication
 SUPERVISOR'S DECISION No. AP-737 dated June 15, 1973 in 38 FR 15305
 DESCRIPTION OF WORK: Street, Highway, Utility, and Light Engineering Construction.

	Basic Hourly Rates	H & W	Fringe Benefits Payments			Other
			Pensions	Vacation	App. Tr.	
Carpenters:	\$5.91	.30	.40	.25	.04	
Power saw operator-saw filer	6.08	.30	.40	.25	.04	
Millwright, & piledriver	6.16	.30	.40	.25	.04	
Cement masons	4.94	.26				
Ironworkers:						
Reinforcing	4.58	.25	.25			
Structural	5.90	.35	.50			
Painters:						
Brush	4.57					
Spray	4.33					
Laborers:						
Unskilled:						
Common laborer; carpenter tender;		.20	.15			
concrete buggy operator (hand);	2.56					
concrete workers						
Wagon, air track, drill & diamond		.20	.15			
drillers' tender (outside)	2.71					
Air & power tool man; asphalt raker;						
batching plant scaleman; tenders						
(to cement mason & plasterer); chain						
sawman; concrete power buggyman;						
concrete touchupman; concrete						
sawman; corbing machine; asphalt or						
cement; cutting torchman; metal form						
setter-road; grade setter; bod						
carrier; mortar mixer & mason tender;						
powderman or bigster helper; sand-						
blaster; scaler; vibrator-man (hand						
type); vibratory compactor (hand type	2.86	.20	.15			
Quinte pumpcrete-man & nozzleman;						
multiple setter	3.16	.20	.15			
Wagon, air track, drill & diamond						
driller (Outside)	2.86	.20	.15			
Manhole builder	3.36	.20	.15			
Pipelayer	3.16	.20	.15			
Powderman - blaster - makeup	3.31	.20	.15			
Power Equipment Operators:						
Concrete paving curing machine	4.37	.20	.10			.03
Concrete paving form grader; concrete						
paving gang vibrator; concrete paving						
joint or saw machine; concrete paving						
sub grader	5.15	.15	.10			.01

(20 - 30)

AQ-8 P. 30

FOOTNOTES:

- a - 1st 6 mos. - none; 6 mos. to 5 yrs. - 2%; over 5 yrs. - 4% of basic hourly rate.
- b - Paid Holidays - A through F.
- c - All of the parish west of a straight line drawn from the Louisiana-Mississippi border, east of the city limits of Warrenton, Louisiana, southwest through Hammond, Louisiana to the Gulf of Mexico.
- d - All of the parish east of a line drawn from the meeting point of the boundaries of the Parishes of Rapides, Avoyelles and Evangeline, southwest along the western city limits of Abbeville, Louisiana to the Gulf of Mexico.
- e - All of the parish west of a straight line drawn from the Louisiana-Mississippi border, west of the city limits of Warrenton, Louisiana, southeast through Hammond, Louisiana to the Gulf of Mexico.
- f - All of the parish west of a line drawn from the meeting point of the boundaries of the Parishes of Rapides, Avoyelles and Evangeline, southwest along the western city limits of Abbeville, Louisiana to the Gulf of Mexico.
- g - North of a line drawn from the southern limits of the town of St. James in St. James Parish to the northern limits of the town of Napoleonville in Assumption Parish and then directly west to the Parish; all of St. James Parish except, that part which is east of a line drawn from Litcher, Louisiana to U.S. Highway #61 (Airline Highway) then west on U.S. #61 to Blind River, and then on a direct line to Vachet, Louisiana.
- h - South and west of a line running from the western parish line to a point directly east which touches the northern limits of the town of Independence then directly south to Lake Pontchartrain.
- i - That part of southeastern Louisiana bounded on the north by the State of Mississippi, on the east by the State of Mississippi and the Mississippi Sound, on the south by the Gulf of Mexico and on the west by a line drawn as follows: Beginning at a point on the Louisiana-Mississippi boundary in Washington Parish, Louisiana, due north of the town of Backlay, Louisiana, thence southwesterly in a straight line to a point on the east bank of the Mississippi River at the southernmost point of Litcher (including Gramercy in the area), thence in a more southwesterly direction in a straight line to midstream of the Atchafalaya River at Morgan City-Berwick (including Morgan City in this area), thence southerly on a line following midstream of the Atchafalaya River to Atchafalaya Bay and in a line due south to the Gulf of Mexico.
- j - Northwest of a straight line drawn from the city of Berwick to the city of Litcher.
- k - West of a line drawn north from the city of Litcher to the east side of the city of Hammond to the Louisiana-Mississippi border.
- l - East and west of a line from the city of Berwick north to the eastern boundary of the city of Krete Springs.

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day;
 E-Thanksgiving Day; F-Christmas Day.

AQ-9 P. 2

10 New Mexico 3-0 (2-3)

Basic Monthly Rates	Fringe Benefits Payments				Colort
	M & W	Families	Vacation	App. To	
Power Equipment Operators Cont'd.					
Belt type conveyor (material & concrete); broom (self-propelled); fork lift; grease truck operator; head roller; hydro lift; tractor (under 50 driver H.P. with attach.)	\$4.57	.20	.10	.03	
Tractor with backhoe attachment	5.12	.20	.10	.03	
Subgrade or base finisher	5.15	.20	.10	.03	
Concrete slip-form paving machine	5.37	.20	.10	.03	
Asphalt distributor; asphalt paving or lay down machine; asphalt retort heater; batch or continuous mix plant (concrete, soil-cement or asphalt); mixer, heavy duty, asphalt or soil cement; motor grader; tractor (50 driver H.P. or over); trenching machine; clam type shaft mucker	5.17	.20	.10	.03	
Concrete paving finishing machine; concrete paving longitudinal float; gunite machine; jumbo form or drilling stage slusher	5.37	.20	.10	.03	
Concrete paver mixer; hoist (2 drums & over); side boom	5.32	.20	.10	.03	
Derrick, cableway	5.75	.20	.10	.03	
Traveling crane, piledriver	5.32	.20	.10	.03	
Mine hoist	5.52	.20	.10	.03	
Mucking machine	5.52	.20	.10	.03	
Backhoe, clamshell, dragline, gradall, shovel:					
Under 3/4 cy	5.17	.20	.10	.03	
3/4 cy to 3 cy	5.32	.20	.10	.03	
Over 3 cy	5.52	.20	.10	.03	
Balldozer; elevating grader or belt loader; roller (steel wheel); scraper operator	5.17	.20	.10	.03	
Balldozer (multiple units); scraper (multiple units)	5.52	.20	.10	.03	
Concrete paving spreader	5.37	.20	.10	.03	
Pumpcrete machine	5.37	.20	.10	.03	
Crane (crawler or mobile):					
Under 20 ton	5.17	.20	.10	.03	
20 ton to 40 ton	5.32	.20	.10	.03	
Over 40 ton	5.52	.20	.10	.03	
Air compressor (300 CFM & over); crushing screening & washing plants; drilling machine (cable, core or rotary); mixer, concrete (# cy & less); pump #6 inch intake or over; winch truck; hoist (1 drum); industrial locomotive motorman; lumber stacker	5.17	.20	.10	.03	

AQ-9 P. 3

10 New Mexico 3-0 (3-3)

Basic Monthly Rates	Fringe Benefits Payments				Colort
	M & W	Families	Vacation	App. To	
Power Equipment Operators Cont'd.					
Front End loader:					
1-1/2 cy or less	\$4.57	.20	.10	.03	
Over 1-1/2 cy to 6 cy	5.17	.20	.10	.03	
Over 6 cy	5.32	.20	.10	.03	
Industrial locomotive brakeman; tractor (under 50 driver H.P. without attachments); fireman; oiler; screedman	4.57	.20	.10	.03	
Mechanic and/or welder	5.20	.20	.10	.03	
Mixer, concrete (over 1 cy)	5.32	.20	.10	.03	
Grout pump operator	5.37	.20	.10	.03	
Power plant (electrical generator or welding machine)	5.12	.20	.10	.03	
Roller (pull type)	4.67	.20	.10	.03	
Mulching machine; roller (self-propelled)	4.67	.20	.10	.03	
Moist operator	6.82	.20	.10	.03	
Truck Drivers:					
Distributor (asphalt)	4.18	.26			
Dumpster or dumper	4.26	.26			
Dump or batch truck:					
Under 8 cy	3.97	.26			
8 cy and under 16 cy	4.07	.26			
16 cy and under 20 cy	4.21	.26			
20 cy and over	4.26	.26			
Diesel-powered transport (non-self-loading) 10 yds. & over	4.49	.26			
Flatbed:					
1-1/2 ton or under	3.97	.26			
Over 1-1/2 ton	4.12	.26			
Lumber carrier	4.00	.26			
Lowboy, heavy equipment	4.59	.26			
Lowboy, light equipment	4.21	.26			
Off-highway hauler	4.24	.26			
Pick-up truck 3/4 ton or under	3.82	.26			
Service station attendant	3.86	.26			
Spreader box	3.91	.26			
Spreader box (self-propelled)	4.15	.26			
Swamp or rider helper	3.78	.26			
Tank Trucks:					
3,000 gal. or under	4.05	.26			
3,001 gal. to 6,000 gal.	4.15	.26			
6,001 gal. & over	4.25	.26			
Teamster, 2 or 4 or more	3.78	.26			
Trailer or semi-trailer dump	4.34	.26			
Transit mix	4.21	.26			
Warehouseman	3.96	.26			
Power Equipment Operators:					
Pipemobile operator	6.82	.20	.10	.03	
Belt loader (CMI type operator); Pipemobile operator assistant	6.02	.20	.10	.03	

AQ-9 P. 1

LINE CONSTRUCTION - NEW MEXICO

	Basic Monthly Rates	Prize Bonuses Payments			
		H & W	Family	Vacation	Adm. Tr.
BIENALILLO COUNTY					
LINE CONSTRUCTION (NEW MEXICO-A)					
CABLE SPlicERS	\$7.16	.25	12		1/22
LINEMEN	6.66	.25	12		1/22
TECHNICIANS	6.66	.25	12		1/22
EQUIPMENT OPERATORS	6.34	.25	12		1/22
EQUIPMENT MECHANICS	5.81	.25	12		1/22
POWDERMEN	5.81	.25	12		1/22
CRUDDMEN & JACKHAMMER OPERATORS:					
1st 6 months	3.52	.25	12		1/22
2nd 6 months	4.00	.25	12		1/22
Experienced	4.67	.25	12		1/22
STATEWIDE (EXCEPT BIENALILLO COUNTY)					
LINE CONSTRUCTION (NEW MEXICO-B)					
CABLE SPlicERS	7.82	.25	12		1/22
LINEMEN	7.29	.25	12		1/22
TECHNICIANS	7.29	.25	12		1/22
EQUIPMENT OPERATORS	6.93	.25	12		1/22
EQUIPMENT MECHANICS	6.34	.25	12		1/22
POWDERMEN	6.34	.25	12		1/22
CRUDDMEN & JACKHAMMER OPERATORS:					
1st 6 months	3.85	.25	12		1/22
2nd 6 months	4.37	.25	12		1/22
Experienced	5.11	.25	12		1/22

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