

# federal register

THURSDAY, AUGUST 30, 1973

WASHINGTON, D.C.

Volume 38 ■ Number 168

Pages 23389-23503

## PART I



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

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UNITED STATES GEOLOGICAL SURVEY

WATER RESOURCES DIVISION

REPORT OF INVESTIGATION

NO. 1

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WASHINGTON

GOVERNMENT PRINTING OFFICE

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# Rules and Regulations

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

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

## Title 5—Administrative Personnel

### CHAPTER I—CIVIL SERVICE COMMISSION

#### PART 213—EXCEPTED SERVICE

##### Consumer Product Safety Commission

Part 213 is amended to show that one position of Special Assistant for External Affairs and one position of Special Assistant for Internal Affairs to each member of the Commission are excepted under Schedule C.

Effective on Aug. 30, 1973, paragraphs (b) and (c) are added to § 213.3360 as set out below.

#### § 213.3360 Consumer Product Safety Commission.

(b) One Special Assistant for External Affairs to each member of the Commission.

(c) One Special Assistant for Internal Affairs to each member of the Commission.

(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. 73-18459 Filed 8-29-73; 8:45 am]

#### PART 213—EXCEPTED SERVICE

##### U.S. Arms Control and Disarmament Agency

Section 213.3364 is amended to show that one position of Congressional Assistant to the General Counsel and one position of Confidential Assistant to the General Counsel are excepted under Schedule C.

Effective on Aug. 30, 1973, paragraphs (i) and (j) are added to § 213.3364 as set out below.

#### § 213.3364 U.S. Arms Control and Disarmament Agency.

(i) One Congressional Assistant to the General Counsel.

(j) One Confidential Assistant to the General Counsel.

(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. 73-18460 Filed 8-29-73; 8:45 am]

## Title 7—Agriculture

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

[Valencia Orange Regulation 447]

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

##### Limitation of Handling

This regulation fixes the quantity of California-Arizona Valencia oranges that may be shipped to fresh market during the weekly regulation period Aug. 31-Sept. 6, 1973. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 908. The quantity of Valencia oranges so fixed was arrived at after consideration of the total available supply of Valencia oranges, the quantity of Valencia oranges currently available for market, the fresh market demand for Valencia oranges, Valencia orange prices, and the relationship of season average returns to the parity price for Valencia oranges.

#### § 908.747 Valencia Orange Regulation 447.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

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

(i) The committee has submitted its recommendation with respect to the quantities of Valencia oranges that should be marketed during the next succeeding week. Such recommendation,

designed to provide equity of marketing opportunity to handlers in all districts, resulted from consideration of the factors enumerated in the order. The committee further reports that the fresh market demand for Valencia oranges is weak. Prices f.o.b. averaged \$3.28 per carton on a sales volume of 464 cartons during the week ended August 23, 1973, compared with \$3.41 per carton on sales of 517 cartons a week earlier. Track and rolling supplies at 327 cars were up 32 cars from last week.

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

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

fective date hereof. Such committee meeting was held on August 28, 1973.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period August 31, 1973, through September 6, 1973, are hereby fixed as follows:

- (i) District 1: Unlimited movement;
  - (ii) District 2: 450,000 cartons;
  - (iii) District 3: Unlimited movement.
- (2) As used in this section, "handled", "District 1", "District 2", "District 3", and "carton" have the same meaning as when used in said amended marketing agreement and order.

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

Dated: August 29, 1973.

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

[FR Doc.73-18618 Filed 8-28-73; 11:19 am]

#### CHAPTER XIV—COMMODITY CREDIT CORPORATION, DEPARTMENT OF AGRICULTURE

##### SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[CCC Grain Price Support Regs., 1973-Crop Rice Supplement, Amendment 2]

#### PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

##### Subpart—1973-Crop Rice Loan and Purchase Program

###### Correction

In FR Doc. 73-17315 appearing on page 22466 of the issue of Tuesday, August 21, 1973, in the third line of the authority citation to § 1421.328 the reference to "61 Stat. 1051" should be "62 Stat. 1051."

#### Title 14—Aeronautics and Space

#### CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Airspace Docket No. 73-80-32]

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

##### Alteration of VOR Federal Airways

On June 26, 1973, a notice of proposed rulemaking (NPRM) was published in the FEDERAL REGISTER (38 FR 16786) stating that the Federal Aviation Administration (FAA) was considering an amendment to Part 71 of the Federal Aviation Regulations that would realign V-198 between Brookley, Ala., and Crestview, Fla., and extend V-241 from Mobile, Ala., to Crestview, Fla.

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

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., No-

vember 8, 1973, as hereinafter set forth.

Section 71.123 (38 FR 307, 9488) is amended as follows:

1. In V-198 "Brookley; 6 miles wide Navy Saufley, Fla.; 6 miles wide INT Navy Saufley 047" and Crestview, Fla., 251° radials; 6 miles wide Crestview;" is deleted and "Brookley; INT Brookley 056" and Crestview 266" radials; Crestview;" is substituted therefor.

2. In V-241 "From Crestview, Fla.," is deleted and "From Mobile, Ala., via Crestview, Fla.," is substituted therefor. (Sec. 307(a); Federal Aviation Act of 1958 (49 U.S.C. 1348(a)); sec. 6(c); Department of Transportation Act (49 U.S.C. 1655(c).)

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

H. B. HELSTROM,  
Chief, Airspace and Air  
Traffic Rules Division.

[FR Doc.73-18373 Filed 8-29-73; 8:45 am]

[Airspace Docket No. 73-GL-26]

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

##### Alteration of Transition Area

On Page 16239 of the FEDERAL REGISTER dated June 21, 1973, the FAA published a notice of proposed rulemaking which would amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the transition area at Madison, Wisconsin.

Interested persons were given 30 days to submit written comments, objections, and data concerning the proposed amendment. Two comments were received. The Air Transport Association concurred with the proposal. The Wisconsin Division of Aeronautics objected to the circular description of the transition area. An eleven-mile radius of the airport and four extensions in the direction of the final approach courses are required to protect the procedure. The Wisconsin Division of Aeronautics believes it would be advantageous to designate only the required extensions which would delete a few small airports from the transition area. Accordingly, the proposed amendment is hereby adopted subject to the paragraph change enclosed.

This amendment shall be effective October 11, 1973.

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

##### MADISON, WISC.

That airspace extending upward from 700 feet above the surface within an 11-mile radius of the Truax Airport (latitude 43°08'21" N., longitude 89°20'17" W.); within 3 miles each side of the 181° bearing from the airport extending from the 11-mile radius area to 16 miles south of the airport; within 3 miles each side of the 315° bearing from the airport extending from the 11-mile radius area to 15.5 miles NW of the airport; within 3 miles each side of the 061° bearing from the airport extending from the 11-mile radius area to 17 miles N of the airport; and within 3.5 miles each side of the 135° bearing from the airport extending from the 11-mile radius area to 17.5 miles SE of the airport.

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

Issued in Des Plaines, Illinois, on August 6, 1973.

R. O. ZIEGLER,  
Acting Director,  
Great Lakes Region.

[FR Doc.73-18369 Filed 8-29-73; 8:45 am]

[Airspace Docket No. 73-EA-72]

#### PART 73—SPECIAL USE AIRSPACE

##### Alteration of Restricted Area

The purpose of this amendment to Part 73 of the Federal Aviation Regulations is to change the times and dates for Restricted Area R-5802, Indianatown Gap, Pa.

A review was made of the utilization of R-5802 and it was found that the number of hours designated for its use could be reduced. The revised times and dates represent an overall reduction in hours of approximately 2,500 hours annually.

Since this amendment releases airspace back to the aviation user and it is a minor amendment upon which the public would have no particular reason to comment, 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 on November 8, 1973.

In consideration of the foregoing, Part 73 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., November 8, 1973, as hereinafter set forth.

In § 73.58 (38 FR 667) the time of designation for Restricted Area R-5802, Indianatown Gap, Pa., is amended to read as follows:

*Time of designation.* 0800-2300 hours local time, Saturdays, February 15 through May 10; 0800-1200 hours local time, Sundays, February 15 through May 10; 0800-2000 hours local time, May 11 through August 31; 0800-2300 hours local time, Saturdays, September 1 through December 15; 0800-1200 hours local time, Sundays, September 1 through December 15. Other times by Notice to Airmen, issued at least 48 hours in advance.

(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 August 23, 1973.

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

[FR Doc.73-18371 Filed 8-29-73; 8:45 am]

[Airspace Docket No. 73-EA-44]

#### PART 75—ESTABLISHMENT OF JET ROUTES AND AREA HIGH ROUTES

##### Alteration of Jet Routes

On July 2, 1973, a notice of proposed rulemaking (NPRM) was published in the FEDERAL REGISTER (38 FR 17510) stating that the Federal Aviation Administration (FAA) was considering an amendment to Part 75 of the Federal

Aviation Regulations that would redesignate a segment of J-55 between Sea Isle, N.J., and Kennebunk, Maine, and would also redesignate the segment of J-581 southwest of Kennebunk to extend from Kennedy, N.Y., rather than Hampton, N.Y.

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

In consideration of the foregoing, Part 75 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., November 8, 1973, as hereinafter set forth.

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

a. In J-55 "Sea Isle; INT Sea Isle 040° and Putnam, Conn., 217° radials; Putnam; Kennebunk, Maine;" is deleted and "Sea Isle; INT Sea Isle 050° and Hampton, N.Y., 223° radials; Hampton; Providence, R.I.; Boston, Mass.; Kennebunk, Maine;" is substituted therefor.

b. J-581 is amended to read as follows:

Jet Route No. 581 From Kennedy, N.Y., via INT of Kennedy 042° and Putnam, Conn., 230° radials; Putnam; Kennebunk, Maine; Bangor, Maine, to the INT of the Bangor 058° radial and the United States/Canadian border.

(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 August 23, 1973.

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

[FR Doc.73-18372 Filed 8-29-73;8:45 am]

[Airspace Docket No. 73-WA-19]

**PART 75—ESTABLISHMENT OF JET ROUTES AND AREA HIGH ROUTES**

**Alteration of RNAV Routes and Waypoints**

On June 13, 1973, a notice of proposed rulemaking (NPRM) was published in the FEDERAL REGISTER (38 FR 15525) stating that the Federal Aviation Administration (FAA) was considering an amendment to Part 75 of the Federal Aviation Regulations that would alter several RNAV routes and waypoints and revoke those routes and waypoints deemed unnecessary.

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

In consideration of the foregoing, Part 75 of the Federal Aviation Regulations is amended, effective 0901 G.M.T., November 8, 1973, as hereinafter set forth.

Section 75.400 (38 FR 700, 1635, 3589, and 37 FR 26003) is amended as follows:

1. In J-800R (New York, N.Y., to Los Angeles, Calif.), "Kansas City, Mo. VORTAC, 39°16'46" N., 94°35'28" W., Kansas City, MO, Culver, Kans., 38°51'00" N., 97°43'31" W., Wichita, Kans." is deleted and "Walcott, Kans., 39°13'06" N., 94°59'28" W., Butler, Mo.; Enter-

prise, Kans., 38°58'04" N., 96°59'46" W., Wichita, Kans.; Cedar Bluff, Kans., 38°29'43" N., 100°00'41" W., Garden City, Kans." is substituted therefor.

2. In J-801R (Los Angeles, Calif., to New York, N.Y.), "Rosemont, Colo., 38°46'01" N., 104°51'03" W., Pueblo, Colo." is deleted and "Goldfield, Colo., 38°42'44" N., 105°05'24" W., Pueblo, Colo." is substituted therefor.

3. In J-815R (Washington, D.C., to Atlanta, Ga.), J-815R is amended as follows: Casanova, Va., 38°38'28" N., 77°51'57" W., Gordonsville, Va.; Copper Valley, Va., 36°52'22" N., 80°35'26" W., Greensboro, N.C.; Shining Rock, S.C., 35°18'05" N., 83°02'00" W., Spartanburg, S.C.; Lanier, Ga., 34°19'21" N., 83°40'53" W., Spartanburg, S.C.

4. J-825R (Chicago, Ill., to St. Louis, Mo.) is deleted.

5. In J-842R (Dallas, Tex., to New York, N.Y.), "Watertown, TN., 36°13'46" N., 86°06'27" W., Bowling Green, KY." is deleted and "Elmwood, Tenn., 36°19'34" N., 85°50'29" W., Nashville, Tenn." is substituted therefor.

6. In J-863R (New York, N.Y., to Atlanta, Ga.), "Rapidan, Va., 38°08'14" N., 77°50'37" W., Richmond, Va." is deleted and "Gordonsville, Va., 38°00'48" N., 78°09'12" W., Richmond, Va.; Galax, Va., 36°28'30" N., 80°34'05" W., Greensboro, N.C." is substituted therefor.

7. J-868R (Kansas City, Mo., to St. Louis, Mo.) is deleted.

8. In J-879R (Cleveland, Ohio, to Atlanta, Ga.), "Crabtree, N.C., 35°54'52" N., 82°58'18" W., Spartanburg, S.C." is deleted and "Rader, Tenn., 36°06'51" N., 82°59'07" W., Knoxville, Tenn." is substituted therefor.

9. In J-885R (St. Louis, Mo., to Memphis, Tenn.), "St. Louis, MO., 38°51'38" N., 90°28'56" W., Centralia, IL." is deleted and "Festus, MO., 38°12'05" N., 90°21'00" W., Centralia, Ill." is substituted therefor.

10. J-895R (Atlanta, Ga., to New York, N.Y.) is deleted.

11. In J-923R (Albuquerque, N. Mex., to Denver, Colo.), "Terryl, CO., 38°32'20" N., 105°10'50" W., Pueblo, CO." is deleted and "Goldfield, Colo., 38°42'44" N., 105°05'24" W., Pueblo, Colo." is substituted therefor.

12. In J-927R (Chicago, Ill., to Dallas, Tex.), "Roberts, IL., 40°34'54" N., 88°09'51" W., Capital, IL." is deleted and "Roberts, Ill., 40°34'54" N., 88°09'51" W., Capital, Ill.; Marine, Ill., 38°43'46" N., 89°51'54" W., Capital, Ill." is substituted therefor.

13. In J-929R (Atlanta, Ga., to Houston, Tex.), "Birmingham, AL., 33°40'12" N., 86°53'59" W., Montgomery, AL." is deleted.

14. In J-936R (Phoenix, Ariz., to Chicago, Ill.), "Holcomb, KS., 38°08'16" N., 100°52'42" W., Garden City, KS." is deleted and "Cedar Bluff, Kans., 38°29'43" N., 100°10'41" W., Garden City, Kans." is substituted therefor.

15. In J-952R (New York, N.Y., to Houston, Tex.), "Mt. Mitchell, N.C., 35°52'49" N., 82°34'35" W., Spartanburg,

S.C." is deleted and "Beech Mountain, N.C., 36°05'30" N., 82°04'58" W., Spartanburg, S.C." is substituted therefor.

16. In J-953R (New Orleans, La., to New York, N.Y.), "Texas, Ga., 33°02'35" N., 85°12'27" W., Montgomery, AL.; Kenwood, Ga., 33°32'59" N., 84°28'37" W., Macon, Ga.; Gramling, Ga., 35°04'19" N., 82°11'18" W., Columbia, S.C.; Sand River, Va., 36°42'42" N., 79°32'36" W., Raleigh-Durham, N.C." is deleted and "Stone Mountain, Ga., 33°39'00" N., 84°01'00" W., Macon, Ga.; Gramling, S.C., 34°57'15" N., 82°06'05" W., Columbia, S.C.; Semora, N.C., 36°31'24" N., 79°25'48" W., Raleigh-Durham, N.C." is substituted therefor.

17. In J-956 (Memphis, Tenn., to Chicago, Ill.), "Memphis, TN., 34°56'34" N., 89°57'35" W., Walnut Ridge, AZ." is deleted and "Memphis, Tenn., 34°56'34" N., 89°57'35" W., Walnut Ridge, Ariz.; Marine, Ill., 38°43'46" N., 89°51'54" W., Capital, Ill." is substituted therefor.

18. In J-958R (Washington, D.C., to Jacksonville, Fla.), "Gordonsville, Va., 38°00'48" N., 78°09'12" W., Richmond, Va." is deleted and "Flat Rock, Va., 37°31'42" N., 77°49'43" W., Richmond, Va." is substituted therefor.

19. In J-991R (Minneapolis, Minn., to Greater Southwest, Tex.), "Woolstock, IA., 42°34'21" N., 93°42'55" W., Fort Dodge, IA.; Lawson, Mo., 39°30'13" N., 94°05'16" W., Lamon, IA.; Redfield, MO., 37°53'19" N., 94°56'19" W., Springfield, MO." is deleted and "Kamrar, Iowa, 42°25'45" N., 93°43'56" W., Fort Dodge, Iowa; Kansas City, Mo., 39°16'46" N., 94°35'28" W., Kansas City, Mo." is substituted therefor.

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

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

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

[FR Doc.73-18370 Filed 8-29-73;8:45 am]

[Docket No. 1316; Amdt. 879]

**PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES**

**Miscellaneous Amendments**

This amendment to Part 97 of the Federal Aviation Regulations incorporates by reference therein changes and additions to the Standard Instrument Approach Procedures (SIAP's) that were recently adopted by the Administrator to promote safety at the airports concerned.

The complete SIAP's for the changes and additions covered by this amendment are described in FAA Forms 3139, 8260-3, 8260-4, or 8260-5 and made a part of the public rule making dockets of the FAA in accordance with the procedures set forth in Amendment No. 97-696 (35 FR 5609).

SIAP's are available for examination at the Rules Docket and at the National Flight Data Center, Federal Aviation

Administration, 800 Independence Avenue SW., Washington, D.C. 20591. Copies of SIAP's adopted in a particular region are also available for examination at the headquarters of that region. Individual copies of SIAP's may be purchased from the FAA Public Document Inspection Facility, HQ-405, 800 Independence Avenue SW., Washington, D.C. 20591, or from the applicable FAA regional office in accordance with the fee schedule prescribed in 49 CFR 7.85. This fee is payable in advance and may be paid by check, draft or postal money order payable to the Treasurer of the United States. A weekly transmittal of all SIAP changes and additions may be obtained by subscription at an annual rate of \$150.00 per annum from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. Additional copies mailed to the same address may be ordered for \$30.00 each.

Since a situation exists that requires immediate adoption of this amendment, I find that further notice and public procedure hereon is impracticable and good cause exists for making it effective in less than 30 days.

In consideration of the foregoing, Part 97 of the Federal Aviation Regulations is amended as follows, effective on the dates specified:

1. Section 97.23 is amended by originating, amending or canceling the following VOR-VOR/DME SIAP's effective October 11, 1973.

Chattanooga, Tenn.—Lovell Field, VOR Runway 32, Amdt. 10.  
 Crestview, Fla.—Bob Sikes Airport, VOR-A (TAC), Amdt. 5.  
 Durango, Colo.—Durango-La Plata County Airport, VOR-A, Amdt. 1.  
 Durango, Colo.—Durango-La Plata County Airport, VOR Runway 2, Amdt. 2.  
 East St. Louis, Ill.—Bi-State Parks Airport, VOR/DME-A, Amdt. 1.  
 Elko, Nev.—Elko Municipal Airport, VOR/DME A, Original, canceled.  
 Elko, Nev.—Elko Municipal Airport, VOR/DME B, Original.  
 Forest City, Iowa—Forest City Municipal Airport, VOR/DME-A, Original.  
 Fort Collins-Loveland, Colo.—Fort Collins-Loveland Airport, VOR-DME-A, Original.  
 Jackson, Miss.—Allen C. Thompson Field, VOR Runway 15L, Amdt. 3.  
 Jackson, Miss.—Allen C. Thompson Field, VOR Runway 15R, Amdt. 2.  
 Lake Charles, La.—Lake Charles Municipal Airport, VORTAC-B, Amdt. 3.  
 Lake Charles, La.—Lake Charles Municipal Airport, VORTAC-B, Amdt. 3.  
 Las Vegas, N. Mex.—Las Vegas Municipal Airport, VOR Runway 2, Amdt. 7.  
 Las Vegas, N. Mex.—Las Vegas Municipal Airport, VOR Runway 20, Amdt. 2.  
 Los Angeles, Calif.—Los Angeles International Airport, VOR Runway 25L, Amdt. 4.  
 Los Angeles, Calif.—Los Angeles International Airport, VOR Runway 25R, Amdt. 4.  
 Martha's Vineyard, Mass.—Martha's Vineyard Airport, VOR Runway 6, Amdt. 1.  
 Martha's Vineyard, Mass.—Martha's Vineyard Airport, VOR Runway 24, Amdt. 7.  
 Memphis, Tenn.—Memphis International Airport, VOR Runway 35L, Original.  
 Midland, Tex.—Midland Regional Air Terminal, VOR Runway 16R, Amdt. 18.  
 Midland, Tex.—Midland Regional Air Terminal, VORTAC Runway 34L, Amdt. 5.

Riverton, Wyo.—Riverton Municipal Airport, VOR Runway 10, Amdt. 6.  
 Riverton, Wyo.—Riverton Municipal Airport, VOR Runway 28, Amdt. 6.  
 Rockport, Tex.—Aransas County Airport, VORTAC-A, Amdt. 2.  
 Salt Lake City, Utah—Salt Lake City International Airport, VOR/DME Runway 34L, Amdt. 8, canceled.  
 Salt Lake City, Utah—Salt Lake City International Airport, VORTAC Runway 34L, Original.  
 Tulsa, Okla.—Tulsa International Airport, VOR Runway 28, Amdt. 18.

2. Section 97.25 is amended by originating, amending, or canceling the following SDF-LOC-LDA SIAP's, effective October 11, 1973.

Chattanooga, Tenn.—Lovell Field, LOC (BC) Runway 2, Amdt. 12.  
 Fayetteville, Ark.—Drake Field, LOC Runway 16, Amdt. 2.  
 Lake Charles, La.—Lake Charles Municipal Airport, LOC (BC) Runway 33, Amdt. 9.  
 Midland, Tex.—Midland Regional Air Terminal, LOC (BC) Runway 28, Amdt. 8.  
 Muscle Shoals, Ala.—Muscle Shoals Airport, LOC/DME (BC) Runway 11, Original.

\*\*\* effective September 13, 1973.

Beverly, Mass.—Beverly Municipal Airport, SDF Runway 16, Original.

3. Section 97.27 is amended by originating, amending, or canceling the following NDB/ADF SIAP's, effective October 11, 1973.

Ablene, Tex.—Ablene Municipal Airport, NDB Runway 35L, Amdt. 9.  
 Abilene, Tex.—Abilene Municipal Airport, NDB Runway 35R, Original.  
 Atlanta, Ga.—The William B. Hartsfield Atlanta International Airport, NDB Runway 8, Amdt. 36.  
 Atlanta, Ga.—The William B. Hartsfield Atlanta International Airport, NDB Runways 9L and 9R, Amdt. 1, canceled.  
 Atlanta, Ga.—The William B. Hartsfield Atlanta International Airport, NDB Runway 9L, Orig.  
 Atlanta, Ga.—The William B. Hartsfield Atlanta International Airport, NDB Runway 9R, Orig.  
 Chattanooga, Tenn.—Lovell Field, NDB Runway 20, Amdt. 23.  
 East St. Louis, Ill.—Bi-State Parks Airport, NDB Runway 30, Amdt. 5.  
 Fort Collins-Loveland, Colo.—Fort Collins-Loveland Airport, NDB Runway 33, Amdt. 2.  
 Lake Charles, La.—Lake Charles Municipal Airport, NDB Runway 15, Amdt. 12.  
 Martha's Vineyard, Mass.—Martha's Vineyard Airport, NDB Runway 24, Amdt. 16.  
 Midland, Tex.—Midland Regional Air Terminal, NDB Runway 10, Amdt. 5.  
 Omaha, Nebr.—Millard Municipal Airport, NDB Runway 12, Amdt. 2.  
 Oshkosh, Nebr.—Oshkosh Municipal Airport, NDB Runway 12, Amdt. 1.  
 Pensacola, Fla.—Pensacola Regional Airport, NDB Runway 16, Amdt. 17.  
 Rockford, Ill.—Greater Rockford Airport, NDB Runway 36, Amdt. 15.  
 Rockport, Tex.—Aransas County Airport, NDB Runway 14, Amdt. 1.

\*\*\* effective September 27, 1973

Cleveland, Miss.—Cleveland Municipal Airport, NDB Runway 17, Original.

\*\*\* September 13, 1973

Asheville, N.C.—Asheville Municipal Airport, NDB Runway 15, Amdt. 10.

Asheville, N.C.—Asheville Municipal Airport, NDB Runway 34, Amdt. 11.  
 Iowa Falls, Iowa—Iowa Falls Municipal Airport, NDB Runway 31, Original.

\*\*\* effective August 17, 1973

Atlantic City, N.J.—NAFEC-Atlantic City Airport, NDB Runway 13, Amdt. 1.

4. Section 97.29 is amended by originating, amending, or canceling the following ILS SIAP's, effective October 11, 1973.

Atlanta, Ga.—The William B. Hartsfield Atlanta International Airport, ILS Runway 8, Amdt. 43.  
 Atlanta, Ga.—The William B. Hartsfield Atlanta International Airport, ILS Runway 9L, Amdt. 19.  
 Atlanta, Ga.—The William B. Hartsfield Atlanta International Airport ILS Runway 9R, Amdt. 2.  
 Chattanooga, Tenn.—Lovell Field, ILS Runway 20, Amdt. 23.  
 Lake Charles, La.—Lake Charles Regional Airport, ILS Runway 15, Amdt. 12.  
 Martha's Vineyard, Mass.—Martha's Vineyard Airport, ILS Runway 24, Amdt. 1.  
 Midland, Tex.—Midland Regional Air Terminal, ILS Runway 10, Amdt. 8.  
 Pago Pago, Tutuila Island, American Samoa—Pago Pago International Airport, ILS/DME Runway 5, Amdt. 1.  
 Pensacola, Fla.—Pensacola Regional Airport, ILS Runway 16, Amdt. 4.  
 Rockford, Ill.—Greater Rockford Airport, ILS Runway 36, Amdt. 18.  
 Salt Lake City, Utah—Salt Lake City International Airport, ILS Runway 34L, Amdt. 29.

\*\*\* effective September 13, 1973

Asheville, N.C.—Asheville Municipal Airport, ILS Runway 34, Amdt. 15.

5. Section 97.31 is amended by originating, amending, or canceling the following RADAR SIAP's, effective October 11, 1973.

Chattanooga, Tenn.—Lovell Field, RADAR-1, Amdt. 4.  
 Midland, Tex.—Midland Regional Air Terminal, RADAR-1, Original.

\*\*\* effective September 13, 1973

Asheville, N.C.—Asheville Municipal Airport, RADAR-1, Original.

6. Section 97.33 is amended by originating, amending, or canceling the following RNAV SIAP's, effective October 11, 1973.

Nashua, N.H.—Boire Field, RNAV Runway 14, Original.  
 Nashua, N.H.—Boire Field, RNAV Runway 32, Original.  
 North Platte, Nebr.—Lee Bird Field, RNAV Runway 12, Original.

#### Correction:

In Docket Number 12815, Amendment No. 865 to Part 97 of the Federal Aviation Regulations, published in the FEDERAL REGISTER dated May 24, 1973, on page 13636, under § 97.29, effective July 5, 1973, disregard procedure under New York, N.Y.—John F. Kennedy International Airport, ILS Runway 31R, Amdt. 7; Amdt. 6 remains in effect.

(Secs. 307, 313, 601, 1110, Federal Aviation Act of 1948; (49 U.S.C. 1438, 1354, 1421, 1510); sec. 6(c) Department of Transportation Act (49 U.S.C. 1655(c) and 5 U.S.C. 552(a) (1) ) )

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

**JAMES M. VINES,**  
Chief,  
Aircraft Programs Division.

NOTE.—Incorporation by reference provisions in §§ 97.10 and 97.20 (35 FR 5610) approved by the Director of the Federal Register on May 12, 1969.

[FR Doc.73-18368 Filed 8-29-73;8:45 am]

**CHAPTER II—CIVIL AERONAUTICS BOARD**

**PART 241—UNIFORM SYSTEM OF ACCOUNTS AND REPORTS FOR CERTIFIED AIR CARRIERS**

**Deletion of Schedule D-1 and Elimination of Paid Positioning Flight Data on Schedule P-2 of CAB Form 41**

As part of our policy of continuous review of recurrent reports and specific data required of air carriers, the Board has determined that the data currently reported on Schedule D-1—Services Performed for the Defense Establishment and certain information relating to the paid positioning flights reflected on Schedule P-2—Notes to Income Statement are no longer necessary to meet our regulatory needs. Accordingly, it is believed desirable to reduce the carrier reporting requirements in the following respects:

1. Schedule D-1, containing information concerning services performed for the defense establishment, will be eliminated. This Schedule is no longer needed since all necessary information concerning operations for the defense establishment is reported under Part 243 of the Board's Economic Regulations which adequately accommodates our needs.

2. The requirement of reporting information relating to paid positioning flights, which includes the airborne hours, aircraft departures and miles of civilian and military charters, will be eliminated from Schedule P-2. Data on paid positioning flights are included in the revenue traffic statistics on the CAB Form 41 traffic schedules, and shall continue to be separately disclosed on Schedule T-41. If it is later determined that there is a need for additional details concerning paid positioning flights, the Board can request the data on an ad hoc basis.

Since this amendment reduces present reporting requirements, the Board finds that notice and public procedure hereon are not required and the rule may be made effective immediately.

Accordingly, the Civil Aeronautics Board hereby amends Part 241 of its Economic Regulations (14 CFR Part 241), effective August 24, 1973, as follows:

1. By revising section 21—Introduction to System of Reports by amending paragraphs (b), (d), and (k) to read as set forth below:

**Section 21 Introduction to System of Report.**

(b) The system prescribed provides for the submission by each air carrier of five

classes of financial and operating statistics, on individual schedules of the CAB Form 41 report, grouped as follows:

- A. Certification.
- B. Balance Sheet Elements.
- P. Profit and Loss Elements.
- T. Traffic and Capacity Elements.
- G. General Corporate Elements.

(d) Each schedule of the prescribed CAB Form 41 report has been assigned a specific code. The prefix alphabetical codes A, B, P, T, and G, respectively, have been employed to denote certification, balance sheet, profit and loss, traffic and capacity, and general corporate elements. The digits immediately following the alphabetical prefix designate the particular schedule.

(k) Generally, nonscheduled services shall be treated as an integral part of the reporting entity to which most closely related without regard to the geographic area in which such nonscheduled services may actually be performed. However, supplemental reports shall be made of nonscheduled services (including service for the Department of Defense) in areas not encompassed by the prescribed reporting entity in any month in which the available ton-miles of such nonscheduled services exceed 5 percent of the available ton-miles of the reporting entity. Such supplemental reports shall continue until waived by the Board upon a showing that such nonscheduled operations will not in the subsequent 12-month period exceed the 5-percent limit. The supplemental reports to be filed each month or calendar quarter, as applicable, shall be comprised of report Schedules P-5, T-1, and T-2. Transport and nontransport revenues pertaining to such separately reported nonscheduled services shall be reflected on Schedule P-2 each quarter with appropriate cross-references inserted on Schedules P-3 and P-4, as applicable.

2. By amending paragraph (a) of section 22—General Reporting Instructions as follows:

A. By deleting from the list of schedules in paragraph (a) the following line:

**Section 22 General Reporting Instructions.**

(a) \* \* \*  
D-1 Services Performed for the Defense Establishment..... Quarterly

B. By deleting Schedule D-1 under the due dates of February 10, May 10, August 10, and November 10 from the due date list of schedules.

**Section 24 [Amended]**

3. By deleting paragraph (g) to Schedule P-2 from section 24—Profit and Loss Elements.

**Section 27 [Deleted]**

4. By deleting section 27—National Defense Elements.

(Secs. 204(a) and 407 of the Federal Aviation Act of 1958, as amended, 72 Stat. 743, 766; 49 U.S.C. 1324, 1377.)

By the Civil Aeronautics Board.

Effective August 24, 1973.

Adopted August 24, 1973.

[SEAL] EDWIN Z. HOLLAND,  
Secretary.

[FR Doc.73-18478 Filed 8-29-73;8:45 am]

**Title 16—Commercial Practices**

**CHAPTER I—FEDERAL TRADE COMMISSION**

**SUBCHAPTER A—PROCEDURES AND RULES OF PRACTICE**

**PART 4—MISCELLANEOUS RULES Service**

The Commission announces the following amendments to Chapter I of Title 16 of the Code of Federal Regulations: These amendments are effective on August 30, 1973.

Section 4.4(a) (1) (i), (a) (3) and (c) (4) are revised to read as follows:

**§ 4.4 Service.**

(a) (1) \* \* \*  
(i) *By registered or certified mail.*—A copy of the document shall be addressed to the person, partnership, corporation or unincorporated association to be served at his, her or its residence or principal office or place of business, registered or certified, and mailed; or

(3) All other documents may be similarly served, or they may be served by ordinary first-class mail.

(c) \* \* \*  
(4) The return post office receipt for a document registered or certified and mailed, or the verified return or certificate by the person serving the document by personal delivery or ordinary mail, setting forth the manner of said service, shall be proof of the service of the document.

(Sec. 6, 38 Stat. 721, 74 Stat. 200; 16 U.S.C. 45(f).)

By direction of the Commission dated August 23, 1973.

[SEAL] CHARLES A. TOBIN,  
Secretary.

[FR Doc.73-18453 Filed 8-29-73;8:45 am]

[Docket No. 8845-0]

**PART 13—PROHIBITED TRADE PRACTICES**

**Adolph Coors Co.**

Subpart—Coercing and intimidating: § 13.350 Customers or prospective customers; § 13.358 Distributors; Subpart—Combining or conspiring: § 13.388 To control allocations and solicitations of customers; § 13.395 To enforce marketing practices and conditions; § 13.425

To enforce or bring about resale price maintenance; § 13.450 To limit distribution or dealing to regular, established or acceptable channels or classes; Subpart—Cutting off access to customers or market; § 13.535 Contracts restricting customers' handling of competing products; § 13.560 Interfering with distributive outlets; Subpart—Cutting off supplies or service; § 13.610 Cutting off supplies or service; § 13.655 Threatening disciplinary action or otherwise; Subpart—Maintaining resale prices; § 13.1025 Maintaining resale prices; § 13.1130 Contracts and agreements; § 13.1140 Cutting off supplies; § 13.1145 Discrimination; 13.1145-5 Against price cutters 13.1145-20 Distributive channels and outlets generally; § 13.1155 Price schedules and announcements; 13.1160 Refusal to sell.

(Sec. 6, 38 Stat. 721 (15 U.S.C. 46); Interprets or applies sec. 5, 38 Stat. 719, as amended (15 U.S.C. 45).) [Cease and desist order, Adolph Coors Company, Golden, Colorado, Docket 8845, July 24, 1973.]

In the matter of Adolph Coors Company, a corporation.

Order requiring a Golden, Colorado, brewery, among other things to cease illegally restraining competition by fixing prices, imposing territorial and customer restriction upon its distributors, and using unfair short-term termination provisions in its contracts with distributors.

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

It is ordered, That respondent Adolph Coors Company and its subsidiaries, successors, assigns, officers, directors, agents, representatives and employees, individually or in concert with others, directly or indirectly, or through any corporate or other device, in connection with the brewing, distribution, offering for sale or sale of beer in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Entering into, maintaining or enforcing any contract, agreement, combination, understanding or course of conduct which has as its purpose or effect the fixing, maintaining, establishing or setting of the prices at which distributors sell Coors beer to retailers or the prices at which retailers sell Coors beer to consumers.

2. Publishing, disseminating or providing any price list or other document indicating suggested or mandatory prices for the sale of Coors beer by any distributor to any retailer or any price list or other document indicating suggested or mandatory prices for the sale of Coors beer by any retailer to any consumer.

Provided, however, That nothing contained in this paragraph of the Order shall prohibit respondent from complying with the requirements of any state law, provided that when respondent purports to be complying with the state law regarding price suggestions, respondent will specifically advise the Commission of the statute and all court decisions and

administrative agency decisions and rulings interpreting said statute pursuant to which it is purporting to act.

3. Publishing, disseminating or providing to any distributor or any retailer any information or suggestions concerning what Coors may believe to be an appropriate or proper mark-up or profit for Coors beer when the distributor sells to the retailer or when the retailer sells to the consumer or a mark-up or profit below which the distributor or retailer is advised not to sell Coors beer.

Provided, however, That nothing contained in paragraphs two (2) and three (3) of the Order shall prohibit respondent from publishing, disseminating, or providing any price list or other document indicating suggested prices for the sale of Coors beer or suggested markups or profits for Coors beer after three years from the effective date of this Order. Two years following the effective date of this Order respondent may petition the Commission, upon a showing that competition in the resale of its products has been restored, to be permitted to publish, disseminate or provide suggested prices, markups, and profits as set forth in this proviso.

4. Refusing to sell beer to any Coors distributor or terminating or threatening to terminate any Coors distributor because:

A. the distributor has in the past or might in the future sell Coors beer at prices, markups, or profits different from those approved or recommended by respondent;

B. one or more of the distributor's customers sold Coors beer or advertised Coors beer for sale at prices, markups, or profits different from those approved or recommended by respondent;

C. the Coors distributor sold Coors beer to another distributor or to a retailer whose business is located outside of the territory granted to the distributor; or

D. the Coors distributor distributes, has distributed, or proposes to distribute in the future the product of another brewer.

5. Entering into, maintaining or enforcing any contract, agreement, combination, understanding or course of conduct to fix, establish, limit or restrict the territory in which or the persons to whom a distributor may sell Coors beer.

Provided, however, That nothing contained in this paragraph of the Order shall prohibit respondent from complying with the requirements of any state law, provided that when respondent purports to be complying with a state law requiring the restriction of territories or customers, respondent will specifically advise the Commission of the statute and all court decisions and administrative agency decisions and rulings interpreting said statute pursuant to which it is purporting to act.

6. Allocating Coors beer among its distributors in times of beer shortage at the Coors brewery, by any means other than by allocating shares to distributors equal to their proportionate purchases

of Coors beer from the brewery during the last three months before the allocation or when the distributor has not been in business for more than a year as a Coors distributor, on some other equitable basis.

7. Refusing to deliver all of a distributor's order because the distributor has made sales to customers outside of the territory granted the distributor or because the distributor or the distributor's customer is selling Coors beer at prices, markups or profits lower than those approved by respondent.

8. Prohibiting its distributors from selling for central warehouse delivery; provided, however, that respondent can establish refrigeration standards for the central warehouse which are substantially similar to those established for distributors and can require its distributors to be responsible, directly or indirectly, for maintenance of such refrigeration standards and for rotation of Coors beer in the central warehouse and at the retail delivery locations where the beer is redelivered from the central warehouse, if respondent changes its container dating system so that the retailer and the consumer will recognize the date without reference to a code or measuring stick.

9. Entering into, maintaining or enforcing any contract, agreement, combination, understanding or course of conduct with its distributors which has as its purpose or effect requiring that retailers serve Coors draft beer as their only light-colored draft beer.

10. Entering into, maintaining, or enforcing any contract, agreement or understanding, or taking any action or course of conduct with any of its distributors which has as its purpose or effect the requirement that the distributor eliminate, or refrain from obtaining and handling rival brands of beer in order to become or remain a Coors distributor.

11. Hindering, suppressing or eliminating competition or attempting to hinder, suppress or eliminate competition between or among distributors or between or among retailers handling Coors beer.

12. Canceling any distributor agreement unless and until the respondent has pursued the following procedure:

A. Cancellation With Cause

(a) Respondent has given the distributor sixty days' notice of respondent's intention to cancel its agreement with the distributor;

(b) Said notice, referred to in (a) above, will include in writing an assurance that the contract is being terminated in good faith and for material violation of one or more contract provisions which are relevant to the effective operation of the franchise. Said notice shall further provide a list of the specific reasons for which the franchise is being terminated;

(c) Said notice will include the assurance that the distributor may sell his interest to a third party during the sixty

days, subject to the respondent's approval of the buyer as a satisfactory distributor of respondent's products and the further assurance that approval will not be unreasonably withheld;

(d) Said notice will also include the statement that the distributor has the right to have the contract cancellation reviewed in an arbitration proceeding as hereinafter provided, to ascertain whether the termination has been made otherwise than in good faith and otherwise than for material violation of one or more contract provisions which are relevant to the effective operation of the franchise.

#### B. Cancellation Without Cause

(a) Respondent has given the distributor one hundred and eighty days' notice of respondent's intention to cancel its agreement with the distributor;

(b) Said notice, referred to in (a) above, will include in writing an assurance that the contract is being terminated in good faith. Said notice shall further provide a list of the specific reasons for which the franchise is being terminated.

(c) Said notice will include the assurance that the distributor may sell his interest to a third party during the one hundred and eighty days subject to the respondent's approval of the buyer as a satisfactory distributor of respondent's products, and the further assurance that approval will not be unreasonably withheld;

(d) Said notice will also include the statement that the distributor has the right to have the contract cancellation reviewed in an arbitration proceeding as hereinafter provided to ascertain whether the termination has been made otherwise than in good faith.

13. *It is further ordered*, That respondent, within three (3) months from the date this Order becomes final, shall provide for arbitration, in the city in which a distributor resides, by an independent and neutral arbitrator, to determine in the case of any announced termination, and upon the request of a distributor, whether or not said termination is made in good faith (in the case of termination without cause) or whether or not said termination is made in good faith and for material violation of one or more contract provisions which are relevant to the effective operation of the franchise (in the case of termination with cause). The arbitrator shall find that a cancellation of any distributor agreement is not made in good faith if the arbitrator finds that the termination would constitute a violation of the anti-trust laws or this Order.

Said arbitration shall be initiated by respondent within fifteen (15) days from the date of a request by the distributor, which request shall be made not later than fifteen (15) days after notice of proposed cancellation. If respondent fails to provide for arbitration within the time limit, or if the arbitrator finds that cancellation is not proposed in good faith (and for material violation of one or more contract provisions relevant to the

effective operation of the franchise in the case of termination for cause), respondent shall reinstate the distributor at the location he held prior to cancellation and shall allow the distributor to reenter into a distributor agreement.

All costs of arbitration, except for the distributor's attorney's fees, shall be borne by respondent, provided, however, that if in the course of the arbitration proceeding it is determined by the arbitrator that the distributor's claims are not brought in good faith, the distributor shall bear the costs of arbitration other than respondent's attorney's fees. The distributor's right to arbitration shall be conspicuously noted in all present and future distributor agreements.

*It is further ordered*, That respondent corporation shall forthwith distribute a copy of this Order to each of its operating divisions, to its present and future sales representatives, to its present and future distributors.

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

In the event that respondent proposes a change in the corporate respondent, as set forth above, respondent shall require said successor or transferee to file, with the Commission, at the time of respondent's notification, a written agreement to be bound by the terms of this Order; *Provided*, that if respondent wishes to present to the Commission any reasons why said Order should not apply in its present form to said successor or transferee, respondent shall submit to the Commission a written statement setting forth said reasons at least sixty (60) days prior to the consummation of said succession or transfer.

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

By the Commission. The matter was argued before Commissioner Thompson was sworn in. Therefore, he elected not to participate.

Issued July 24, 1973.

[SEAL] CHARLES A. TOBIN,  
Secretary.

[FR Doc.73-18392 Filed 8-29-73; 8:45 am]

[Docket No. 8862-o]

#### PART 13—PROHIBITED TRADE PRACTICES

Resort Car Rental System, Inc., et al.

Subpart—Advertising falsely or misleadingly: § 13.155 Prices; 13.155-5 Additional charges unmentioned; 13.155-9 Terms and conditions; Subpart—Misrepresenting oneself and goods—Prices:

§ 13.1778 Additional charges unmentioned; § 13.1823 Terms and conditions; Subpart—Securing signatures wrongfully: § 13.2176 Written agreements and/or contract' Subpart—Using misleading name—Vendor: § 13.2425 Nature, in general.

(Sec. 6, 38 Stat. 721 (15 U.S.C. 46); Interpretations or applies sec. 5, 38 Stat. 719, as amended, (15 U.S.C. 45).) [Cease and desist order, Resort Car Rental System, Inc., et al., Las Vegas, Nevada, Docket 8862, July 31, 1973.]

*In the matter of Resort Car Rental System, Inc., Brooks Rent-A-Car, Inc., Brooks Dollar-A-Day Rent-A-Car, Inc., Metropolitan Leasing, Inc., Bell Rent-A-Car, Inc., and Irving Bell, individually and as an officer of said corporations.*

Order requiring a Las Vegas, Nevada, automobile rental agency and several other agencies located in the Southwest, among other things to cease misrepresenting any price, fee, or amount imposed for rental of a motor vehicle; misrepresenting any method of computation of such charges; and using any misleading trade or corporate name. Order also dismisses complaint as to one corporate respondent.

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

*It is ordered:*

(1) That the initial decision be, and it hereby is, adopted as the decision of the Commission;

(2) That the appeal of respondents be, and it hereby is, denied; and that the appeal of complaint counsel be, and it hereby is, denied;

(3) That the following order be and hereby is entered:

*It is ordered*, That the respondents Resort Car Rental System, Inc., Brooks Rent-A-Car, Inc., Brooks Dollar-A-Day Rent-A-Car, Inc., and Metropolitan Leasing, Inc., corporations, trading under the above trade or corporate names or under any other trade or corporate name or names, their respective successors and assigns and their respective officers, and Irvin Bell, individually and as an officer of said corporations (hereinafter referred to as "respondents") and respondents' agents, representatives and employees, directly or through any corporation, subsidiary, division or other device, in connection with the advertising, renting, or offering for rent of motor vehicles, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or by implication, any price, fee, or amount which is imposed for rental of a motor vehicle unless such price, fee, or amount includes all charges or conditions which are imposed for or on rental of such vehicle at such price, fee, or amount.

The term "charges or conditions" means any charge or condition necessary to the rental of a motor vehicle, which

<sup>2</sup> New.

is not strictly at the option of the person renting the vehicle. Examples of such charges and conditions are:

- a. A daily or other periodic charge;
- b. A cents per mile charge;
- c. A minimum charge at the cents-per-mile charge, whether or not the miles are actually driven;
- d. A charge for gasoline, oil, and repairs if such are not included in (a) or (b) above;
- e. Any charge for insurance.

*Provided, however, That*

(1) (a) and (b) above may be stated separately from each other if there is no other charge or condition, and if (a) and (b) are in equally large type and in close proximity to each other;

(ii) Any charge made for collision insurance must be included in said representation if such insurance charge is not strictly at the option of the person renting the vehicle; a charge for collision insurance shall not be deemed to be "strictly at the option of the person renting the vehicle" if any evidence of other insurance must be provided to respondents in order not to purchase said collision insurance;

(iii) The coverage of collision insurance, whether optional, mandatory, or included in the rental agreement price, shall be clearly described in the rental agreement.

2. Misrepresenting, in any manner, any method of computation of a charge, charge, or condition imposed for rental of a motor vehicle.

3. Using any title, corporate name, trade name, or other designation (including but not limited to "Dollar-A-Day") which represents, directly or by implication, any price, fee, or amount which is imposed for rental of a motor vehicle, unless such representation includes all charges or conditions which are imposed for rental of such vehicle, in conformity with the requirements of Paragraph One of this order.

4. Executing or causing to be executed, any written agreement purporting to obligate a consumer to pay at that or any future time any consideration for the rental of a motor vehicle, where the language and format of the written agreement does not conform with the requirements of Paragraphs One through Three of this order. If any minimum mileage charge is imposed at the cents-per-mile charge pursuant to said agreement, said agreement shall contain the following statement in capital letters in at least eight point bold type, next to and clearly associated with that place on said agreement which provides for entry of the cents per mile rate: "NOTICE: A MINIMUM CHARGE OF (e.g., 50) MILES PER (e.g., DAY), AT THE CENTS-PER-MILE CHARGE WILL BE IMPOSED, WHETHER OR NOT THE MILES ARE ACTUALLY DRIVEN."

*It is further ordered.* That respondents notify the Commission at least thirty (30) days prior to any proposed change in the corporate respondents, such as dissolution, assignment or sale resulting in the emergence of a successor

corporation, the creation or dissolution of subsidiaries or any other change in the corporation which may affect compliance obligations arising out of the order.

*It is further ordered.* That respondents shall forthwith distribute a copy of this order to each of their respective operating subsidiaries, divisions, and offices, and to each employee, present or future.

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

*It is further ordered.* That the complaint is dismissed as to the respondent Bell Rent-A-Car, Inc., pursuant to complaint counsel's Proposed Finding 25 which has been adopted herein.

*It is further ordered.* That respondents Resort Car Rental System, Inc., Brooks Rent-A-Car, Inc., Brooks Dollar-A-Day Rent-A-Car, Inc., Metropolitan Leasing, Inc., and Irving Bell shall, within sixty (60) days after service of this Order upon them, file a written report with the Commission, signed by said respondents, setting forth in detail the manner and form of their compliance with the Order to Cease and Desist hereby adopted by the Commission.

By the Commission.

Issued July 31, 1973.

[SEAL]

CHARLES A. TOBIN,  
Secretary.

[FR Doc. 73-18391 Filed 8-29-73; 8:45 am]

#### Title 29—Labor

#### CHAPTER V—WAGE AND HOUR DIVISION; DEPARTMENT OF LABOR

#### PART 608—HANDKERCHIEF, SCARF, AND ART LINEN INDUSTRY IN PUERTO RICO

##### Wage Order

Pursuant to sections 5, 6, and 8 of the Fair Labor Standards Act of 1938 (52 Stat. 1062, 1064, as amended; 29 U.S.C. 205, 206, 208) and Reorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p. 1004), and by means of Administrative Order No. 625 (38 FR 9031), the Secretary of Labor appointed and convened Industry Committee No. 113-E for the Handkerchief, Scarf, and Art Linen Industry in Puerto Rico, referred to the Committee the question of the minimum rate or rates of wages to be paid under section 6(c) of the Act to employees in the industry, and gave notice of a hearing to be held by the Committee.

Subsequent to an investigation and a hearing conducted pursuant to the notice, the Committee has filed with the Administrator of the Wage and Hour Division of the Department of Labor a report containing its findings of fact and

recommendations with respect to the matters referred to it.

Accordingly, as authorized and required by section 8 of the Fair Labor Standards Act of 1938, Reorganization Plan No. 6 of 1950, and 29 CFR 511.13, the recommendations of Industry Committee No. 113-E are hereby published, amending § 608.2 by revising the various classifications in the pre-1961 coverage in paragraph (a) and increasing the wage rates in paragraphs (b) and (c).

As amended § 608.2 reads as follows:

#### § 608.2 Wage rates.

(a) *Pre-1961 coverage classifications:* The classifications for pre-1961 coverage apply to all activities in the industry to which section 6 of the Fair Labor Standards Act would have applied prior to the Fair Labor Standards Amendments of 1961.

(1) *Oblong scarves classification.* (i) The minimum wage for this classification is \$1.60 an hour.

(ii) This classification is defined as all work in the handkerchief, scarf, and art linen industry in Puerto Rico on oblong scarves.

(2) *Hand-sewing on products other than oblong scarves classification.* (i) The minimum wage for this classification is 78 cents an hour.

(ii) This classification is defined as hand-sewing, hand-embroidering, hand-embellishing, ornamental stitching, and similar decorative operations on all products of the handkerchief, scarf, and art linen industry in Puerto Rico, except oblong scarves: *Provided, however,* That mending, repairing, sewing of labels, tacking, and similar operations in the industry on articles which are otherwise wholly machine-sewn shall not be included.

(3) *Other operations on products other than oblong scarves classification.* (i) The minimum wage for this classification is 85 cents an hour.

(ii) This classification is defined as all work in the handkerchief, scarf, and art linen industry in Puerto Rico, other than work described in the other classifications of the industry.

(b) *1961 coverage classification.* (1) The minimum rate for this classification is \$1.60 an hour.

(2) This classification is defined as all activities in the industry which were brought within the purview of section 6 of the Fair Labor Standards Act solely by reason of the Fair Labor Standards Amendments of 1961.

(c) *1966 coverage classification.* (1) The minimum rate for this classification is \$1.60 an hour.

(2) This classification is defined as all activities in the industry which were brought within the purview of section 6 of the Fair Labor Standards Act solely by reason of the Fair Labor Standards Amendments of 1966.

(Secs. 5, 6, 8, 52 Stat. 1062, 1064 as amended (29 U.S.C. 205, 206, 208))

*Effective date.*—This amendment shall become effective September 15, 1973.

Signed at Washington, D.C., this 23rd day of August, 1973.

WARREN D. LANDIS,  
Acting Administrator, Wage and  
Hour Division, U.S. Department  
of Labor.

[FR Doc.73-18366 Filed 8-29-73; 8:45 am]

**PART 609—WOMEN'S AND CHILDREN'S  
UNDERWEAR AND WOMEN'S BLOUSE  
INDUSTRY IN PUERTO RICO**

**Wage Order**

Pursuant to sections 5, 6, and 8 of the Fair Labor Standards Act of 1938 (52 Stat. 1062, 1064, as amended; 29 U.S.C. 205, 206, 208) and Reorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p. 1004), and by means of Administrative Order No. 625 (38 FR 9031), the Secretary of Labor appointed and convened Industry Committee No. 113-D for the Women's and Children's Underwear and Women's Blouse Industry in Puerto Rico, referred to the Committee the question of the minimum rate or rates of wages to be paid under section 6(c) of the Act to employees in the industry, and gave notice of a hearing to be held by the Committee.

Subsequent to an investigation and a hearing conducted pursuant to the notice, the Committee has filed with the Administrator of the Wage and Hour Division of the Department of Labor a report containing its findings of fact and recommendations with respect to the matters referred to it.

Accordingly, as authorized and required by section 8 of the Fair Labor Standards Act of 1938, Reorganization Plan No. 6 of 1950, and 29 CFR 511.18, the recommendations of Industry Committee No. 113-D are hereby published, amending § 609.2 by combining all activities in the pre-1961 coverage classification into a single classification thereby deleting subparagraphs (1) and (2) of paragraph (a).

As amended § 609.2 reads as follows:  
§ 609.2 Wage rates.

(a) Pre-1961 coverage classification.  
(1) The minimum rate for this classification is \$1.54 an hour.

(2) This classification is defined as all activities in the industry to which section 6 of the Fair Labor Standards Act would have applied prior to the Fair Labor Standards Amendments of 1961.

(Secs. 5, 6, 8, 52 Stat. 1062, 1064, as amended; 29 U.S.C. 205, 206, 208).

*Effective date.*—This amendment shall become effective September 15, 1973.

Signed at Washington, D.C., this 23rd day of August, 1973.

WARREN D. LANDIS,  
Acting Administrator, Wage and  
Hour Division, U.S. Department  
of Labor.

[FR Doc.73-18367 Filed 8-29-73; 8:45 am]

**Title 36—Parks, Forests, and Memorials  
CHAPTER II—FOREST SERVICE,  
DEPARTMENT OF AGRICULTURE**

**PART 221—TIMBER**

**Cancellation of Contracts**

On April 23, 1973, the FEDERAL REGISTER (38 FR 10010) contained a notice that the Department of Agriculture proposed to amend Part 221 of Title 36, Code of Federal Regulations by amending § 221.17, Cancellation of Contracts.

Interested parties were given 60 days to submit written comments on the proposed amendment.

Fifteen written comments were received. Based on the information available, the proposed amendment will be changed as set forth below:

1. § 221.117(a)(4) will read:

**§ 221.17 Cancellation of contracts.**

(a) \* \* \*

(4) For conviction of violation of criminal statutes or for violation of civil standards, orders, permits, or other regulations for the protection of environmental quality issued by a Federal agency, state agency, or political subdivision thereof, in the conduct of operations thereunder, on National Forest land, unless compliance with such laws or regulations would preclude performance of other contractual requirements.

2. Add the following citation of authority:

(30 Stat. 34, 35 as amended; 16 U.S.C. 476, 551).

Accordingly, with these changes and additions, the proposed revision is adopted as set forth below.

*Effective date.*—This amended regulation is effective on September 10, 1973.

PAUL A. VANDER MYDE,  
Assistant Secretary for Conservation,  
Research, and Education.

AUGUST 27, 1973.

[FR Doc.73-18485 Filed 8-29-73; 8:45 am]

**Title 40—Protection of Environment**

**CHAPTER I—ENVIRONMENTAL  
PROTECTION AGENCY**

**SUBCHAPTER E—PESTICIDE PROGRAMS**

**PART 180—TOLERANCES AND EXEMPTIONS  
FROM TOLERANCES FOR PESTICIDE  
CHEMICALS IN OR ON RAW AGRICULTURAL  
COMMODITIES**

**Isobutyric Acid**

Two petitions (PP 3F1356 and PP 3F1371) were filed in accordance with provisions of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a).

Pesticide Petition No. 3F1356 was filed by W. R. Grace & Co., Washington Research Center, Clarksville, MD 21029, proposing establishment of a tolerance for residues of the fungicide ammonium isobutyrate in or on the raw agricultural commodity sorghum grain (intended for use as animal feed feed only) at 20,000

parts per million. Subsequently, the petitioner amended the petition to propose establishment of a tolerance for residues of isobutyric acid in sorghum grain at 17,000 parts per million resulting from postharvest application of ammonium isobutyrate; the treated grain is for use only as animal feed.

Pesticide Petition No. 3F1371 was filed by Eastman Chemical Products, Inc., subsidiary of Eastman Kodak Co., Kingsport, TN 37662, proposing establishment of (a) an exemption from the requirement of a tolerance or (b) tolerances of 15,000 parts per million for residues of the fungicide isobutyric acid in or on the raw agricultural commodities grains of barley, corn, oats, sorghum, and wheat resulting from postharvest application of isobutyric acid; the treated grain is for use only as animal feed.

Based on consideration given the data submitted in the petitions and other relevant material, it is concluded that:

1. The fungicides are useful for the purposes for which the tolerances and exemptions are proposed.

2. Levels of isobutyric acid normally occurring in eggs, meat, milk, and poultry will not be increased by the proposed uses.

3. Tolerances of 17,000 parts per million are more appropriate than either an exemption or tolerances of 15,000 parts per million for residues of isobutyric acid in or on the grains of barley, corn, oats, sorghum, and wheat from postharvest application of isobutyric acid.

4. The tolerances established by this order will protect the public health.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2)), the authority transferred to the Administrator of the Environmental Protection Agency (35 FR 15623), and the authority delegated by the Administrator to the Deputy Assistant Administrator for Pesticide Programs (36 FR 9038), § 180.320 is revised to read as follows:

**§ 180.320 Isobutyric acid; tolerances  
for residues.**

Tolerances are established for residues of isobutyric acid in or on raw agricultural commodities (the treated raw agricultural commodities are for use only as animal feed) from postharvest application of the fungicides ammonium isobutyrate and isobutyric acid as follows:

17,000 parts per million in or on alfalfa, Bermuda grass, brome grass, clover, fescue, lespedeza, orchard grass, sorghum grain, and timothy from postharvest application of ammonium isobutyrate.

17,000 parts per million in or on grains of barley, oats, sorghum, and wheat from postharvest application of isobutyric acid.

17,000 parts per million in or on corn grain from postharvest application of ammonium isobutyrate and/or isobutyric acid.

Any person who will be adversely affected by the foregoing order may at any

time on or before Oct. 1, 1973, file with the Hearing Clerk, Environmental Protection Agency, Room 1019E, 4th and M Streets, SW., Waterside Mall, Washington, D.C. 20460, written objections thereto in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

**Effective date.** This order shall become effective on Aug. 30, 1973.

(Sec. 408(d)(2), 68 Stat. 512, (21 U.S.C. 346a(d)(2)).)

Dated August 23, 1973.

HENRY J. KORP,  
Deputy Assistant Administrator  
for Pesticide Programs.

[FR Doc.73-18389 Filed 8-29-73;8:45 am]

#### PART 180—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

##### Methidathion

A petition (PP 2F1229) was filed by Geigy Agricultural Chemicals (now CIBA-GEIGY Corp.), Ardsley, NY 10502, in accordance with provisions of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a), proposing establishment of tolerances for residues of the insecticide *O,O*-dimethyl phosphorodithioate, *S*-ester with 4-(mercaptomethyl)-2-methoxy- $\Delta^2$ -1,3,4-thiadiazolin-5-one in or on the raw agricultural commodities grapefruit and oranges at 2 parts per million.

Based on consideration given the data submitted in the petition and other relevant material, it is concluded that:

1. The insecticide is useful for the purpose for which the tolerances are being established.
2. There is no reasonable expectation of residues in eggs, meat, milk, or poultry, and § 180.6(a)(3) applies.
3. The tolerances established by this order will protect the public health.
4. The name methidathion is the accepted common name for the insecticide *O,O*-dimethyl phosphorodithioate, *S*-ester with 4-(mercaptomethyl)-2-methoxy- $\Delta^2$ -1,3,4-thiadiazolin-5-one.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2)), the authority transferred to the Administrator of the Environmental Protection Agency (36 FR 15623), and the authority delegated by the Administrator to the Deputy Assistant Administrator for Pesticide Programs (36 FR 9038), § 180.298 is

amended by revising the heading and introductory paragraph and by inserting the new paragraph "2 parts per million \* \* \*" after the paragraph "6 parts per million \* \* \*", as follows:

##### § 180.298 Methidathion; tolerances for residues.

Tolerances for residues of the insecticide methidathion (*O,O*-dimethyl phosphorodithioate, *S*-ester with 4-(mercaptomethyl)-2-methoxy- $\Delta^2$ -1,3,4-thiadiazolin-5-one) are established in or on raw agricultural commodities as follows:

\* \* \* \* \*

2 parts per million in or on grapefruit and oranges.

\* \* \* \* \*

Any person who will be adversely affected by the foregoing order may at any time on or before Oct. 1, 1973, file with the Hearing Clerk, Environmental Protection Agency, Room 1019E, 4th and M Streets, SW., Waterside Mall, Washington, D.C. 20460, written objections thereto in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

**Effective date.** This order shall become effective on Aug. 30, 1973.

(Sec. 408(d)(2), 68 Stat. 512 (21 U.S.C. 346a(d)(2)).)

Dated August 23, 1973.

HENRY J. KORP,  
Deputy Assistant Administrator  
for Pesticide Programs.

[FR Doc.73-18388 Filed 8-29-73;8:45 am]

#### PART 180—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

##### 2,6-Dichloro-4-Nitroaniline

A petition (PP 3F1365) was filed by the Upjohn Co., Kalamazoo, MI 49001, in accordance with provisions of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a), proposing (a) to increase the established tolerance for residues of the fungicide 2,6-dichloro-4-nitroaniline in or on the raw agricultural commodity plums (fresh prunes) from 1 part per million to 15 parts per million to allow postharvest as well as preharvest use and (b) to revoke the established tolerance for residues of this fungicide in or on the raw agricultural commodity strawberries at 15 parts per million.

Based on consideration given data submitted in the petition and other relevant material, it is concluded that:

1. The fungicide is useful for the purpose for which the tolerance is being established.

2. The tolerance of 15 parts per million for residues of the fungicide in or on plums (fresh prunes) is adequate to cover residues resulting from postharvest use as well as the existing preharvest use.

3. There is no reasonable expectation of residues in eggs, meat, milk, or poultry, and § 180.6(a)(3) applies.

4. The established tolerance of 15 parts per million for residues of 2,6-dichloro-4-nitroaniline in or on strawberries is not pertinent since the fungicide is no longer registered for use on this commodity.

5. The tolerance established by this order and the revocation will protect the public health.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), (m), 68 Stat. 512, 517; 21 U.S.C. 346a(d)(2), (m)), the authority transferred to the Administrator of the Environmental Protection Agency (35 FR 15623), and the authority delegated by the Administrator to the Deputy Assistant Administrator for Pesticide Programs (36 FR 9038), § 180.200 is amended by revising the paragraph "15 parts per million \* \* \*" to read as follows and by deleting the paragraph "1 part per million \* \* \*":

##### § 180.200 2,6-Dichloro-4-nitroaniline; tolerances for residues.

\* \* \* \* \*

15 parts per million in or on blackberries, boysenberries, celery, plums (fresh prunes) (from preharvest and postharvest application), and raspberries.

\* \* \* \* \*

Any person who will be adversely affected by the foregoing order may at any time on or before Oct. 1, 1973, file with the Hearing Clerk, Environmental Protection Agency, Room 1019E, 4th & M Streets, SW., Waterside Mall, Washington, D.C. 20460, written objections thereto in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

**Effective date.** This order shall become effective on Aug. 30, 1973.

(Sec. 408(d)(2), (m), 68 Stat. 512, 517 (21 U.S.C. 346a(d)(2), (m)).)

Dated August 23, 1973.

HENRY J. KORP,  
Deputy Assistant Administrator  
for Pesticide Programs.

[FR Doc.73-18387 Filed 8-29-73;8:45 am]

## Title 49—Transportation

## CHAPTER II—FEDERAL RAILROAD ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. RST-1B]

## PART 213—TRACK SAFETY STANDARDS

## Classes of Track; Operating Speed Limits

On July 16, 1973, the Federal Railroad Administration published in the FEDERAL REGISTER a notice of proposed rule-making to amend paragraph (a) and add a new paragraph (c) in § 213.9 of Title 49 of the Code of Federal Regulations (38 FR 18905). The proposal set forth the kinds of information which a railroad must furnish in seeking approval from the Administrator to operate a freight or passenger train more than 110 m.p.h. Speeds up to 110 m.p.h. are presently permitted by § 213.9, depending on the class of track involved, without prior authorization.

Interested persons were invited to participate in the rulemaking by submitting written comments before August 16, 1973, and by presenting oral or written statements at a public hearing on August 16, 1973. However, no oral or written comments were received.

There being no objection to the proposed amendment, § 213.9 of Title 49 of the Code of Federal Regulations is amended to read as follows, effective October 1, 1973.

Issued in Washington, D.C., on August 24, 1973.

JOHN W. INGRAM,  
Administrator.

The introductory clause in paragraph (a) is amended and a new paragraph (c) is added as follows:

## § 213.9 Classes of track; operating speed limits.

(a) Except as provided in paragraphs (b) and (c) of this section and §§ 213.57 (b), 213.59(a), 213.105, 213.113 (a) and (b), and 213.137 (b) and (c), the following maximum allowable operating speeds apply:

(c) Maximum operating speed may not exceed 110 m.p.h. without prior approval of the Federal Railroad Administrator. Petitions for approval must be filed in the manner and contain the information required by § 211.11 of this chapter. Each petition must provide sufficient information concerning the performance characteristics of the track, signaling, grade crossing protection, trespasser control where appropriate, and equipment involved and also concerning maintenance and inspection practices and procedures to be followed, to establish that the proposed speed can be sustained in safety.

(Sec. 202, 84 Stat. 971 (45 U.S.C. 431); § 1.49(n), regulations of the Office of the Secretary of Transportation 49 CFR 1.49(n))

[FR Doc. 73-18434 Filed 8-29-73; 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

## Certain National Wildlife Refuges in Ariz., Calif., Texas, N. Mex.

The following special regulations are issued and are effective August 30, 1973.

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

## ARIZONA AND CALIFORNIA

## HAVASU NATIONAL WILDLIFE REFUGE

Public hunting of doves on the Havasu National Wildlife Refuge, Arizona and California, is permitted only on the area designated by signs as open to hunting. This open area, comprising 24,200 acres, is delineated on maps available at refuge headquarters, Needles, California, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, New Mexico 87103. Hunting seasons are as follows: Arizona—mourning doves, from September 1 through September 23, 1973, inclusive; and from December 1 through December 27, 1973, inclusive. California—mourning and white-winged doves, from September 1 through September 30, 1973, inclusive; and from November 24 through December 9, 1973, inclusive. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of doves subject to the following special condition:

(1) Hunting is prohibited within one-fourth mile of any occupied dwelling or concession operation.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 27, 1973.

## IMPERIAL NATIONAL WILDLIFE REFUGE

Public hunting of doves on the Imperial National Wildlife Refuge, Arizona and California, is permitted only on the area designated by signs as open to hunting. This open area, comprising 10,500 acres, is delineated on maps available at refuge headquarters, Yuma, Arizona, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, New Mexico 87103. Hunting seasons are as follows: Arizona—mourning doves only, from December 1 through December 27, 1973, inclusive. California—mourning and white-winged doves, from November 24 through December 9, 1973, inclusive. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of doves.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas

generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 27, 1973.

## NEW MEXICO

## BITTER LAKE NATIONAL WILDLIFE REFUGE

Public hunting of mourning and white-winged doves on the Bitter Lake National Wildlife Refuge, New Mexico, is permitted from September 1 through September 30, 1973, inclusive; and from November 24 through December 23, 1973, inclusive, but only on the area designated by signs as open to hunting. This open area, comprising 3,220 acres more or less, is delineated on maps available at refuge headquarters, Roswell, New Mexico, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, New Mexico 87103. Hunting shall be in accordance with all applicable State and Federal regulations governing the hunting of doves.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 23, 1973.

## BITTER LAKE NATIONAL WILDLIFE REFUGE

Public hunting of teal ducks on the Bitter Lake National Wildlife Refuge, New Mexico, is permitted from September 22 through September 30, 1973, inclusive, but only on the area designated by signs as open to hunting. This open area, comprising 3,220 acres more or less, is delineated on maps available at refuge headquarters, Roswell, New Mexico, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, New Mexico 87103. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of teal ducks.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through September 30, 1973.

## BOSQUE DEL APACHE NATIONAL WILDLIFE REFUGE

Public hunting of mourning and white-winged doves on the Bosque del Apache National Wildlife Refuge, New Mexico, is permitted from September 1 through September 30, 1973, inclusive, and from November 24 through December 23, 1973, inclusive, but only on the area designated by signs as open to hunting. This open area, comprising 19,020 acres, is delineated on maps available at refuge headquarters, 7 miles south of San Antonio, New Mexico, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, New Mexico 87103. Hunting shall be in accordance with all applicable State and Federal regulations

covering the hunting of doves subject to the following special conditions:

(1) Vehicles are permitted only on established roads.

(2) Hunters shall leave the refuge by one-half hour after sunset.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 23, 1973.

#### OKLAHOMA

##### SEQUOYAH NATIONAL WILDLIFE REFUGE

Public hunting of doves, teal, woodcock, rails, and snipe on the Sequoyah National Wildlife Refuge, Oklahoma, is permitted on three areas designated by signs as open to hunting. These open areas, comprising 10,500 acres, are delineated on maps available at refuge headquarters, Sallisaw, Oklahoma, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, New Mexico 87103. Hunting seasons are as follows: doves, from September 1 through October 30, 1973, inclusive; teal, from September 15 through September 23, 1973, inclusive; rails, from September 1 through November 9, 1973, inclusive; woodcock, from November 20 through the last day of the regular 1973-74 duck season, inclusive; and snipe, from October 20 through December 23, 1973, inclusive. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of doves, teal, woodcock, rails and snipe subject to the following special conditions:

(1) Hunting weapons of any kind are prohibited in areas not posted as open to public hunting, except the Kerr-McClellan Navigation Channel where weapons must be cased or broken down.

(2) Only longbow and arrow or shotguns without slug ammunition are permitted.

(3) Camping or possession of firearms on the refuge at night is prohibited.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through the last day of the regular 1973-74 duck season.

##### TISHOMINGO NATIONAL WILDLIFE REFUGE

Public hunting of mourning doves on the Tishomingo National Wildlife Refuge, Oklahoma, is permitted only on the area designated by signs as open to hunting. This open area, comprising 3,170 acres, is delineated on maps available at refuge headquarters, Tishomingo, Oklahoma, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, New Mexico 87103. Hunting shall be in accordance with all applicable State and Federal regulations governing the hunting of mourning doves subject to the following special conditions:

(1) The open season for hunting mourning doves on the refuge extends from September 1 through September 30, 1973, inclusive.

(2) Dogs may be used for the purpose of hunting and retrieving.

(3) A Federal permit is not required to enter the public hunting area, but hunters, upon entering and leaving, shall report at designated checking stations as may be established for the regulations of the hunting activity and shall furnish information pertaining to their hunting, as requested.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through September 30, 1973.

##### TISHOMINGO NATIONAL WILDLIFE REFUGE

Public hunting of teal ducks on the Tishomingo National Wildlife Refuge, Oklahoma, is permitted from September 15 through September 23, 1973, inclusive, but only on the area designated by signs as open to hunting. This open area, comprising 3,170 acres, is delineated on maps available at refuge headquarters, Tishomingo, Oklahoma, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, New Mexico 87103. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of teal ducks.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through September 23, 1973.

#### TEXAS

##### BRAZORIA NATIONAL WILDLIFE REFUGE

Public hunting of teal ducks on the Brazoria National Wildlife Refuge, Texas, is permitted only on the area designated by signs as open to hunting. This open area, comprising 2,000 acres of Rattlesnake Island on the southeast side of the Intracoastal Waterway and adjacent to Drum, Christmas, and Bastrop Bays, is delineated on maps available at refuge headquarters, Angleton, Texas, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, New Mexico 87103. Hunting shall be in accordance with all applicable State and Federal regulations subject to the following special conditions:

(1) The open season for hunting teal ducks on the refuge extends from September 15 through September 23, 1973, inclusive.

(2) Access to the hunting area is entirely over public water routes. Travel across the refuge mainland to and from the area open to hunting is not permitted.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas

generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through September 23, 1973.

##### HAGERMAN NATIONAL WILDLIFE REFUGE

Public hunting of mourning doves on the Hagerman National Wildlife Refuge, Texas, is permitted only on the area designated by signs as open to hunting. This open area, comprising 2,644 acres, is delineated on maps available at refuge headquarters, 15 miles northwest of Sherman, Texas, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, New Mexico 87103. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of mourning doves subject to the following special condition:

(1) The open season for hunting mourning doves on the refuge extends from September 1 through September 30, 1973, inclusive.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through September 30, 1973.

AUGUST 21, 1973.

WILLIAM M. WHITE,  
Acting Regional Director.

[FR Doc.73-18445 Filed 8-29-73; 8:45 am]

#### PART 32—HUNTING

##### Bombay Hook National Wildlife Refuge; Delaware

The following special regulation is issued and is effective during the period September 1, 1973, through January 31, 1974.

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

##### DELAWARE

##### BOMBAY HOOK NATIONAL WILDLIFE REFUGE

Public hunting of rails and gallinules, mourning doves, woodcock, and common snipe on Bombay Hook National Wildlife Refuge, Delaware, is permitted during the regular State seasons on the South Upland Hunting Area. This open area, comprising 141 acres, is delineated on a map available at the refuge headquarters, Smyrna, Delaware 19977, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Massachusetts 02109. Hunting shall be in accordance with all applicable Federal and State regulations covering the hunting of rails and gallinules, mourning doves, woodcock, and common snipe.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32,

and are effective through January 31, 1974.

WILLARD M. SPAULDING, Jr.,  
*Acting Regional Director, Bureau of Sport Fisheries and Wildlife.*

AUGUST 23, 1973.

[FR Doc.73-18400 Filed 8-29-73; 8:45 am]

**PART 32—HUNTING**

**Iroquois National Wildlife Refuge; New York**

The following special regulation is issued and is effective during the period September 1, 1973 through December 31, 1973.

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

**NEW YORK**

**IROQUOIS NATIONAL WILDLIFE REFUGE**

The public hunting of woodcock on the Iroquois National Wildlife Refuge, New York, is permitted on the area designated by signs as open to hunting. This open area is delineated on maps available at the refuge headquarters, Basom, New York, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, John W. McCormack Post Office and Courthouse, Boston, Massachusetts 02109. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of woodcock.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 31, 1973.

WILLARD M. SPAULDING, Jr.,  
*Acting Regional Director, Bureau of Sport Fisheries and Wildlife.*

AUGUST 22, 1973.

[FR Doc.73-18402 Filed 8-29-73; 8:45 am]

**PART 32—HUNTING**

**Erie National Wildlife Refuge, Penn.**

The following special regulation is issued and is effective during the period September 1, 1973 through January 30, 1974.

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

**PENNSYLVANIA**

**ERIE NATIONAL WILDLIFE REFUGE**

Public hunting of migratory game birds on the Erie National Wildlife Refuge is permitted in accordance with all applicable State and Federal regulations. Such hunting is permitted only on the designated area, as delineated on maps available at refuge headquarters, Guys Mills, Pennsylvania, or from the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and

Courthouse, Boston, Massachusetts 02109.

The provisions of this special regulation supplement the regulations governing hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 30, 1974.

WILLARD M. SPAULDING, Jr.,  
*Acting Regional Director, Bureau of Sport Fisheries and Wildlife.*

AUGUST 23, 1973.

[FR Doc.73-18405 Filed 8-29-73; 8:45 am]

**PART 32—HUNTING**

**Pocasse National Wildlife Refuge, South Dakota**

The following special regulation is issued and is effective August 30, 1973.

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

**SOUTH DAKOTA**

**POCASSE NATIONAL WILDLIFE REFUGE**

Public hunting of big game on the Pocasse National Wildlife Refuge, South Dakota, is permitted only on the area designated by signs as open to hunting. This open area, comprising 2,400 acres, is delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 10597 West Sixth Avenue, Denver, Colorado 80215. Hunting shall be in accordance with all applicable State regulations covering the hunting of deer, subject to the following conditions:

(1) Firearms season—November 24, 1973 through December 2, 1973, both dates inclusive.

(2) All hunters must exhibit their hunting license, deer tag and vehicle contents to Federal and State officers upon request.

(3) Hunters will not be allowed to drive on refuge maintained trails, but may park their vehicles outside the refuge and hunt on foot.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 31, 1973.

LOUIS S. SWENSON,  
*Refuge Manager, Sand Lake National Wildlife Refuge.*

AUGUST 22, 1973.

[FR Doc.73-18447 Filed 8-29-73; 8:45 am]

**PART 32—HUNTING**

**Certain National Wildlife Refuges in Washington**

The following regulations are issued and are effective August 30, 1973. These regulations apply to public hunting on portions of certain National Wildlife Refuges in Washington.

*General Conditions.*—Hunting shall be in accordance with applicable State regulations. Portions of refuges which are open to hunting are designated by signs and/or delineated on maps. No vehicle travel is permitted except on maintained roads and trails. Special conditions applying to individual refuges are listed on the reverse side of maps available at refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 1500 Northeast Irving, Portland, Oregon 97208.

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

Migratory game birds except doves and pigeons may be hunted on the following refuge areas:

*Columbia National Wildlife Refuge, P.O. Drawer F, Othello, Washington 99344.*

*McNary National Wildlife Refuge, P.O. Box 19, Burbank, Washington 99383.* Special Conditions: (1) Hunters are required to park vehicles in designated parking areas.

(2) Hunting will be permitted on Wednesdays, Saturdays, Sundays, and November 22, 1973.

*Ridgefield National Wildlife Refuge, P.O. Box 467, Ridgefield, Washington 98642.*

Special Conditions: (1) Hunting will be permitted on Wednesdays, Saturdays, and Sundays, October 22, 1973, November 22, 1973, and January 1, 1974.

(2) A Federal permit, available from the refuge office, is required to enter the public hunting area. Permits will be issued by mail in advance on a first-come, first-served basis. Only one permit may be held by a hunter at any one time.

(3) Hunters must shoot from assigned blinds drawn at the checking station.

(4) Iron shot only may be possessed or used on the refuge hunting area.

*Toppenish National Wildlife Refuge, Route 1, Box 210-BB, Toppenish, Washington 98948.*

*Umatilla National Wildlife Refuge, P.O. Box 239, Umatilla, Oregon 97882.*

*Willapa National Wildlife Refuge, Ilwaco, Washington 98624.*

Special Condition: (1) Hunting on Riekkola Tract is permitted on Wednesdays, Saturdays, and Sundays, and Federal holidays.

Migratory game birds may be hunted on the following refuge area:

*Conboy Lake National Wildlife Refuge, Glenwood, Washington.* (Headquarters: Toppenish National Wildlife Refuge, Route 1, Box 210-BB, Toppenish, Washington 98948.)

Special Condition: No goose hunting permitted on the refuge.

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

Upland game birds may be hunted on the following refuge areas:

*Columbia National Wildlife Refuge, P.O. Drawer F, Othello, Washington 99344.*

## RULES AND REGULATIONS

Special Conditions: (1) Open to hunting of rabbits in addition to game birds.

(2) Upland game birds may be hunted during State seasons running concurrently with the waterfowl season.

*McNary National Wildlife Refuge, P.O. Box 19, Burbank, Washington 99323.*

Special Conditions: (1) Hunting will be restricted to pheasants only.

(2) Pheasant hunting will be restricted to Wednesdays, Saturdays, Sundays, and Federal holidays.

(3) Hunters are required to park vehicles in designated parking areas.

*Toppenish National Wildlife Refuge, Route 1, Box 210-BB, Toppenish, Washington 98948.*

Special Condition: (1) Rabbits may be hunted in addition to game birds during the State season concurrent with the waterfowl season.

*Conboy Lake National Wildlife Refuge, Glenwood, Washington. (Headquarters: Toppenish National Wildlife Refuge, Route 1, Box 210-BB, Toppenish, Washington 98948.)*

Special Condition: (1) Cottontail rabbit and snowshoe hare may also be hunted during the State season concurrent with the waterfowl season.

*Umatilla National Wildlife Refuge, P.O. Box 239, Umatilla, Oregon 97882.*

*Willapa National Wildlife Refuge, Ilwaco, Washington 98624.*

Special Condition: (1) Archery hunting only is permitted on the Long Island unit.

**§ 32.32 Special regulations; big game; for individual wildlife refuge areas.**

Deer hunting is permitted on the following refuge areas:

*Columbia National Wildlife Refuge, P.O. Drawer F, Othello, Washington 99344.*

*Conboy Lake National Wildlife Refuge, Glenwood, Washington. (Headquarters: Toppenish National Wildlife Refuge, Route 1, Box 210-BB, Toppenish, Washington 98948.)*

*Umatilla National Wildlife Refuge, P.O. Box 239, Umatilla, Oregon 97882.*

Bear, deer and elk may be hunted on the following refuge area:

*Willapa National Wildlife Refuge, Ilwaco, Washington 98624.*

Special Conditions: (1) Archery hunting only is permitted.

(2) Hunters shall possess hunting permits available at refuge headquarters and at the Nahcotta Dock.

The provisions of these special regulations supplement the regulations which govern hunting on wildlife refuge areas generally and which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through June 30, 1974.

DONALD J. HANKLA,

*Acting Regional Director, Bureau of Sport Fisheries and Wildlife.*

[FR Doc.73-18448 Filed 8-29-73;8:45 am]

## PART 32—HUNTING

**Alamosa National Wildlife Refuge; Colorado**

The following special regulation is issued and is effective August 30, 1973.

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

**COLORADO**

**ALAMOSA NATIONAL WILDLIFE REFUGE**

The public hunting of rabbits, skunk, badger, raccoon, coyote, bobcat, and feral cat on the Alamosa National Wildlife Refuge, Colorado, is permitted from September 29, through October 9, 1973, inclusive, and from November 1, 1973, through January 13, 1974, inclusive, but only on the area designated by signs as open to hunting. This open area, comprising 3,267 acres, is delineated on maps available at refuge headquarters, Alamosa, Colorado and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 10597 West Sixth Avenue, Denver, Colorado 80215.

Hunting shall be in accordance with all applicable State regulations governing the hunting of rabbits, skunk, badger, raccoon, coyote, bobcat, and feral cat subject to the following conditions:

(1) Hunting Hours—Shooting hours shall coincide with the most restrictive hours set by Federal or State proclamation for pheasant or migratory waterfowl.

(2) Dogs—Not to exceed two dogs per hunter, may be used in the hunting of the above species.

(3) Admittance—Entrance to the area open to hunting and parking of vehicles will be restricted to designated parking areas.

(4) Hunting with rifles and handguns is prohibited.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 13, 1974.

AUGUST 23, 1973.

ROBERT L. DARNELL,  
*Refuge Manager, Alamosa National Wildlife Refuge, Alamosa, Colorado.*

[FR Doc.73-18440 Filed 8-29-73;8:45 am]

## PART 32—HUNTING

**Bombay Hook National Wildlife Refuge, Delaware**

The following special regulation is issued and is effective during the period September 1, 1973 through November 30, 1973.

**§ 32.32 Special regulations; big game; for individual wildlife refuge areas.**

**DELAWARE**

**BOMBAY HOOK NATIONAL WILDLIFE REFUGE**

Public archery hunting of deer on Bombay Hook National Wildlife Refuge, Delaware, is permitted only on the Deer Hunting Area and South Upland Hunting Area designated by signs as open to hunting. These open deer hunting areas are delineated on maps available at refuge headquarters, Smyrna, Delaware 19977, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Massachusetts 02109. Hunting shall be in accordance with all applicable State regulations covering archery hunting of deer subject to the following special conditions:

(1) Hunting by bow and arrow on the Deer Hunting Area is permitted only on Saturdays from September 1 through October 31, excluding October 13.

(2) The number of hunters admitted to the Deer Hunting Area at any one time will be restricted to 80.

(3) Permits are required for the Deer Hunting Area and will be issued on a first-come, first-served basis one hour before shooting time.

(4) Hunters using the Deer Hunting Area and the South Upland Hunting Area must show proof of completion of a weapons qualification test. This test will consist of placing two out of five arrows in the 9 x 14 inch chest area of a standard size deer target at 25 yards.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through November 30, 1973.

WILLARD M. SPAULDING, JR.,  
*Acting Regional Director, Bureau of Sport Fisheries and Wildlife.*

AUGUST 23, 1973.

[FR Doc.73-18399 Filed 8-29-73;8:45 am]

## PART 32—HUNTING

**Bombay Hook National Wildlife Refuge; Delaware**

The following special regulation is issued and is effective during the period September 20, 1973 through April 30, 1974.

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

**DELAWARE**

**BOMBAY HOOK NATIONAL WILDLIFE REFUGE**

Public hunting of upland game on Bombay Hook National Wildlife Refuge, Delaware, is permitted during the regular State seasons on the South Upland

Hunting Area designated by signs as open to hunting. This open area, comprising 141 acres, is delineated on maps available at refuge headquarters, Smyrna, Delaware 19977, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Massachusetts 02109. Hunting shall be in accordance with all applicable State regulations covering the hunting of upland game.

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

WILLARD M. SPAULDING, Jr.,  
*Acting Regional Director, Bureau of Sport Fisheries and Wildlife.*

AUGUST 22, 1973.

[FR Doc. 73-18396 Filed 8-29-73; 8:45 am]

**PART 32—HUNTING**

**Bombay Hook National Wildlife Refuge; Delaware**

The following special regulation is issued and is effective during the period September 20, 1973, through November 30, 1973.

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

**DELAWARE**

**BOMBAY HOOK NATIONAL WILDLIFE REFUGE**

Public hunting of deer with primitive weapons on the Bombay Hook National Wildlife Refuge, Delaware, is permitted only on the Deer Hunting Area and South Upland Hunting Area designated by signs as open to hunting. These open deer hunting areas are delineated on maps available at refuge headquarters, Smyrna, Delaware 19977, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Massachusetts 02109. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of deer with firearms subject to the following special conditions:

(1) Hunting with primitive weapons on the Deer Hunting Area is permitted only on October 8 through October 16.

(2) The number of hunters admitted to the Deer Hunting Area at any one time will be restricted to 50.

(3) Permits are required for the Deer Hunting Area and will be issued on a first-come, first-served basis one hour before shooting time.

(4) Hunters using the Deer Hunting Area and the South Upland Hunting Area must show proof of completion of a weapons qualification test. This test will consist of placing three consecutive rounds in a 12-inch circle at 50 yards, firing from the offhand position. The type of weapon used for the qualification test must be the same type that is to be used for the hunt—percussion or flintlock.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through November 30, 1973.

WILLARD M. SPAULDING, Jr.,  
*Acting Regional Director, Bureau of Sport Fisheries and Wildlife.*

AUGUST 23, 1973.

[FR Doc. 73-18396 Filed 8-29-73; 8:45 am]

**PART 32—HUNTING**

**Prime Hook National Wildlife Refuge, Delaware**

The following special regulation is issued and is effective during the period September 1, 1973, through April 30, 1974.

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

**DELAWARE**

**PRIME HOOK NATIONAL WILDLIFE REFUGE**

Public hunting of upland game on Prime Hook National Wildlife Refuge, Delaware, is permitted on Hunting Areas A and B within the regularly established 1973-74 hunting seasons of the State of Delaware. This open upland game hunting area, comprising approximately 6,100 acres, is delineated on maps available at refuge headquarters, Rural Delivery No. 1, Box 195, Milton, Delaware 19968, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Massachusetts 02109. Hunting shall be in accordance with all applicable State regulations covering the hunting of upland game.

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

WILLARD M. SPAULDING, Jr.,  
*Acting Regional Director, Bureau of Sport Fisheries and Wildlife.*

AUGUST 22, 1973.

[FR Doc. 73-18441 Filed 8-29-73; 8:45 am]

**PART 32—HUNTING**

**Tamarac National Wildlife Refuge; Minnesota**

The following special regulation is issued and is effective August 30, 1973.

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

**MINNESOTA**

**TAMARAC NATIONAL WILDLIFE REFUGE**

Public hunting of ruffed grouse, gray and fox squirrels, cottontail, jack, and snowshoe rabbits on the Tamarac National Wildlife Refuge, Rochert, Minnesota, is permitted in the area designated

by signs as open to hunting. This open area comprising 12,500 acres is delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Federal Building, Fort Snelling, Twin Cities, Minnesota 55111.

An additional area of 18,000 acres will be open for public hunting of ruffed grouse only. This ruffed grouse only public hunting area is delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Federal Building, Fort Snelling, Twin Cities, Minnesota 55111.

Hunting shall be in accordance with all applicable State regulations during the seasons specified below. The hunting of other upland game species as may be authorized by Minnesota State regulations is prohibited.

Open seasons: Ruffed grouse—September 15, 1973, through October 29, 1973, and the second season opens November 1, 1973, through November 30, 1973, inclusive with shooting hours from sunrise to sunset. Gray and fox squirrels—September 15, 1973, through December 31, 1973, inclusive with shooting hours from sunrise to sunset. Cottontail, jack and snowshoe rabbits—September 15, 1973, through March 1, 1974, inclusive with shooting hours from sunrise to sunset.

No person shall trap on Tamarac National Wildlife Refuge without first obtaining such permits and trap tags as may be required and issued by the Refuge Manager. Portions of Tamarac refuge open to hunting will be posted "Public Hunting Area" except as described in refuge hunting maps for ruffed grouse. In addition, no persons shall, for the purpose of hunting or trapping, enter or leave a refuge except by access roads which may be so designated; and all hunters and trappers shall comply with further regulations which the Refuge Manager may prescribe.

AUGUST 24, 1973.

OMER N. SWENSON,  
*Refuge Manager, Tamarac National Wildlife Refuge, Rochert, Minnesota.*

[FR Doc. 73-18442 Filed 8-29-73; 8:45 am]

**PART 32—HUNTING**

**Tamarac National Wildlife Refuge; Minnesota**

The following special regulation is issued and is effective August 30, 1973.

§ 32.22 Special regulations; big game; for individual refuge areas.

**MINNESOTA**

**TAMARAC NATIONAL WILDLIFE REFUGE**

Public hunting of white-tailed deer with legal firearms on the Tamarac National Wildlife Refuge is permitted over the entire refuge with exception of those areas posted as "Area Beyond This Sign Closed". The open area comprises 40,200 acres. Areas open for deer hunting are

## RULES AND REGULATIONS

## PART 32—HUNTING

Iroquois National Wildlife Refuge;  
New York

The following special regulation is issued and is effective during the period September 20, 1973, through December 31, 1973.

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

## NEW YORK

## IROQUOIS NATIONAL WILDLIFE REFUGE

Public hunting of deer on the Iroquois National Wildlife Refuge, New York, is permitted during the regular State open seasons in 1973, except on areas designated by signs as closed. This open area is delineated on maps available at refuge headquarters, Basom, New York, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, John W. McCormack, Post Office and Courthouse, Boston, Massachusetts 02109. Hunting shall be in accordance with all applicable State regulations covering the hunting of deer.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, as are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 31, 1973.

WILLARD M. SPAULDING, JR.,  
Acting Regional Director,  
Bureau of Sport Fisheries and Wildlife.

AUGUST 23, 1973.

[FR Doc.73-18401 Filed 8-29-73; 8:45 am]

## PART 32—HUNTING

Iroquois National Wildlife Refuge;  
New York

The following special regulation is issued and is effective during the period October 1, 1973, through February 28, 1974.

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

## NEW YORK

## IROQUOIS NATIONAL WILDLIFE REFUGE

Public hunting of upland game birds and small game mammals, including foxes, opossums, red squirrels, and woodchucks is permitted from October 1, 1973, through February 28, 1974, during the respective State seasons except on areas designated by signs as closed. This open area comprising 10,383 acres is delineated on maps available at refuge headquarters, Basom, New York, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, John W. McCormack Post Office and Courthouse, Boston, Massachusetts 02109. Hunting shall be in accordance with all applicable State regulations subject to the following special condition.

(1) A seasonal permit is required for the night-time hunting of raccoon. Permits may be obtained by applying in person at the refuge office.

delineated on maps available at refuge headquarters, Rochert, Minnesota 56578, and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Federal Building, Fort Snelling, Twin Cities, Minnesota 55111. Hunting shall be in accordance with all applicable State regulations covering the hunting of deer subject to the following conditions.

(1) The open season for hunting deer with legal firearms is from sunrise to sunset, November 1, 1973, through November 30, 1973. Hunters have the choice of any 2 consecutive days November 1, 1973, through November 4, 1973; or any 3 consecutive days, November 5 through November 15, 1973, or any 5 consecutive days, November 16, 1973, through November 30, 1973.

(2) Hunting deer with legal bow and arrow is permitted from sunrise to sunset, November 1, 1973, through November 30, 1973.

Portions of Tamarac refuge open to hunting is delineated on refuge hunting maps. In addition, no persons shall, for the purpose of hunting, enter or leave a refuge except by access roads which may be so designated; and all hunters shall comply with further regulations which the Refuge Manager may prescribe.

AUGUST 24, 1973.

OMER N. SWENSON,  
Refuge Manager, Tamarac National Wildlife Refuge, Rochert, Minnesota.

[FR Doc.73-18443 Filed 8-29-73; 8:45 am]

## PART 32—HUNTING

## Erie National Wildlife Refuge, Penn.

The following special regulation is issued and is effective during the period September 20, 1973, through January 13, 1974.

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

## PENNSYLVANIA

## ERIE NATIONAL WILDLIFE REFUGE

Public hunting of deer on the Erie National Wildlife Refuge, Pennsylvania, is permitted. The open hunting area is delineated on maps available at refuge headquarters, Guys Mills, Pennsylvania, and the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Massachusetts 02109.

Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of deer.

The provisions of this special regulation supplement the regulations governing hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 13, 1974.

AUGUST 23, 1973.

WILLARD M. SPAULDING, JR.,  
Acting Regional Director,  
Bureau of Sport Fisheries and Wildlife.

[FR Doc.73-18404 Filed 8-29-73; 8:45 am]

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, as are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through February 28, 1974.

WILLARD M. SPAULDING, JR.,  
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

AUGUST 23, 1973.

[FR Doc.73-18403 Filed 8-29-73; 8:45 am]

## PART 32—HUNTING

Sand Lake National Wildlife Refuge;  
South Dakota

The following special regulation is issued and is effective August 30, 1973.

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

## SOUTH DAKOTA

## SAND LAKE NATIONAL WILDLIFE REFUGE

Public hunting of pheasants on the Sand Lake National Wildlife Refuge, South Dakota, is permitted only on the area designated by signs as open to hunting. This open area, comprising 20,000 acres, is delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 10597 West Sixth Avenue, Denver, Colorado 80215. Hunting shall be in accordance with all applicable State regulations covering the hunting of pheasants subject to the following conditions:

(1) The open season for hunting pheasants on the refuge is from December 3, 1973, through December 31, 1973, both dates inclusive.

(2) Hunters will not be allowed to drive on refuge maintained trails, but may park their vehicles outside of the refuge and hunt on foot.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 31, 1973.

LOUIS S. SWENSON,  
Refuge Manager, Sand Lake National Wildlife Refuge.

AUGUST 22, 1973.

[FR Doc.73-18446 Filed 8-29-73; 8:45 am]

## PART 32—HUNTING

Seedskaadee National Wildlife Refuge, Wyo.;  
Rescission

This emergency rescission is herewith issued because public hunting was authorized in error. This activity was not intended for this refuge. Therefore, it is necessary to publish this rescission on short notice.

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

WYOMING

In the FEDERAL REGISTER on August 16, 1973, page 22126, (FR Doc. 73-17206) there appeared an announcement of regulations which provide for the hunting of mourning doves on the Seed-skadee National Wildlife Refuge from September 1 to September 16, 1973. That announcement is hereby rescinded.

CHARLES M. LOVELACE,  
Acting Director, Bureau of  
Sports Fisheries and Wildlife.

AUGUST 27, 1973.

[FR Doc.73-18451 Filed 8-29-73;8:45 am]

PART 33—SPORT FISHING

Sand Lake National Wildlife Refuge, S. Dak.

The following special regulation is issued and is effective on August 17, 1973.

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

SOUTH DAKOTA

SAND LAKE NATIONAL WILDLIFE REFUGE

Sport fishing on the Sand Lake National Wildlife Refuge, South Dakota, is permitted only on the areas designated by signs as open to fishing. These open areas, comprising 150 acres, are delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 10597 West Sixth Avenue, Denver, Colorado 80215. Sport

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

(1) The open season for sport fishing on the refuge extends from January 1 through December 31, 1974, inclusive.

(2) The use of boats is not permitted.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through December 31, 1974.

LOUIS S. SWENSON,  
Refuge Manager, Sand Lake  
National Wildlife Refuge,  
Columbia, S. Dak. 57433.

AUGUST 6, 1973.

[FR Doc.73-18406 Filed 8-29-73;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

### Farmers Home Administration

#### [ 7 CFR Part 1875 ]

[FHA Instruction 471.4]

### SECURITY SERVICING AND LIQUIDATIONS

#### Loss, Theft, Destruction, Mutilation or Defacement of Insured Notes and Insurance Contracts

Notice is hereby given that the Farmers Home Administration has under consideration the amendment of Subchapter F, Security Servicing and Liquidations by adding a new Part 1875, "Loss, Theft, Destruction, Mutilation or Defacement of Insured Notes and Insurance Contracts." This new Part 1875 provides the policies and procedures to be followed when an insured note or insurance contract is lost, stolen, destroyed, mutilated, or defaced while owned by an insured investor.

Interested persons are invited to submit written comments, suggestions, or objections regarding this proposed amendment to the Deputy Administrator, Comptroller, Farmers Home Administration, U.S. Department of Agriculture, Room 5007, South Building, Washington, D.C. 20250. Comments will be received through September 7, 1973. All written submissions made pursuant to this notice will be made available for public inspection at the Office of the Deputy Administrator, Comptroller, during regular business hours 8:15 a.m. to 4:45 p.m.

As proposed, the addition will read as follows:

#### PART 1875—LOSS, THEFT, DESTRUCTION, MUTILATION OR DEFAACEMENT OF INSURED NOTES AND INSURANCE CONTRACTS

Sec.	
1875.1	General.
1875.2	Authorization.
1875.3	Policies.

**AUTHORITY:** 7 U.S.C. 1989, (42 U.S.C. 1480); (40 U.S.C. 442); Order of the Secretary of Agriculture, 38 FR 14944, 14948, 7 CFR 2.23; Order of the Assistant Secretary of Agriculture for Rural Development, 38 FR 14944, 14952, 7 CFR 2.70.

#### § 1875.1 General.

This part prescribes the authorities, policies, and procedures to be followed when an insured note or insurance contract is lost, stolen, destroyed, mutilated, or defaced while owned by an insured investor.

#### § 1875.2 Authorization.

(a) The Director, Finance Office, 1520 Market Street, St. Louis, Missouri 63103,

is authorized on behalf of the Government, in connection with insured notes sold through the Farmers Home Administration (FHA) Finance Office to require indemnity bonds from a note holder when a note is lost, stolen, destroyed, mutilated, or defaced while in the custody of the holder or his designee.

(b) The Deputy Administrator, Comptroller, is authorized in connection with block sale insurance contracts to authorize the FHA's fiscal agent to establish requirements for issuance of a replacement insurance contract when the original issued by the Federal Reserve Bank of New York (FHA's fiscal agent) is lost, stolen, destroyed, mutilated, or defaced.

#### § 1875.3 Policies.

(a) When a block sale insurance contract is lost, stolen, or destroyed, a duplicate may be issued to the registered holder upon receipt of an acceptable certificate of loss and an indemnity bond without surety. The certificate of loss should include the legal name and present address of the owner and address when issued; the capacity of person certifying, if other than owner; the identity of the insurance contract, including series number, contract number, denomination, issue date, and form of inscription of registry; the full statement of circumstances of the loss. All available portions of an insurance contract that is mutilated, defaced, or partially destroyed should be submitted to the Federal Reserve Bank of New York (FHA's fiscal agent) for determination whether a duplicate insurance contract can be issued without a certificate of loss and posting of an indemnity bond. In the event the holder of a block sales insurance contract obtains possession of the underlying notes, the requirements of paragraph (b) of this section apply.

(b) Notes sold by FHA County Office and Finance Office. When a note is lost, stolen, or destroyed while in the custody of the holder or his designee, the following will apply:

(1) A certificate of loss should be filed with FHA Finance Office. The certificate should include:

(i) Legal name and present address of owner and address of owner when issued, if different from present address.

(ii) Capacity of person certifying, if other than the owner.

(iii) Identity of the note including the name and FHA case number of the maker thereof, issue date, interest rate of obligation, face amount of note, and a full description of any assignment, endorsement, or any other writing.

(iv) A full statement of circumstances of the loss, theft, or destruction of the note.

(2) An indemnity bond in the amount of the unpaid principal and interest will be required except in the following instances:

(i) Substantially the entire note is presented and surrendered by the owner or holder, and the Director of the Finance Office is satisfied as to the identity of the instruments and that any missing portions are not sufficient to form the basis of a valid claim against the United States, or the borrower; or

(ii) The owner or holder is the United States, a Federal Reserve Bank, a Federal Government Corporation, a State or territory, or the District of Columbia.

(3) An indemnity bond without surety will be provided in the following cases:

(i) Cases involving registered unassigned obligations held by banks, trust companies, savings and loan associations, or companies holding certificates of authority from the Secretary of Treasury as acceptable sureties on Federal Bonds (companies listed on Treasury Circular 570) where the financial responsibilities of such claimants are well known or readily ascertainable.

(ii) Cases involving registered unassigned obligations where the evidence reasonably justifies a conclusion that the obligations were destroyed and the unpaid principal and interest amount does not exceed \$1,000.

(4) An indemnity bond posted with a qualified surety is required in all cases involving registered unassigned obligations other than those cited in paragraphs (b) (2) (i), (b) (2) (ii), (b) (3) (i), and (b) (3) (ii) of this section. A qualified surety is a company holding a certificate of authority from the Secretary of Treasury as acceptable sureties on Federal Bonds, and listed in Treasury Circular 570.

(5) All indemnity bonds must be payable to both the borrower and FHA. The bond may be posted at the time the note is lost, stolen, destroyed, mutilated, or defaced, or may be posted when the note becomes eligible for repurchase by FHA. If the holder desires to continue to hold the note for the life of the note, an indemnity bond will not be required.

(c) Cases involving bearer obligations and other cases not discussed in this section will be forwarded to the Director, Finance Officer for requirements.

(d) FHA will not attempt to obtain replacement notes from borrowers. If a replacement note is desired the holder

may make a request directly to the borrower.

Dated: August 24, 1973.

FRANK B. ELLIOTT,  
Administrator,  
Farmers Home Administration.

[FR Doc.73-18393 Filed 8-29-73;8:45 am]

Rural Electrification Administration

[ 7 CFR Part 1701 ]

REA SPECIFICATIONS FOR RURAL TELEPHONE FACILITIES

Equipment for Automatic Number Identification—CAMA, and for Equipment for Direct Distance Dialing

Notice is hereby given that, pursuant to the Rural Electrification Act, as amended (7 U.S.C. 901 et seq.), including the amendment thereto enacted by P.L. 93-32, REA proposes to issue REA Bulletin 384-3 to announce the revisions in REA Form 537, Specification for Equipment for Automatic Number Identification—CAMA, and REA Form 538, Specification for Equipment for Direct Distance Dialing. On issuance of REA Bulletin 384-3, Appendix A to Part 1701 will be modified accordingly.

Persons interested in the revisions of REA Forms 537 and 538 may submit written data, views or comments to the Director, Telephone Operations and Standards Division, Rural Electrification Administration, Room 1355, South Building, U.S. Department of Agriculture, Washington, D.C. 20250, on or before October 1, 1973. All written submissions made pursuant to this notice will be made available for public inspection at the Office of the Director, Telephone Operations and Standards Division during regular business hours.

A copy of the revised REA Forms 537 and 538 may be secured in person or by written request from the Director, Telephone Operations and Standards Division.

The text of REA Bulletin 384-3 announcing the issuance of the revised forms is as follows:

REA BULLETIN 384-3

SUBJECT: Central Office Equipment Contracts and Specifications

I. Purpose.—To announce the revisions of REA Form 537, REA Specification for Equipment for Automatic Number Identification—CAMA and REA Form 538, REA Specification for Equipment for Direct Distance Dialing and list current editions of central office equipment contracts and specifications.

II. General.—The standard forms and specifications are to be used by borrowers for all purchases of central office equipment for the initial system. For further detail, see REA Bulletin 344-1, Methods of Purchasing Materials and Equipment Used in Telephone Borrower's Facilities, and REA Bulletin 364-1, Procedure in Connection with Central Office Equipment Contracts.

III. Contracts and Amendment.—A. REA Form 525 (9-66), Central Office Equipment Contract (Including Installation), for use when the equipment is installed by the supplier.

B. REA Form 545 (9-66), Central Office Equipment Contract (Excluding Installa-

tion), for use when the equipment is installed by the borrower's own forces or by others under a separate contract.

C. REA Form 400 (10-65), Telephone Equipment Contract (Installation Only), for use when the equipment is to be installed by others than the supplier under a separate contract.

D. REA Form 238 (4-72), Construction or Equipment Contract Amendment, for use in amending the contracts to provide for any necessary changes in the equipment and materials or specifications and for any additional equipment and materials required in connection with the central offices included in the contract.

IV. Specifications.—A. REA Form 524 (2-72), General Specification for Common Control Central Office Equipment.

B. REA Form 528 (2-72), Specification for Private Automatic Branch Exchange.

C. REA Form 537 (9-73), Specification for Equipment for Automatic Number Identification—CAMA.

D. REA Form 538 (9-73), Specification for Equipment for Direct Distance Dialing.

E. REA Form 542 (4-63), Specification for Toll Office Equipment.

F. REA Form 558 (9-66), Specification for Dial Central Office Equipment.

V. Revision of REA Form 537, Specification for Equipment for Automatic Number Identification—CAMA.—The principal reasons for the reissue are:

A. To recognize and refer to REA Form 524, General Specification for Common Control Central Office Switching Equipment, (See Application Guide, REA TE & CM-335, which points out ANI equipment required for a new common control central office would be specified in Parts III and IV of REA Form 524 instead of in Part III of Form 537).

B. To rearrange the subject matter.

C. To revise some of the requirements to conform with the latest improvements in system design and changes in working limits.

D. To recognize that new ANI systems may be designed to use electronic circuitry.

VI. Revision of REA Form 538, Specification for Equipment for Direct Distance Dialing.—The principal reasons for the reissue are:

A. To call for compliance with the latest issue of "Notes on Distance Dialing."

B. To include reference to Centralized Automatic Message Accounting (CAMA), and Class 4 and Class 5 offices, as defined in "Notes on Distance Dialing."

C. To eliminate use of the specific term "Toll Ticketer" and substitute the more general term "equipment for recording", in order to recognize the possibility of new and improved equipment.

D. To recognize the possibility of tandem operation, where a Class 4 toll office is provided without local dial equipment in the same building.

E. To recognize the possibility of Local Automatic Message Accounting (LAMA) equipment being provided in connecting common control tributary offices, thereby eliminating the need for Automatic Number Identification (ANI) equipment in such offices.

F. To remove requirements for ANI equipment from this specification, and to refer to the revised REA Form 537 for requirements for such equipment.

G. To add reference to REA Form 524, General Specification for Common Control Central Office Equipment, and to define the conditions under which DDD equipment will be specified in Parts III and IV of Form 524, rather than in this specification.

H. To add a Part IV to this specification to cover equipment engineered by the Bidder,

and to revise in general the method of specifying DDD equipment.

VII. Source of Central Office Equipment Contracts, Specifications, Amendment, and Contractor's Bonds.—A. REA Form 525, Central Office Equipment Contract (A copy of REA Form 558, Specification for Dial Central Office Equipment is attached to each copy of the Form 525 Contract) is to be purchased for \$1.50 per copy from the Superintendent of Documents, Public Documents Distribution Center, Pueblo Industrial Park, Pueblo, Colorado 81008. Orders for the purchase of Form 525 should be prepared on REA Form 33. Copies of Form 33 are available from REA upon request.

B. All other forms referred to in this bulletin are available from REA upon request. Each contract Form 400 and 525 contains one copy of the Contractor's Bond, REA Forms 400a and 525a, respectively. Additional copies of these bond forms are available from REA upon request.

C. Questions concerning the revised specifications may be referred to the Chief, Central Office Equipment Branch, Telephone Operations and Standards Division, Rural Electrification Administration, U.S. Department of Agriculture, Washington, D.C. 20250, telephone number 202 447-5773.

Dated August 27, 1973.

C. R. BALLARD,  
Acting Assistant Administrator.

[FR Doc.73-18483 Filed 8-29-73;8:45 am]

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[ 29 CFR Part 1913 ]

GUIDELINES CONCERNING PUBLIC DISCLOSURE

Monitoring of Certain Hazards

Pursuant to authority in section 8(g) of the Williams-Steiger Occupational Safety and Health Act of 1970 (29 U.S.C. 657), 5 U.S.C. 552, and Secretary of Labor's Order No. 12-71 (36 FR 8754), it is proposed to add a new paragraph (c) to 29 CFR 1913.33 to authorize disclosure of the results of monitoring by inspectors in the course of inspections made under section 8 of the Act to determine compliance with standards relating to such subjects as noise, ionizing radiation, and asbestos and other air contaminants. Our purpose in offering this proposal is to permit the public to be better informed as to monitoring of noise, ionizing radiation, asbestos, and other air contaminants, carried on in the course of inspections conducted by the Occupational Safety and Health Administration.

Interested persons are invited to submit written data, views, or arguments concerning this proposal not later than October 1, 1973, to Mr. Benjamin W. Mintz, Office of the Solicitor, U.S. Department of Labor, Washington, D.C. 20210.

As amended, § 1913.33(c) would read as follows:

§ 1913.33 Information which is partially disclosable.

(c) When a safety and health inspection includes monitoring to determine

compliance with standards relating to such subjects as noise, ionizing radiation and asbestos, and other air contaminants, the results of the monitoring shall be available for public inspection and copying (see §§ 1910.93, 1910.93a, 1910.95, and 1910.96 of this chapter).

(Sec. 8, Pub. L. 91-596, 84 Stat. 1598 (29 U.S.C. 657); 5 U.S.C. 552.)

Signed at Washington, D.C., this 27th day of August 1973.

JOHN STENDER,  
Assistant Secretary of Labor.

[FR Doc.73-18454 Filed 8-29-73;8:45 am]

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Public Health Service

[42 CFR Part 57]

### NURSING STUDENT LOANS

#### Notice of Proposed Rule Making

Sections 822 and 827 of the Public Health Service Act authorize the Secretary of Health, Education, and Welfare to enter into agreements with schools of nursing for the establishment of student loan funds from which loans are to be made to their students.

Notice is hereby given that the Director, National Institutes of Health, with the approval of the Secretary of Health, Education, and Welfare, proposes to adopt the following regulations set forth in tentative form below, which will revise Subpart D of Part 57.

The proposed regulations would implement four major statutory changes made by the Nurse Training Act of 1971 (P.L. 92-158): (1) an increase in the maximum student loan available to a student for any academic year to \$2,500; (2) an expansion of eligibility to include half-time students; (3) a provision whereby an individual is eligible for repayment by the Secretary of a percentage of his educational loans if he signs an agreement with the Secretary to serve for at least two years as a registered nurse in an area designated by the Secretary to have a shortage of and need for nurses; and (4) a new provision whereby the Secretary may repay all or a portion of an individual's educational loans where he determines that the individual has failed his studies leading to the first professional degree and is not expected to resume studies within two years, is in exceptionally needy circumstances and comes from a low income or disadvantaged family. There are also several technical and clarifying changes.

Written comments concerning the proposed regulations are invited from interested persons. Inquiries may be addressed and data, views and arguments may be presented in writing, in triplicate, to Associate Director (Program Implementation), Bureau of Health Manpower Education, National Institutes of Health, Building 31, Room 5 C 12, 9000 Rockville Pike, Bethesda, Md. 20014. All comments received in response to this notice will be available for public inspection at the

Office of Grants Policy, Bureau of Health Manpower Education, National Institutes of Health, Building 31, Room 5 B 36, 9000 Rockville Pike, Bethesda, Md. 20014, on weekdays (Federal holidays excepted) between the hours of 8:30 a.m. and 5 p.m. All relevant material received on or before Oct. 1, 1973.

It is therefore proposed to repeal Subpart D of Part 57 to substitute in lieu thereof a new Subpart D as set forth below.

Dated January 31, 1973.

JOHN P. SHERMAN,  
Acting Director,  
National Institutes of Health.

Approved August 24, 1973.

CASPAR W. WEINBERGER,  
Secretary.

Part 57 would be amended as follows:

(1) Subpart D of the table of contents would read as follows:

#### Subpart D—Nursing Student Loans

Sec.	
57.301	Applicability.
57.302	Definitions.
57.303	Eligibility of schools.
57.304	Application by school.
57.305	Agreements for Federal Capital Contributions and Federal Capital Loans.
57.306	Allotment and payment of Federal Capital Contributions and Federal Capital Loans.
57.307	Federal Capital Loan promissory note.
57.308	Nursing Student Loan Funds.
57.309	Nondiscrimination.
57.310	Eligibility and selection of nursing student loan recipients.
57.311	Maximum amount of nursing student loan.
57.312	Evidence of student indebtedness—promissory note; security.
57.313	Payment of nursing student loans.
57.314	Repayment and collection of nursing student loans.
57.315	Cancellation of nursing student loans for disability and death.
57.316	Loan cancellation or repayment for service.
57.317	Repayment of loans made subsequent to November 17, 1971, for failure to complete course of study.
57.318	Records, reports, inspection and audit.
57.319	Additional conditions.
57.320	Noncompliance.

AUTHORITY: Sec. 215, 58 Stat. 170, as amended (42 U.S.C. 216).

(2) Subpart D would be revised to read as follows:

#### Subpart D—Nursing Student Loans

##### § 57.301 Applicability.

The regulations in this subpart are applicable to Federal Capital Contributions and Federal Capital Loans made by the Secretary to public or other nonprofit schools of nursing under sections 822 and 827 of the Public Health Service Act and to loans made to students by such schools pursuant thereto.

##### § 57.302 Definitions.

All terms not defined herein shall have the same meaning as given them under

title VIII of the Act. As used in this subpart, the following terms shall have the following meanings:

(a) "Act" means the Public Health Service Act, as amended.

(b) "Secretary" means the Secretary of Health, Education, and Welfare, and any other officer or employee to whom the authority involved has been delegated.

(c) "School" means a public or other nonprofit school of nursing as defined in section 843 of the Act.

(d) "Nursing Student Loan Fund or Funds" means a Fund established at a school pursuant to part B of title VIII of the Act, either with Federal Capital Contributions together with Institutional Capital Contributions, or with Federal Capital Loans. Where a school received monies from both sources of payment, reference is made to Funds.

(e) "Federal Capital Contribution" means the capital portion allotted by the Secretary to a school for deposit in a Nursing Student Loan Fund pursuant to section 824 of the Act.

(f) "Institutional Capital Contribution" means the money provided by a school, in an amount not less than one-ninth of the Federal Capital Contribution, and deposited in a Nursing Student Loan Fund.

(g) "Federal Capital Loan" means a loan made by the Secretary to a school pursuant to section 827(a) of the Act; the proceeds of which are to be deposited in a Nursing Student Loan Fund.

(h) "Nursing student loan" means the amount of money advanced to a student by a school from a Nursing Student Loan Fund as defined in paragraph (d) of this section, under a properly executed promissory note.

(i) "Educational loan" means a nursing student loan as defined in paragraph (h) of this section or the amount of money provided to a student under any other bona fide loan which the Secretary determines was reasonably necessary for meeting the student's costs of attending a school of nursing, taking into account the tuition, fees, books, equipment, living expenses, and such other expenses as the Secretary determines were reasonably necessary to enable an individual to attend such school.

(j) "Full-time student" means a student who is enrolled in a school and pursuing a course of study which constitutes a full-time academic workload, as determined by the school, leading to a diploma in nursing, an associate degree in nursing or an equivalent degree, or an advanced degree in nursing.

(k) "Half-time student" means a student who is enrolled in a school and pursuing a course of study which constitutes at least one-half of a full-time academic workload but less than a full-time academic workload, as determined by the school, leading to a diploma in nursing, an associate degree in nursing, a baccalaureate degree in nursing or an equivalent degree, or a graduate degree in nursing.

(l) "Good standing" means the eligibility of a student to continue in attendance at the school where he is enrolled as a student in accordance with the school's standards and practices.

(m) "Date upon which a student ceases to be a full-time or half-time student" means the first day of the month which is nearest to the date upon which he ceases to be a full-time or half-time student as defined in paragraphs (j) and (k) of this section, respectively.

(n) "Academic year" means the traditional, approximately 9-month September to June annual session. For the purpose of computing academic year equivalents for students who, during a 12-month period, attend for a longer period than the traditional academic year, the academic year will be considered to be of 9 months' duration.

(o) "Fiscal year" means the Federal fiscal year commencing on the first day of July and ending on the 30th day of June.

(p) "Permanently and totally disabled" means the inability to engage in any substantial gainful activity because of medically determinable impairment, which impairment is expected to continue for a long and indefinite period of time, or to result in death.

(q) "Uniformed service" means the Army, Navy, Air Force, Marine Corps, Coast Guard, National Ocean Survey, and the U.S. Public Health Service.

(r) "National of the United States" means (1) a citizen of the United States or (2) a person who, though not a citizen of the United States, owes permanent allegiance to the United States (8 U.S.C. 1101(a)(22)).

(s) "State health authority" means the Director of the agency responsible for administering or supervising the administration of the State plan for health services under section 314(d) of the Act.

(t) "Registered nurse" means an individual who has been licensed by a State Board of Nursing to practice professional nursing pursuant to State licensing laws requiring as a minimum one of the degrees or diplomas specified in paragraph (j) of this section.

#### § 57.303 Eligibility of schools.

To be eligible for a Federal Capital Contribution or a Federal Capital Loan under this subpart, the applicant shall meet the applicable requirements of sections 822(a) and 827(a) of the Act.

#### § 57.304 Application by school.

(a) Each school desiring a Federal Capital Contribution or a Federal Capital Loan under Title VIII of the Act shall submit an application in such form and at such time as the Secretary may require. The application shall be executed by an official authorized to act for the applicant school and to assume on behalf of the applicant school the obligations

imposed by the terms and conditions of any Federal Capital Contribution or Federal Capital Loan, including the regulations of this subpart.

(b) Each application shall be reviewed to determine institutional eligibility and the reasonableness of the amount requested. When necessary to these ends, the Secretary may require the submission of additional data.

#### § 57.305 Agreements for Federal Capital Contributions and Federal Capital Loans.

(a) *Federal Capital Contribution agreements.*—No application for a Federal Capital Contribution shall be approved unless there is in effect an Agreement between the Secretary and the applicant school for Federal Capital Contributions pursuant to section 822 of the Act.

(b) *Federal Capital Loan agreements.*—No application for a Federal Capital Loan shall be approved unless there is in effect an Agreement between the Secretary and the applicant school for Federal Capital Loans containing the terms required by section 827(b) of the Act and such additional terms and conditions, consistent with the applicable provisions of section 822 of the Act, as the Secretary deems appropriate.

#### § 57.306 Allotment and payment of Federal Capital Contributions and Federal Capital Loans.

(a) *Annual allotment.*—At a time determined by him, the Secretary shall make allotments to each school with which he has entered into an agreement pursuant to § 57.305. The allotment to each school, whether in the form of Federal Capital Contributions or Federal Capital Loans or a combination of both, shall be an amount which bears the same ratio to the total amount of Federal funds determined by the Secretary at the time of such allotment to be available for such fiscal year for the Nursing Student Loan Program as the number of full-time students in such schools bears to the estimated total number of full-time students in all such schools in all the States during such year.

(b) *Supplementary allotment from revolving fund only.*—From funds which become available during any fiscal year for payment to schools from the revolving fund established by section 827(a) of the Act after the allotments pursuant to paragraph (a) of this section for such fiscal year have been made, the Secretary may, in his discretion and at such time as he shall determine, make supplementary allotments to schools with which he has Federal Capital Loan Agreements and who request funds for such fiscal year in excess of the amounts allotted to them pursuant to paragraph (a) of this section. If the total need for supplementary funds exceeds the amount determined by the Secretary to be available for supplementary allotments, the supplementary allotment to each school shall be reduced to whichever of the following is the smaller: (1) The supple-

mentary amount requested or (2) an amount which bears the same ratio to the amount determined by the Secretary to be available for supplementary allotment as the number of full-time students estimated by the Secretary to be enrolled in such school bears to the estimated total number of full-time students enrolled for such year in all schools which request supplementary allotments. Any amounts remaining after such supplementary allotment may be allotted among schools in such manner as the Secretary determines will best carry out the purposes of the Act.

(c) *Payment.*—The allotment of Federal Capital Contributions and/or Federal Capital Loans to a school shall be paid in such amounts, at such times, and in such installments as will not result in unnecessary accumulation of money in any Nursing Student Loan Fund.

#### § 57.307 Federal Capital Loan Promissory note.

Each Federal Capital Loan shall be made subject to the terms of a promissory note which shall be executed by an authorized official on behalf of the borrowing school. Each such note shall include such terms with respect to the payment of interest and the repayment of principal as are consistent with the provisions of section 827 of the Act, and shall include such other terms as the Secretary finds reasonably necessary to protect the financial interests of the United States and to promote the purposes of the Act.

#### § 57.308 Nursing Student Loan Funds.

(a) *Funds established with Federal Capital Contributions.*—Any fund established by a school with Federal Capital Contributions shall be deposited and carried in a special account of such school. There shall be in such fund at all times monies representing the Institutional Capital Contribution, equal to at least one-ninth of the amount of the balance of the Federal Capital Contributions in such fund.

(1) Except for funds transferred as provided for in paragraph (a) (2) of this section, such fund shall be used by such school only for (i) nursing student loans to students; (ii) capital distribution as provided in section 826 of the Act or as agreed to by the school and the Secretary; and (iii) costs of litigation and, to the extent specifically approved by the Secretary, other collection costs that are in excess of the usual expenses incurred in the collection of nursing student loans.

(2) Not to exceed 20 percent of the amount paid to any such school from the appropriation for any fiscal year ending after June 30, 1969, for Federal Capital Contributions may be transferred to the sums available to the school for scholarship awards under section 860 of the Act, to be used for the same purpose as such sums; *Provided, however,* That where the Secretary finds in a particular case that a school has demonstrated an unusual need for scholarship funds, he may approve the transfer of any amount in excess of 20 percent of the amount so paid.

<sup>1</sup> Applications and instructions are available from the Division of Nursing, Bureau of Health Manpower Education, National Institutes of Health, 9000 Rockville Pike, Building 31, Bethesda, Md. 20014.

In the case of any transfer pursuant to this subparagraph, the proportionate amount of the Institutional Capital Contribution (i.e., one-ninth of the amount so transferred) may be withdrawn by the school from such fund.

(b) *Funds established with Federal Capital Loans.*—Any fund established by a school with Federal Capital Loans shall be deposited and carried in a special account of such school, and shall be used by such school only for (1) nursing student loans to students; (2) repayments of principal and interest on Federal Capital Loans; and (3) costs of litigation and, to the extent specifically approved by the Secretary, other collection costs that are in excess of the usual expenses incurred in the collection of nursing student loans.

#### § 57.309 Nondiscrimination.

(a) No eligible applicant shall be denied a nursing student loan on the grounds of sex or creed.

(b) Attention is called to the requirements of section 845 of the Act and 45 CFR Part 83 which together provide that the Secretary may not enter into a contract under title VIII of the Act with any entity unless he receives satisfactory assurances that the entity will not discriminate on the basis of sex in the admission of individuals to its training programs.

(c) Attention is called to the requirements of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. 2000d et seq.), which provides that no person in the United States shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. A regulation implementing such title VI, which is applicable to Federal Capital Contributions and Federal Capital Loans made under Title VIII of the Act, has been issued by the Secretary with the approval of the President (45 CFR Part 80).

#### § 57.310 Eligibility and selection of nursing student loan recipients.

(a) *Eligibility.*—Nursing student loans from any fund may be made only to students who are:

- (1) Nationals of the United States or who are in a State for other than temporary purposes and intend to become permanent residents of a State;
- (2) Enrolled, or accepted for enrollment, in the school as full-time or half-time students, as defined in § 57.302 (j) and (k) respectively;
- (3) In need of the amount of the loan to pursue the course of study at the school; and
- (4) Capable, in the opinion of the school, of maintaining good standing in such course of study.

(b) *Selection of nursing student loan recipients and determination of need.*—It shall be the responsibility of the school to select qualified applicants and to make reasonable determinations of need.

(1) In selecting nursing student loan recipients, the school shall give preference to licensed practical nurses.

(2) In determining whether a student is in need of a nursing student loan to pursue a full-time or half-time course of study at the school, the school shall take into consideration:

(i) The financial resources available to the student, and

(ii) The costs reasonably necessary for the student's attendance at the school, including any special needs and obligations which directly affect the student's financial ability to attend the school on a full-time or half-time basis.

(c) *Records of approval or disapproval.*—The records of the school shall indicate the basis for approval or disapproval of all or any part of each student application for a nursing student loan.

#### § 57.311 Maximum amount of nursing student loan.

(a) *Maximum per academic year.*—Effective on November 18, 1971, the total of the nursing student loans made from a Fund or Funds to any student for an academic year may not exceed \$2,500. The maximum amount loaned during a 12-month period to any student enrolled in a school which provides a course of study longer than the 9-month academic year may be proportionately increased.

(b) *Aggregate maximum.*—Effective on November 18, 1971, the aggregate of nursing student loans for all years from a Fund or Funds may not exceed \$10,000 in the case of any student.

#### § 57.312 Evidence of student indebtedness—promissory note; security.

(a) *Evidence of indebtedness—promissory note.*—Each nursing student loan to a student from any Fund or Funds shall be evidenced by a promissory note executed by the student borrower, in such form as shall be approved by the Secretary.

(1) Any substantive deviations from the promissory note form so approved shall be made only pursuant to approval by the Secretary prior to the making of any nursing student loan evidenced thereby, except that a school which elects to require security or endorsement in cases permitted under paragraph (b) of this section may include a provision reflecting such election without prior approval.

(2) Each promissory note executed subsequent to June 30, 1969, shall include a provision stating that the nursing student loan evidenced thereby shall bear interest, on the unpaid balance of such loan, computed only for periods during which repayment of the loan is required, at the rate of 3 percent per year.

(3) A copy of each executed note shall be supplied by the school to the student maker thereof.

(b) *Security.*—Neither security nor endorsement shall be required except that if the borrower is a minor and if under the applicable State law the note executed by him would not create a bind-

ing obligation, then the school is permitted to require security or endorsement.

#### § 57.313 Payment of nursing student loans.

(a) Nursing student loans from any Fund or Funds shall be paid to or on behalf of student borrowers in such installments as are deemed appropriate by the school, except that no school shall pay to or on behalf of any borrower more during any given installment period (e.g., semester, term, or quarter) than the school determines that he needs for such period.

(b) No payment shall be made from any Fund to or on behalf of any student borrower if at the time of such payment such borrower is not a full-time or half-time student as defined in § 57.302(j) and (k), respectively.

#### § 57.314 Repayment and collection of nursing student loans.

(a) *Repayment of nursing student loans.*—Subject to the provisions of this paragraph, any nursing student loan including interest accrued thereon, shall be repayable in equal or graduated periodic installments in amounts calculated on the basis of a 10-year repayment period. Except as otherwise provided in this paragraph, repayment of any nursing student loan made after June 30, 1969 shall begin 9 months after the student ceases to be a full-time or half-time student: *Provided, however,* That in the case of students who received nursing student loans subsequent to June 30, 1969, but prior to November 18, 1971, repayment shall begin 9 months after the student ceases to be a full-time student.

(1) When a borrower, within such 9-month period, reenters the same or another school of nursing as a full-time or half-time student, the date upon which interest accrual and the repayment period begin shall be related to and determined by the date on which he last ceases to be a full-time or half-time student at any such school: *Provided, however,* That in the case of students who received loans subsequent to June 30, 1969, but prior to November 18, 1971, this provision will apply only if the student reentered such school as a full-time student.

(2) The following periods shall be excluded from the 10-year repayment period:

(i) All periods of up to 3 years of active duty performed by the borrower as a member of a uniformed service;

(ii) All periods of up to a total of 3 years of service as a volunteer under the Peace Corps Act; and

(iii) All periods up to a total of 5 years during which the borrower is pursuing a full-time course of study at a school leading to a baccalaureate degree in nursing or an equivalent degree, or to a graduate degree in nursing, or is otherwise pursuing advanced professional training in nursing. For purposes of this paragraph, "otherwise pursuing advanced professional training in nursing" shall include only full-time training, beyond

the first diploma or degree in nursing received by the particular borrower, of at least one academic year which will advance the borrower's knowledge of and strengthen his skills in the provision of nursing services.

(3) With respect to nursing student loans made before July 1, 1969, all periods specified in paragraph (a)(2) of this section after June 30, 1968, may be excluded from such repayment period where so agreed by the school which made such loan and the borrower; *Provided, however,*

(i) That in no such case may the total of the periods excluded from the repayment period pursuant to paragraphs (a)(2)(i) or (a)(2)(ii) of this section and the period between the date on which the borrower ceases to be a full-time student and the date on which, under the terms of the promissory note evidencing such loan, the repayment period is to begin, exceed 3 years and 9 months; and

(ii) That in any such case all periods during which the borrower is pursuing a full-time course of study at a school leading to a baccalaureate degree in nursing or an equivalent degree, or to a graduate degree in nursing, shall be excluded from the repayment period, without limitation; and

(iii) That in no such case may the total of the periods excluded from the repayment period because the borrower is otherwise pursuing advanced professional training in nursing and the period between the date on which the borrower ceases to be a full-time student and the date on which, under the terms of the promissory note evidencing such loan, the repayment period is to begin, exceed 5 years and 9 months.

(4) Each student borrower may (subject to the provisions of paragraph (b)(3) of this section) choose the repayment schedule which he prefers from those in use by the school and approved by the Secretary, but a student borrower may, at his option and without penalty, prepay all or part of the principal and accrued interest at any time.

(b) *Collection of nursing student loans.*—(1) Each school at which a Fund is established shall exercise due diligence in the collection of all nursing student loans due the Fund. The school shall use such collection practices as are generally accepted among institutions of higher education and which are at least as extensive and effective as those used in the collection of other student loan accounts due the school.

(2) With respect to any nursing student loan made after June 30, 1969, the school may assess a charge for failure of the borrower to pay all or part of an installment when it is due, and, in the case of a borrower who is entitled to deferment benefits under section 823(b)(2) of the Act or cancellation benefits under section 823(b)(3) of the Act, for any failure to file timely and satisfactory evidence of such entitlement. The amount of such charge may not exceed \$1.00 for the first month or part of a

month by which such installment or evidence is late and \$2.00 for each such month or part of a month thereafter. The school may elect to add the amount of such charge to the principal amount of the nursing student loan as of the first day after the day on which such installment or evidence was due or to make the amount of the charge payable to the school not later than the due date of the next installment after receipt by the borrower of notice of the assessment of the charge.

(3) With respect to any nursing student loan made after June 30, 1969, the school may provide that during the repayment period of such loan, payments of principal and interest by the borrower with respect to all the outstanding nursing student loans made to him from any Nursing Student Loan Fund shall be at a rate equal to not less than \$15.00 per month.

#### § 57.315 Cancellation of nursing student loans for disability and death.

(a) *Permanent and total disability.*—Determinations as to whether or not a student borrower is entitled to cancellation of indebtedness in accordance with section 823(b)(4) of the Act on the basis of permanent and total disability shall be made by the Secretary on the recommendation of the school to whose fund the borrower is indebted, supported by such medical certifications as the Secretary may require relating to the borrower's disability.

(b) *Death.*—The determination as to whether or not a student borrower is entitled to cancellation of indebtedness in accordance with section 823(b)(4) of the Act because of the death of the borrower shall be made by the school to which the borrower is indebted on the basis of a certification of death or such other official proof as is conclusive under State law.

#### § 57.316 Loan cancellation or repayment for service.

(a) *Cancellation for full-time employment as a registered nurse.*—(1) Any person who obtained one or more nursing student loans from a loan Fund or Funds established under Title VIII of the Act and who engages in full-time employment as a registered nurse (including teaching in any of the fields of nurse training or service as an administrator, supervisor, or consultant in any of the fields of nursing) in any public or nonprofit private agency, institution, or organization (including neighborhood health centers) shall be entitled upon compliance with the statute, the regulations of this subpart and instructions issued pursuant thereto, to have a portion of such nursing student loans canceled as follows: Fifteen percent of the total of such loans (plus accrued interest thereon) which is unpaid on the first day of such service, for each of the first, second, and third year of such service, and 20 percent of the total of such loans (plus accrued interest thereon) for each complete fourth and fifth year of such

service thereafter, up to 85 percent of the total of such loans, plus accrued interest thereon; *Provided, however,* That with respect to nursing student loans made prior to November 18, 1971 a borrower shall only be entitled to cancellation of an amount not to exceed 50 per centum of any such loan at the rate of 10 per centum of the amount of such loan plus interest thereon, which was unpaid on the first day of such service, for each complete year of such service.

(2) The determination of whether a borrower is entitled to have any portion of his nursing student loan canceled for such full-time employment as a registered nurse shall be made by the institution to whose fund such loan is payable, upon receipt and evaluation of an application for cancellation from such borrower.

(b) *Repayment and cancellation for service in shortage area.*—(1) Subject to the provisions of section 823(h) of the Act and of this paragraph, any person who has obtained the degree or diploma specified in § 57.302(j) and who has obtained an educational loan as defined in § 57.302(i) of this subpart and who enters into an agreement with the Secretary to serve as a full-time registered nurse for a period of at least two consecutive years in an area in a State determined by the Secretary, after consultation with the State health authority, to have a shortage of and need for nurses, is entitled to have the principal, and interest on, such loans repaid by the Secretary as follows:

(i) Upon completion by the borrower of the first year of service as specified in the agreement, the Secretary shall pay 30 percent of the principal of, and the interest on, each such loan which is unpaid as of the date the borrower began such service.

(ii) Upon completion by the borrower of the second year of such service, the Secretary shall pay another 30 percent of the principal of, and the interest on, each such loan which was unpaid as of the date the borrower began such service.

(iii) Upon completion by the borrower of the third year of service, the Secretary shall pay another 25 percent of the principal of, and interest on, each such loan which was unpaid as of the date the borrower began such service.

(2) Notwithstanding the requirement in paragraph (b)(1) of completion of such service, the Secretary shall on or before the due date thereof, pay any loan or loan installment which may fall due within the period of service for which the borrower is eligible to receive such payments. Such payments will be made contingent upon a declaration by the borrower, at such times and in such manner as the Secretary may prescribe, that the borrower is then engaged in service eligible for such payments and will continue to be so engaged for the period required (in the absence of this subparagraph) to entitle the borrower to have such payments made, except that no more than 85 percent of the principal of any such loan shall be paid by the Secretary pursuant to this subparagraph.

(3) A borrower who fails to complete two years of service pursuant to the agreement entered into with the Secretary shall be liable to reimburse the Secretary for any payments made pursuant to such agreement.

(4) A borrower who fails to complete a third year of service shall be liable to reimburse the Secretary for any payments made pursuant to paragraph (b) (2) of this section in consideration of such service.

(5) In accordance with section 823(h) of the Act, an area in a State shall be determined by the Secretary, after consultation with the State health authority, to have a shortage of and need for nurses, based upon consideration of, among other pertinent factors: (i) The latest reliable statistical data available to him regarding the number of registered nurses in an area and the population to be served by such nurses; (ii) the availability of health services to the residents of the area; (iii) particular local health problems; and (iv) designation of an area under section 329(b) of the Act as one with a critical health manpower shortage. A listing of such areas in which service as a registered nurse would qualify a borrower for repayment under paragraph (b) (1) of this section will be promulgated periodically by the Secretary and published in the FEDERAL REGISTER together with an explanation of the methodology used in determining such areas.

(6) Notwithstanding the above, any person who obtained one or more nursing student loans prior to November 18, 1971, and who engages in full-time employment as a registered nurse in a public or other nonprofit hospital in an area which has been determined by the Secretary pursuant to this subparagraph to have a substantial shortage of nurses at such hospitals shall be entitled, upon compliance with the applicable statute, regulations, and instructions, to have a portion of such loans canceled as follows: Fifteen per centum of the total of such loans (plus accrued interest thereon) which is unpaid on the first day of such service, for each year of such service beginning after August 16, 1968, up to 100 per cent of the total of such loans, plus accrued interest thereon.

(1) An area shall be determined to have a substantial shortage of nurses if the number of registered nurse hours of service per patient day in the public or other nonprofit hospital serving such area is lower than the median number of registered nurse hours of service per patient day for all public or other nonprofit hospitals of its category in all States. For purposes of this subparagraph, all public or other nonprofit hospitals in all States shall be grouped by the Secretary according to the following categories:

- (A) Short-term general and allied special hospitals,
- (B) Psychiatric hospitals,
- (C) Tuberculosis hospitals,
- (D) Chronic and convalescent hospitals, and

(E) All other hospitals.

(ii) For purposes of this subparagraph, a year of service in a public or other nonprofit hospital means any 12-month period of continuous service (A) after the date the person begins service in such hospital if the area primarily served by the hospital is at that time designated as an area in which there is a substantial shortage of nurses, or (B) after the date as of which the area is designated an area with a substantial shortage of nurses if the area was so designated subsequent to the date that such person began service in the hospital: *Provided*, That, when an area's designation is changed, after a borrower would otherwise be eligible for cancellation of a portion of his loan by serving in the hospital in such area, so that such area no longer has a substantial shortage of nurses, such change in designation shall not affect the eligibility of such borrower to have a portion of his loan cancelled for any year in which he continues to serve as a nurse in the hospital in such area.

(iii) The determination of whether a borrower is entitled to have a portion of his loan cancelled in accordance with this subparagraph shall be made by the institution to whose fund such loan is payable, upon receipt and evaluation of an application for cancellation from such borrower.

(iv) All determinations of the Secretary pursuant to this subparagraph shall be made on the basis of the latest reliable statistical data available to him.

(v) Hospitals in which employment will qualify borrowers for cancellation under the provisions of this subparagraph shall be identified in a list promulgated periodically by the Secretary in the FEDERAL REGISTER.

(7) Nothing in paragraph (b) (6) of this section or paragraph (a) of this section shall be construed to prevent any person from entering into an agreement with the Secretary pursuant to section 823(h) of the Act.

**§ 57.317 Repayment of loans made subsequent to November 17, 1971 for failure to complete program of study.**

In the event the Secretary undertakes to repay educational loans pursuant to section 830 of the Act, he shall utilize the following criteria in making his determination as to each applicant's eligibility:

(1) An applicant will be considered to have failed to complete the course of study in nursing for which an eligible educational loan was made up certification by a school of nursing that the individual ceased to be enrolled in such school subsequent to November 17, 1971;

(2) An applicant will be considered to be inexceptionally needy circumstances if, upon comparison of the income and other financial resources of the applicant with his expenses and financial obligations, the Secretary determines that repayment of such loan would constitute a serious economic burden on the

applicant. In making such determination the Secretary shall take into consideration the net financial assets of the applicant and the relationship of the income available to the applicant to the low-income levels published annually by the Secretary pursuant to paragraph (3) of this section;

(3) An applicant will be considered to be from a low-income family if the applicant comes from a family with an annual income below a level based on low-income thresholds by family size published by the U.S. Bureau of the Census, adjusted annually for changes in the Consumer Price Index and multiplied by a factor to be determined by the Secretary for adaptation to this program, and the family has no substantial net financial assets. Such factor and income levels as adjusted will be published annually by the Secretary in the Federal Register;

(4) An applicant will be considered to be from a disadvantaged family if the individual comes from a family in which the annual income minus unusual expenses which contribute to the economic burdens borne by the family does not exceed the low-income levels published by the Secretary pursuant to paragraph (3) of this section and the family has no substantial net financial assets;

(5) An applicant will be considered as not having resumed his nursing studies within two years following the date the individual ceased to be a student upon a certification so stating from the applicant; and

(6) An applicant will be considered as not reasonably expected to resume his nursing studies within two years following the date upon which he terminated such studies based upon consideration of the reasons for the applicant's failure to complete these studies, taking into account such factors as academic, medical, or financial difficulties. *Provided, however*, That the Secretary shall only repay educational loans made subsequent to November 17, 1971.

**§ 57.318 Records, reports, inspection and audit.**

(a) *Records and reports.*—(1) Each Federal Capital Contribution and Federal Capital Loan shall be subject to the condition that the school shall maintain such records, and file with the Secretary such reports relating to the operation of the Nursing Student Loan Fund or Funds, as the Secretary may find necessary to carry out the purposes of the Act and the regulations. Where any school has both a Fund established with Federal Capital Contributions and a Fund established with Federal Capital Loans, records shall be kept separately for each Fund. All such records shall be retained until such time as agreed upon with the Secretary that there is no further need for retention and must not be destroyed regardless of completion of a Federal audit.

(2) The following individual student records not related to the operation of the Fund must be retained for five years

after the individual student has ceased to be at least a half-time student:

- (i) Approved or disapproved student applications for assistance;
- (ii) Documentation of the financial need of applicants;
- (iii) Reasons for approval or disapproval of applications, and
- (iv) Such other records as the Secretary may prescribe.

Such individual student records may be destroyed at the end of such five-year period except that in all cases where questions have arisen as a result of Federal audit, such records shall be retained until resolution of all such questions.

(b) *Inspection and audit.*—Any application for a Federal Capital Contribution or a Federal Capital Loan shall constitute the consent of the applicant school to inspection and fiscal audit, by the Secretary and the Comptroller General of the United States or any of their duly authorized representatives, of the fiscal and other records of the applicant school which relate to such Contribution or Loan.

#### § 57.319 Additional conditions.

The Secretary may with respect to any agreement entered into with any school pursuant to § 57.305 of this subpart, impose additional conditions prior to or at the time of any award when in his judgment such conditions are necessary to assure or protect advancement of the purposes of the agreement, the interest of the public health or the conservation of funds awarded.

#### § 57.320 Noncompliance.

Whenever the Secretary finds that a participating school has failed in a material respect to comply with the applicable provisions of the Act or the regulations of this subpart he may, on reasonable notice to the school, withhold further payments of Federal Capital Contributions or Federal Capital Loans, and take such other action, including the termination of any agreement, as he finds appropriate to carry out the purposes of the applicable provisions of the Act and regulations. In such case no further expenditures shall be made from the Nursing Student Loan Fund or Funds involved until the Secretary determines that there is no longer any such failure of compliance.

[FR Doc. 73-18456 Filed 8-29-73; 8:45 am]

## DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

### [ 14 CFR Part 71 ]

[Airspace Docket No. 73-GL-36]

## CONTROL ZONE AND TRANSITION AREA

### Proposed Alteration

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations so as to alter the control zone and transition area at Pellston, Michigan.

Interested persons may participate in the proposed rulemaking by submitting

such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Great Lakes Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018. All communications received on or before October 1, 1973 will be considered before action is taken on the proposed amendments. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposals contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018.

Since designation of controlled airspace at Pellston, Michigan, a new instrument approach procedure has been developed for the Emmet County Airport, Pellston, Michigan. Accordingly it is necessary to alter the Pellston, Michigan, control zone and transition area to adequately protect the procedure and to contain the transition to the procedure within controlled airspace.

In consideration of the foregoing, the Federal Aviation Administration proposes to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth:

In § 71.171 (38 FR 351), the following control zone is amended to read:

#### PELLSTON, MICH.

Within a 5-mile radius of Emmet County Airport (latitude 45°34'09" N., longitude 84°47'45" W.); within 2½ miles each side of the 132° bearing from Emmet County Airport, extending from the 5-mile radius zone to 5½ miles southeast of the airport; within 5 miles each side of the Pellston VORTAC 238° radial extending from the airport to 21 miles southwest of the VORTAC; and within 1½ miles each side of the 315° bearing from Emmet County Airport, extending from the 5-mile radius zone to 6 miles northwest of the airport.

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

#### PELLSTON, MICH.

That airspace extending upward from 700 feet above the surface within an 11-mile radius of Emmet County Airport (latitude 45°34'09" N., longitude 84°47'45" W.) and within a 6-mile radius of the Cheboygan Municipal Airport (latitude 45°39'15" N., longitude 84°31'06" W.); within 5 miles each side of the Pellston VORTAC 238° radial, extending from the 11-mile radius area to 22 miles southwest of the VORTAC; within 3½ miles each side of the Pellston ILS localizer northwest course extending from the 11-mile radius area to 14 miles northwest of the airport; and that airspace extending upward from 1200 feet above the surface within a 27-mile radius of the Pellston Airport north of parallel 45°45' exclud-

ing the portion overlying the Sault Ste. Marie, Michigan transition area.

These amendments are proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348), and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Des Plaines, Illinois, on August 6, 1973.

LYLE K. BROWN,  
Director, Great Lakes Region.

[FR Doc. 73-18374 Filed 8-29-73; 8:45 am]

### [ 14 CFR Part 73 ]

[Airspace Docket No. 72-SO-120]

## RESTRICTED AREA

### Proposed Establishment; Withdrawal

On January 31, 1973, a notice of proposed rulemaking (NPRM) was published in the FEDERAL REGISTER (38 FR 2988) stating that the Federal Aviation Administration (FAA) was considering an amendment to Part 73 of the Federal Aviation Regulations that would establish a restricted area, R-5315, in the vicinity of Cape Hatteras, N.C.

Because the request to accommodate Department of the Navy air combat training has been canceled, the FAA has determined that rulemaking action on the proposed amendment is not appropriate at the present time and that the notice should be withdrawn.

In consideration of the foregoing, the proposal contained in Airspace Docket No. 72-SO-120 (38 FR 2988) is hereby withdrawn.

This withdrawal of the notice of proposed rulemaking is made 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 August 21, 1973.

H. B. HELSTROM,  
Chief, Airspace and Air  
Traffic Rules Division.

[FR Doc. 73-18375 Filed 8-29-73; 8:45 am]

### Office of the Secretary

### [ 49 CFR Part 85 ]

[Docket No. 32; Notice No. 73-8]

## CARGO SECURITY ADVISORY STANDARDS; INTERNAL ACCOUNTABILITY PROCEDURES

### Notice of Proposed Advisory Standard Setting

This is the third in a series of Cargo Security Advisory Standards to be proposed by the Department of Transportation's Office of Transportation Security.

Theft-related losses account for almost 49 percent of the dollar amount of claims paid by a major segment of the motor carrier industry and almost 56 percent of the dollar amount of claims paid by the air carrier industry. Complete data are not available for the railroad and maritime industry; such data as are

available, however, indicate similar percentages. With respect to the motor carrier industry, only 10 percent to 15 percent of claims dollars are paid for "known" theft. (This includes hijacking, robbery, theft, and pilferage.) The remaining theft-related claims dollars go for "shortage", which is defined as "failure to deliver all or part of a shipment to the consignee for unknown reasons." Most theft-related claims dollars, therefore, are paid for losses for which it is not known when, where, or how they occurred.

A basic means of preventing cargo loss is cargo accountability. Each time cargo is handled it should be counted, the count recorded, and the handler identified. Effective cargo accountability begins when a shipment is picked up at the shipper's dock or is accepted by the carrier at its terminal. The cargo count must be accurate and the cargo itself must be continuously traceable to facilitate identification of weaknesses in the chain of custody if a loss occurs. To be effective, accountability procedures must be established, implemented, audited, and followed up.

Accurate checking of cargo against pertinent documents when the cargo moves into or out of a depot introduces into the cargo handling process necessary elements of effective security. Accountability for cargo may change several times between pickup from the shipper and delivery to the consignee. Positive check and control points serve to illuminate where problems are occurring and who is responsible and accountable for the cargo when problems occur. Accurate record keeping and proper issuance of waybills, manifests, and other pertinent documents assist in tracing missing shipments. In order to establish a verifiable chain of custody all such documents should contain legible signatures of all persons having custody of the cargo and accurate and complete details of that custody. To increase opportunity for cross checking, all personnel processing cargo should be thoroughly familiar with not only the cargo itself but also the documents which should accompany the cargo.

It is recognized that there are differences in methods, nomenclature, documents, and procedures among the various modes of transportation. Fundamentally, however, the movement of freight between shipper and consignee involves the same basic elements. The carrier can be a water, rail, air, or motor carrier or any combination thereof. The transportation unit can be a vessel, railcar, aircraft, or truck or any combination thereof. Regardless, freight signed for on pickup is ultimately accounted for with either a clear delivery receipt or a paid claim. Good cargo accountability and control reduce theft and pilferage, shortages, and careless handling and provide quicker discovery of and response to robbery and hijacking.

Carriers striving for reduced operating expenses, greater efficiency, and in-

creased profits should place particular emphasis on this aspect of operations because internal accountability procedures offer the greatest potential for an immediate return with a minimum of cost. Establishing or renewing a system of counting freight, recording the count, and identifying the handler all contribute to increased profits.

The advisory standard which follows suggests procedures and policies intended to assist all parts of the transportation industry in reducing the incidence of loss and theft of cargo entrusted to their care. This advisory standard is not mandatory and nothing in it replaces or modifies any statutory requirement or regulatory authority vested in any Federal, State, or local governmental body.

In consideration of the foregoing, the Department proposes to establish Part 85-3 of the Appendix to Part 85 of Title 49 of the Code of Federal Regulations, to read as follows:

APPENDIX—CARGO SECURITY ADVISORY STANDARDS

PART 85-3—INTERNAL ACCOUNTABILITY PROCEDURES

SUBPART A—GENERAL

- Sec.  
85-3.1 Purpose.  
85-3.3 General.  
85-3.5 Definitions.

SUBPART B—SHIPPER'S CARGO ACCOUNTABILITY AND PROCEDURES

- 85-3.11 Purpose.  
85-3.13 General.

SUBPART C—CARRIER CARGO ACCOUNTABILITY AND PROCEDURES

- 85-3.21 Equipment controls  
85-3.23 Outbound freight procedures: pickup (ordinary method).  
85-3.25 Outbound freight procedures: stripping and loading.  
85-3.27 Return freight.  
85-3.29 Inbound freight procedures: stripping and loading.  
85-3.31 Inbound freight procedures: delivery.

SUBPART D—EXCEPTIONS

- 85-3.41 LTL freight.  
85-3.43 Dockman responsibilities.  
85-3.45 Driver responsibility.  
85-3.47 Supervisor responsibility.

SUBPART E—INTERCHANGE

- 85-3.51 General.  
85-3.53 Air cargo.  
85-3.55 Marine cargo.  
85-3.57 Interchange: truck and rail or vessel and rail.

SUBPART F—CONTAINERS, PALLETIZING, AND UNITIZING

- 85-3.61 Intermodal containers.  
85-3.63 Air cargo containers.

SUBPART G—CONSIGNEE CARGO ACCOUNTABILITY AND PROCEDURES

- 85-3.71 General.

SUBPART H—"IN BOND" CARGO

- 85-3.81 General.

AUTHORITY: Sec. 9(e)(1) Department of Transportation Act, 80 Stat. 944; 49 U.S.C. 1657(e)(1), and 85.3 of the Regulations of the Office of the Secretary of Transportation (49 CFR 85.3).

APPENDIX—CARGO SECURITY ADVISORY STANDARDS

PART 85-3—INTERNAL ACCOUNTABILITY PROCEDURES

Subpart A—General

Sec. 85-3.1 Purpose.—(a) The purpose of this part is to set forth minimum procedures and guidelines that should be observed in order to account for each step in the cargo movement process and to fix responsibility when exceptions occur.

(b) The provisions herein are general and each may not apply to every transportation mode.

Sec. 85-3.3 General.—(a) All areas in which documents necessary for the proper movement or accountability of cargo are processed or handled should be treated as maximum security areas. Specifically, personnel should be restricted from—

- (1) Congregating in or using for breaks,
- (2) Entering unless authorized, and
- (3) Having unlimited and unaccounted access to or egress from—

these areas, and bills of lading and other documents should not be left unattended in these areas.

(b) Personnel preparing or processing the flow of documents and those having access to documents in any way should be included in the chain of accountability of those documents. Generally, such documents should be retained for at least one year; bills of lading should be retained for three years.

Sec. 85-3.5 Definitions.—As used in this part—

"Airbill" means the shipping document used for both the air and motor portions of a freight movement.

"Bill of lading" means the document by which a carrier acknowledges receipt of freight and contracts for its carriage.

"Carrier" means a common or contract carrier, but does not mean a private carrier.

"Dock receipt" means the receipt given for a shipment received or delivered at a pier or dock covering cargo for export.

"Freight bill" means the bill rendered by a carrier to a consignee of freight, including the name of the shipper, point of origin, weight, and amount of charges (if not prepaid).

"Manifest" means the document describing a vessel's cargo or the contents of a truck.

"Shipper Load and Count" means that the contents of the transportation unit were loaded and counted by the shipper and not verified by the carrier.

"Shipping container" means any receptacle used for shipping a product.

"Transportation unit" means a trailer, container, truck, vessel, or railcar.

"Waybill" means the document prepared by a carrier at the point of origin of a shipment and forwarded with the shipment, or directly by mail, to the agent at the transfer point or waybill destination, and showing—

- (1) Point of origin;
- (2) Destination;
- (3) Route;
- (4) Consignor;
- (5) Consignee;
- (6) Description of shipment; and
- (7) Amount charged for carriage.

SUBPART B—SHIPPER CARGO ACCOUNTABILITY AND PROCEDURES

Sec. 85-3.11 Purpose.—The purpose of this subpart is to set forth minimum procedures and guidelines to assist shippers in preparing cargo for shipment.

Sec. 85-3.13 General.—Shippers should—  
(a) Number all shipping containers in a shipment and record such numbers on the

shipping documents. In addition, each container in a shipment of more than one container should be marked thusly: one of four, two of four, etc.

(b) Place clear and complete delivery and handling instructions on ends, sides, and top of each shipping container.

(c) In marking shipping containers, use indelible inks and paints and water-resistant labels to preclude obliteration or loss of marks, shipping instructions, and handling symbols.

(d) Forward all shipping documents promptly to minimize delay at domestic and international transfer points.

(e) Count the number of pieces in each shipment and retain a record of the count and condition of the pieces, and of the legible signature and employee number of the employee making the count.

(f) When practical, enclose a packing list in each container in a shipment to permit timely and complete investigation of any pilferage or damage.

(g) Consolidate small or non-uniform containers into single-load units. Unitize, palletize, and use intermodal containers whenever possible. Pilfer-proof sealing tape, corrugated fasteners, shrink wrapping, strapping, and banding reduce theft and pilferage.

(h) Require carrier personnel to verify their identity and restrict them to authorized areas. For each shipment, record the names of the driver and carrier, vehicle number, name of consignee, and number of pieces and total weight of the shipment.

(i) Before releasing a shipment to a carrier obtain in ink or indelible pencil the signature of the driver verifying receipt of the freight listed on the manifest.

(j) File in tamper- and theft-proof repository all copies of bills of lading, dock receipts, airbills, waybills, manifests and other documents. Generally, documents should be kept for one year; bills of lading should be kept for three years.

#### Subpart C—Carrier Cargo Accountability and Procedure

Sec. 85-3.21 *Equipment controls.*—At facilities at which cargo is handled, there should be established and maintained controls on the use on docks and platforms of all handling and moving equipment such as handcars, forklifts, etc.

Sec. 85-3.23 *Outbound freight procedures: pickup (ordinary method).*—(a) (1) When a dispatcher receives a pickup call he should prepare a pickup order or slip for the pickup driver.

(2) The pickup order should include the date and time of call, the names of the shipper and the consignee, the number of pieces and total weight of the shipment, and the name of the driver.

(b) When the pickup driver arrives at the shipper's facility, he should note the condition of the shipment, count the pieces therein, and compare the count with that shown on the bill of lading. He should then record the date, the number of pieces, and his truck number on the pickup order and the bill of lading and sign his name legibly in ink or indelible pencil.

(c) Upon return to the carrier's terminal, the pickup driver should report to the cashier and surrender all documents and receipts. At this time all documents and receipts should be checked for completeness and accuracy.

(d) (1) The cashier should forward the bills of lading and pickup orders to the manifest clerk who prepares the dock manifest showing the names of the driver, the shipper, and the consignee, the unit number, date, and number of pieces and total weight

of the shipment. A copy of the bill of lading should be forwarded to the billing office where the invoice is prepared, the bill of lading is retained, and the line haul manifest is prepared.

(2) Control copies of all bills of lading and other documents used at the terminal should be retained.

(3) Documents for high-value cargo should be specially designated, as by a stamp such as "Supervisor sign". Such cargo itself should be handled in accordance with Part 85-2 of this Appendix, "High-Value Commodity Storage".

Sec. 85-3.25 *Outbound freight procedures: stripping and loading.*—(a) At the carrier's terminal, a separate area should be designated for each of the following types of cargo: outbound, inbound, hold-on-dock, order notify, and OS&D (over, short and damaged).

(b) Upon receiving a dock manifest, a supervisor should code the manifest as to door and unit number and assign a dockman to the particular manifest. Bay doors and equipment should be clearly and properly marked.

(c) The dockman should work from the dock manifest. He should strip the unit and, if freight is docked, note its location on the bill of lading and forward the bill to the office. Bills of lading should not be left with docked freight. If high-value commodities are docked, they should be placed in a security crib pending delivery or transfer.

(d) If freight is loaded the dockman should note on the manifest, in ink or indelible pencil, the number of the outbound trailer, dock number, number of pieces and total weight of the shipment, date, origin number, and his legible signature, and return the manifest to the supervisor.

(e) Exception should be brought to the attention of OS&D and the supervisor immediately. Drivers should be questioned about exceptions as soon as practical. Any trends should be noted, recorded, and acted upon.

(f) The supervisor should compare the manifest with the typed bills of lading, record the line haul unit number on the bills, and sort the bills by destination terminal and line haul unit. Matching bills with freight maintains the audit trail and obviates having bills for which there is no freight and freight for which there are no bills.

(g) The line haul unit should then be closed by a switcher or supervisor. Whoever is authorized to apply seals should then seal the unit and record on the seal log, in ink or indelible pencil, the seal serial number and his legible signature.

(h) The outbound manifest and typed bills by unit should be put together and seal serial numbers recorded in the office by a supervisor.

(i) The outbound manifest and bills of lading should be given to the line haul driver and the unit and seal serial numbers should be checked at the gate upon departure. Both verbally and in writing, the driver should be given instructions regarding handling of any high-value, sensitive, or hazardous cargo.

Sec. 85-3.27 *Return freight.*—(a) Procedures should be established requiring that all returned high-value cargo and other selected commodities be stripped and the appropriate bills of lading returned to the office. Common sense should dictate the handling of bulk cargo.

(b) Return freight and its paperwork should be reinserted into the cargo handling process as soon as possible. The driver's legible signature, the location of the return freight on the dock, and the reason for its

return should become permanent records of the carrier. A substantial part of claims paid is attributable to improper handling of return freight.

Sec. 85-3.29 *Inbound freight procedures: stripping and loading.*—(a) When the line haul unit arrives at the destination terminal, the unit number and seal serial number should be checked at the gate and recorded. The driver should take the inbound manifest and bills of lading to the office where the bills should be routed to the delivery unit by door number. One control copy of the manifest and of each bill should be kept in the office.

(b) Only authorized personnel should remove a seal from an inbound trailer. If a hostler has to break and remove a seal on a swing-door trailer before spotting it at the dock, the breaking of the seal should be witnessed from the dock by an authorized person who should check the serial number on the seal against the seal serial number entered on pertinent documents.

(c) The Inbound Supervisor should record on the line haul dispatch sheet the date, arrival time, and unit number. He should also check the number of bills against the manifest and record the date and unit number on each bill.

(d) When the dockman receives the bills he should begin to strip and load. If freight is docked, he should record on the appropriate bill, in ink or indelible pencil, the location of the freight on the dock, his legible signature, and dock number. If high-value commodities are docked, they should be placed in a security crib in accordance with the provisions of Part 85-2 of this Appendix, "High-Value Commodity Storage". If the freight is loaded, the dockman should record on each bill, in ink or indelible pencil, the unit number and his legible signature before returning the bills to the supervisor.

Sec. 85-3.31 *Inbound freight procedures: delivery.*—(a) The supervisor should match the bills of lading signed and returned by the dockman with the control copies and verify the signature of the dockman. He should then prepare the city manifest and put it into the unit "pigeon hole", pouch, or file.

(b) The assigned driver should receive the city manifest and bills from dispatch. He should note and place in the driver pouch the delivery receipt, consignee memo, driver work card, tally sheet, and detention slip.

(c) Upon leaving the terminal, the driver should be checked at the gate for seal or lock, as appropriate. Unit number, time, and date should be recorded.

(d) Upon return to terminal, the city driver should turn in to the cashier the receipts, bills, and city manifests.

#### Subpart D—Exceptions

Sec. 85-3.41 *LTL freight.*—LTL (Less Than Truck Load) freight should be counted and checked for visible damage at each step of the cargo handling process. This should begin at pickup where the carrier's liability attaches with the driver's signature. This should continue as the freight moves through the carrier's operation and should terminate only when the consignee accepts delivery with a clear receipt.

Sec. 85-3.43 *Dockman responsibilities.*—The dockman who strips the pickup unit, the one who loads the line haul unit, the one who unloads the line haul unit, and the one who loads the delivery unit each should sign for the count and apparent physical condition of each shipment that he handles.

Sec. 85-3.45 *Driver responsibility.*—Drivers should call in any exceptions immediately and a call-in log should be maintained.

Sec. 85-3.47 *Supervisor responsibility.*—Exceptions should be immediately reported to a supervisor who should attempt to resolve them immediately. Exceptions which should be reported to supervisors include not only those of count and damage but also those of instances of bills of lading for which there is no freight and freight for which there are no bills.

#### Subpart E—Interchange

Sec. 85-3.51 *General.*—A substantial part of cargo is interchanged between carriers, often in the same mode. Cargo moving by water or air often must be handled at terminals and/or over piers, where cargo moves from railroad or truck to forwarded or stevedoring company and then to aircraft or vessel. At the terminus of the movement, the process is reversed. These transfer points are the most vulnerable places for loss of cargo. The same type of accountability procedures apply equally well to export, import, and domestic cargo.

Sec. 85-3.53 *Air cargo.*—(a) Air carriers should count the number of shipping containers and their condition when receiving or delivering cargo. Cargo going from terminal to ramp via cart should be counted as it enters the belly of the aircraft. At destination, it should again be counted as it comes out of the aircraft prior to arrival at the terminal.

(b) The carrier should manifest all shipments for delivery on a trucking manifest. The manifest should show—

- (1) Names of driver and the motor carrier and truck number.
- (2) Name of air carrier employee checking cargo into truck.
- (3) Date and station preparing manifest.
- (4) Names of shipper and consignee, airbill number, number of pieces and total weight of shipment.
- (5) Any exceptions and name of agent preparing manifest.
- (6) Legible signature of the truck driver, in ink or indelible pencil, verifying receipt of cargo as shown on manifest.

Sec. 85-3.53 *Marine cargo.*—(a) Water carriers should keep a tally of cargo transferred from vessel to terminal and provide a freight release to the terminal operator.

(b) Terminal operators should assign marine checkers to count pieces, verify count, and legibly sign appropriate documents in ink or indelible pencil. The original delivery receipt should be retained as a permanent record.

(c) Cargo should not remain in terminals overly long. Delay in sorting, depalletizing, vaning, or devanning contributes to theft and pilferage.

(d) Cargo handlers should be supervised and cargo checked when loaded from terminals. Marine checkers should be present to count and verify and obtain legible signatures, during loading and tie-down on truck or railcars.

Sec. 85-3.57 *Interchange: truck and rail or vessel and rail.*—Interchange between truck and rail or vessel and rail generally involves movement into a terminal and then to a railcar. Accountability is generally assumed by the terminal operator or stevedoring company that does the loading, counting, and sealing. The rail carrier checks the seal and as long as the seal remains intact, assumes no liability for shortage discovered at destination. In a situation of Shipper Load and Count, if seals remain intact, the shipper assumes liability for shortage.

#### Subpart F—Containers, Palletizing, and Unitizing

Sec. 85-3.61 *Intermodal containers.*—(a) Intermodal containers, adaptable to carriage

by truck, railcar, barge, and ocean-going vessel, reduce vulnerability to pilferage and theft and eliminate multiple handling of individual items of cargo. A shipper can use such containers to convey goods directly from his premises to his customers.

(b) Reduced handling requirements simplify accountability for shipper, carrier, and consignee. Shippers assume responsibility for accuracy of the count; so long as containers remain sealed and intact, carriers are not liable for shortages.

(c) Verification and recording of seal serial numbers in accordance with company procedures (see Part 85-2, "Seal Accountability and Procedures") assures accountability in the chain of custody.

Sec. 85-3.63 *Air cargo containers.*—Air cargo containers designed specifically for the configuration of aircraft offer the same advantages as intermodal containers. They provide for more efficient use of the capacity of the aircraft, reduce the number of pieces that must be counted and handled, and minimize exposure to weather, theft, pilferage, and damage, thereby simplifying accountability.

#### Subpart G—Consignee Cargo Accountability and Procedures

Sec. 85-3.71 *General.*—Delay in taking delivery of cargo increases the possibility of theft and pilferage and makes recovery of lost shipments and pieces more difficult. Since pilferage from shipping containers can sometimes escape detection at time of delivery, consignees should—

(a) Inspect shipping containers for signs of break-in, opening, crushing, and resealing. Shipping containers should be inventoried in the presence of a carrier employee.

(b) Weigh shipping containers and compare the weights with those recorded on pertinent documents.

(c) Note on the carrier's receipt the number of pieces in each shipping container as well as their condition.

(d) Obtain, in ink or indelible pencil, the legible signature of the driver on consignee's copy of the receipt.

(e) Report concealed loss or damage regardless of the apparent condition of the cargo at time of delivery.

(f) Obtain a copy of the carrier's inspection report and file it with copies of the other documents concerning the cargo.

(g) Retain as a permanent record the legible signature, in ink or indelible pencil, piece count, and condition verification of the employee accepting the cargo.

(h) Retain all essential documents for at least one year; bills of lading should be retained for three years.

#### Subpart H—"In Bond" Cargo

Sec. 85-3.81 *General.*—Special care should be taken with "in bond" cargo handled under Customs supervision. United States Customs Inspectors count, to the greatest extent possible, merchandise landed and quantities delivered. They also verify selected bills of lading at time of unloading. Ordinarily they do not use tally sheets, OS&D (over, short, and damaged) reports, or other records of the importing carrier to determine quantity.

Before taking final action to issue the proposed advisory standard, the Department will consider the timely comments of all interested persons. Comments should identify the docket or notice number (see above) and be submitted to the Docket Clerk, Office of the General Counsel, TGC, Department of Transportation, Washington, D.C. 20590. Comments received on or before October 19, 1973, will be considered before final

action is taken. All docketed comments will be available for public inspection and copying, both before and after the closing date for comments, in the Office of the Assistant General Counsel for Regulation, Room 10100, Nassif Building, 400 Seventh Street SW., Washington, D.C., between 9 a.m. and 5:30 p.m. local time, Monday through Friday, except Federal holidays.

This proposal is issued under authority of section 9(e) (1) of the Department of Transportation Act, 80 Stat. 944 (49 U.S.C. 1657(e)(1)), and § 85.3 of the Regulations of the Office of the Secretary of Transportation (49 CFR 85.3).

Issued in Washington, D.C., on August 28, 1973.

RICHARD F. LALLY,  
Director of  
Transportation Security.

[FR Doc. 73-18511 Filed 8-29-73; 8:45 am]

## SMALL BUSINESS ADMINISTRATION

[ 13 CFR Part 102 ]

[ Rev. 2 ]

### DISCLOSURE OF INFORMATION

#### Notice of Proposed Rulemaking

Notice is hereby given that pursuant to section 5 of the Small Business Act, 72 Stat. 385, 15 U.S.C. 634, the Small Business Administration proposes to revise Part 102 of Chapter I, Title 13, of the Code of Federal Regulations, revised as of January 1, 1973. Part 102 is the SBA Regulation, which, among other things, implements the Freedom of Information Act, 5 U.S.C. 552.

Prior to final adoption of the proposed revision, consideration will be given to any written comments or suggestions submitted in triplicate to H. Gregory Austin, General Counsel, Small Business Administration, Washington, D.C. 20416, on or before October 1, 1973. Any written material or suggestions submitted will be available for public inspection during regular business hours in the law library of the Office of General Counsel located in Room 714, 1441 L Street NW., Washington, D.C.

*Information.*—The proposed revision reflects changes in the designation of agency offices, in the official authorized to make final agency decisions on requests for the release of agency records and information, and in the source for summaries of decisions of SBA's Size Appeals Board. A new paragraph in § 102.3 sets forth the agency determination that its mailing lists are not considered public information and are not usually to be made available for commercial or other solicitations.

The revision also includes a new paragraph in § 102.4 to cover the specificity required in identifying requested records as well as the manner in which categorical requests will be handled. Section 102.5 has been changed to allow appeals to the Assistant Administrator for Congressional and Public Affairs of requests for records and information which have

not been acted upon within a reasonable time (20 days in normal circumstances) and to provide that appeals will be deemed to include, in the case of information exempt from disclosure, a request that the exemption be waived. Added to the paragraph of this section which governs the agency decision on appeals is a requirement that the notification to the requester include advice on the availability of judicial review.

A new paragraph has also been added to § 102.6 to authorize the waiver of fees when in the public interest to do so and to describe some of the circumstances when it will be so considered.

As proposed to be revised herein, Part 102 would read as follows:

#### PART 102—DISCLOSURE OF INFORMATION

- Sec.  
102.1 Purpose and policy.  
102.2 Scope.  
102.3 Information and records available to the public and exempt from disclosure.  
102.4 Public access to information and records.  
102.5 Administrative appeal of refusal to disclose.  
102.6 Fees.  
102.7 Appearances and testimony by SBA officers and employees.

AUTHORITY: Sec. 5, 72 Stat. 385, (16 U.S.C. 634).

##### § 102.1 Purpose and policy.

(a) This part establishes policy and procedures governing public access to information contained in the files, documents, and records of the Small Business Administration (SBA). In keeping with the spirit as well as the letter of the Freedom of Information Act, 5 U.S.C. 552, it reflects SBA policy that disclosure is the general rule rather than the exception. This policy in favor of disclosure will be extended to information technically exempt from disclosure under the law where such disclosure would not adversely affect some legitimate public or private interest the protection of which is desirable, would not otherwise violate law or other authority, and would not impose an unreasonable burden upon SBA.

(b) This part is also a recognition that the soundness of many SBA programs depends in large measure upon the reliability of commercial, technical, financial and business information relating to the affairs of applicants for SBA assistance. Much of this information would, if made public, jeopardize the credit and competitive business position of an applicant. It is essential therefore, that applicants be assured that information of this kind is considered confidential. Thus they will be encouraged to make complete disclosure of material bearing upon an application and SBA decisions on whether financial or other assistance should be approved will be made with greater assurance that the interests of the United States will be protected.

##### § 102.2 Scope.

(a) This part applies to all files, documents, records, and information obtained or produced by officers and employees of SBA in the course of their official duties as well as all files, documents, records, and other information in the custody or control of any SBA officer or employee. It does not purport to describe or set forth every Agency file, document, record, or item of information which may or may not be disclosed or to incorporate every exemption from disclosure provided by law. Material described is illustrative rather than exclusive.

(b) Moreover, this part deals with the availability of information to the public, including parties involved in litigation affecting the Agency. It does not apply to the disclosure of information to persons, organizations, or institutions participating in SBA programs or activities, or to the executive and legislative branches of the Federal Government.

##### § 102.3 Information and records available to the public and exempt from disclosure.

(a) *General.*—(1) All SBA information and records not exempt by law are available for public inspection and copying in, or through, facilities described in § 102.4. Exempt materials may also be made available where disclosure would not adversely affect some legitimate public or private interest, would not otherwise violate law or other authority, and would not impose an unreasonable burden on SBA. Reasonable requests for material not in existence may also be honored where their compilation will not unduly interfere with SBA activities and programs. Requests for information will be answered as promptly as practicable.

(2) SBA Standard Operating Procedure (SOP) 40 03 "Disclosure of Information," which is available in the facilities described in § 102.4, sets forth in detail the information, records, and other data which are, or may be, available to the public as well as those exempt from disclosure. Specific examples of information routinely available in SBA facilities are listed in § 102.4. Examples of information and other materials, available and exempt, in which there should be general interest are discussed in succeeding paragraphs of this section.

(b) *Information and records relating to SBA assistance programs.*—(1) Although SBA assistance programs typically involve the consideration of material constituting in large part trade secrets, commercial or financial information, information submitted in confidence, or information the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, the following kinds of information are nevertheless available to the public:

(i) Names of recipients of loans, small business investment company licenses, certificates of competency, grants, lease guarantees, surety bond guarantees, and other assistance.

(ii) Names of officers, directors, stockholders, or partners of recipient firms.

(iii) The kind and amount of assistance.

(iv) The purpose of the approved assistance in general terms.

(v) The extent of outside participation, if any.

(vi) Statistical data on assistance programs.

(vii) Decisions, rulings, and records showing Agency actions in specific factual situations where identifying details exempt from disclosure may be effectively deleted.

(2) Information exempt from disclosure to the public includes:

(i) Information other than statistical on declined, withdrawn, or canceled applications for assistance.

(ii) Financial or other confidential information about applicants or borrowers obtained from any source.

(iii) Individual case files relating to such activities as loans, licenses, lease guarantees, surety bond guarantees, size determinations, facilities inventory, prime and subcontracting, and Service Corps of Retired Executives (SCORE), and other volunteer organizations.

(iv) Internal Agency communications showing, for example, recommendations on applications for assistance.

(v) Information concerning losses, delinquencies and defaults in individual cases.

(vi) Names of participating lending institutions without their consent.

(vii) Information regarding the character of applicants, borrowers, or other persons.

(viii) Financial reports (including the names of portfolio concerns) of small business investment companies and divestiture plans of such companies.

(ix) Examination, audit, investigation, and litigation reports.

(c) *Opinion Digest.*—(1) *Description.*—This Digest which is available for inspection and copying in the facilities described in § 102.4, is largely a compilation of selected advisory legal opinions involving specific facts and specific parties. As such they do not necessarily reflect final Agency opinions, interpretations, or decisions in any given cases. Moreover, the opinions are based on authority in effect at the time the opinions were rendered and such authority may no longer be controlling because of a change in law, regulation, or other directive pertaining to the matter. They do, however, provide guides to the reasoning utilized in analyzing given problems and questions which may have widespread implications and are made available to the public primarily on this basis rather than as authoritative statements of continuing precedent.

(2) *Identifying details omitted.*—Identifying details have been omitted in most cases to avoid the possibility of violations of 18 U.S.C. 1905 which imposes criminal penalties for the disclosure of trade secrets, financial data, and other confidential information. Also avoided is

the disclosure of other information exempt from disclosure. Absence of identifying details has no bearing or effect on the general public and does not affect the validity of the opinion disclosed.

(d) *Size decisions.*—Agency determinations of the size status of business concerns resulting from appeals to the Size Appeals Board, as provided in Part 121 of this chapter, have been summarized and indexed in the Digest of the Decisions of the Size Appeals Board, available for inspection and copying in the facilities described in § 102.4. Complete decisions will be available on request except that in cases which contain trade secrets, commercial or financial information, or other confidential information, they will be available if identifying details can be deleted without compromising the confidential information.

(e) *Minutes of the Loan Policy Board.*—These are available for inspection and copying in the National Office. The Loan Policy Board was terminated by Reorganization Plan No. 4 of 1965, effective July 27, 1965, and its functions transferred to the SBA Administrator. Despite the Board's abolition, policies adopted by the Board remain in effect until affirmative action by the Administrator changes them. The minutes provide guides to the reasons for many such policies. Part 120 of this chapter contains a statement of SBA's loan policies.

(f) *Personnel and similar files.*—The names, position titles, grades, salaries, and duty stations of SBA employees are public information but their home addresses are not so considered. The disclosure of private or personal information contained in other Agency files, for example, in the files relating to members of SBA advisory boards, committees, or councils and Service Corps of Retired Executives (SCORE) and to applicants for SBA assistance would normally amount to a clearly unwarranted invasion of privacy and thus would be considered exempt.

(g) *Agency staff directives, standard operating procedures, and other instructions to staff.*—All are considered public information except those relating to audits and investigations, internal financial management and fiscal operations, and portions of directives containing confidential standards and instructions, as, for example, instructions concerning negotiations or bargaining in connection with the disposition and liquidation of loans and loan collateral held by SBA.

(h) *Litigation materials.*—Copies of pleadings, motions, orders, transcripts of testimony, and documentary evidence introduced in pending or closed litigation are available once such items are a matter of public record.

(i) *Internal communications.*—Inter-agency or intra-agency communications not routinely available to a party in litigation with SBA are exempt from disclosure. These would include, among other things, drafts, memoranda be-

tween officials or agencies, opinions and interpretations prepared by SBA attorneys and other staff members or consultants for use of the Agency (except as made available in the Opinion Digest referred to in paragraph (c) of this section), research studies performed internally or under contract for internal management purposes, and internal management reports, which relate to the policymaking and decisional processes of the Agency and its officials. However, the exemption does not apply to nonexempt material contained in such communications if severable in such a way as not to compromise the policymaking and decisional processes intended to be protected by this exemption.

(j) *Mailing lists.*—The Agency considers exempt from public disclosure as an unwarranted invasion of privacy mailing lists of its clientele, employees, advisory councils, and other persons and organizations involved or dealing with the Agency. The Agency will not distribute, sell, or otherwise make available the names and addresses of such persons and organizations for purposes of commercial or other solicitation not clearly in the public interest.

#### § 102.4 Public access to information and records.

(a) *Facilities.*—Facilities in SBA regional and district offices are available to the public during normal business hours for requesting, inspecting and copying information and records. Reproduction machines will also be available in, or through, such facilities. The Washington, D.C. District Office facilities are available to members of the public in the District of Columbia Metropolitan Area and that office will make necessary referrals to the National Office in appropriate cases. A list of these offices is included in Part 101 of this chapter or may be obtained by writing to the Small Business Administration, Washington, D.C. 20416. Addresses and telephone numbers of SBA offices are also included in the telephone directories for the many cities in which the offices are located.

(b) *Materials routinely available in field office facilities.*—(1) For the convenience of the public certain Agency materials will be maintained and readily available in or through these facilities. These will include:

- (i) All SBA directives, policy and procedural issuances, and other staff instructions not exempt from disclosure.
- (ii) SBA Rules and Regulations (including Interpretations).
- (iii) Opinion Digest.
- (iv) Digest of the Decisions of the Size Appeals Board which summarizes decisions resulting from appeals of small business size decisions to SBA's Size Appeals Board.
- (v) Public Index of Agency materials and lists of directives, policy and procedural issuances, forms, and reports.
- (vi) Names of recipients of SBA assistance, and related information not exempt from disclosure.

(2) Examples of other kinds of materials which, in addition to the above, may also be available, through the field office facilities or in the National Office:

- (i) Minutes of the Loan Policy Board (National Office only).
- (ii) Management and technical assistance publications issued on a free or for-sale basis, as listed on SBA Forms 115 A and B.
- (iii) SBA's Annual Reports to the President and the Congress.
- (iv) SBIC Digest and policy procedural releases sent to all small business investment companies.
- (v) Press releases.
- (vi) Routine statistical reports on Agency activities.
- (vii) Pamphlets describing SBA programs.
- (viii) Sample SBA forms.
- (ix) Comments on proposed rulemaking received from the public (National Office only).

(c) *Other materials.*—Requests for information, records, and other materials not readily available in the field office facilities may be requested through such facilities. Requests will be referred to the proper SBA office and the person making the request will be notified of the availability of the material and any charges involved. If the material requested is the exclusive concern of another agency the request will be referred to that agency. If the material is of concern to more than one agency, the request will be referred to the agency whose interest is paramount for a decision to disclose or withhold the material.

(d) *Identifiable records.*—(1) *Specificity required.*—Requests shall include a reasonably specific description of the particular record sought in order to facilitate its location. A request shall not be denied on the sole ground that the record has not been properly identified if the description and the knowledge Agency personnel have of the contents of their files, together enable the record to be located without unduly burdening the Agency.

(2) *Categorical requests.*—Requests calling for all records falling within a reasonably specific category shall be regarded as "identifiable records" if the Agency can reasonably determine which particular records come within the request, and can retrieve them without undue burden on its operations because of the staff time consumed or the resulting disruption of files. If the Agency determines that there is such an undue burden, the requester shall nevertheless have the opportunity to discuss his request with Agency staff in order to reduce it to manageable proportions.

(e) *Forms for requesting information.*—(1) SBA Form 774, "Request for SBA Forms, Documents, Records and Other Information" is used for processing requests. Any person desiring information or records may be asked to complete Part 1 of the form identifying the material requested and the copies, if any, desired. If requests are received by

mail or telephone, Part I will be completed by SBA.

(2) SBA Form 773 is a form letter or notice which will advise the requester of the availability of the material, any charges involved, or the referral of the request to another office or agency.

(3) SBA Form 772 will be used to record transactions involving charges and a copy thereof will serve as a receipt to the purchaser.

#### § 102.5 Administrative appeal of refusal to disclose.

(a) *Who may appeal.*—Any person whose request for information or records has been denied, or has not been acted upon within a reasonable time, shall be entitled to submit a written appeal to the Agency. A request shall not have been acted upon within a reasonable time if a decision is not made within 20 working days of receipt of any such request, unless the Agency shall have notified the requester in writing that special circumstances warrant a more extended deadline.

(b) *Form of appeal.*—While no particular form is prescribed, the letter or other written statement utilized for such purpose shall contain a description of the information or record requested, the name and place of employment of the SBA official or employee who denied the request, the reason, if any, given for the denial, and such other pertinent facts and statements as the appellant may deem appropriate. SBA may request additional details where the information submitted is insufficient to support a decision.

(c) *Where to appeal.*—Appeals shall be addressed to the Assistant Administrator for Congressional and Public Affairs, Small Business Administration, Washington, D.C. 20416.

(d) *Nature of appeal.*—An appeal shall be deemed by SBA to constitute a request that the information or records sought are not exempt from disclosure under the law but, if exempt, that they should nevertheless be disclosed in accordance with the policy stated in § 102.1(a).

(e) *Agency decision.*—Final Agency decision on appeals from refusals to disclose information or records shall be made by the Assistant Administrator for

Congressional and Public Affairs. He shall promptly review each appeal and provide appellant and other interested parties, if any, with a written notification of the decision. If the decision upholds the refusal to disclose, the notification shall set forth the exemptions from disclosure under the Freedom of Information Act which form the basis of the decision. The notification shall also advise that judicial review is available on complaint to the district court of the United States in the district in which the appellant resides or has his principal place of business, or in which the Agency records are located.

#### § 102.6 Fees.

(a) *Basis.*—Factors taken into account in establishing fees for reproducing copies of documents, records search, and compilation of materials include reproduction cost, average salary of employees involved, and overhead cost.

(b) *Method of payment.*—Fees may be paid in cash, by personal check, or by other form of remittance suitable to SBA. Payment shall normally be due at the time the service is rendered. However, where extensive record searches or compilations are involved the person requesting the service shall pay whatever is estimated by SBA to be appropriate before any search or compilation is undertaken. Fees paid in advance shall be held in suspense pending completion of the search or compilation and adjusted when final charges have been determined.

(c) *Prices.*—(1) For documents readily available in SBA facilities the charge for reproduction will be ten (10) cents per page.

(2) For requests requiring a search of SBA records but no compilation, there will be a minimum charge of \$2 plus the regular charge of 10 cents per page for reproduction. In addition, the total charge will include a charge based upon employees' time required for the search.

(3) For information which has to be compiled the charge will include the cost of employees' time, cost of computer runs or other equipment use, and other overhead expense. Since there is no obligation on the part of the Agency to compile records or data, requests for compilations must be reasonable and not unduly interfere with normal SBA operations or program activities.

(4) Persons may inspect and copy documents by their own means in the SBA facilities without charge except for search or compilation charges which may be otherwise payable.

(d) *Waiver of fees.*—Fees will be waived when less than \$1.00 or when it is in the public interest to do so. Such a waiver will be in the public interest, for example, when in the determination of the Agency the request will not impose an undue burden or expense upon it and the request is (1) from another Government organization, Federal, State or local; (2) for the purpose of obtaining information primarily for the benefit of the general public rather than for the primary benefit of the requester, as will be the case with certain requests from news media and from organizations engaged in a nonprofit activity designed for public safety, health, welfare, or education; (3) from employees and former employees seeking information from their own personnel records; (4) from or on behalf of the defending party in connection with a proceeding against such party by the Federal Government; (5) from a low-income person and the fee would impose a financial hardship.

#### § 102.7 Appearances and testimony by SBA officers and employees.

Whenever an officer or employee of SBA is served with a subpoena demanding the disclosure of the information or the production of files, documents, and records described in this part, or is requested by any court, committee or other body to disclose such information, the officer or employee shall promptly inform his superior of the requirements of the subpoena or request and shall ask for instructions from the Assistant Administrator for Congressional and Public Affairs with respect thereto. Such officer or employee shall appear before the court, committee or body and, if the Assistant Administrator has not authorized disclosure, the employee shall respectfully decline to disclose the information or produce the files, documents and records demanded or requested, basing such refusal upon this part.

Dated August 23, 1973.

THOMAS S. KLEPPE,  
Administrator.

[FR Doc.73-18413 Filed 8-29-73;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

### U.S. Customs Service

[T.D. 73-238]

### FOREIGN CURRENCIES

#### Certification of Exchange Rates

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified the following rates of exchange which varied by 5 per centum or more from the quarterly rate published in Treasury Decision 73-190 for the following countries. Therefore, as to entries covering merchandise exported on the dates listed, whenever it is necessary for Customs purposes to convert such currency into currency of the United States, conversion shall be at the following daily rates:

Norway krone:		
August 14, 1973	.....	\$0.1787
August 15, 1973	.....	.1777
August 16, 1973	.....	.1765
August 17, 1973	.....	.1780
Belgium franc:		
August 16, 1973	.....	\$0.026375
France franc:		
August 16, 1973	.....	\$0.2301
August 17, 1973	.....	.2307
Switzerland franc:		
August 16, 1973	.....	\$0.3280

[SEAL] R. N. MARRA,  
Director, Appraisal and  
Collections Division.

[FR Doc.73-18455 Filed 8-29-73; 8:45 am]

### Internal Revenue Service

[Order No. 141]

### ASSISTANT COMMISSIONER (STABILIZATION) ET AL.

#### Delegation of Authority in Stabilization Matters

1. The authority granted the Commissioner of Internal Revenue by Cost of Living Council Orders Number 15, 15A, 15B, 15C, 15D, 15E, 15F, and 19 is hereby delegated to the Assistant Commissioner (Stabilization), Regional Commissioners, Assistant Regional Commissioners (Stabilization), and District Directors, and also to the Key District Directors shown below to exercise in and for the related Associate Districts. The Key District Directors will exercise functional supervision over Stabilization activities in the related Associate Districts.

Key districts	Associate districts
Boston.....	Augusta
	Burlington
	Portsmouth
Brooklyn.....	None
Buffalo.....	Albany
Hartford.....	Providence
Manhattan.....	None
Baltimore.....	Do.
Richmond.....	Do.
Newark.....	Do.
Philadelphia.....	Wilmington
Pittsburgh.....	None
Atlanta.....	Birmingham
Jacksonville.....	None
Greensboro.....	Columbia
Nashville.....	Jackson
Cincinnati.....	Louisville
Indianapolis.....	None
Cleveland.....	Parkersburg
Detroit.....	None
Chicago.....	Do.
St. Louis.....	Springfield
Des Moines.....	Omaha
St. Paul.....	Aberdeen
	Fargo
Milwaukee.....	None
Austin.....	New Orleans
Dallas.....	Albuquerque
Oklahoma City.....	Cheyenne
	Denver
	Little Rock
	Wichita
Los Angeles.....	Honolulu
	Phoenix
San Francisco.....	Reno
	Salt Lake City
Seattle.....	Anchorage
	Boise
	Helena
	Portland

2. This authority may be redelegated by the Assistant Commissioner (Stabilization), Regional Commissioners, Assistant Regional Commissioners (Stabilization), and District Directors and may not be further redelegated.

3. To the extent that any action heretofore taken by the officials specified by this order or their delegates consistent with the delegation set forth in this order may require ratification, such action is hereby affirmed and ratified.

4. The following Delegation Orders are superseded: No. 128, issued February 28, 1973; No. 129, issued March 5, 1973; No. 131, issued April 9, 1973; No. 132, issued April 13, 1973; No. 135, issued May 4, 1973; and No. 138, issued July 2, 1973.

Issued August 21, 1973.

Effective August 21, 1973.

[SEAL] R. F. HARLESS,  
Acting Commissioner.

[FR Doc.73-18436 Filed 8-29-73; 8:45 am]

### Office of the Secretary

[Treasury Department Order No. 107;  
(Revision 17)]

### DIRECTOR, OFFICE OF ADMINISTRATIVE PROGRAMS ET AL.

#### Authority To Affix Seal of the Treasury Department

By virtue of the authority vested in the Secretary of the Treasury, including the authority conferred by 5 U.S.C. 301, and by virtue of the authority delegated to me by Treasury Department Order No. 190 (Revised), it is hereby ordered, That:

1. Except as provided in paragraph 2, the following officers are authorized to affix the Seal of the Treasury Department in the authentication of originals and copies of books, records, papers, writings, and documents of the Department, for all purposes, including the purposes authorized by 28 U.S.C. 1733(b):

(a) In the Office of Administrative Programs:

1. Director, Office of Administrative Programs.
2. Chief, Communications and Records Management Division.
3. Chief, Printing and Personal Property Division.
4. Records Management Officer, Office of the Secretary.
5. Chief, Directives Control and Distribution.

(b) In the Internal Revenue Service:

1. Commissioner of Internal Revenue.
2. Assistant Commissioner (Compliance).
3. Deputy Assistant Commissioner (Compliance).
4. Chief, Disclosure Staff.
5. Assistant Chief, Disclosure Staff.

(c) In the United States Customs Service:

1. Commissioner of Customs.
2. Deputy Commissioner of Customs.
3. Assistant Commissioner of Customs (Administration).
4. Assistant Commissioner of Customs (Investigations).
5. Assistant Commissioner of Customs (Operations).
6. Assistant Commissioner of Customs (Regulations and Rulings).
7. Assistant Commissioner of Customs (Security and Audit).

(d) In the Bureau of the Public Debt:

1. Commissioner of the Public Debt.
2. Assistant Commissioner of the Public Debt.

3. Director of the Chicago Office.  
(e) In the Bureau of Alcohol, Tobacco and Firearms:

1. Director.
  2. Deputy Director.
  3. Regional Directors.
  4. Assistant Director for Technical and Scientific Services.
  5. Chief, Technical Services Division.
2. Copies of documents which are to be published in the FEDERAL REGISTER may be certified only by the officers named in paragraph 1(a) of this Order.
3. The Director of Administrative Programs, the Commissioner of Internal Revenue, the Commissioner of the Public Debt, and the Director, Bureau of Alcohol, Tobacco and Firearms are authorized to procure and maintain custody of the dies of the Treasury Seal.

The officers authorized in paragraph 1(c) may make use of such dies.  
Treasury Department Order No. 107 (Revision No. 16) is superseded.

Dated August 23, 1973.

[SEAL] J. ELTON GREENLEE,  
Acting Assistant Secretary  
for Administration.

[FR Doc.73-18435 Filed 8-29-73;8:45 am]

## DEPARTMENT OF JUSTICE

Law Enforcement Assistance  
Administration

### REGIONAL CRIMINAL JUSTICE PLANNING BOARDS

#### Cancellation of Proposed Guideline

**Background.** On June 13, 1973, the Law Enforcement Assistance Administration published notice of a proposed guideline on composition of Regional Criminal Justice Planning Boards. See notice of proposed guideline, 38 FR 15535 (1973).

This guideline would have required that a majority of Regional Criminal Justice Planning Boards established pursuant to the Omnibus Crime Control and Safe Streets Act (Public Law 90-351, as amended by Public Law 91-644, 42 U.S.C. 3701 et seq.) be appointed by local elected executive officials.

**Cancellation.** On August 6, 1973, the President signed into law Public Law 93-83, the Crime Control Act of 1973 (87 Stat. 197).

Section 203(a) provides as follows:

Sec. 203. (a) A grant made under this part to a State shall be utilized by the State to establish and maintain a State planning agency. Such agency shall be created or designated by the chief executive of the State and shall be subject to his jurisdiction. The State planning agency and any regional planning units within the State shall, within their respective jurisdictions, be representative of the law enforcement and criminal justice agencies, units of general local government, and public agencies maintaining programs to reduce and control crime and may include representatives of citizen, professional, and community organizations. The regional planning units within the State shall be comprised of a majority of local elected officials.

The statutory requirement that a majority of regional planning units be

comprised of local elected officials supercedes the proposed guideline. LEAA is developing overall guidelines to implement the statutory amendments. These guidelines will be cleared through normal channels with representatives of State and local government.

DONALD E. SANTARELLI,  
Administrator.

[FR Doc.73-18411 Filed 8-29-73;8:45 am]

## DEPARTMENT OF THE INTERIOR

Bureau of Land Management  
ASSOCIATE STATE DIRECTOR ET AL.,  
CALIF.

### Delegation of Authority Regarding Contracts and Leases

AUGUST 21, 1973.

Pursuant to the redelegation of authority contained in BLM Manual 1510.03C:

A. The Associate State Director, Chief, Division of Management Services and Chief, Branch of Administrative Management, State Office, are authorized to enter into contracts for supplies and services and capitalized property within the limits of procurement authority delegated to the State Director.

B. The District Managers and Chief, Division of Administration, District Offices; and the California Desert Planning Director, Riverside, with the exception of capitalized equipment and major noncapitalized property, are authorized:

1. To procure supplies and services available from established sources of supply regardless of amount.

2. To enter into contracts pursuant to section 302(c)(3) of the FPAS Act, for supplies, services and rental of equipment and aircraft not to exceed \$2,500 per transaction; and for construction not to exceed \$2,000 per transaction; provided that the requirement is not available from established sources of supply.

C. The District Managers and Chief, Division of Administration, District Offices; and Protection Specialists, Division of Technical Services, State Office, are authorized to enter into contracts pursuant to section 302(c)(2) of the FPAS Act, regardless of amount. This authority is to be used for rental of equipment and aircraft and for procurement of supplies and services required for emergency fire suppression and pre-suppression, where the order exceeds \$2,500.

D. The District Managers may redelegate the authority for use of Standard Form 44 Order-Invoice-Voucher to any qualified employees under their jurisdiction. The redelegation must be in writing by name designation and subject to monetary and other limitations as may be prescribed by the District Manager. The designated employee, State Office, and Service Centers shall be furnished with a copy of all such redelegations.

E. Delegation of authority regarding contracts and leases published in the

FEDERAL REGISTER on January 17, 1973, Vol. 38, No. 11, is hereby revoked.

J. R. PENNY,  
State Director.

[FR Doc.73-18410 Filed 8-29-73;8:45 am]

[Serial Colorado 18844]

## COLORADO

### Designation of Powderhorn Primitive Area

AUGUST 20, 1973.

Pursuant to the authority in 43 CFR, Subpart 2070, and the authorization from the Director dated August 20, 1973, I hereby designate the public lands in the following described area as the Powderhorn Primitive Area:

COLORADO

NEW MEXICO PRINCIPAL MERIDIAN

Beginning at the northeast corner of Sec. 20, T. 46 N., R. 2 W.

Thence southerly up the east bank of the East Fork of Powderhorn Creek approximately 6½ miles to its intersection with the north boundary of Sec. 21, T. 45 N., R. 2 W.; thence easterly approximately 2¼ miles to the southwest corner of Sec. 13, T. 45 N., R. 2 W.; thence south ½ mile, west ¼ mile, south ¼ mile, east ½ mile, south ¼ mile, east ¼ mile, south ¼ mile, east ¼ mile, and west ¼ mile to the northwest corner of Sec. 36, T. 45 N., R. 2 W.; thence south one mile, and east approximately one mile to Cebolla Creek; thence southerly approximately ¼ mile along the west bank of Cebolla Creek; thence west ¼ mile to the southwest corner of the NE¼NE¼ of Sec. 1, T. 44 N., R. 2 W.; thence south approximately 1¼ miles; thence northwesterly approximately one-eighth mile to a point where Cebolla Creek crosses the Cathedral Road; thence northwesterly and then southwesterly ½ mile along the north bank of Cebolla Creek; thence approximately ¼ mile west to the west quarter corner of Sec. 12, T. 44 N., R. 2 W.; thence west ¼ mile, south ¼ mile, west ½ mile, south ½ mile, west ¼ mile, south ¼ mile, west ¼ mile, and south ¼ mile to the boundary of the Gunnison National Forest; thence 1½ miles west along said boundary, north three miles along said boundary, west eight miles along said boundary to the southwest corner of Sec. 31, T. 45 N., R. 3 W.; thence north 2½ miles to the west quarter corner of Sec. 19, east ¾ mile, north ¼ mile, west ¼ mile, north ½ mile, west ¼ mile, north ¾ mile, east ½ mile, south ¼ mile, east ¼ mile, south ¼ mile, east ¼ mile, north ¼ mile, east ¼ mile, north 1¼ miles to the north quarter corner of Sec. 8, T. 45 N., R. 3 W.; thence east approximately 2½ miles to the northeast corner of Sec. 10, T. 45 N., R. 3 W.; thence south approximately one-eighth mile to the northwest corner of Sec. 11; thence east approximately 2¼ miles to the West Fork of Powderhorn Creek; thence northerly along the west bank of the West Fork of Powderhorn Creek to the north section line of Sec. 20, T. 46 N., R. 2 W.; thence east approximately ¼ mile to the point of beginning.

The area described aggregates approximately 40,400 acres.

The area described is Bureau of Outdoor Recreation Class V-Primitive.

DALE R. ANDRUS,  
State Director.

[FR Doc.73-18409 Filed 8-29-73;8:45 am]

## COOS BAY DISTRICT ADVISORY BOARD

## Notice of Meeting and Agenda

Notice is hereby given that the Bureau of Land Management Coos Bay District Advisory Board will meet at 8:30 a.m. on September 21, 1973 at the district office located at 333 South 4th Street, Coos Bay, Oregon.

The agenda for the meeting is a field trip to observe timber lands management operations and environmental considerations. No formal discussion is scheduled.

The meeting will be open to the public, but they will be required to furnish their own transportation and lunches.

EDWARD G. STAUBER,  
District Manager.

AUGUST 20, 1973.

[FR Doc.73-18394 Filed 8-29-73; 8:45 am]

## Office of the Secretary

[INT PES 73-50]

## PROPOSED ALLAMUCHY MOUNTAIN STATE PARK LAND ACQUISITION

## Availability of Final Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Department of the Interior has prepared a final environmental impact statement for the proposed Allamuchy Mountain State Park Land Acquisition. Notice of availability of the draft environmental statement inviting comments was announced in the FEDERAL REGISTER on November 6, 1972 (DES 72-112).

The environmental statement considers the acquisition of approximately 3,605 acres of land by the New Jersey Department of Environmental Protection to be added to present State holdings at Allamuchy Mountain State Park in Sussex and Warren Counties. The land will help serve the outdoor recreation needs of New Jersey and the metropolitan New York City area.

Copies are available for inspection at the following locations:

Bureau of Outdoor Recreation, Northeast Region, Federal Office Building, Room 9510, 600 Arch Street, Philadelphia, Pennsylvania 19106.

Department of the Interior, Division of State Programs, Bureau of Outdoor Recreation, Washington, D.C. 20240.

Department of Community Affairs, Division of State and Regional Planning, P.O. Box 2768, Trenton, New Jersey 08625.

Office of the County Planning Director, Sussex County Planning Board, P.O. Box 69, Newton, New Jersey 07860.

Warren County Planning Board, 2340 William Street, Alpha, New Jersey 08866.

Copies may be obtained by writing the National Technical Information Service, Department of Commerce, Springfield, Virginia 22151. Please refer to the Statement number above.

Dated August 22, 1973.

JOHN M. SEIDL,  
Deputy Assistant  
Secretary of the Interior.

[FR Doc.73-18407 Filed 8-29-73; 8:45 am]

[INT DES 73-53]

## PROPOSED OPERATION, MAINTENANCE AND DEVELOPMENT OF THE TURNBULL NATIONAL WILDLIFE REFUGE, WASH.

## Availability of Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, Public Law 91-190, the Department of the Interior has prepared a draft environmental statement for the proposed operation, maintenance and development of the Turnbull National Wildlife Refuge, Washington, and invites written comments within 45 days of this notice.

The proposal recommends continued operation, maintenance and development of the Turnbull National Wildlife Refuge, Spokane County, Washington, including acquisition of 2,795.5 acres of additional lands.

Bureau of Sport Fisheries and Wildlife, 1500 Plaza Building, 1500 N.E. Irving Street, P.O. Box 3737, Portland, Oregon 97208.  
Spokane County Regional Planning Conference, Court House, Spokane, Washington 99201.

Bureau of Sport Fisheries and Wildlife, Office of Environmental Quality, Department of the Interior, Room 2246, 18th and C Streets, N.W., Washington, D.C. 20240.

Single copies may be obtained by writing the Chief, Office of Environmental Quality, Bureau of Sport Fisheries and Wildlife, Department of the Interior, Washington, D.C. 20240. Comments concerning the proposed action should also be addressed to the Chief, Office of Environmental Quality. Please refer to the statement number above.

Dated August 22, 1973.

JOHN M. SEIDL,  
Deputy Assistant Secretary,  
Program Development and  
Budget.

[FR Doc.73-18408 Filed 8-29-73; 8:45 am]

## DEPARTMENT OF AGRICULTURE

## Forest Service

## ALPINE LAKES MANAGEMENT PROPOSAL

## Notice of Public Hearing

Notice is hereby given that a public hearing will be held, beginning at 9:00 a.m. on Friday, October 19, 1973, in the Douglas County P.U.D. Auditorium, East Wenatchee, Washington, and continuing at 9:00 a.m. on Saturday, October 20, 1973, in the Rainier Room, Seattle Center, Seattle, Washington. Purpose of the hearing is to consider a recommended land use plan for the Alpine Lakes Area that could result in a recommendation to the Secretary of Agriculture for the establishment of the Alpine Lakes Wilderness, comprised of approximately 285,000 acres. The Alpine Lakes Area is located in portions of the Snoqualmie and Wenatchee National Forests located in Chelan, King, Kittitas and Snohomish Counties in the State of Washington.

A brochure containing a map and information about the proposed Wilderness and management direction for a larger area may be obtained from the following

addresses: Forest Supervisor, Snoqualmie National Forest, 1601 Second Avenue Building, Seattle, Washington 98101; Forest Supervisor, Wenatchee National Forest, 3 South Wenatchee Avenue, P.O. Box 911, Wenatchee, Washington 98801; Regional Forester, 319 Southwest Pine Street, P.O. Box 3623, Portland, Oregon 97208. Copies of the draft Environmental Statement for this proposal are available for inspection at the offices listed above.

Individuals or organizations may express their views by appearing at this hearing or may submit written comments for inclusion in the official record to the Regional Forester, 319 Southwest Pine Street, P.O. Box 3623, Portland, Oregon 97208, by November 20, 1973.

JOHN R. MCGUIRE,  
Chief, Forest Service.

AUGUST 22, 1973.

[FR Doc.73-18484 Filed 8-29-73; 8:45 am]

## DESCHUTES NATIONAL FOREST MULTIPLE USE ADVISORY COMMITTEE

## Notice of Meeting

The Deschutes National Forest Advisory Council will meet at 8:00 p.m., September 13, 1973, at Frieda's.

The purpose of this meeting is review of proposed Forest land use issues for preparation of planning area guides.

The meeting will be open to the public.

CARL C. NICHOLS,  
Forest Supervisor.

AUGUST 22, 1973.

[FR Doc.73-18449 Filed 8-29-73; 8:45 am]

## DEPARTMENT OF COMMERCE

## Domestic and International Business Administration

## ATLANTA WEST HOSPITAL

## Notice of Decision on Application for Duty-Free Entry of Scientific Article

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

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 73-00547-33-43780.  
Applicant: (DBA) Atlanta West Hospital, the Georgian Villa, Inc., P.O. Box 43566, Atlanta, Ga. 30336. Article: 45 MeV medical type betatron. Manufacturer: Brown Boveri, Switzerland. Intended use of article: The article is intended to be used for investigation in the following projects:

(1) Isolation and identification of viruses or germs causing malignant tumors and study of reaction of such viruses to betatron treatments.

(2) Scientific identification of sources of viruses causing malignant tumors, especially as related to diet.

(3) Development of medically sound treatments for such malignant tumors, especially in the high voltage field, and

(4) Research in the area of cancer prevention.

The article will also be used by medical schools in studying the principles of electron beam therapy.

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

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

Reasons: The Department of Health, Education, and Welfare (HEW) advised in its memorandum dated August 9, 1973 that the extended range in electron energy above 25 million electron volts (MeV) provided by the foreign article is pertinent to the applicant's use in clinical research directed toward the prevention, treatment, and possible causes of some malignant tumors. HEW further advises that it knows of no domestic medical betatrons which provide beam energies exceeding 25 MeV.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

A. H. STUART,  
Director, Special Import  
Programs Division.

[FR Doc.73-18381 Filed 8-29-73;8:45 am]

#### MASSACHUSETTS GENERAL HOSPITAL

##### Notice of Decision on Application for Duty-Free Entry of Scientific Article

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

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket number: 73-00531-33-90000. Applicant: The Massachusetts General Hospital, Fruit Street, Boston, Mass. 02114. Article: EMI computerized axial tomography instrument. Manufacturer: EMI Ltd., United Kingdom. Intended use of article: The article will be used to diagnose certain types of brain disease on patients, particularly acute patients who are unable to cooperate and who may need life-saving treatment, such as those with brain hemorrhage. Investigative experiments to be conducted will be for a study or assessment of comparative results using the new system of transverse axial tomography.

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

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

Reasons: The foreign article is a newly developed system which is designed to provide precise transverse axial tomography. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated August 9, 1973, that the speed and accuracy of the foreign article in providing information on the nature and location of diseased or damaged brain tissue is pertinent to the research study involving comparison of this new system with more conventional techniques. HEW further advises that it knows of no domestic instrument of equivalent scientific value to the foreign article for the applicant's intended purposes.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

A. H. STUART,  
Director, Special Import  
Programs Division.

[FR Doc.73-18384 Filed 8-29-73;8:45 am]

#### UNIVERSITY OF CINCINNATI

##### Notice of Decision on Application for Duty-Free Entry of Scientific Article

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

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket number: 73-00536-33-79500. Applicant: University of Cincinnati, Department of Internal Medicine, General Clinical Research Center, Cincinnati General Hospital, 234 Goodman Street, room C2-3, Cincinnati, Ohio 45229. Article: Random zero sphygmomanometer. Manufacturer: Gelman Hawksley Ltd., United Kingdom. Intended use of article: The article is intended to be used to eliminate bias in the measurement of blood pressure in humans in a study involving the relationship between lipids and blood pressure.

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

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

Reasons: The foreign article provides a random zero capability which reduces personal bias in accurate blood pressure measurement. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated August 9, 1973, that the capability described above is pertinent to the purposes for which the article is intended to be used. HEW also advised that it knows of no domestic instrument of equivalent scientific value to the article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

A. H. STUART,  
Director, Special Import  
Programs Division.

[FR Doc.73-18385 Filed 8-29-73;8:45 am]

#### UNIVERSITY OF ROCHESTER

##### Notice of Decision on Application for Duty-Free Entry of Scientific Article

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

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket number: 73-00541-00-46040. Applicant: University of Rochester School of Medicine and Dentistry, 260 Crittenden Boulevard, Rochester, NY. 14642. Article: Side entry goniometer model 1B1102. Manufacturer: JEOL Ltd., Japan. Intended use of article: The article is an accessory to an existing electron microscope to be used for research on the ultrastructure of normal and pathologic spleen and bone marrow from animals and humans; the three-dimensional structure of normal and pathologic blood cells both in suspension and within the hemopoietic tissues and the ultrastructural fine detail of the cell membranes at high resolution. In addition, the article is to be used for research training for hematology trainees.

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

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

Reasons: The application relates to a compatible accessory for an instrument that had been previously imported for the use of the applicant institution. The article is being furnished by the manufacturer which produced the instrument

with which the article is intended to be used and is pertinent to the applicant's purposes.

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

A. H. STUART,  
Director, Special Import,  
Programs Division.

[FR Doc.73-18383 Filed 8-29-73;8:45 am]

#### YALE UNIVERSITY

##### Notice of Decision on Application for Duty-Free Entry of Scientific Article

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

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket number: 73-00546-91-68495. Applicant: Yale University, purchasing department, 260 Whitney Avenue, New Haven, Conn. 06520. Article: Gas mixing pumps. Manufacturer: Heiner, Wosthoff, West Germany. Intended use of article: The article is intended to be used for research focused on photosynthesis of forest tree seedlings. The rate of uptake of carbon dioxide will be investigated in response to variation in temperature, radiation flux density, moisture stress, and the concentration of atmospheric oxygen. The article will also be used in the two courses in Forestry and Environmental Studies, 121b Research Methods in Forest Genetics and 129a, b, Project in Forest Genetics to acquaint graduate students with the principles and applications of photosynthesis measurement.

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

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

Reasons: The foreign article provides a capability for accurate metering of three gas streams to  $\pm 0.05\%$  using two pumps. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated August 9, 1973 that the capability described above is pertinent to the applicant's use in studies of photosynthesis of tree seedlings. HEW also advises that it knows of no domestic instrument of equivalent scientific value to the article for the purposes for which the article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

A. H. STUART,  
Director, Special Import  
Programs Division.

[FR Doc.73-18382 Filed 8-29-73;8:45 am]

#### DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

##### Food and Drug Administration NATIONAL ADVISORY COMMITTEES

###### Notice of Public Meetings

###### Correction

In FR Doc. 73-17929 appearing on page 22814 of the issue of Friday, August 24, 1973, in the table for the Health Services Research Study Section, under the heading "Date, time, place," change the date "September 18-20" to read "September 18-19."

###### Office of Education

##### NATIONAL ADVISORY COUNCIL ON ADULT EDUCATION

###### Notice of Public Meeting

Notice is hereby given, pursuant to section 10(a)(2) of the Federal Advisory Committee Act (P.L. 92-463), that the next meeting of the National Advisory Council on Adult Education will be held on September 13-14, 1973, from 9:00 a.m. to 5:00 p.m., and on September 15, 1973, from 9:00 a.m. to 1:00 p.m., at the Statler Hilton Hotel, 16th & K Streets, NW., Washington, D.C.

The National Advisory Council on Adult Education is established under section 310 of the Adult Education Act (80 Stat. 1216.20 U.S.C. 1201). The Council is directed to:

Advise the Commissioner in the preparation of general regulations and with respect to policy matters arising in the administration of this title, including policies and procedures governing the approval of State plans under section 306 and policies to eliminate duplication, and to effectuate the coordination of programs under this title and other programs offering adult education activities and services.

The Council shall review the administration and effectiveness of programs under this title, make recommendations with respect thereto, and make annual reports to the President of its findings and recommendations (including recommendations for changes in this title and other Federal laws relating to adult education activities and services). The President shall transmit each such report to the Congress together with his comments and recommendations.

The meeting of the Council shall be open to the public. The proposed agenda includes:

Council reorganization and committee assignments.  
Committee reports.

USOE rules and regulations—309 (b) & (c). Other Council organizational plans for FY-74.

Records shall be kept of all Council proceedings (and shall be available for public inspection at the Office of the National Advisory Council on Adult Education located in Room 1144, Pennsylvania Bldg., 425 13th Street NW., Washington, D.C. 20004).

Signed at Washington, D.C. on August 24, 1973.

GARY A. EYRE,  
Executive Director, National  
Advisory Council on Adult  
Education.

[FR Doc.73-18386 Filed 8-29-73;8:45 am]

#### Office of the Secretary

##### OFFICE OF ADMINISTRATION AND MANAGEMENT

###### Statement of Organization and Functions; Correction

The statement for the Office of Administration and Management of the Office of Human Development as printed in the FEDERAL REGISTER (38 FR 20930), dated August 3, 1973 omitted reference to Office of Human Development. The reprint corrects this omission and provides corrected paragraph coding. The corrected statement is as follows:

1R90.00 Mission. The Office of Administration and Management will provide administrative and management services to OS/HD offices. It will develop and recommend to the Assistant Secretary, policy, systems procedures, plans, organizational changes and management improvement strategies and assist with the implementation of approved strategies throughout HD. Will serve as the focal point for ASHD budget estimates; develop budget policies and procedures; and serves as liaison with the Assistant Secretary, Comptroller on matters related to budget, audit and accounting. Will be responsible for financial activities including the review of expenditure plans submitted by program offices and develops expenditure reports and special analysis as requested by the Assistant Secretary and program directors.

Will develop, coordinate and implement grant policy and procedures consistent with DHEW and OMB requirements. Will be responsible for grants administration including the development of procedures and requirements for processing grant applications prior to approval. Serves as liaison with OS Contract Office on matters related to procurement policies, procedures and requirements. Provides technical assistance and support to program offices in implementing, interpreting OSHD contract review procedures and requirements. Will be responsible for management analysis including management and organizational statistics, manpower utilization, methods and cost analysis, management systems and standards. Will provide

leadership in the development of a unified data management system for ASHD program offices. Will serve as a focal point for special studies initiated by the Assistant Secretary, Department, OMB, and Congress. Will provide administrative support services including procurement, space management, travel requests and reimbursements claims and other general administrative duties. Will serve as the primary liaison with the OS Personnel Office.

**IR90.10 Organization.** The Office of Administration and Management consists of the following organizational elements which report to the Director: 1. Budget and Financial Management Division, 2. Grants and Contract Management Division, and 3. Administrative and Management Services Division.

**IR90.20 Functions.** A. *Office of the Director.* The Director of the Administration and Management unit is responsible for coordinating all of the elements of the Office of Administration and Management. The Director reports directly to the Assistant Secretary for Human Development. The Division Directors of the various organizational elements of Administration and Management report directly to him. He is responsible for all grants, budget, finance, and administrative and management services for all of the offices in the Office of Human Development.

B. *Budget and Financial Management Division.* The Budget and Financial Management Division will be responsible for the consolidation, preparation, and presentation of ASHD's budget estimates. Will provide staff assistance and technical support to program offices in formulating budget estimates. Will analyze and make recommendations on budget requirements to the Assistant Secretary and program directors. Will develop, implement, and maintain a system for financial management and expenditure controls within OSHD. Serves as liaison with the OSC on matters related to budget planning and accounting. Will coordinate OSP planning with HD Planning and Analysis Staff. Prepares financial analysis and special reports at the request of the Secretary and program offices. Serves as the primary liaison with the Regional Comptroller on matters relating to HD budget.

C. *Grants and Contract Management Division.* The Grants and Contract Management Division will serve as the focal point for planning, implementing and interpreting HD's, DHEW's, and OMB's grants and contract regulations, policies and procedures. Will provide staff support and assistance to HD program offices in grant and contract review activities. Will provide assistance with grant processing for all headquarters grant awards and serve as primary liaison with OS Contract Office, DHEW Audit Agency and the Office of Grants Administration Policy on matters related to grants and contract activities.

D. *Administrative and Management Services Division.* The Administrative and Management Services Division will be responsible for planning and directing the administrative and management support activities of HD headquarters offices. Will provide technical and staff assistance in management analysis, manpower utilization, and information systems development. Will serve as the focal point for DHEW and OMB initiated studies. Will be responsible for personnel liaison services, space management and planning, travel services, supplies and equipment, purchase and procurement activities and other general administrative duties. Will serve as primary liaison with OS Personnel operations and OS Office of Administrative Services.

Dated: August 24, 1973.

BRYAN B. MITCHELL,  
Acting Deputy Assistant Secretary for Management Planning and Technology.

[FR Doc.73-18457 Filed 8-29-73; 8:45 am]

#### SOCIAL SECURITY ADMINISTRATION

##### Statement of Organization, Functions, and Delegations of Authority

Part 8 (Social Security Administration) of the Statement of Organization, Functions, and Delegations of Authority for the Department of Health, Education, and Welfare (33 FR 5832-33 dated April 16, 1968) is hereby amended as follows:

8-B *Office of the Regional Representative, Disability Insurance (BDI)* is superseded by the following:

8-B *Office of the Regional Representative, Disability Insurance (BDI)*—Provides direction and leadership for the disability insurance and assistance programs throughout the Region. Provides guidance and assistance to both SSA organizations and State agencies involved in regional disability operations, and reviews and evaluates the extent to which the quality review of disability determinations is accomplishing established regional and national goals. Reviews State agency budgetary and other administrative matters. Coordinates with the Regional Commissioner, SSA Regional Representatives, and with DHEW regional officials concerned with the disability program. Establishes and maintains relationships with professional organizations. Participates in public information activities for the disability program.

(Section 6, Reorganization Plan No. 1 of 1953)

Dated: August 22, 1973.

S. H. CLARKE,  
Acting Assistant Secretary for Administration and Management.

[FR Doc.73-18458 Filed 8-29-73; 8:45 am]

## ADVISORY COUNCIL ON INTERGOVERNMENTAL PERSONNEL POLICY

### NOTICE OF PUBLIC MEETING

Pursuant to the provisions of section 10 of Public Law 92-463, effective January 5, 1973, notice is hereby given that a meeting of the Advisory Council on Intergovernmental Personnel Policy will be held from 1 p.m., Tuesday, September 11 through 12 noon Thursday, September 13, 1973.

The meeting will be held in the Studio Room, Airlie House, Warrenton, Virginia.

The Advisory Council's responsibility is to study and make recommendations regarding personnel policies and programs for the purpose of—

(1) Improving the quality of public administration at State and local levels of government, particularly in connection with programs that are financed in whole or in part from Federal funds;

(2) Strengthening the capacity of State and local governments to deal with complex problems confronting them;

(3) Aiding State and local governments in training their professional, administrative, and technical employees and officials;

(4) Aiding State and local governments in developing systems of personnel administration that are responsive to the goals and needs of their programs and effective in attracting and retaining capable employees; and

(5) Facilitating temporary assignments of personnel between the Federal Government and State and local governments and institutions of higher education.

At this meeting the Council will discuss issues and proposals with respect to

(1) Equal Employment Opportunity, and  
(2) Employee Management Relations in State and local government. The meeting will be open to public attendance.

No time will be devoted during the meeting to participation or presentations by members of the public. However, individuals and groups are invited to submit material in writing to the Chairman concerning matters felt to be deserving of the Council's attention. Such material should be addressed to: Chairman, Advisory Council on Intergovernmental Personnel Policy, Room 2315, 1900 E Street NW., Washington, D.C. 20415, Attention: Executive Secretary.

Persons wishing additional information concerning this meeting should contact the Executive Secretary at the above address or by telephone (202) 632-6248.

E. C. WAKHAM,  
Executive Secretary, Advisory Council on Intergovernmental Personnel Policy.

[FR Doc.73-18471 Filed 8-29-73; 8:45 am]

## ATOMIC ENERGY COMMISSION

[Docket No. 50-323]

### PACIFIC GAS AND ELECTRIC CO.

#### Order Relative to Prehearing Conference and Evidentiary Hearings

In the Matter of Pacific Gas and Electric Company (Diablo Canyon Nuclear Power Plant, Unit 2).

By order dated July 27, 1973, the Board scheduled a prehearing conference on September 6, 1973, and the commencement of the evidentiary hearing on September 17, 1973.

The prehearing conference will begin at 10:00 a.m. (local time) at:

The Royal Inn (Jolly King Restaurant Complex), 214 Madonna Road, San Luis Obispo, Calif. 93401.

The evidentiary hearing will commence at 10:00 a.m. (local time) at the:

Golden Tee Resort Lodge (Sky Room), 19 Country Club Road, Morro Bay, Calif. 93442.

The public is invited to attend both the prehearing conference and the evidentiary hearing. Limited appearance statements will be accepted only at the evidentiary hearing. Oral statements will be limited to five (5) minutes, but written statements without limitation on length may be submitted for inclusion in the record.

*It is so ordered.*

Issued at Washington, D.C., this 23rd day of August 1973.

THE ATOMIC SAFETY AND  
LICENSING BOARD,  
ELIZABETH S. BOWERS,  
*Chairman.*

[PR Doc.73-18378 Filed 8-29-73;8:45 am]

[Dockets Nos. 50-443 and 50-444]

### PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE ET AL.

Seabrook Station, Units 1 and 2

#### Notice of Receipt of Application for Construction Permits and Facility Licenses and Availability of Applicants' Environmental Report; Time for Submission of Views on Antitrust Matter

Public Service Company of New Hampshire, The United Illuminating Company, Central Maine Power Company, The Connecticut Light and Power Company, Fitchburg Gas and Electric Light Company, Montaup Electric Company, New Bedford Gas and Edison Light Company, New England Power Company, Vermont Electric Power Company, Inc., Ashburnham Municipal Light Plant, Burlington Electric Light Department, Eastern Maine Electric Cooperative, Inc., Holyoke Gas and Electric Department, Hudson Light and Power Department, Hull Municipal Light Plant, Marblehead Municipal Light Department, Middleborough Gas and Electric Cooperative, Inc., North Attleborough Electric Department, South Norwalk Electric Works, and Templeton Municipal Light Plant (the applicants), pursuant to Section 103

of the Atomic Energy Act of 1954, as amended, have filed an application dated June 29, 1973, which was docketed on July 9, 1973, for authorization to construct and operate two electric generating units utilizing pressurized water reactors. The application was initially tendered on March 25, 1973. Following a preliminary review for completeness, it was rejected on May 7, 1973 for lack of sufficient information. The applicants submitted additional information on June 15, 1973 and the application was found acceptable for docketing.

The proposed nuclear facilities, designated by the applicants as the Seabrook Station, Units 1 and 2, are to be located at the applicants' site in Rockingham County, in the township of Seabrook, New Hampshire. Each unit is to be designed for initial operation at approximately 3411 megawatts thermal, with a net electrical output of approximately 1194 megawatts.

A Notice of Hearing with opportunity for public participation is being published separately.

Any person who wishes to have his views on the antitrust aspects of the application presented to the Attorney General for consideration shall submit such views to the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Chief, Office of Antitrust and Indemnity, Directorate of Licensing, on or before October 8, 1973. The submittal should reference Docket Nos. 50-443-A and 50-444-A.

A copy of the application is available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. 20545, and at the Exeter Public Library, Front Street, Exeter, New Hampshire 03833.

The applicant has also filed, pursuant to the National Environmental Policy Act of 1969 and the regulations of the Commission in Appendix D to 10 CFR Part 50, an environmental report dated June 29, 1973. The report has been made available for public inspection at the aforementioned locations. The report, which discusses environmental considerations related to the proposed construction of the Seabrook Station is also being made available at the Office of Comprehensive Planning, Office of the Governor, State House, Concord, New Hampshire 03301, and at the Southeastern New Hampshire Regional Planning Commission, 10 Front Street, Exeter, New Hampshire 03833.

After the report has been analyzed by the Commission's Director of Regulation or his designee, a draft environmental statement will be prepared by the Commission. Upon preparation of the draft environmental statement, the Commission will, among other things, cause to be published in the FEDERAL REGISTER a summary notice of availability of the draft statement, requesting comments from interested persons on the draft statement. The summary notice will also contain a statement to the effect that comments of Federal agencies

and State and local officials thereon will be made available when received.

Dated at Bethesda, Maryland, this 26th day of July 1973.

For the Atomic Energy Commission.

KARL R. GOLLE,  
*Chief, Pressurized Water Reactors Branch No. 3, Directorate of Licensing.*

[PR Doc.73-16347 Filed 8-22-73;8:45 am]

[Order 73-8-119]

### CIVIL AERONAUTICS BOARD INTERNATIONAL AIR TRANSPORT ASSOCIATION

#### Fares Over North/Central Pacific and Within Pacific.

Agreements adopted by the International Air Transport Association relating to fares over the North/Central Pacific and within the Pacific; Docket 24488, Agreement C.A.B. 23600 R-1 through R-14, Agreement C.A.B. 23608 R-9 through R-11, Agreement C.A.B. 23619 R-1, R-2, R-3, R-5, R-7 through R-10, R-14, R-15, R-19, R-24, R-25, R-28 and R-29, Agreement C.A.B. 23642 R-1 and R-3.

By Order 73-7-54 dated July 12, 1973, the Board disapproved certain portions of various IATA agreements relating to fares over the North/Central Pacific. Specifically, the Board disapproved as being adverse to the public interest those portions of the agreements which proposed fare increases of approximately four percent, and an additional increase of five percent for U.S.-originating travel which was intended to offset the impact of devaluation of the dollar.

Petitions for reconsideration have been filed by Pan American World Airways, Inc. (Pan American), Trans World Airlines, Inc. (TWA), and Japan Air Lines Company, Ltd. (JAL). Northwest Airlines, Inc. (Northwest), has filed an answer supporting the petitions insofar as they relate to the five percent currency surcharge on U.S.-originating travel. The petitioners allege various errors in the Board's order of disapproval.

Pan American alleges that it did not overstate its Pacific service revenue need by understating its forecast traffic; that its return on investment on North/Central Pacific services under the proposed fare structure would be 11.5 percent; that its capacity levels are reasonable, efficient, and economic; and that the Board was incorrect in finding that JAL does not suffer a revenue loss because of devaluation of the dollar. Pan American asserts that the Board misinterpreted the data submitted by it in support of the agreements in that a comparison was made between forecasts which were not comparable. Pan American contends that the 1972 forecast of 4,018 million revenue passenger miles upon which the Board relied included revenue passenger miles related to industry discount and military blocked-space traffic, while the present forecast does not include those

categories of traffic. Placing its two forecasts on a comparable basis, Pan American contends, would indicate a projected 16.5-percent increase in traffic over the level earlier forecast for 1972.

Pan American further alleges that the Board erred in stating that its forecast rate of return for the total transpacific operations (10.9 percent) was significantly understated insofar as North/Central Pacific services are concerned. Pan American contends that the Board's conclusions are incorrect as they imply that, if American Airlines is losing money on the South Pacific, Pan American would likewise be losing money. Pan American indicates that it did not provide separate forecasts in justification of the North/Central and South Pacific agreements solely because the Board has in the past treated the entire transpacific area as one ratemaking unit. Pan American now separates the two areas and projects rates of return under the proposed fares of 10.9 and 4.6 percent for North/Central and South Pacific operations, respectively. At the present fare levels, Pan American would realize a return of 10.1 percent on the North/Central Pacific.

With respect to distribution of traffic and the magnitude of noncommercial and very low-yield traffic, Pan American states that military furlough traffic has declined 32 percent in the first six months of 1973 over 1972; that the "all other" category now constitutes only 13 percent of total traffic, down from 25 percent; and that even further declines are anticipated. Other commercial traffic has increased 29 percent and it is this growth, together with the decline in low-yield traffic, which assures the reasonableness of the capacity level being offered. Capacity cannot be reduced, the carrier contends, if it is to continue to provide service in accordance with its certificate obligations. Pan American states that it is unfair for the Board to criticize the carriers for carrying large amounts of low-yield traffic, while at the same time deprecating an alleged failure to provide a promotional pattern of fares. Finally, Pan American cites alleged losses to JAL which allegedly warrant the five-percent adjustment sought to compensate for devaluation of the dollar.

TWA contends that the Board's conclusion that it provides excessive capacity to transport certain "non-commercial" traffic, and that it should correct its problems through introduction of promotional fares is in error; and that the Board erred in relying on load-factor and return-on-investment standards applicable to domestic services and failed to adequately consider TWA's loss position. TWA states that more recently available information indicates that it, in fact, overstated its anticipated financial improvement. It now projects an improvement from the proposed fare increases of slightly over \$2 million, rather than the \$2.8 million initially estimated.

TWA indicates that its markets in the Pacific are by their very nature oriented toward military rather than commercial traffic, and that it is unrealistic to conclude that it is wrong to provide capacity

to serve this traffic. TWA points out that over one half of its 1972 military traffic consisted of Categories A and Z traffic at rates established by the Board. The balance of military travel was at fares introduced for national interest reasons. TWA contends that traffic using military fares will decline substantially in the future because of the reduction in the scale of military operations in the Far East. Further, although TWA will cease its "perimeter fare" program as of October 29, 1973, it alleges that such traffic has not burdened other traffic or occasioned the operation of excessive capacity. TWA contends that it is operating minimal frequencies and has not provided capacity to accommodate either military or "perimeter fare" traffic, and that present capacity will continue to be offered despite anticipated reductions in these categories of traffic. Finally, TWA contends that the introduction of additional promotional fares geared to stimulation of tourist travel in the Pacific would worsen rather than improve its financial results, because TWA serves military-oriented rather than recreational areas.

JAL's petition is directed to the Board's denial of the proposed 5-percent increase associated with devaluation of the dollar. JAL contends that the expense data obtained from the Department of Commerce and used by the Board is overstated and misleading since it concludes substantial costs not incurred by JAL in connection with its North/Central Pacific operations. JAL asserts that, while the revenues earned by JAL were \$77 million, its expenses incurred in North/Central Pacific services were \$52.3 million, thus resulting in a margin of revenues over expenses of \$24.7 million. Because of the devaluation of the dollar, the net loss in yen will be 913,000,000, requiring an offset of an additional \$3,450,000. If the five-percent fare increase were permitted JAL would realize a gain of \$3,850,000. Accordingly, JAL requests the Board to reconsider its decision and approve the IATA resolution proposing a five-percent increase in North/Central Pacific fares.

Northwest, in its answer supporting the petitions, asks the Board to reconsider its decision and approve the five-percent surcharge for U.S. originations on the basis that this adjustment is justified by the revenue/expense relationships for foreign carriers operating in the United States. Here Northwest adverts to the data supplied by JAL in its petition, and further states that the Board was unfair in disapproving the increase based on JAL's situation alone, since the five-percent agreement takes into account the effects of currency realignments on a number of carriers.<sup>1</sup>

<sup>1</sup> Northwest also makes certain statements concerning the Board's adjustment of the carrier's capacity and revenue forecasts in our disapproval of the general fare increase. Northwest makes no request for a review of the Board's decision on the general fare structure, and inasmuch as the capacity arguments do not relate to the currency surcharge these allegations will not be considered herein.

The Board is well aware that IATA agreements represent a compromise of various carriers' individual requirements and views, and that the fares agreed upon do not reflect the economics of any one carrier. The U.S. carriers must justify these agreements to the Board and receive the Board's approval prior to implementation, in a sense acting on behalf of non-U.S. carriers as well. As a result, a substantial burden is placed on the U.S. carriers who, because of the rules governing the IATA machinery, not infrequently find themselves voting affirmatively to secure an agreement with which they themselves are not completely satisfied. This in turn may necessitate the preparation of evaluation and justification, including forecasts, which differ from those which top level airline management would prepare in support of a package offering optimum results for the particular carrier.

Recognizing this situation, the Board, in carrying out its statutory obligations, must analyze the agreements and their supporting justification closely and objectively to satisfy itself that they conform to the public interest. The Board must rely not only on the carriers' justifications as presented, but on prior events and developments in the areas concerned, and on recurrent data reported to the Board in Form 41 reports as well as other special reports.

An amalgamation and objective analysis of the information gleaned from these various sources is often made difficult for various reasons. In the instant case, although the North/Central and South Pacific fare agreements were negotiated separately, the carriers chose to justify them on a composite basis. Moreover, justifications and forecasts often are not consistent in their components, and efforts to compare forecasts from year to year and to reconcile differences with the carriers' Form 41 reports represent a formidable task.

Pan American alleges here that the Board erred in adjusting its passenger forecast upward to reflect the revenue passenger miles the carrier previously forecast in support of the 1972 IATA fare package. The carrier alleges that while its earlier forecast included industry discount and military blocked-space traffic, the present forecast does not; and goes on to state that, in fact, the present forecast projects a significant increase in commercial traffic. The rate of return as adjusted by the Board is, therefore, alleged to be overstated.

We are unable to conclude from the data submitted by Pan American that the Board erred in adjusting the carrier's forecast. The data initially submitted in justification of the subject agreements do not lend themselves to support Pan American's conclusion. Our evaluation of the carrier's forecast for 1972 and that submitted in support of the instant agreements does not suggest the exclusion of any given category of traffic and there is no support in the data presented that in fact the forecasts are not comparable.

In its justification dated March 30, 1973, Pan American forecasts for the year ending April 30, 1974, a total of 3.56 billion revenue passenger miles in its Pacific sector operations. This figure is stated to exclude Category A and Z and industry discount traffic. In its forecast operating results, Pan American states its total revenue passenger miles to be 3.85 billion. The table including this latter figure does not reflect any exclusions and would, therefore, appear to reflect the total revenue passenger miles to be realized in the forecast period.

In comparison, Pan American's Form 41 reports show that it transported 4.22 billion revenue passenger miles in calendar 1972. Recognizing that these results were inflated because of a Northwest strike, and since Pan American had previously submitted a forecast in support of the 1972 IATA fare agreements, it appeared more logical to adopt that forecast data, thereby eliminating the distortion of actual 1972 operations. In that earlier forecast, Pan American projected a total of 4.02 billion revenue passenger miles. It would appear that the two forecasts, one forecasting the level of traffic to be realized in 1972, and the instant forecast projecting traffic for 1974 are, in fact, comparable and the documents themselves do not suggest otherwise.

Now Pan American alleges that the two forecasts are dissimilar in that the earlier forecast includes industry discount traffic while the latter forecast does not. Pan American's petition suggests that certain adjustments can be made to make proper comparisons between the two forecasts, which conform with the Form 41 reports to the Board.

TOTAL PAN AMERICAN PACIFIC OPERATIONS—ACTUAL 1972

	Actual 1972	Adjusted by PAA to eliminate Northwest Strike	PAA adjusted forecast for year ending April 1974
Seat miles (million).....	7,747	7,747	7,929
Revenue passenger miles (million).....	4,217	4,101	4,060
Seat load factor (%).....	54.4	52.9	51.0

As can be seen, a projected increase in capacity coupled with a reduction in revenue passenger miles produces a reduction in passenger load factor of 1.9 points.

Elimination of much of the military traffic and a substantial curtailment in industry discount traffic, coupled with the alleged growth of commercial traffic should, even at present fares, increase the carriers' profitability. This is to be expected all the more considering the sizeable increases recently approved on the South Pacific, including a currency increase which fully compensates U.S. carriers for increased costs associated with devaluation. Moreover, to the extent U.S. carriers earn revenue in excess of their expenses at foreign stations, ad-

ditional profits will be realized. Pan American projects a decline of 4.5 percent in traffic, attributable to implementation of the proposed fare package (a fare increase of 4 percent with no currency adjustment). However, this reduction appears to be significantly understated when compared with the traffic anticipated at the lower March fare levels, which likewise excludes the impact of increases associated with currency adjustments.

In our opinion, the capacity offered together with the mix of traffic are critical factors in the evaluation of any fare package. As we have noted, Pan American is projecting a small increase in capacity, despite a declining trend in load factor. While concededly the revenue mix is projected to change significantly, the carrier itself recognizes that increases in fares have an adverse impact on the volume of traffic. In light of the fact that existing fares are among the highest in the world, and involve trips of relatively great distance, it would appear that profitability should be sought not through constant increases in fares, but rather through more meaningful routing controls and a pattern of fares geared to stimulation of tourism. By this we mean promotional fares at compensatory levels, not fares which would yield 0.70 cents and 2.39 cents, as Pan American would seem to suggest.

We believe that, when entering a negotiation, the IATA carriers must look not only to their financial results in the preceding period but to the underlying causes of those results as well. In other words, we do not believe that the appropriate answer to an unsatisfactory financial position always lies in a general revenue increase. To increase fares to compensate for low-yield traffic, albeit in lesser numbers, while at the same time foregoing adjustment in capacity to improve load factors obtained from commercial travel, imposes an unnecessary and unwarranted burden on the commercial passenger.

Both Pan American and TWA contend they cannot reduce frequencies or total seat capacity. We disagree. In Order 73-7-54, Northwest's forecast was affected significantly by the extensive projected use of wide-bodied equipment. We believe that a similar adjustment is appropriate in this case for Pan American, which states that 75 percent of its revenue aircraft miles on the North/Central Pacific are conducted with B-747 equipment. TWA contends that it cannot reduce its present twice-daily B-707 frequencies, and suggests that it is primarily a military carrier whose routes are not geared to tourism. To the contrary, points such as Honolulu, Hong Kong, Bangkok, and various destinations in India are acknowledged major tourist attractions. In any event, we do not subscribe to the theory that an increase in fares for commercial travelers is justified simply because TWA's operations are geared to the carriage of Category

A and Z traffic for which the rates are set at compensatory levels, and military discount traffic for which the rates are set by the carrier itself, and which the carrier argues in a different context is top-off in nature. In summary, we are not persuaded that normal-fare passengers should be asked to pay for excess capacity.

Pan American contends that the Board's comments on the adjusted 10.9-percent rate of return for its total transpacific services implied an excess of 12 percent for its operations over the North/Central Pacific. While our statement might be so construed, we merely intended to suggest a significant disparity between the respective returns earned from South Pacific versus North/Central operations; in other words, that the 10.9-percent rate of return is understated in terms of North/Central operations. This statement is, in fact, corroborated by Pan American itself which estimates returns under the proposed fares of 11.5 percent for the North/Central Pacific and 7.4 percent for the South Pacific. Without the proposed fare adjustments, Pan American projects a North/Central Pacific return of 10.1 percent. We believe that various factors, cited elsewhere in this order, would indicate that absent the proposed increases this return at status quo fares may be understated. In any event, in the circumstances generally surrounding world air transportation today, replete with sub-standard earnings, a 10.1-percent rate of return cannot be considered unreasonable.<sup>2</sup>

We now turn to the matter of the currency adjustment, and primarily to the arguments advanced by Japan Air Lines pertaining to the impact of the dollar devaluation. The Board concluded in Order 73-7-54 that, based on data then available to us, JAL's expenses in the United States exceed its revenues earned. JAL now supplies what appear to be more accurate and factual data, which refute the ratio of revenues and expenses relied upon by the Board and which indicate that, absent an adjustment in U.S.-originating fares, JAL will experience a loss of \$3,450,000. JAL contends that the 5-percent proposed adjustment will provide a revenue increase of \$3,850,000, or \$400,000 in excess of that that lost by devaluation.

The Board is not adverse to increases in U.S.-originating fares arising out of

<sup>2</sup>In order to insure accurate analysis in the future, the U.S. IATA carriers will be expected to submit separate justification in support of each major fare and rate agreement, by geographical area at least sixty days prior to the proposed effective date of the agreement. The justification should include, in addition to a complete financial forecast, data on the composition of actual traffic covered by fare and rate category for the most recent 12-month period (such data to conform to the Form 41 reports), a projection of the traffic to be carried, by category, for the following year at status quo fares or rates, and as estimated assuming the proposed new fares or rates.

the devaluation of the dollar and, in fact, has recently approved such agreements for application over both the North Atlantic and South Pacific routes. As we have previously acknowledged,<sup>3</sup> the impact of devaluation on foreign carriers is usually more severe than is the impact on the U.S. carriers. Generally, some overcompensation of U.S. carriers results, while the increased revenues to foreign carriers are not fully compensatory. In short, a proposed increase in fares stemming from currency devaluation must, as a practical matter, be uniform for all carriers and should reflect a compromise which does not affect each carrier equally, but should strike a reasonable balance among all carriers.

In the case at hand, the increase in revenues to the U.S. carriers is not in dispute, although certain cost increases are to be expected resulting from devaluation of the dollar. However, the 5-percent adjustment proposed favors not only the U.S. carriers, but the largest single foreign carrier providing service over the routes as well. It too would receive revenue in excess of that required to off-set increased dollar costs. For this reason, we are unable to conclude that the 5-percent adjustment is a reasonable and equitable compromise.<sup>4</sup>

In view of all of the foregoing, the Board finds that the petitions for reconsideration do not establish any error of consequence which would warrant a reversal or alteration of the Board's action in Order 73-7-54, and the petitions for reconsideration will be denied.

Accordingly, *It is ordered, That:*

1. The petitions for reconsideration of Order 73-7-54 filed by Pan American World Airways, Inc., Trans World Airlines, Inc., and Japan Air Lines Company, Ltd. are denied.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

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

[FR Doc.73-18476 Filed 8-29-73;8:45 am]

[Docket No. 26425]

#### STARLINE AVIATION LTD.

#### Notice of Postponement of Prehearing Conference and Hearing

In the matter of foreign air carrier permit application, Canada-United States, casual, occasional, or infrequent service.

Notice is hereby given that the prehearing conference now scheduled for September 14, 1973 (38 FR 22179, August 16, 1973), is hereby postponed to September 25, 1973, at 10:30 a.m. (local time) in Room 911, Universal Building, 1825 Connecticut Avenue NW., Washing-

<sup>3</sup> Order 72-3-104, March 30, 1972.

<sup>4</sup> We do not disagree with Northwest's contention that other countries and carriers than Japan and JAL are involved. However, no U.S. or foreign carrier, including Northwest, has provided information or data in this regard.

ton, D.C., before the undersigned Administrative Law Judge.

Notice is also given that the hearing may be held immediately following conclusion of the prehearing conference unless a person objects or shows reason for postponement on or before September 18, 1973.

Dated at Washington, D.C. August 24, 1973.

[SEAL] THOMAS P. SHEEHAN,  
*Administrative Law Judge.*

[FR Doc.73-18477 Filed 8-29-73;8:45 am]

#### CIVIL SERVICE COMMISSION FEDERAL EMPLOYEES PAY COUNCIL Notice of Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act, Public Law 92-463, notice is hereby given that the Federal Employees Pay Council will meet at 2 p.m. on Wednesday, August 29, 1973, to continue discussions on the fiscal year 1974 comparability adjustment for the statutory pay systems of the Federal Government.

In accordance with the provisions of section 10(d) of the Federal Advisory Committee Act, it has been determined by the Director of the Office of Management and Budget and the Chairman of the Civil Service Commission, who serve jointly as the President's Agent for the purposes of the Federal pay comparability process, that this meeting of the Federal Employees Pay Council will not be open to the public.

For the President's Agent.

FRANK S. MELLOR,  
*Advisory Committee Management Officer for the President's Agent.*

[FR Doc.73-18470 Filed 8-29-73;8:45 am]

#### DEPARTMENT OF DEFENSE

#### Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Defense to fill by noncareer executive assignment in the excepted service the position of Special Assistant to the Principal Deputy Assistant Secretary (International Security Affairs), Office of the Principal Deputy, Office of the Assistant Secretary of Defense (International Security Affairs), Office of the Secretary of Defense.

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

[FR Doc.73-18461 Filed 8-29-73;8:45 am]

#### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

#### Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Serv-

ice Commission authorizes the Department of Housing and Urban Development to fill by noncareer executive assignment in the excepted service the position of Director, Office of Community Development Research, Assistant Secretary for Policy Development and Research.

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

[FR Doc.73-18462 Filed 8-29-73;8:45 am]

#### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

#### Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Housing and Urban Development to fill by noncareer executive assignment in the excepted service the position of Deputy Assistant Secretary for Economic Affairs, Assistant Secretary for Policy Development and Research.

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

[FR Doc.73-18463 Filed 8-29-73;8:45 am]

#### DEPARTMENT OF THE INTERIOR

#### Revocation of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of the Interior to fill by noncareer executive assignment in the excepted service the position of Deputy Assistant Secretary—Mineral Resources (Energy Programs), Office of the Secretary.

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

[FR Doc.73-18468 Filed 8-29-73;8:45 am]

#### DEPARTMENT OF THE INTERIOR

#### Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of the Interior to fill by noncareer executive assignment in the excepted service the position of Deputy Assistant Secretary—Energy and Minerals (Power Resources and Regulation), Office of the Secretary.

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

[FR Doc.73-18464 Filed 8-29-73;8:45 am]

## DEPARTMENT OF JUSTICE

## Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Justice to fill by noncareer executive assignment in the excepted service the position of Associate Deputy Attorney General, Office of the Deputy Attorney General.

UNITED STATES CIVIL SERVICE COMMISSION,  
[SEAL] JAMES C. SPRY,  
*Executive Assistant to the Commissioners.*  
[FR Doc.73-18465 Filed 8-29-73; 8:45 am]

## DEPARTMENT OF JUSTICE

## Grant of Authority To Make Noncareer Executive Assignment

Under authority of section 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Justice to fill by noncareer executive assignment in the excepted service the position of Deputy Assistant Attorney General for Legislation & Intergovernmental Relations, Antitrust Division, Office of the Assistant Attorney General.

UNITED STATES CIVIL SERVICE COMMISSION,  
[SEAL] JAMES C. SPRY,  
*Executive Assistant to the Commissioners.*  
[FR Doc.73-18466 Filed 8-29-73; 8:45 am]

## DEPARTMENT OF JUSTICE

## Revocation of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of Justice to fill by noncareer executive assignment in the excepted service the position of Special Assistant for National Litigation, Internal Security Division.

UNITED STATES CIVIL SERVICE COMMISSION,  
[SEAL] JAMES C. SPRY,  
*Executive Assistant to the Commissioners.*  
[FR Doc.73-18469 Filed 8-29-73; 8:45 am]

## DEPARTMENT OF AGRICULTURE

## Revocation of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of Agriculture to fill by noncareer executive assignment in the

excepted service the position of Confidential Assistant to the Administrator, Agricultural Stabilization and Conservation Service.

UNITED STATES CIVIL SERVICE COMMISSION,  
[SEAL] JAMES C. SPRY,  
*Executive Assistant to the Commissioners.*  
[FR Doc.73-18467 Filed 8-29-73; 8:45 am]

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS  
CERTAIN COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN THE REPUBLIC OF CHINA

## Entry or Withdrawal From Warehouse for Consumption

AUGUST 24, 1973.

On December 30, 1972, there was published in the FEDERAL REGISTER (37 FR 28774) a letter dated December 21, 1972 from the Chairman, Committee for the Implementation of Textile Agreements, to the Commissioner of Customs, establishing levels of restraint applicable to certain specified categories of cotton textiles and cotton textile products produced or manufactured in the Republic of China and exported to the United States during the twelve-month period beginning January 1, 1973. As set forth in that letter, the levels of restraint are subject to adjustment pursuant to paragraph 17 which provides in part for the limited carryover of shortfalls in certain categories to the next agreement year.

Accordingly, at the request of the Government of the Republic of China and pursuant to the provisions of the bilateral agreement referred to above, there is published below a letter of no. 24 1973 from the Chairman of the Committee for the Implementation of Textile Agreements to the Commissioner of Customs amending the levels of restraint applicable to cotton textiles in Categories 5/6, 9/10, 20/21, 24/25, 30, 32, 34/35, 41/42, 44, 50, 51, 52, 53, 57, and 59 produced or manufactured in the Republic of China and exported to the United States during the twelve-month period which began on January 1, 1973.

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.

AUGUST 24, 1973.

DEAR MR. COMMISSIONER: On December 21, 1972, the Chairman, Committee for the Implementation of Textile Agreements, directed

you to prohibit entry during the twelve-month period beginning January 1, 1973 of cotton textiles and cotton textile products in certain specified categories produced or manufactured in the Republic of China, in excess of designated levels of restraint. The Chairman further advised you that the levels of restraint are subject to adjustment.<sup>1</sup>

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to paragraph 17 of the Bilateral Cotton Textile Agreement of December 30, 1971 between the Governments of the United States and the Republic of China, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to amend, effective as soon as possible, the levels of restraint established in the aforesaid directive of December 21, 1972 for cotton textile products in the following categories for the twelve-month period beginning January 1, 1973:

Category	Amended Twelve-Month Levels of Restraint <sup>2</sup>
5/6 -----	2,778,159 square yards.
9/10 -----	32,671,653 square yards.
20/21 -----	1,151,858 square yards.
24/25 -----	3,420,305 square yards.
30 -----	2,828,166 pieces.
32 -----	421,550 dozen.
34/35 -----	318,321 pieces.
41/42 -----	146,498 dozen.
44 -----	28,283 dozen.
50 -----	230,025 dozen.
51 -----	369,547 dozen.
52 -----	235,681 dozen.
53 -----	18,853 dozen.
57 -----	188,544 dozen.
59 -----	47,137 dozen.

<sup>2</sup> These levels have not been adjusted to reflect any entries made on or after January 1, 1973.

The actions taken with respect to the Government of the Republic of China and with respect to imports of cotton textiles and cotton textile products from the Republic of China 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.73-18524 Filed 8-29-73; 8:45 am]

<sup>1</sup> The term "adjustment" refers to those provisions of the Bilateral Cotton Textile Agreement of December 30, 1971, between the Governments of the United States and the Republic of China which provide in part that within the aggregate limit, the limits for Groups I and II may be exceeded by not more than five (5) and ten (10) percent, respectively; for limited carryover of shortfalls in certain categories to the next agreement year; and for administrative arrangements.

**CERTAIN COTTON TEXTILE PRODUCTS  
PRODUCED OR MANUFACTURED IN  
MALAYSIA**

**Entry or Withdrawal From Warehouse for  
Consumption**

August 24, 1973.

On September 8, 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 agreement with the Government of Malaysia concerning exports of cotton textiles and cotton textile products from Malaysia to the United States. Under this agreement Malaysia has undertaken to limit its exports to the United States of cotton textiles and cotton textile products to specified annual amounts over a four-year period beginning September 1, 1970 and extending through August 31, 1974. Among the provisions of the agreement are those applying specific limitations to cotton textile products in Categories 45, 46, 49, 50, 51, 53, 55, and 60 for the agreement year beginning September 1, 1973.

There is published below a letter of August 24, 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 Categories 45, 46, 49, 50, 51, 53, 55, and 60, produced or manufactured in Malaysia, which may be entered or withdrawn from warehouse for consumption in the United States for the twelve-month period beginning September 1, 1973 and extending through August 31, 1974, be limited to certain designated levels. This letter 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 As-  
sistant Secretary for Re-  
sources and Trade Assistance.

COMMITTEE FOR THE IMPLEMENTATION OF  
TEXTILE AGREEMENTS

COMMISSIONER OF CUSTOMS,  
Department of the Treasury,  
Washington, D.C. 20229.

AUGUST 24, 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 September 8, 1970 between the Governments of the United States and Malaysia, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective September 1, 1973, and for the twelve-month period extending through August 31, 1974, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textile products in Categories 45, 46,

49, 50, 51, 53, 55, and 60, produced or manufactured in Malaysia, in excess of the following twelve-month levels of restraint:

Category	Twelve-Month Level of Restraint
45	104,186 dozen.
46	23,153 dozen.
49	17,365 dozen.
50	28,941 dozen.
51	28,941 dozen.
53	17,365 dozen.
55	20,837 dozen.
60	32,414 dozen.

In carrying out this directive, entries of cotton textile products in Categories 45, 46, 49, 50, 51, 53, 55, and 60, produced or manufactured in Malaysia and which have been exported to the United States from Malaysia prior to September 1, 1973, shall, to the extent of any unfilled balances, be charged against the levels of restraint established for such goods during the period September 1, 1972 through August 31, 1973. In the event that the levels of restraint established for such goods for that 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 above are subject to adjustment pursuant to the provisions of the bilateral agreement of September 8, 1970, between the Governments of the United States and Malaysia, which provide, in part, that within the aggregate and applicable group limits, limits on specific categories may be exceeded by not more than 5 percent; for the limited carryover 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 further letter.

A detailed description of the categories in terms of T.S.U.A. numbers was published in the FEDERAL REGISTER on April 29, 1972 (37 FR 8802), 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 Malaysia and with respect to imports of cotton textiles and cotton textile products from Malaysia 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 rulemaking 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 Assistance.

[FR Doc.73-18525 Filed 8-29-73;8:45 am]

**ENVIRONMENTAL PROTECTION  
AGENCY**

**METHOMYL**

**Reextension of Temporary Tolerance**

E. I. du Pont de Nemours & Co., Inc., Wilmington, DE 19898, was granted a temporary tolerance (PP 1G1144) for residues of the insecticide methomyl

(S-methyl N-[methylcarbamoyl] oxy] thioacetimidate) in or on the raw agricultural commodity cottonseed at 5 parts per million on July 12, 1971 (notice was published in the FEDERAL REGISTER of July 15, 1971 (36 FR 13174)). The firm received a 1-year extension of the temporary tolerance on September 26, 1972 (notice was published in the FEDERAL REGISTER of October 7, 1972 (37 FR 21363)).

The firm has requested a 1-year re-extension of the temporary tolerance for residues of methomyl in or on cottonseed at 5 parts per million to obtain additional experimental data. It is concluded that such reextension will protect the public health.

The temporary tolerance is therefore reextended as requested on condition that the insecticide be used in accordance with the temporary permit being issued concurrently and which provides for distribution under the E. I. du Pont de Nemours & Co., Inc. name.

As reextended, this temporary tolerance expires July 12, 1974.

This action is taken pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(j), 68 Stat. 516; 21 U.S.C. 346a(j)), the authority transferred to the Administrator of the Environmental Protection Agency (35 FR 15623), and the authority delegated by the Administrator to the Deputy Assistant Administrator for Pesticide Programs (36 FR 9038).

Dated August 23, 1973.

HENRY J. KOPP,  
Deputy Assistant Administrator  
for Pesticide Programs.

[FR Doc.73-18390 Filed 8-29-73;8:45 am]

**FEDERAL RESERVE SYSTEM  
LANDMARK BANKING CORP.**

**Proposed Acquisition of North American  
Mortgage**

Landmark Banking Corporation, Fort Lauderdale, Florida, has applied, pursuant to § 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 North American Mortgage Corporation, St. Petersburg, Florida. Notice of the application was published on:

Date:	Newspaper, City and State
August 2, 1973...	Sentinel Star, Orange County, Florida
August 2, 1973...	Fort Lauderdale News, Fort Lauderdale, Florida
August 3, 1973...	St. Petersburg Times, St. Petersburg, Flor- ida
August 3, 1973...	Evening Independent, St. Petersburg, Flor- ida
August 4, 1973...	Sarasota Harold-Trib- une, Sarasota, Flor- ida

Applicant states that the proposed subsidiary would engage in the activities of originating and servicing real estate

mortgage loans. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Atlanta.

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 September 7, 1973.

Board of Governors of the Federal Reserve System, August 27, 1973.

[SEAL] THEODORE E. ALLISON,  
Assistant Secretary  
of the Board.

[FR Doc.73-18531 Filed 8-29-73;8:45 am]

### NATIONAL SCIENCE FOUNDATION DRY VALLEY DRILLING PROJECT

#### Summary Statement of Proposed Federal Action Affecting the Environment

This summary statement is published pursuant to section 102 of the National Environmental Policy Act. (P.L. 91-190) and the Guidelines of the Council on Environmental Quality (36 FR 7724-7729, April 23, 1971).

The proposed Federal activity is in support of the Dry Valley Drilling Project (DVDP) drilling operations during the 1973-1974 austral summer as a part of the U.S. Antarctic Research Program.

The DVDP, which will be accomplished under NSF grants and contracts by the Department of Geology at Northern Illinois University and associated institutions, is planned to study the diverse geological framework of the McMurdo Sound region, Antarctica, which contains rocks and sediments ranging in age from the Precambrian to Recent. The unique setting will permit a series of independent analyses of Antarctic geochronology, paleoclimatology, and paleomagnetism. The retrieval of continuous hard rock and sedimentary rock core will permit a detailed reconstruction of a period of Antarctic history which played a critical role in the geological and climatic history of the world. Ten to fifteen boreholes are

scheduled. Cores will be obtained to a depth of 300 meters.

Scientific objectives of the field project are to drill and collect continuous rock and soil samples from the dry valley area, and to make certain geophysical and hydrogeological measurements in and near the holes. The scientific objectives of the DVDP have been endorsed by the National Science Board, a specialist group of NSF geological consultants, and recognized reviewing authorities in New Zealand and Japan. The planned activities are in accord with the provisions of the Antarctic Treaty.

The United States, New Zealand, and Japan are participating in the funding of the project, and scientists of the three nations will participate in the field work in Antarctica.

In DVDP there are some potential operational failures which may affect the environment. A number of these can be effectively controlled by stringent adherence to previously developed, environmentally sound plans and by having an onsite environmental scientist to monitor operations. Contingency measures have been developed to meet the most likely operational occurrences at each drilling site, e.g., unexpected spillage of drilling muds. These data have been analyzed in accordance with the procedures for development of informational matrices for environmental impact assessment. Through careful and conscientious efforts of experienced polar specialists on site during the activity other unforeseen circumstances which may arise will be quickly dealt with.

Planned indoctrination of all DVDP personnel will be effective in reducing accidental problems. The operations plans will be continuously evaluated and updated against actual events.

The probably unavoidable environmental effects include some damage to the soil ecosystems in the immediate vicinity of the drill site, some scarring of the land surface, and possibly some pollution or alteration of the ground water by drilling fluids. None of these are considered of great significance because of their highly localized nature.

Copies of the draft environmental impact statement are available from the Deputy Assistant Director for National and International Programs, National Science Foundation, Washington, D.C., 20550. Comments from appropriate state and local agencies, addressed as above, should be submitted on or before Oct. 1, 1973.

Dated August 27, 1973.

EDWARD C. CREUTZ,  
Acting Director.

[FR Doc.73-18452 Filed 8-29-73;8:45 am]

### POSTAL RATE COMMISSION ECONOMIES OF SCALE

#### Notice of Seminar

AUGUST 24, 1973.

Notice is hereby given that on September 18, 1973, a seminar on Economies

of Scale will be conducted by the Economic Staff of the Postal Rate Commission. The morning session will deal with defining the concept and measurements of economies of scale. Two staff studies will be the basis of the discussion. The afternoon sessions will be a technical conference on methodology of the measurement of economies of scale.

Members of the general public interested in this matter are invited to attend and participate. A transcript of the seminar will be on file in the Commission's docket room.

JOSEPH A. FISHER,  
Secretary.

[FR Doc.73-18412 Filed 8-29-73;8:45 am]

### SECURITIES AND EXCHANGE COMMISSION

[File No. 500-1]

#### C I C INDUSTRIES, INC. Order Suspending Trading

AUGUST 23, 1973.

The 11 percent Debentures due June 1975 of CIC Industries, Inc. being traded on the New York Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of CIC Industries, Inc., being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchanges and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 19 (a) (4) and 15(c) (5) of the Securities Exchange Act of 1934, that trading in such securities on the above-mentioned exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period from August 24, 1973 through September 2, 1973.

By the Commission.

[SEAL] RONALD F. HUNT,  
Secretary.

[FR Doc.73-18417 Filed 8-29-73;8:45 am]

[File No. 500-1]

### COASTAL STATES GAS PRODUCING CO. Order Suspending Trading

AUGUST 23, 1973.

First Mortgage Bonds Series E 7½ percent due 1991 of Coastal States Gas Producing Company being traded on the New York Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and First Mortgage Bonds Series A 5 percent due 1983, Series B 5 percent due 1985, Series C 6½ percent due 1986, Series D 7½ percent due 1989, and Series E 7½ percent due 1991; 5½ percent Sinking Fund Debentures due 1977; and 6 percent Sinking Fund Debentures due March 1980 of Coastal States Gas Producing Company being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchanges and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

*It is ordered*, Pursuant to sections 19 (a) (4) and 15(c) (5) of the Securities Exchange Act of 1934, that trading in such securities on the above mentioned exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period from August 24, 1973 through September 2, 1973.

By the Commission.

[SEAL] RONALD F. HUNT,  
Secretary.  
[FR Doc.73-18418 Filed 8-29-73;8:45 am]

[File No. 500-1]

**COASTAL STATES GAS CORP.**

**Order Suspending Trading**

AUGUST 23, 1973.

The common stock, \$.33½ par value; \$1.19 cumulative convertible preferred Series A, \$.33½ par value; and \$1.83 cumulative convertible preferred Series B, \$.33½ par value of Coastal States Gas Corporation being traded on the New York Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Coastal States Gas Corporation being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchanges and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

*It is ordered*, Pursuant to section 19(a) (4) and 15(c) (5) of the Securities Exchange Act of 1934, that trading in such securities on the above mentioned exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period from August 24, 1973 through September 2, 1973.

By the Commission.

[SEAL] RONALD F. HUNT,  
Secretary.  
[FR Doc.73-18419 Filed 8-29-73;8:45 am]

[File No. 500-1]

**COLORADO INTERSTATE CORP.**

**Order Suspending Trading**

AUGUST 23, 1973.

Debentures, 8½ percent, due April 1991, of Colorado Interstate Corporation being traded on the New York Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and 8½ percent Debentures due April 1991, First Mortgage 7½ percent Pipeline Bonds due

June 1992, First Mortgage 8 percent Pipeline Bonds due June 1989, Preferred 5 percent Cum., Preferred 5.35 percent Cum., and Preferred 5.50 percent Cum. of Colorado Interstate Corporation being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchanges and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

*It is ordered*, Pursuant to sections 19 (a) (4) and 15(c) (5) of the Securities Exchange Act of 1934, that trading in such securities on the above mentioned exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period from August 24, 1973, through September 2, 1973.

By the Commission.

[SEAL] RONALD F. HUNT,  
Secretary.  
[FR Doc.73-18422 Filed 8-29-73;8:45 am]

[File No. 500-1]

**COLORADO INTERSTATE GAS CO.**

**Order Suspending Trading**

AUGUST 23, 1973.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the First Mortgage 3.35 percent Pipeline Bonds due July 1974, First Mortgage 4.70 percent Pipeline Bonds due March 1979, and 4¾ percent Debentures due April 1984 of Colorado Interstate Gas Company being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

*It is ordered*, Pursuant to section 15 (c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period from August 24, 1973 through September 2, 1973.

By the Commission.

[SEAL] RONALD F. HUNT,  
Secretary.  
[FR Doc.73-18420 Filed 8-29-73;8:45 am]

[File No. 500-1]

**COLLINS RADIO CO.**

**Order Suspending Trading; Amendment**

AUGUST 22, 1973.

The Commission having determined to amend its order of August 16, 1973 summarily suspending trading in the securities of Collins Radio Co. for the period 10:10 A.M. (EDT) August 16, 1973 through August 25, 1973.

*It is ordered*, Pursuant to section 15(c) (5) and 19(a) (4) of the Securities Ex-

change Act of 1934, that trading in the common stock, \$1.00 par value, of Collins Radio Co. being traded on the New York, Boston, Midwest, Philadelphia-Baltimore-Washington, and Pacific Coast Stock Exchanges and the 4.75% convertible subordinated debentures due 1987 of Collins Radio Co. being traded on the New York Stock Exchange and all securities of Collins Radio Co. being traded otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period from 10:00 A.M. (EDT) August 16, 1973 through midnight (EDT) August 22, 1973.

By the Commission.

[SEAL] RONALD F. HUNT,  
Secretary.  
[FR Doc.73-18421 Filed 8-29-73;8:45 am]

[70-5380]

**CONNECTICUT YANKEE ATOMIC POWER CO.**

**Proposed Issue and Sale of Notes**

AUGUST 23, 1973.

Notice is hereby given that Connecticut Yankee Atomic Power Company (Connecticut Yankee), P.O. Box 270, Hartford, CN 06101, an electric utility subsidiary company of Northeast Utilities (Northeast) and of New England Electric System (New England), both of which are registered holding companies, has filed an application-declaration and an amendment thereto with this Commission pursuant to the Public Utility Holding Company Act of 1935 (Act), designating sections 6 and 7 of the Act and rule 50(a) (2) and 50(a) (5) (B) promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the application-declaration as amended, which is summarized below, for a complete statement of the proposed transactions.

Connecticut Yankee proposes to issue and sell, from time to time on or before March 1, 1975, short-term securities in an aggregate principal amount not to exceed \$30,000,000 outstanding at any one time. Such securities will be in the form of short-term notes issued to banks (Bank Notes) or commercial paper (Commercial Paper) issued to a dealer in such securities.

The proposed Bank Notes will each be dated as of the date of issue, will have maximum maturity dates of nine months, will bear interest at a rate per annum not in excess of one percent (1 percent) above the prime rate in effect at the lending bank on the date of issue if issued before January 1, 1974, and at a rate to be negotiated if issued after that date, and will be subject to prepayment at any time at Connecticut Yankee's option without premium. The banks which will participate in Connecticut Yankee's short-term borrowing program and the maximum commitment of each bank is as follows:

The Chase Manhattan Bank, New York, N.Y.	\$18,000,000
The Connecticut Bank and Trust Company, Hartford, Connecticut	6,000,000
<b>Total</b>	<b>24,000,000</b>

The lines of credit are to be secured by a deposit of 10 percent of the amount of the line at the time it is committed. In addition, at the time of the first borrowing pursuant to the line of credit, Connecticut Yankee will make an additional deposit (compensating balance) of 10 percent of the entire committed line. Assuming a full 20 percent compensating balance and borrowings at one percent (1 percent) above the prime rate, the effective cost of borrowing would be approximately 13.1 percent, based on an assumed prime interest rate of 9½ percent.

The proposed Commercial Paper notes will be issued in denominations of not less than \$50,000 and not more than \$1,000,000, will have a maturity of not more than 270 days, will not be repayable prior to maturity, and will be sold by Connecticut Yankee directly to A.G. Becker & Company, Incorporated, a dealer in commercial paper, at the discount rate per annum prevailing at the date of issuance for commercial paper of comparable quality and of the particular maturity sold by public-utility issuers to commercial paper dealers. No Commercial Paper notes having a maturity of more than 90 days will be issued at an effective interest cost which exceeds the prime commercial bank rate at which Connecticut Yankee could borrow from banks in an amount at least equal to the principal amount of such Commercial Paper. No commission or fee will be payable in connection with the issuance and sale of the Commercial Paper. The commercial paper dealer, as principal, will reoffer the Commercial Paper to institutional investors at a discount of no more than ½ of 1 percent per annum less than the prevailing discount rate to Connecticut Yankee in such manner as not to constitute a public offering. The Commercial Paper will be reoffered to not more than 200 identified and designated customers in a list (non-public) prepared in advance by the dealer. It is anticipated that the Commercial Paper will be held by customers to maturity, but if such customers desire to resell prior to maturity, the dealer, pursuant to a verbal repurchase agreement, will repurchase the Commercial Paper and reoffer the same to others in the group of 200 customers.

As part of Connecticut Yankee's initial plant financing program approved by the Commission, it had outstanding as of June 30, 1973, \$3,875,000 principal amount of notes issued under a credit agreement dated November 23, 1964, as amended (Credit Agreement) between Connecticut Yankee and the eleven participating banks named therein. The notes outstanding under the Credit Agreement will remain outstanding and will not be affected by the transactions described above. It is stated that Con-

necticut Yankee will obtain a waiver of all relevant provisions of the Credit Agreement to permit the short-term borrowings contemplated in this proceeding.

The funds to be derived from the issuance and sale of Bank Notes and Commercial Paper will be applied by Connecticut Yankee (i) to repay \$21,000,000 of existing notes to banks presently outstanding, as authorized by the Commission (Holding Company Act Release Nos. 17244 and 17650), which mature on October 1, 1973, (ii) to provide funds for the construction of radiation waste facilities at its nuclear electric generating plant in Haddam, Connecticut, and (iii) for the purchase of additional nuclear fuel. At the time of the authorization to issue the \$21,000,000 of notes to banks, Connecticut Yankee indicated that it would propose to repay these notes at maturity with some form of long-term financing. In addition, Connecticut Yankee now proposes to repay all of its outstanding long-term bank loans by October 1, 1974, at which time it expects to have greater flexibility in determining what form of long-term financing will be in its best interest. For this reason, Connecticut Yankee does not deem it feasible to undertake any long-term financing program for the repayment of the existing bank loans at this time and prefers, in lieu thereof, an interim program of short-term loans to March 1, 1975. Furthermore, it is stated that such a program is made necessary by the definitions of Connecticut Yankee's indenture, which would not permit the issuance of any substantial amounts of bonds at this time for the purpose of refunding bank notes. Connecticut Yankee states that on or before March 1, 1975, the Bank Notes and Commercial Paper will be refunded through some form of long-term financing, the nature of which cannot now be determined.

It is stated that no fees or commissions (including counsel fees) will be paid or incurred, directly or indirectly, in connection with the proposed transactions and that incidental services, valued at an estimated \$500, will be performed at cost by Northeast Utilities Service Company, an affiliated service company. It is further stated that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Connecticut Yankee requests that the issue and sale of its Commercial Paper notes be excepted from the competitive bidding requirements of rule 50 pursuant to subparagraph (a) (5) (B) thereof in view of the fact that current rates for commercial paper for prime borrowers such as Connecticut Yankee are readily ascertainable by reference to daily financial publications and that it is not practicable to invite competitive bids for commercial paper. Connecticut Yankee further requests that the certificates under rule 24 be filed on a quarterly basis with respect to the Commercial Paper.

Notice is further given that any interested person may, not later than September 13, 1973, request in writing that a

hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application-declaration as amended which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such requests should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicant-declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney-at-law, by certificate) should be filed with the request. At any time after said date, the application-declaration as amended or as it may be further amended, may be granted and permitted to become effective as provided in rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in rules 20 (a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] RONALD F. HUNT,  
Secretary.

[FR Doc.73-18431 Filed 8-29-73;8:45 am]

[File No. 500-1]

**EQUITY FUNDING CORP. OF AMERICA**  
**Order Suspending Trading**

AUGUST 24, 1973.

The common stock, \$.30 par value, of Equity Funding Corporation of America being traded on the New York Stock Exchange, the Midwest Stock Exchange, the Pacific-Coast Stock Exchange, the Philadelphia-Baltimore-Washington Stock Exchange, the Boston Stock Exchange; warrants to purchase the \$.30 par value common stock being traded on the American Stock Exchange and the Philadelphia-Baltimore-Washington Stock Exchange; 9½ percent debentures due 1990 being traded on the New York Stock Exchange; and 5½ percent convertible subordinated debentures due 1991 being traded on the New York Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Equity Funding Corporation of America being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchanges and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 19 (a) (4) and 15(c) (5) of the Securities Exchange Act of 1934, that trading in such securities on the above mentioned exchanges and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period from August 25, 1973 through September 3, 1973.

By the Commission.

[SEAL] RONALD F. HUNT,  
Secretary.

[FR Doc.73-18423 Filed 8-29-73;8:45 am]

[File No. 500-1]

**FIRST LEISURE CORP.**

**Order Suspending Trading**

AUGUST 23, 1973.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, \$0.10 par value and all other securities of First Leisure Corporation, being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15 (c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period from August 24, 1973, through September 2, 1973.

By the Commission.

[SEAL] RONALD F. HUNT,  
Secretary.

[FR Doc.73-18424 Filed 8-29-73;8:45 am]

[File No. 500-1]

**GIANT STORES CORP.**

**Order Suspending Trading**

AUGUST 24, 1973.

The common stock, \$.10 par value, of Giant Stores Corp. being traded on the American Stock Exchange, pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Giant Stores Corp. being traded otherwise than on a national securities; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to sections 15 (c) (5) and 19(a) (4) of the Securities Exchange Act of 1934, that trading in such securities on the above mentioned exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period from August 25, 1973, through September 3, 1973.

By the Commission.

[SEAL] RONALD F. HUNT,  
Secretary.

[FR Doc.73-18425 Filed 8-29-73;8:45 am]

[File No. 500-1]

**INDUSTRIES INTERNATIONAL, INC.**

**Order Suspending Trading**

AUGUST 24, 1973.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, and all other securities of Industries International, Inc. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15 (c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period from August 25, 1973, through September 3, 1973.

By the Commission.

[SEAL] RONALD F. HUNT,  
Secretary.

[FR Doc.73-18426 Filed 8-29-73;8:45 am]

[File No. 500-1]

**ORECRAFT, INC.**

**Order Suspending Trading**

AUGUST 22, 1973.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, \$.04 par value, and all other securities of Orecraft, Inc., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15 (c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period from August 23, 1973, through September 1, 1973.

By the Commission.

[SEAL] RONALD F. HUNT,  
Secretary.

[FR Doc.73-18427 Filed 8-29-73;8:45 am]

[File No. 500-1]

**PELOREX CORP.**

**Order Suspending Trading**

AUGUST 23, 1973.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, \$.10 par value, and all other securities of Pelorex Corporation, being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15 (c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period from

August 24, 1973, through September 2, 1973.

By the Commission.

[SEAL] RONALD F. HUNT,  
Secretary.

[FR Doc.73-18428 Filed 8-29-73;8:45 am]

[File No. 500-1]

**PETRO SILVER, INC.**

**Order Suspending Trading**

AUGUST 23, 1973.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, \$.05 par value, and all other securities of Petro Silver, Inc. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15 (c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period from 1:15 P.M. (EDT) on August 23, 1973, and continuing through September 1, 1973.

By the Commission.

[SEAL] RONALD F. HUNT,  
Secretary.

[FR Doc.73-18429 Filed 8-29-73;8:45 am]

[File No. 500-1]

**TRIONICS ENGINEERING CORP.**

**Order Suspending Trading**

AUGUST 24, 1973.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, and all other securities of Trionics Engineering Corp., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15 (c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period from August 25, 1973, through September 3, 1973.

By the Commission.

[SEAL] RONALD F. HUNT,  
Secretary.

[FR Doc.73-18430 Filed 8-29-73;8:45 am]

[812-3459]

**RESIDEX CORP.**

**Filing of Application**

AUGUST 24, 1973.

Notice is hereby given that Residex Corporation (Applicant), Pennbrook Road, R.D. #1 Fair Hills, N.J. 07931, a Delaware corporation, has filed an application pursuant to section 3(b) (2) of the Investment Company Act of 1940

(Act) for an order of the Commission declaring that Applicant is primarily engaged in a business or businesses other than that of investing, reinvesting, owning, holding, or trading in securities. All interested persons are referred to the application on file with the Commission for a statement of the representations made therein which are summarized below.

Applicant was incorporated on April 30, 1970, for the purpose of acquiring, by merger, the stock of Steel Crest Homes, Inc. (Steel Crest). Steel Crest had been engaged in the home building and mortgage businesses prior to its merger with Applicant on July 6, 1970. On March 1, 1971, Applicant acquired Clayton Industries, Inc. (Clayton) expanding Applicant's home building business and allowing it to also engage in the businesses of building waste and water systems and commercial construction. On May 1, 1972, Atlantic Residex Corporation (Atlantic), a wholly owned subsidiary of Applicant merged with Streeper Karr III, Inc., which allowed Applicant to expand further in the areas of residential and commercial construction and community development. Prior to its recent acquisition of 45 percent of the voting shares of Co-Build Companies Inc. (Co-Build), pursuant to a tender offer and purchases made under separate agreement, Applicant, together with Atlantic, was engaged in the business of construction of waste and water systems, primarily in Southern New Jersey and Florida, and in the business of residential and commercial construction and community development in Pennsylvania and New Jersey. Co-Build is engaged in in the development of communities, primarily in the Virgin Islands and New Jersey, and in the construction of homes in such communities. Applicant represents that except for temporary investments of available cash proceeds in commercial paper and its present ownerships of Co-Build's shares, it has not owned nor has proposed to acquire investment securities.

Applicant's total assets (exclusive of Government securities and cash items) were \$8,609,395 on an unconsolidated basis as of April 30, 1973. If this figure were adjusted to \$15,346,895 to reflect Applicant's subsequent acquisition on May 4 of 1,100,000 Co-Build shares worth \$6,737,500 on April 30, such shares would represent 43.9 percent of Applicant's assets.

Section 3(a)(3) of the Act defines an investment company as any issuer which is engaged, or proposes to engage, in the business of investing, reinvesting, owning, holding, or trading in securities, and owns or proposes to acquire investment securities having a value exceeding 40 percent of the value of such issuer's total assets (exclusive of Government securities and cash items) on an unconsolidated basis.

Because the value of the Co-Build shares held by Applicant is in excess of 40 percent of the value of Applicant's total assets (excluding cash items and Government securities) on an unconsolidated basis, Applicant is an investment company within the definition set forth in Section 3(a)(3) of the Act.

Section 3(b)(2) of the Act, however, excepts from the definition of an investment company any issuer which the Commission finds and by order declares to be primarily engaged in a business or businesses other than that of investing, reinvesting, owning, holding, or trading in securities, either directly or (a) through majority-owned subsidiaries or (b) through controlled companies conducting similar types of businesses.

Applicant contends that it is entitled to an order of exemption under section 3(b)(2) of the Act based upon its non-investment activities in its wholly owned subsidiaries, and its activities in Co-Build. Applicant respectfully requests that the Commission find Applicant to be primarily engaged in a business or businesses other than that of investing, reinvesting, owning, holding, or trading in securities and that Applicant is not an investment company.

Applicant asserts that no part of its income has ever been derived from investment securities except in connection with temporary investment in commercial paper in 1970. Co-Build has never paid cash dividends since its incorporation in 1964, and Applicant states that it has no present intention of causing Co-Build to pay dividends. Applicant represents that its intention is to merge Co-Build into a wholly owned subsidiary, if such a merger is feasible. All of Applicant's employees devote all their time to Applicant's operating businesses, and Applicant has never employed a securities analyst.

Applicant contends that it controls Co-Build by virtue of its ownership of 45 percent of Co-Build's voting securities. Applicant also has an irrevocable proxy, until March 31, 1974, to vote an additional 12 percent of Co-Build's voting securities. Six of Applicant's directors are also members of the board of directors of Co-Build. Applicant asserts that through its power to vote more than a majority of the voting securities of Co-Build it can elect all the directors of Co-Build.

Notice is further given that any interested person may, not later than September 18, 1973, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon Applicants at the address stated above. Proof of such service (by affidavit, or in the case of an attorney-at-law, by certificate) shall be filed con-

temporarily with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive notice of further developments in the matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management Regulation, pursuant to delegated authority.

[SEAL]

RONALD F. HUNT,  
Secretary.

[FR Doc.73-18432 Filed 8-29-73; 8:45 am]

**SMALL BUSINESS ADMINISTRATION**

[Notice of Disaster Loan Area 1002; Amdt. 1]

**COLORADO****Amendment to Notice of Disaster Relief Loan Availability**

As a result of the President's declaration of the State of Colorado as a major disaster area following severe flooding and landslides beginning on or about March 28, 1973, applications for disaster relief loans will be accepted by the Small Business Administration from flood victims in the following additional county: Alamosa. (See 38 FR 19294)

Applications may be filed at the:

Small Business Administration Regional Office, 721 19th Street, Room 426A, Denver, Colorado 80202.

and at such temporary offices as are established. Such addresses will be announced locally. Applications will be processed under the provisions of Public Law 92-385.

Applications for disaster loans under this announcement must be filed not later than October 15, 1973.

Date: August 20, 1973.

THOMAS S. KLEPPE,  
Administrator.

[FR Doc.73-18416 Filed 8-29-73; 8:45 am]

**TARIFF COMMISSION**

[AA1921-122]

**DEFORMED CONCRETE REINFORCING BARS OF NON-ALLOY STEEL FROM MEXICO****Determination of No Injury or Likelihood Thereof**

August 24, 1973.

On May 25, 1973, the Tariff Commission received advice from the Treasury Department that deformed concrete reinforcing bars of non-alloy steel from Mexico are being, or are likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921,

as amended. In accordance with the requirements of section 201(a) of the Antidumping Act (19 U.S.C. 160(a)), the Tariff Commission instituted investigation No. AA1921-122 to determine whether an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States.

Notice of the institution of the investigation and of a public hearing to be held on July 24, 1973 in connection therewith was published in the FEDERAL REGISTER of June 4, 1973 (38 FR 14731).

In arriving at a determination in this case, the Commission gave due consideration to all written submissions from interested parties, evidence adduced at the hearing, and all factual information obtained by the Commission's staff from questionnaires, personal interviews, and other sources.

On the basis of the investigation, the Commission has unanimously determined that an industry in the United States is not being or is not likely to be injured, or is not prevented from being established, by reason of the importation of deformed concrete reinforcing bars of non-alloy steel from Mexico sold, or likely to be sold, at less than fair value within the meaning of the Antidumping Act, 1921, as amended.

*Statement of Reasons.*<sup>1</sup>—The Antidumping Act, 1921, as amended, requires that the Tariff Commission find two conditions satisfied before an affirmative determination can be made. First, there must be injury, or likelihood of injury, to an industry in the United States, or an industry in the United States must be prevented from being established. Second, such injury, or likelihood of injury, or prevention of establishment of an industry<sup>2</sup> must be "by reason of" the importation into the United States of the class or kind of foreign merchandise the Secretary of the Treasury determined is being, or is likely to be, sold at less than fair value (LTFV).

In the Commission's judgment, the first of the aforementioned conditions is not satisfied in the instant case. The reasons for this determination are set forth below.

Deformed concrete reinforcing bars of non-alloy steel (hereinafter referred to as re-bars) are long, solid, approximately round bars hot-rolled from carbon steel billets that have deformations (protrusions) on their outer surfaces. They are used, as their name implies, in concrete to reinforce the concrete and to limit movement of the concrete in relation to the bars. Imported re-bars, including those found to have been sold at LTFV, do not differ from those produced domestically.

<sup>1</sup> Vice Chairman Parker and Commissioner Young did not participate in the decision.

<sup>2</sup> Commissioner Ablondi concurs in the result.

<sup>3</sup> Prevention of establishment of an industry is not an issue in this investigation and therefore will not be discussed further.

Re-bars are generally sold within a relatively short distance from the producing plant (if domestic) or the port of entry (if imported). In determining the industry which would most feel the impact of the LTFV imports, the Commission considered all facilities in the United States devoted to the production of re-bars. However, inasmuch as the sales of the LTFV imports were concentrated in the State of Texas, the Commission gave special attention to the manufacturing facilities for re-bars situated within and outside of the State of Texas which produced most of the domestic re-bars sold in that State in recent years.

The Treasury Department found LTFV sales of Mexican re-bars during 1972. Imports from Mexico were negligible during 1968-70. In 1971—prior to the finding by Treasury of LTFV sales—imports of re-bars from Mexico rose and supplied 0.8 percent of total U.S. consumption of re-bars and 7.6 percent of consumption in the State of Texas. In 1972—when Treasury found LTFV sales of Mexican re-bars—imports from Mexico were lower than in 1971, supplying 0.4 percent of the U.S. consumption and 4.3 percent of the Texas consumption of re-bars. The beginning of the decline in imports from Mexico antedated the filing of the complaint and the institution of the investigation by Treasury by at least 6 months. In the first 5 months of 1973, imports from Mexico were negligible.

From 1971 to 1972, imports of re-bars into Texas from Mexico, as well as from all other countries, declined substantially—by 46 percent and 48 percent, respectively. In the same period, consumption of re-bars in Texas declined only 3.8 percent, indicating a significant increase in the share of consumption supplied by domestic producers. Shipments by domestic producers within or into the State of Texas increased every year, or from about 295,000 tons in 1968 to 368,000 tons in 1970, to 386,000 tons in 1971, and to 421,000 tons in 1972. The larger portion of such increases in shipments was generally accounted for by re-bar mills located in Texas. The value of sales by producers situated in Texas also increased during the period 1968-72. Net profit (before taxes) remained at a healthy level during the period ranging from 11 percent (1968) to 15 percent (1971). During 1971 and 1972 net profits were in fact higher than during 1968-70, when imports from Mexico were nil or negligible.

Data obtained by the Commission do not indicate price depression or suppression by reason of LTFV imports from Mexico. In 1971 and 1972, when imports from Mexico occurred, average net mill returns—a gage of prices realized—for Texas producers of re-bars shipping to the Texas market were 15 percent and 23 percent higher, respectively, than the average of net mill returns during 1968-70, when imports from Mexico were nil or negligible.

None of the foregoing facts indicate injury by reason of LTFV imports of re-bars from Mexico.

It is also the Commission's judgment that there is no evidence of likelihood of injury to a domestic industry by reason of LTFV imports of re-bars from Mexico. Increasing internal Mexican requirements for re-bars preclude the probability of continual exports from Mexico to the United States. Although Mexican production of re-bars more than doubled between 1962 and 1971, almost all the re-bar production in Mexico was consumed there, and exports were small. The exceptions to this pattern occurred in 1971 and 1972 when Mexico exported re-bars to the United States.

Prospects for the expansion of the market for re-bars in certain parts of the United States, including Texas, are implied in recent announcements of additions to domestic capacity. In mid-1973, construction was begun on a re-bar mill with annual capacity for producing about 150,000 tons, in Auburn, N.Y. In June 1973, announcement was made of plans for construction of another mill with capacity for producing 150,000 tons per year in New Orleans, La. In July 1973, disclosure was made of the formation of a joint venture company to build a modern 220,000-ton-per-year plant near Midlothian, Tex.—Midlothian is in the Ft. Worth-Dallas area—which is designed to produce rolled steel products, principally re-bars, angles, and special bar quality steels, among other products, from scrap materials. Construction of the Texas plant was to have begun soon after the announcement, and initial production was expected in about 18 months.

On the basis of the foregoing, the Commission concludes that a domestic industry is not being, or is not likely to be, injured by reason of imports of deformed concrete reinforcing bars of non-alloy steel from Mexico sold, or likely to be sold, at LTFV.

By order of the Commission:

[SEAL] KENNETH R. MASON,  
Secretary.

[FR Doc.73-18481 Filed 8-29-73;8:45 am]

#### COST OF LIVING COUNCIL FOOD INDUSTRY WAGE AND SALARY COMMITTEE

##### Notice of Closed Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Public Law 92-463, 86 Stat. 770) notice is hereby given that the Food Industry Wage and Salary Committee, established under the authority of section 212 (f) of the Economic Stabilization Act, as amended, section 4 (a) (iv) of Executive Order 11695, and Cost of Living Council Order No. 14, will meet at 10 a.m., Wednesday, September 5, 1973, at 2025 M Street NW., Washington, D.C.

The agenda will consist of discussions leading to recommendations on specific Phase II and Phase III wage cases in the food area, and future wage policy.

Since the above stated meeting will consist of discussions of future food wage policy and Phase II and III cases for decision, pursuant to authority granted me by Cost of Living Council Order 25, I have determined that the meeting would fall within exemption (5) of 5 U.S.C. 552 (b) and that it is essential to close the meeting to protect the free exchange of internal views and to avoid interference with the operation of the Committee.

Issued in Washington, D.C. on August 29, 1973.

HENRY H. PERRITT, Jr.,  
Executive Secretary,  
Cost of Living Council.

[FR Doc. 73-18622 Filed 8-29-73; 12:04 pm]

## INTERSTATE COMMERCE COMMISSION

[Notice No. 331]

### ASSIGNMENT OF HEARINGS

AUGUST 27, 1973.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested. No amendments will be entertained after the date of this publication.

- MC-121303 Sub 3, O. K. Warehouse Co., Inc., Extension Used Household Goods in Containers, now assigned September 18, 1973, will be held in the Downtowner Motor Inn, La Espada Room, 300 East 11th Street, Austin, Texas.
- MC 110563 Sub 94, Coldway Food Express, Inc., now assigned September 25, 1973, at Omaha, Nebraska, in the Sapphire Room, New Paxton Hotel, 14th and Farnam Street.
- MCC-6689, Victor Grothaus, dba Grothaus Express—Investigation and Revocation of Certificates, now assigned September 27, 1973, will be held at the Sapphire Room, New Paxton Hotel, 14th and Farnam Street, Omaha, Nebr.
- MC 114211 Sub 189, Warren Transport, Inc., now assigned September 28, 1973, will be held at the Sapphire Room, New Paxton Hotel, 14th and Farnam Street, Omaha, Nebraska.
- MC-F-11735, Graves Truck Line, Inc.—Purchase—Diamond Freightways Inc., now assigned October 1, 1973, hearing will be held in the Sapphire Room, New Paxton Hotel, 14th and Farnam Street, Omaha, Nebraska.
- MC-C-8076, Quick Air Freight, Inc.—Investigation and Revocation of Certificates—now being assigned hearing September 27, 1973 (2 days), will be held in room 255, Federal Office Bldg., 85 Marconi Boulevard, Columbus, Ohio.
- MC-F-11805, Quick Air Freight, Inc., Control—Vandalia Air Freight, Inc. & MC-120265 Sub 2, Vandalia Air Freight, Inc., now being assigned hearing September 27, 1973 (2 days), will be held in Room 255, Federal Office Bldg., 85 Marconi Boulevard, Columbus, Ohio.

MC-C-7901, North American Van Lines, Inc.—Investigation and Revocation of Certificates—now being assigned for a Procedural Conference, September 10, 1973, at the Offices of the Interstate Commerce Commission, Washington, D.C.

[SEAL] ROBERT L. OSWALD,  
Secretary.  
[FR Doc. 73-18473 Filed 8-29-73; 8:45 am]

[Drought Order 69 (Sub No. 1)]

### IDAHO

#### Transportation of Hay to Drought Areas at Reduced Rates

AUGUST 10, 1973.

In the matter of Relief under Section 22 of the Interstate Commerce Act.

It appearing, that by reasons of drought conditions existing in certain portions of the State of Idaho, hereinafter referred to as the disaster area, the Assistant Secretary of the United States Department of Agriculture has requested the Commission to enter an order under section 22 of the Interstate Commerce Act authorizing railroads subject to the Commission's jurisdiction to transport hay to the disaster area at reduced rates:

It is ordered, That carriers by railroad participating in the transportation of hay to the counties of:

Bonner Kootenai  
Boundary

all located in the State of Idaho, referred to herein as the disaster area, be, and they are hereby, authorized under Section 22 of the Interstate Commerce Act to establish and maintain until October 31, 1973, reduced rates for such transportation, the rates to be published and filed in the manner prescribed in Section 6 of the Interstate Commerce Act except that they may be effective one day after publication and filing instead of thirty.

It is further ordered, That the class of persons entitled to such reduced rates is hereby defined as persons designated as being in distress and in need of relief by the United States Department of Agriculture or by such State agents or agencies as may in turn be designated by the United States Department of Agriculture to assist in relieving the distress caused by the drought.

It is further ordered, That, during the period in which any reduced rates authorized by this order are effective the carriers may, notwithstanding the provisions of section 4 of the Interstate Commerce Act, maintain higher rates to directly intermediate points and maintain through rates in excess of the aggregate of intermediate rates over the same routes if one of more of the factors of such aggregate of intermediate rates is a reduced rate established under the authority of this order.

It is further ordered, That any tariffs or tariff provisions published under the authority of this order shall explicitly so state, making reference to this order by number and date.

And it is further ordered, That, subject to the conditions in the succeeding paragraphs hereof, the use of reduced

rates established by authority of this order may be conditioned upon the release by the shipper of the value of the commodity, which released value, in its relation to the invoice value of the property at time of shipment, shall be in the same percentage relation which the reduced rates bear to the rates which otherwise would apply.

And it is further ordered, That tariffs containing released rates filed under authority of this order shall show in connection with such rates the following notation:

The released value must be entered on shipping order and bill of lading in the following form:

The agreed or declared value of the property is hereby specifically stated by the shipper to be not in excess of (show percent) of the invoice value of the property herein described.

If the shipper fails or declines to execute the above statement, shipments will not be accepted for transportation at the rates subject hereto. Rates published elsewhere in other tariffs lawfully filed with the Interstate Commerce Commission will apply in such a case. Rates herein published on released value have been authorized by the Interstate Commerce Commission in Drought Order No. 69 of August 1973.

And it is further ordered, That notice to the affected railroads and the general public shall be given by depositing a copy of this order in the Office of the Secretary of the Commission and by filing a copy with the Director, Office of the Federal Register; and that copies be mailed to the Chairman of the Traffic Executive Association-Eastern Railroads, New York, New York; the Chairman of the Southern Freight Association, Atlanta, Georgia; the Chairman of the Executive Committee, Western Railroads Traffic Association, Chicago, Illinois; the Vice President and Director, Economics and Finance Department, Association of American Railroads, Washington, D.C.; and to the President of the American Short Line Railroad Association, Washington, D.C.

Dated at Washington, D.C., this 10th day of August, 1973.

By the Commission, Vice Chairman  
Brewer.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc. 73-18472 Filed 8-29-73; 8:45 am]

[Notice No. 343]

### MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

Synopses of orders entered by the Motor Carrier Board of the Commission pursuant to sections 212(b), 208(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 September 19, 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-74321. By order of August 24, 1973, the Motor Carrier Board approved the transfer to Nebraska-Iowa-Missouri Express, Inc., Kansas City, Mo., of a portion of Certificate No. MC-9644, issued January 7, 1971, to B. T. L., Inc., Kansas City, Mo., authorizing the transportation of general commodities, with exceptions, between points in Buchanan County, Mo., on the one hand, and, on the other, points in a described area of Missouri and Iowa, and Nebraska City, Nebr., and points in its commercial zone. Frank W. Taylor, Jr., Reeder, Dysart & Taylor, 1221 Baltimore Ave., Kansas City, Mo. 64105, attorney for applicants.

No. MC-FC-74596. By order of August 24, 1973, the Motor Carrier Board approved the transfer to Cohey Trucking Company, a corporation, Baltimore, Md., of that portion of the operating rights in Certificate No. MC-73587 issued January 2, 1968, to Elliott Brothers Trucking Company, Inc., Easton, Md., authorizing the transportation of general commodities, over regular routes, between Baltimore, Md., and Philadelphia, Pa., serving all intermediate points and named off-route points, from Baltimore over U.S. Highway 1 to Philadelphia, and return over the same route, restricted against the transportation of traffic originating at Baltimore and destined to Philadelphia and traffic originating at Philadelphia and destined to Baltimore; general commodities, over irregular routes, between points in Maryland on the above-specified regular route between the Maryland-Pennsylvania State line and Baltimore, on the one hand, and, on the other, points in that part of Pennsylvania bounded by a line beginning at Philadelphia and extending along U.S. Highway 611 to Easton, thence along a line extending from Easton through Albany to Pine Grove, thence along a line extending from Pine Grove through Linglestown to Harrisburg, thence along U.S. Highway 230 to Lancaster, and thence along U.S. Highway 30 to point of beginning; and general commodities, over irregular routes, between Oxford and West Grove, Pa., and points in Pennsylvania within 5 miles of West Grove, on the one hand, and, on the other, points in Delaware and Maryland lying between the Chesapeake Bay and the Atlantic Ocean and on and south of the north bank of the Chesapeake and Delaware Canal, including Chesapeake City, Md. Each of the subject general commodity operating authorities is limited

by usual exceptions. John R. Sims, Jr., Suite 600, 1707 H Street NW, Washington, D.C. 20006, attorney for applicants.

No. MC-FC-74659. By order of August 23, 1973, the Motor Carrier Board approved the transfer to People's Storage Warehouse Company, a corporation, Warwick, R.I., of the operating rights in Certificate No. MC-94347 issued October 25, 1967 to Royal Van & Storage, Inc., Providence, R.I., authorizing the transportation of household goods, as defined by the Commission, between specified points and areas in Rhode Island, Connecticut, Massachusetts, New York, Maine, New Hampshire, Vermont, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia and the District of Columbia. Allan M. Shine, 915 Hospital Bldg., Providence, R.I. 02903, attorney for transferor, Russell B. Curnett, P.O. Box 366, Harwich, Mass., 02645, representative for transferee.

No. MC-FC-74615. By order of August 23, 1973, the Motor Carrier Board approved the transfer of Leonard Bros. Trucking Co., Inc., of Texas, Grand Prairie, Tex., of portions of Certificates Nos. MC-19227 (sub Nos. 87 and 88) issued to Leonard Bros. Trucking Co., Inc., Miami, Fla., authorizing the transportation of: Self-propelled articles, related machinery, tools, parts, and supplies, and commodities used in or in connection with the natural gas industry, and stringing and picking up of pipelines, and other services in connection therewith, between points in Texas. W. O. Turney, attorney, 2001 Massachusetts Ave., Washington, D.C. 20036.

No. MC-FC-74665. By order of August 24, 1973, the Motor Carrier Board approved the transfer to suburban Coach Lines, Incorporated, P.O. Box 7291, Asheville, N.C., of Certificate No. MC-128306 (Sub-No. 2), issued to Lawrence C. Stoker, d.b.a. Suburban Coach Lines, Asheville, N.C., authorizing the transportation of: Passengers and their baggage, express and newspapers, between Asheville and Brevard, N.C., serving all intermediate points.

[SEAL] JOSEPH M. HARRINGTON,  
Acting Secretary.

[FR Doc. 73-18475 Filed 8-29-73; 8:46 am]

[Notice No. 116]

#### MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

AUGUST 24, 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, on or before Sept. 14, 1973. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (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 22278 (sub-No. 44 TA), filed August 15, 1973. Applicant: TAKIN BROS. FREIGHT LINE, INC., 2125 Commercial Street, P.O. Box 5000, Waterloo, Iowa 50704. Applicant's representative: Paul Rhodes (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Pre-stressed concrete, precast concrete, and construction elements, concrete*, from Waterloo, Iowa, to points in Illinois on and north of U.S. Highway 36, for 180 days. Supporting shipper: C. W. Shirey Company, 1845 La Porte Road, Waterloo, Iowa 50702. Send protests to: Herbert W. Allen, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 30319 (Sub-No. 142 TA), filed August 13, 1973. Applicant: SOUTHERN PACIFIC TRANSPORT COMPANY OF TEXAS AND LOUISIANA, 7600 South Central Expressway, Dallas, Tex. 75216 and Mailing: 9 Main Street, San Francisco, Calif. 94105. Applicant's representative: Lloyd M. Roach, 1517 West Front Street, Tyler, Tex 75701. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving Dolen, Tex., as an off-route point in connection with applicant's present regular route authority to and from Cleveland, Tex., via Texas Highway 105, for 180 days.

NOTE.—Applicant does intend to tack with MC 30319 at all interchange gateways. Supporting shipper: Lone Star Industries, Inc., P.O. Box 86, Houston, Tex. 77001. Send protests to: Transportation Specialist Gerald T. Holland, Interstate Commerce Commission, Bureau of Operations, 1100 Commerce Street, Room 13C12, Dallas, Tex. 75202.

No. MC 30844 (sub-No. 475 TA), filed August 14, 1973. Applicant: KROBLIN REFRIGERATED XPRESS, INC., 2125 Commercial Street, P.O. Box 5000, Box zip 50702, Waterloo, Iowa 50704. Applicant's representative: Paul Rhodes (same address as applicant). Authority sought

to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned or preserved foodstuffs*, (1) from Holland, Mich.; Henderson, N.C.; Iowa City and Muscatine, Iowa; Toledo, Fremont, and Bowling Green, Ohio; Salem, N.J.; and Mechanicsville, Chambersburg, Leetsdale, and Pittsburgh, Pa., to Greenville, S.C.; and (2) from Greenville, S.C., to points in Alabama, Georgia, Mississippi, Tennessee, and New Orleans, La., and the commercial zone of New Orleans, restricted to shipments originating at and/or destined to the facilities of H. J. Heinz Co., for 180 days. Supporting shipper: Heinz U.S.A., Division of H. J. Heinz Company, P.O. Box 57, Pittsburgh, Pa. 15230. Send protests to: Herbert W. Allen, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 51146 (sub-No. 327 TA), filed August 6, 1973. Applicant: SCHNEIDER TRANSPORT, INC., P.O. Box 2298, 2661 South Broadway, Green Bay, Wis. 54304. Applicant's representative: D. F. Martin (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mattresses and upholstered box springs*, from Mason, Ohio, to Detroit, Mich., for 180 days. Supporting shipper: J. L. Hudson Company, 1206 Woodward, Detroit, Mich. 48226 (John A. Stein, Traffic Manager). 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 60470 (sub-No. 22 TA), filed August 15, 1973. Applicant: MOTORCAR TRANSPORT COMPANY, 1280 Joslyn Avenue, Pontiac, Mich. 48055. Applicant's representative: Walter N. Bieneman, Suite 1700—One Woodward Ave., Detroit, Mich. 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Automobiles, trucks, and buses*, as described in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, in initial movements, in truckaway service, from Janesville, Wis., to points in the Lower Peninsula of Michigan, for 180 days. Supporting shipper: General Motors Corporation, 30007 Van Dyke Avenue, Warren, Mich. 48090. Send protests to: Melvin F. Kirsch, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1110 Broderick Tower Bldg., 10 Witherell, Detroit, Mich. 48226.

No. MC 82063 (sub-No. 44 TA), filed August 14, 1973. Applicant: KLIPSCH HAULING CO., 119 E. Loughborough, St. Louis, Mo. 63111. Applicant's representative: Ernest A. Brooks II, 1301 Ambassador Building, St. Louis, Mo. 63101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from Kansas City, Kans.; Kansas City and North Kansas City, Mo., to points in Virginia,

North Carolina, Florida, Louisiana, Nebraska, Alabama, Texas, Indiana, Tennessee, Arkansas, Colorado, Georgia, Illinois, Indiana, Iowa, Kentucky, Montana, New Mexico, North Dakota, Ohio, Oklahoma, South Carolina, Wyoming, Michigan, Minnesota, South Dakota, Wisconsin, and Mississippi, for 180 days. Supporting shippers: Southwest Grease & Oil Co. (Kansas City), Inc., 3148 Roanoke Rd., Kansas City, Mo. 64111; Cook Paint & Varnish Company, P.O. Box 389, Kansas City, Mo. 64141; Thompson-Hayward Chemical Company, 5200 Speaker Road, Kansas City, Mo. 66110; and Rhodia, Inc., Chipman Division, 120 Jersey Ave., New Brunswick, N.J. 08903. Send protests to: District Supervisor J. P. Werthmann, Interstate Commerce Commission, Bureau of Operations, 210 N. 12th Street, Room 1465, St. Louis, Mo. 63101.

No. MC 97357 (sub-No. 49 TA), filed August 10, 1973. Applicant: ALLYN TRANSPORTATION COMPANY, 14011 South Central Avenue, Los Angeles, Calif. 90059. Applicant's representative: David P. Christianson, 825 City National Bank Bldg., 606 South Olive Street, Los Angeles, Calif. 90014. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Distillate and residual fuel oils*, (1) from points in Kern County, Calif., to points in and within 20 miles of Glendale, Ariz.; to points in and within 20 miles of Tempe, Ariz.; and to points in and within 20 miles of Page, Ariz.; and (2) from points in Los Angeles County, Calif., to points in and within 20 miles of Page, Ariz., for 150 days. Supporting shipper: Aromalene Oil Company, 2750 East Spring Street, Long Beach, Calif. 90806. Send protests to: Walter W. Strakosch, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 7708, Federal Bldg., 300 North Los Angeles St., Los Angeles, Calif. 90012.

No. MC 112963 (sub-No. 45 TA), filed August 14, 1973. Applicant: ROY BROS., INC., 764 Boston Road, Pinehurst, Mass. 01866. Applicant's representative: Leonard E. Murphy (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal feed ingredients*, in bulk, in tank vehicles, from Reedville, Va.; Harmony, N.C.; Cambridge, Mo.; Salisbury, Md.; and Wilmington, Del., to Woburn, Mass., for 180 days. Supporting shipper: Lipton Pet Foods, 209 New Boston St., Woburn, Mass. Send protests to: Darrell W. Hammons, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 150 Causeway St., 5th Floor, Boston, Mass. 02114.

No. MC 114045 (sub-No. 387 TA) (Correction), filed August 2, 1973, published in the FEDERAL REGISTER issue of August 20, 1973, and republished as corrected this issue. Applicant: TRANS-COLD EXPRESS, INC., Finley & Belt Line Rd., P.O. Box 5842 (Box zip 75222), Dallas,

Tex. 75240. Applicant's representative: J. B. Stuart (same address as above).

NOTE.—The purpose of this partial republication is to show the applicant correct MC number as No. MC 114045 (Sub-No. 387 TA) in lieu of No. MC 144045 (sub-No. 387 TA), which was published in error in the FEDERAL REGISTER. The rest of the application remains the same.

No. MC 124160 (sub-No. 7 TA), filed August 14, 1973. Applicant: SAVAGE BROTHERS, INCORPORATED, 602 East Main Street, American Fork, Utah 84003. Applicant's representative: Lon Rodney Kump, 720 Newhouse Building, Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, in bulk, from the mine located approximately 12 miles west of Huntington, Utah, to the railroad head at Price, Utah, and the railroad head at Morhland, Utah, restricted to traffic having a subsequent out-of-State movement, for 180 days. Supporting shipper: Peabody Coal Company, Deer Creek Mine, Huntington, Utah (Neldon Sitterud, Superintendent of Operations). Send protests to: District Supervisor Lyle D. Helfer, Interstate Commerce Commission, Bureau of Operations, 5239 Federal Building, 125 South State Street, Salt Lake City, Utah 84138.

No. MC 124236 (sub-No. 53 TA), filed August 13, 1973. Applicant: CHEMICAL EXPRESS CARRIERS, INC., 1200 Simmons Building, Dallas, Tex. 75201. Applicant's representative: Leroy Hallman, 4555 First National Bank Bldg., Dallas, Tex. 75201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry silica moulding sand and dry resin coated moulding sand*, from Mill Creek, Okla., to Amarillo, Tex., for 180 days. Supporting shipper: Hydro Corporation, 2200 NE 3rd, P.O. Box 1006, Amarillo, Tex. 79105. Send protests to: Transportation Specialist Gerald T. Holland, Interstate Commerce Commission, Bureau of Operations, 1100 Commerce Street, Room 13C12, Dallas, Tex. 75202.

No. MC 125358 (sub-No. 13 TA), filed August 14, 1973. Applicant: MID-WEST TRUCK LINES, LTD., Canadian Corp., 1216 Fife Street, Winnipeg, Manitoba, Canada 14. Applicant's representative: William S. Rosen, 630 Osborn Building, St. Paul, Minn. 55102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural chemicals*, for the account of Monsanto Company, from the plantsite and warehouse facility of Monsanto Company near Muscatine, Iowa, to ports of entry on the International Boundary line, between the United States and Canada located at or near Pembina, N. Dak. and Noyes, Minn., on traffic having a subsequent movement in foreign commerce to the provinces of Saskatchewan, Alberta, and Manitoba, Canada, for 180 days. Supporting shipper: Monsanto Company, 800 North Lindbergh Boulevard, St. Louis, Mo. 63166. Send

protests to: J. H. Ambs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, P.O. Box 2340, Fargo, N. Dak. 58102.

No. MC 128030 (sub-No. 46 TA), filed August 15, 1973. Applicant: STOUT TRUCKING CO., INC., P.O. Box 177, RR #1, Urbana, Ill. 61801. Applicant's representative: R. C. Stout (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Bleacher seats and parts thereof*, from Champaign, Ill., to points in California, Idaho, Oregon, and Washington and (B) *basketball backstops and parts thereof*, from Champaign, Ill., to points in the United States when shipped with bleacher seats, for 150 days. Supporting shipper: Mr. T. E. Ignasiak, Universal Bleacher Company, 1303 N. McKinley, Champaign, Ill. Send protests to: R. G. Anderson, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Everett McKinley Dirksen Bldg., 219 S. Dearborn St., Room 1086, Chicago, Ill. 60604.

No. MC 128375 (sub-No. 99 TA), filed August 13, 1973. Applicant: CRETE CARRIER CORPORATION, P.O. Box 249, 1444 Main, Crete, Nebr. 68333. Applicant's representative: Duane W. Acklie (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Tinplate* moving in van equipment, for the account of Allen Products Co., Inc., a subsidiary of division of Liggett & Myers, Incorporated, New York, N.Y., from Weirton, W. Va., to the plantsite of Allen Products Company at or near Crete, Nebr., for 180 days. Supporting shipper: Mr. Glenn Petrline, Distribution Manager, Allen Products Company, Inc., Allentown, Pa. 18101. Send protests to: Max H. Johnston, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 320 Federal Building & Court House, Lincoln, Nebr. 68508.

No. MC 133163 (sub-No. 3 TA), filed August 6, 1973. Applicant: DELTA EXPRESS, INC., P.O. Box 776, River Road, Natchitoches, La. 71457. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, lumber mill and forest products, particle board, wall-board, fiberboard, pulpboard, poles, piling, posts, and ties*, from points in Louisiana located on and north of U.S. Highway 190 and on and west of the Mississippi River (except points within East Carroll, West Carroll, Madison, Tensas, Point Coupee, and St. Landry Parishes, La.), to points in Arkansas, Louisiana, Mississippi, Missouri, Alabama, Florida, Georgia, Illinois, Indiana, and Kentucky, for 180 days. Supporting shippers: (1) Paul Bellenger Lumber Company, P.O. Box 189, Jackson, Miss. 39205; (2) Mueth Lumber & Plywood Co., P.O. Box 12786, St. Louis, Mo. 63141; (3) C. A. Reed Lumber Company, Inc., P.O. Box 267, Bernice, La. 71222; (4) Stewart's Forest Products, P.O. Box 2776, Little Rock, Ark. 72203;

and (5) Willamette Industries, Inc., P.O. Box 907, Albany, Oreg. 97321. Send protests to: District Supervisor Ray C. Armstrong, Jr., Bureau of Operations, Interstate Commerce Commission, T-9038 U.S. Postal Service Bldg., 701 Loyola Avenue, New Orleans, La. 70113.

No. MC 134779 (sub-No. 5 TA), filed August 16, 1973. Applicant: JANESVILLE AUTO TRANSPORT COMPANY, 1263 Cherry Street, P.O. Box 959, Janesville, Wis. 53545. Applicant's representative: Walter N. Bieneman, Suite 1700, One Woodward Avenue, Detroit, Mich. 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Automobiles, trucks, and buses*, as described in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, in initial movements, in truckaway service, (1) from Pontiac, Mich., to Janesville, Wis. and (2) from Pontiac, Mich., to points in Iowa, Minnesota, and Wisconsin, restricted to the transportation of traffic moving through Janesville, Wis., for 180 days. Supporting shipper: E. R. Wiseman, Traffic Planning and Rates—GM Logistics Operations, General Motors Corporation, 30007 Van Dyke Avenue, Warren, Mich. 48090. Send protests to: Barney L. Hardin, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 139 W. Wilson St., Madison, Wis. 53703.

No. MC 136008 (sub-No. 11 TA), filed August 14, 1973. Applicant: JOE BROWN COMPANY, INC., 20 Third Street, NE., P.O. Box 1669, Ardmore, Okla. 73401. Applicant's representative: Rufus H. Lawson, 2400 Northwest 23d Street, P.O. Box 75124, Oklahoma City, Okla. 73107. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Light weight aggregate*, in bulk, (1) from the plantsite of TXI, Dallas, Tex., to (a) plantsite of Day Block Company, Ardmore, Okla.; (b) plantsite of Shawnee Concrete Block & Brick Co., Shawnee, Okla.; (c) plantsite of Ada Block Company, Ada, Okla.; and (d) plantsite of Oklahoma Brick Corp., approximately 3½ miles northwest of Union City, Okla. and (2) from the plantsite of TXI, Eastland, Tex., to (a) plantsite of Thomas Concrete Products Co., Oklahoma City, Okla. and (b) Comanche Concrete Products Company, Lawton, Okla., for 180 days. Supporting shipper: Day Block Company, Thad Day, 1401 Monroe NE., Ardmore, Okla. 73401; Ada Block Co., C. R. Whitwell, 1001 W. 18th Street, Ada, Okla. 74820; Oklahoma Brick Corp., Wm. G. Tait, 2642 Northwest 10th St., Oklahoma City, Okla.; Shawnee Concrete Block & Brick Co., George McLaughlin, 3501 N. Harrison, Shawnee, Okla.; Comanche Concrete Products Co., Jackson J. Russell, 8 Wallock, Lawton, Okla. 73501; and Thomas Concrete Products Co., Tom A. Thomas, Jr., 5500 S. High, Oklahoma City, Okla. Send protests to: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Rm. 240-Old P.O. Bldg., 215 Northwest Third, Oklahoma City, Okla. 73102.

No. MC 138957 (sub-No. 1 TA), filed August 14, 1973. Applicant: DEVANE HARADON, doing business as B-D-H TRUCKING CO. 9320 Southwest Barbur Blvd., Portland, Oreg. 97219. 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: (1) *Alcoholic beverages (beer-wine)* and (2) *paper and paper products*, (1) from San Francisco commercial zone, Menlo Park, St. Helena, Madera, and Los Angeles commercial zone, including Van Nuys and Azusa, Calif., to points in Washington, Multnomah, Clackamas, and Lane Counties, Oreg., and (2) from Portland, Oreg., and its commercial zone, to Los Angeles commercial zone, including Buena Park and San Francisco commercial zone, San Jose and Sacramento, for 180 days. Supporting shippers: Spear Beverage Co., 3808 N. William, Portland, Oreg. 97227 and Western Kraft Corp., 5800 Southwest Western Avenue, Beaverton, Oreg. Send protests to: District Supervisor W. J. Huetig, Interstate Commerce Commission, Bureau of Operations, 450 Multnomah Bldg., 319 Southwest Pine St., Portland, Oreg. 97204.

No. MC 138963 TA (correction), filed August 7, 1973, published in Notice No. 113 dated August 16, 1973, and republished as corrected this issue. Applicant: JAY ROZELL, doing business as ROZELL TRUCK LINES, 1003 Cedar, Minco, Okla. 73059. Applicant's representative: R. H. Lawson, 2400 Northwest 23d, Oklahoma City, Okla. 73107.

NOTE.—The purpose of this partial republication is to correct the applicant's name to JAY ROZELL, in lieu of RAY ROZELL, which was published in the FEDERAL REGISTER in error. The rest of the application remains the same.

#### MOTOR CARRIERS OF PASSENGERS

No. MC 138990 (sub-No. 1 TA), filed August 15, 1973. Applicant: INTERSTATE BUS SERVICE, INC., 8675 Northwest 53d Street, Miami, Fla. 33166. Applicant's representative: Richard B. Austin, Suite 123, Koger Building, Miami, Fla. 33166. Authority sought to operate as a *common contract*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage* in sightseeing bus service as a part of a total package or prearranged air or water and ground transportation movement between Port Everglades, Dodge Island, Miami International Airport, Fort Lauderdale/Hollywood International Airport, Miami Beach, and Fort Lauderdale, Fla., on the one hand, and Cape Kennedy, Disney World (Orange County), Cypress Gardens, Busch Gardens, Rainbow Springs, Key West, and Silver Springs, Fla., on the one hand, and from the named sightseeing points above set out back to the named origin points above set out. Restricted to traffic moving in a combined, prearranged or packaged tour with an immediate, prior or subsequent movement by air or water, for 180 days. Supporting shippers: Duva

Travel Agency, 7861 W. Sample Road, Coral Springs, Fla. 33065 and Strachan Shipping Company Post Office Box 13131, Port Everglades, Fla. 33155. Send protests to: Joseph B. Teichert, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 5720 Southwest 17th St., Room 105, Miami, Fla. 33155.

By the Commission.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc. 73-18474 Filed 8-29-73; 8:45 am]

[Notice 68]

#### MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FORWARDER APPLICATIONS

AUGUST 24, 1973.

The following applications (except as otherwise specifically noted, each applicant (on applications filed after March 27, 1972) states that there will be no significant effect on the quality of the human environment resulting from approval of its application), are governed by Special Rule 1100.247<sup>1</sup> of the Commission's general rules of practice (49 CFR, as amended), published in the FEDERAL REGISTER issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with section 247(d) (3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one (1) copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of section 247(d) (4) of the special rules, and shall include the certification required therein. Section 247(f) of the Commission's

rules of practice further provides that each applicant shall, if protests to its application have been filed, and within 60 days of the date of this publication, notify the Commission in writing (1) that it is ready to proceed and prosecute the application, or (2) that it wishes to withdraw the application, failure in which the application will be dismissed by the Commission.

Further processing steps (whether modified procedure, oral hearing, or other procedures) will be determined generally in accordance with the Commission's general policy statement concerning motor carrier licensing procedures, published in the FEDERAL REGISTER issue of May 3, 1966. This assignment will be by Commission order which will be served on each party of record. Broadening amendments will not be accepted after the date of this publication except for good cause shown, and restrictive amendments will not be entertained following publication in the FEDERAL REGISTER of a notice that the proceeding has been assigned for oral hearing.

No. MC 263 (sub-No. 209), filed June 22, 1973. Applicant: GARRETT FREIGHTLINES, INC., 2055 Garrett Way, Pocatello, Idaho 83201. Applicant's representative: Wayne S. Green (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: Sugar, from Billings, Mont., and points within four miles of Billings, to points in North Dakota and South Dakota.

NOTE.—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo., or Billings, Mont.

No. MC 1824 (sub-No. 61), filed July 10, 1973. Applicant: PRESTON TRUCKING COMPANY, INC., 151 Easton Boulevard, Preston, Md. 21655. Applicant's representative: Frank V. Klein (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: General commodities (except Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving Medina, N.Y., as an off-route point in connection with applicant's regular route operations between Baltimore, Md., and Buffalo, N.Y.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Buffalo, N.Y.

No. MC 2253 (sub-No. 59), filed June 25, 1973. Applicant: CAROLINA FREIGHT CARRIERS CORPORATION, N.C. Highway 150 East, Cherryville, N.C. 28021. Applicant's representative: W. C. Mauldin, P.O. Box 697, Cherryville, N.C. 28201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: Cellulose acetate flake, in bulk, from Celriver, S.C., to Rome, Ga.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at either Atlanta, Ga., Charlotte, N.C., or Greenville, S.C.

No. MC 2253 (sub-No. 61), filed July 5, 1973. Applicant: CAROLINA FREIGHT CARRIERS CORPORATION, N.C. Highway 150, East, Cherryville, N.C. 28021. Applicant's representative: W. C. Mauldin, P.O. Box 697, Cherryville, N.C. 28021. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) Candy and confectionery, and related products (except in bulk), and (2) advertising matter, premium and display materials when shipped in the same vehicle with commodities described in (1) above, in vehicles equipped with mechanical refrigeration, from the plantsite and warehouse facilities of M&M/Mars, Division of Mars, Incorporated, located at Dora-ville, Decatur, Atlanta, and Albany, Ga., to points in Ohio, Illinois, New Jersey, Indiana, Maryland, New York, Pennsylvania, Virginia, and West Virginia, restricted to the transportation of traffic originating at the plantsite and warehouse facilities of M&M/Mars, Division of Mars, Incorporated.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., or Washington, D.C.

No. MC 2860 (sub-No. 124), filed June 19, 1973. Applicant: NATIONAL FREIGHT, INC., 57 W. Park Avenue, Vineland, N.J. 08360. Applicant's representative: Francis W. McInerny, 1000 Sixteenth Street NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: General commodities (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment), between Somerville, N.J., and points in Morris County, N.J., on the one hand, and, on the other, points in New York and Pennsylvania, restricted against the transportation of traffic originating at, destined to, or received from or delivered to connecting carriers at Somerville, N.J., or in Morris County, N.J.

NOTE.—Common control may be involved. Applicant is presently authorized and is conducting operations between points in Pennsylvania and New York via Somerville, N.J. The sole purpose of this application is to add Morris County as an additional gateway area so as to permit the use of terminal and fueling facilities proposed to be established in Morris County. Applicant states that the requested authority can be tacked at Somerville, N.J. and Morris County, N.J., to serve points in Southern New England.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 4963 (sub-No. 44), filed July 30, 1973. Applicant: ALLEGHANY CORPORATION, doing business as JONES MOTOR, Bridge Street & Schuylkill

<sup>1</sup> Copies of Special Rule 247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

Road, Spring City, Pa. 19475. Applicant's representative: Roland Rice, Suite 618, Perpetual Building, 1111 E Street NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cabinets*, wooden, *parts thereof*, counter tops, with or without vinyl covering or plastic, and *sinks*, setup or knocked down, from the Boise Cascade Corporation plants and warehouses located at Fenwick, Paw Paw, and Moorefield, W. Va., and Berryville, Orange and Winchester, Va., on the one hand, and, on the other, points in Maine, New Hampshire, Vermont, Connecticut, Rhode Island, Massachusetts, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Tennessee, Illinois, Indiana, Iowa, Michigan, Ohio, Missouri, and the District of Columbia.

**NOTE.**—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 5470 (sub-No. 80), filed June 15, 1973. Applicant: TAJON, INC., R.D. 5, Mercer, Pa. 16137. Applicant's representative: Donald E. Cross, 918-16th Street NW., Suite 700, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Alloys, ores, and metals*, in dump vehicles, from New Kensington, Pa., to points in Connecticut, Delaware, Illinois, Indiana, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Rhode Island, Vermont, Virginia, and West Virginia.

**NOTE.**—Applicant states that the requested authority can be tacked with its existing authority at: (1) New Kensington, Pa. to provide a through service from various points in Ohio, Pennsylvania, New York, Kentucky, West Virginia, Connecticut, New Jersey, and Tennessee to the destination states requested herein; and (2) Alloy, W. Va., and Ashtabula and Marietta, Ohio to serve additional destinations in various southern states and Wisconsin, Kentucky, Missouri, North Carolina, and South Carolina. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C. or Pittsburgh, Pa.

No. MC 5470 (sub-No. 81), filed June 18, 1973. Applicant: TAJON, INC., R.D. 5, Mercer, Pa. 16137. Applicant's representative: Donald E. Cross, 918-16th Street NW., Suite 700, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Asphalt*, in bulk, in dump vehicles, from Perth Amboy, N.J., to points in New York, Ohio, and Pennsylvania.

**NOTE.**—Applicant states that the requested authority can be tacked with its existing authority in No. MC 5470 at various points in Ohio; (1) to serve additional points in West Virginia and those in New York west of U.S. Highway 15; and (2) to serve additional points in Kentucky, and West Virginia within 40 miles of Ironton, Ohio. Applicant further indicates that tacking may occur at points in Pennsylvania, but no new service could be rendered. If a hearing is deemed

necessary, applicant requests it be held at Washington, D.C. or Pittsburgh, Pa.

No. MC 8600 (sub-No. 32), filed June 21, 1973. Applicant: WERNER CONTINENTAL, INC., 2500 West County Road C, St. Paul, Minn. 55113. Applicant's representative: Edward G. Bazon, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Class A and B explosives, livestock, commodities in bulk, commodities requiring special equipment), (1) between Lima, Ohio, and the junction of Ohio Highway 65 and U.S. Highway 30 N; from Lima over Ohio Highway 65 to junction U.S. Highway 30 N, and return over the same route; (2) between the junction of Ohio Highway 65 and U.S. Highway 30 N and Defiance, Ohio: from junction Ohio Highway 65 and U.S. Highway 30 N over Ohio Highway 65 to junction Ohio Highway 15, thence over Ohio Highway 15 to Defiance, and return over the same route; (3) between Lima, Ohio, and the junction of U.S. Highway 25 (also known as Interstate Highway 75) and U.S. Highway 30 N; from Lima over U.S. Highway 25 (also known as Interstate Highway 75) to junction U.S. Highway 30 N, and return over the same route; (4) between the junction of U.S. Highway 25 (also known as Interstate Highway 75) and U.S. Highway 30 N and Toledo, Ohio: (a) from junction U.S. Highway 25 (also known as Interstate Highway 75) and U.S. Highway 30 N over combined U.S. Highway 25 and Interstate Highway 75 to junction U.S. Highway 25 at or near Cygnet, thence over separated U.S. Highway 25 to Toledo, and return over the same route; and (b) from junction U.S. Highway 25 (also known as Interstate Highway 75) and U.S. Highway 30 N over combined U.S. Highway 25 and Interstate Highway 75 to junction Interstate Highway 75 at or near Cygnet, then over separated Interstate Highway 75 to Toledo, and return over the same route; (5) between the junction of U.S. Highway 30 and Ohio Highway 66 at or near Delphos, Ohio and Defiance, Ohio: from junction U.S. Highway 30 and Ohio Highway 66 at or near Delphos over Ohio Highway 66 to Defiance, and return over the same route; (6) between the junction of U.S. Highway 30 and U.S. Highway 127 at or near Van Wert, Ohio, and the junction of U.S. Highway 127 and U.S. Highway 24: from junction U.S. Highway 30 and U.S. Highway 127 at or near Van Wert over U.S. Highway 127 to junction U.S. Highway 24, and return over the same route; and (7) the request in (1) through (6) above as alternate routes for operating convenience only, serving no intermediate points.

**NOTE.**—If a hearing is deemed necessary, applicant requests it be held at St. Paul, Minn.

No. MC 14552 (sub-No. 50), filed May 31, 1973. Applicant: J. V. McNICHOLAS TRANSFER COMPANY, a

Corporation, 555 West Federal Street, Youngstown, Ohio 44501. Applicant's representative: Paul F. Beery, 88 East Broad St., Suite 1660, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel articles*, from Pittsburgh, Clairton, Homestead, Duquesne, McKeesport, Dravosburg, West Mifflin, Ellwood City, and Vandergrift, Pa., to points in Michigan, Indiana, and New York; and (2) *iron and steel articles, and materials, equipment, and supplies* used or useful in the manufacture of iron and steel and iron and steel articles, (except liquid commodities and commodities in bulk) from points in Michigan, Indiana, and New York to points in Ohio, and those in Pennsylvania on and west of U.S. Highway 219, and those in West Virginia on and north of U.S. Highway 50, and on and west of U.S. Highway 219, restricted to the transportation of shipments originating at and/or destined to the above-named origins and destinations.

**NOTE.**—Applicant holds contract carrier authority under MC 123991 and Subs 4 and 7, therefore dual operations may be involved. Applicant, further states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant does not specify a location.

No. MC 17211 (sub-No. 14), filed July 10, 1973. Applicant: JESCO MOTOR EXPRESS, INC., 162 Columbus Road, Mount Vernon, Ohio 43050. Applicant's representative: David A. Turano, 100 East Broad St., Columbus, Ohio 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Soda ash*, from Wyandotte, Mich., to Mount Vernon, Ohio, under contract with Chattanooga Glass Company.

**NOTE.**—If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 19227 (sub-No. 191), filed July 19, 1973. Applicant: LEONARD BROS. TRUCKING CO., INC., 2595 NW. 20th Street, Miami, Fla. 33152. Applicant's representative: J. F. Dewhurst (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sewage disposal units, water treatment units, accessories* such as tertiary filters, flow splitter boxes, etc., and *component parts that may be used in conjunction with ecology and environmental control systems*, (1) from Charlotte, N.C., to points in Michigan, Illinois, Indiana, Ohio, West Virginia, Virginia, Maryland, Delaware, Kentucky, Tennessee, South Carolina, Georgia, Arkansas, Oklahoma, Kansas, and Texas, (2) from Houston, Tex., to points in Tennessee, North Carolina, Kentucky, Virginia, West Virginia, Delaware, Ohio, Indiana, Illinois, and Michigan, and (3) from Baltimore, Md., to points in Michigan, Illinois, Indiana, Ohio, Virginia, Kansas, Oklahoma, and Texas.

**NOTE.**—Common control may be involved. Applicant indicates that to the extent that the commodities for which the instant application is made are commodities requiring special equipment, the requested authority under part (1) can be tacked with its existing authority at points in Texas and Yuma, Ariz., to provide a through service from Charlotte, N.C., to points in Arizona, California, Missouri, Nebraska, and New Mexico, and under part (3) tack at points in Kansas and Yuma, Ariz., to provide a through service from Baltimore, Md., to points in Arizona, California, Nebraska, New Mexico, and Missouri, but indicates that it has no present intention to tack. Applicant further states there are other tacking possibilities into Florida, Arkansas, and Louisiana by tacking through Kansas and Texas, but that these would be too circuitous for practical transportation. If a hearing is deemed necessary, applicant requests it be held at Jacksonville, Fla., or Washington, D.C.

No. MC 19917 (sub-No. 3), filed July 16, 1973. Applicant: E. R. JARRELL, 1422 Smallman Street, Pittsburgh, Pa. 15219. Applicant's representative: Jerome Solomon, 3131 U.S. Steel Bldg., 600 Grant St., Pittsburgh, Pa. 15219. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Prepared food products*, from the plantsites and storage facilities of H. J. Heinz Company located in Allegheny County, Pa., to points in Massachusetts, Connecticut, Rhode Island, Maine, Vermont, and New Hampshire, under contract with H. J. Heinz Company.

**NOTE.**—If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa., or Washington, D.C.

No. MC 19778 (sub-No. 87), filed July 5, 1973. Applicant: MILWAUKEE MOTOR TRANSPORTATION COMPANY, a Corporation, Suite 508-516, West Jackson Blvd., Chicago, Ill. 60606. Applicant's representative: W. E. Gallagher (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities (except Classes A and B explosives)*, between Billings and Roundup, Mont., restricted to the transportation of shipments having prior or subsequent movement by rail.

**NOTE.**—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at either Billings or Helena, Mont.

No. MC 25399 (sub-No. 10), filed June 11, 1973. Applicant: A-P-A TRANSPORT CORP., 2100 85th Street, North Bergen, N.J. 07047. Applicant's representative: George A. Olsen, 69 Tonelle Ave., Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities (except those of unusual value, classes A and B explosives, household goods, as defined in Practices of Motor Common Carriers of Household Goods, 17 M.C.C. 467, commodities in bulk, and commodities requiring special equipment)*, between points in Middlesex

County, N.J., and Philadelphia, Pa., Commercial Zone as defined by the Commission, on the one hand, and, on the other, points in Salem, Atlantic, Cumberland, and Cape May Counties, N.J.

**NOTE.**—Applicant states that the above authority can be tacked with applicant's present authority in Docket No. MC 25399 and Subs at points in Middlesex County, N.J., and points in the Philadelphia, Pa., Commercial Zone as defined by the Commission to serve additional points in Camden, Gloucester, Burlington, Mercer, Ocean, Monmouth, Middlesex, and Somerset Counties, N.J. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Philadelphia, Pa.

No. MC 25798 (sub-No. 240), filed July 23, 1973. Applicant: CLAY HYDER TRUCKING LINES, INC., 502 East Bridgers Avenue, Auburndale, Fla. 33823. Applicant's representative: Tony G. Russell (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Candy and confectionery and related products (except in bulk)*, and (2) *advertising matter, premium and display materials* when shipped in the same vehicle with commodities described in (1) above, in vehicles equipped with mechanical refrigeration, from points in Georgia, to points in Arizona, Arkansas, California, Illinois, Indiana, Iowa, Louisiana, Minnesota, Missouri, Nebraska, Nevada, North Dakota, South Dakota, Oklahoma, Oregon, Texas, Utah, Virginia, Washington, West Virginia, and Wisconsin, restricted to the transportation of traffic originating at the plantsite or warehouse facilities of M&M/Mars, Division of Mars, Inc., located at Doraville, Decatur, Atlanta, and Albany, Ga.

**NOTE.**—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C. or Atlanta, Ga.

No. MC 25798 (sub-No. 241), filed July 24, 1973. Applicant: CLAY HYDER TRUCKING LINES, INC., 502 East Bridgers Avenue, Auburndale, Fla. 33823. Applicant's representative: Tony G. Russell (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Wagner, S. Dak., to points in Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee, restricted to traffic originating at the plantsite and storage facilities of Yankton Sioux Industries.

**NOTE.**—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn. or Washington, D.C.

No. MC 30844 (sub-No. 474), filed July 13, 1973. Applicant: KROBLIN REFRIGERATED XPRESS, INC., 2125 Commercial Street, P.O. Box 5000, Waterloo, Iowa 50702. Applicant's representative: Truman A. Stockton, The 1650 Grant Street Bldg., Denver, Colo. 80203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Confectionery*, from Freehold, N.J., to points in the United States in and east of Colorado, Nebraska, North Dakota, Oklahoma, South Dakota, and Texas.

**NOTE.**—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 36974 (sub-No. 9), filed July 16, 1973. Applicant: HMELESKI TRUCKING CORP., 108 New Era Drive, South Plainfield, N.J. 07080. Applicant's representative: Morton E. Kiel, Suite 6193, 5 World Trade Center, New York, N.Y. 10048. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities as are dealt in by a manufacturer of elevators and escalators and in connection therewith materials, supplies, and equipment used in the maintenance, repair, or installation thereof*, from Edison, N.J., to points in Orange, Rockland, Putnam, Dutchess, and Ulster Counties, N.Y., Philadelphia, Bucks, Montgomery, Delaware, Northampton, Monroe, Chester, Lancaster, Berks, and Lehigh Counties, Pa., and New Castle County, Del., and *returned shipments* from points in the above described destination territory to Edison, N.J.

**NOTE.**—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 41404 (sub-No. 110), filed July 5, 1973. Applicant: ARGO-COLLIER TRUCK LINES CORPORATION, P.O. Box 440, Fulton Highway, Martin, Tenn. 38237. Applicant's representative: Tom D. Copeland (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Candy and confectionery and related products (except in bulk)*, and (2) *advertising matter, premium and display materials*, when shipped in the same vehicle with commodities described in (1) above, in vehicles equipped with mechanical refrigeration, from the plantsites and warehouse facilities of M&M/MARS, Division of Mars, Incorporated, located at or near Albany, Atlanta, Doraville, and Decatur, Ga., to points in Alabama, Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Mississippi, Missouri, North Dakota, South Dakota, Ohio, Tennessee, Texas, Virginia, West Virginia, and Wisconsin, restricted to the transportation of traffic originating at the plantsite and warehouse facilities of M&M/MARS, Division of Mars, Incorporated.

**NOTE.**—Common control and dual operations may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., Atlanta, Ga., or Chicago, Ill.

No. MC 47693 (sub-No. 13), filed July 20, 1973. Applicant: JOHN R. CALLAHAN, doing business as CALLAHAN TRANSPORTATION, 857 Dounton Way, Pittsburgh, Pa. 15233. Applicant's representative: Joseph I. Lewis, 907 Plaza Bldg., Pittsburgh, Pa. 15219. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, between points in Pennsylvania on and west of a line formed by the eastern boundaries of McKean, Cameron, Clearfield, Blair, Huntingdon, and Fulton Counties, under contract with Brandywine Distributing Co., South Side Beer Distributing Co., and Duquesne Sales.

**NOTE.**—If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 59680 (sub-No. 209), filed July 5, 1973. Applicant: STRICKLAND TRANSPORTATION CO., INC., 3011 Gulden Avenue, P.O. Box 5689, Dallas, Texas 75222. Applicant's representative: Oscar P. Peck (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except classes A and B explosives, commodities in bulk and those requiring special equipment), (1) between Fordyce and Warren, Ark.: from Fordyce over Arkansas Highway 8 to Warren and return over the same route, serving no intermediate points; (2) between Monticello and McGehee, Ark.: from Monticello over Arkansas Highway 4 to McGehee and return over the same route, serving no intermediate points; (3) between Monticello and Dermott, Ark.: from Monticello over Arkansas Highway 35 to Dermott and return over the same route, serving no intermediate points; (4) between Hamburg and Montrose, Ark.: from Hamburg over U.S. Highway 85 to Montrose, and return over the same route, serving no intermediate points; (5) between Hamburg and Parkdale, Ark.: from Hamburg over Arkansas Highway 8 to Parkdale, and return over the same route, serving no intermediate points; (6) between Parkdale and Eudora, Ark.:

From Parkdale over Arkansas Highway 8 to Eudora, and return over the same route, serving no intermediate points; (7) between Little Rock and Fordyce, Ark.: from Little Rock over U.S. Highway 167 to Fordyce, and return over the same route, serving no intermediate points; (8) between Star City and Gould, Ark.: from Star City over Arkansas Highway 114 to Gould, and return over the same route, serving no intermediate points; (9) between Rison and Calmer, Ark.: from Rison over Arkansas Highway 35 to junction Arkansas Highway 114, thence over Arkansas Highway 114

to Calmer, and return over the same routes, serving no intermediate points; (10) between Calmer and Star City, Ark.: from Calmer over Arkansas Highway 114 to Star City, and return over the same route, serving no intermediate points; and (11) between Monticello and Dumas, Ark.: from Monticello over Arkansas Highway 83 to junction Arkansas Highway 54, thence over Arkansas Highway 54 to Dumas, and return over the same route, serving no intermediate points; return over the same route, serving no intermediate points; (6) between Parkdale and Eudora, Ark.: from Parkdale over Arkansas Highway 8 to Eudora, and return over the same route, serving no intermediate points; (7) between Little Rock and Fordyce, Ark.: from Little Rock over U.S. Highway 167 to Fordyce, and return over the same route, serving no intermediate points; (8) between Star City and Gould, Ark.: from Star City over Arkansas Highway 114 to Gould, and return over the same route, serving no intermediate points; (9) between Rison and Calmer, Ark.: from Rison over Arkansas Highway 35 to junction Arkansas Highway 114, thence over Arkansas Highway 114 to Calmer, and return over the same routes, serving no intermediate points; (10) between Calmer and Star City, Ark.:

From Calmer over Arkansas Highway 114 to Star City, and return over the same route, serving no intermediate points; and (11) between Monticello and Dumas, Ark.: from Monticello over Arkansas Highway 83 to junction Arkansas Highway 54, thence over Arkansas Highway 54 to Dumas, and return over the same route, serving no intermediate points; in all of the above as alternate routes for operating convenience only in connection with carrier's regular route operations.

**NOTE.**—If a hearing is deemed necessary, applicant requests it be held at either Little Rock, Ark., Memphis, Tenn., Dallas, Tex., or Washington, D.C.

No. MC 61396 (sub-No. 251), filed July 3, 1973. Applicant: HERMAN BROS., INC., 2501 No. 11th St., P.O. Box 189, Omaha, Nebr. 68101. Applicant's representative: Dale G. Herman (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid animal feed and liquid animal feed supplements*, in bulk, in tank vehicles, from the plantsite of Land O'Lakes, Inc., at or near Dubuque, Iowa, to points in Illinois, Minnesota, Nebraska, North Dakota, South Dakota, and Wisconsin.

**NOTE.**—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Des Moines, Iowa.

No. MC 61396 (sub-No. 252), filed July 19, 1973. Applicant: HERMAN BROS., INC., 2501 No. 11th St., P.O. Box 189, Omaha, Nebr. 68101. Applicant's representative: Dale G. Herman (same address as applicant). Authority sought to

operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fly ash*, in bulk, from points in Sioux City, Iowa Commercial Zone, to points in Minnesota, Nebraska, and South Dakota.

**NOTE.**—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Sioux City, Iowa.

No. MC 61396 (sub-No. 253), filed July 19, 1973. Applicant: HERMAN BROS., INC., 2501 No. 11th Street, P.O. Box 189, Omaha, Nebr. 68101. Applicant's representative: Dale G. Herman (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer solutions*, in bulk, in tank vehicles, from Doniphan, Nebr., and Kansas City, Mo., to points in Kansas.

**NOTE.**—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Kansas City, Mo.

No. MC 61592 (sub-No. 309), filed June 29, 1973. Applicant: JENKINS TRUCK LINE, INC., 3708 Elm Street, Bettendorf, Iowa 52722. Applicant's representative: E. A. DeVine (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Vinyl, asphalt, aluminum and steel siding and vinyl skirting*, and (2) *materials and supplies* used in the manufacture and distribution of the foregoing commodities, from the plantsites and warehouse facilities of Mastic Corp. at South Bend, Ind., and Chicago, Ill., to points in Iowa, Missouri, Arkansas, Louisiana, Mississippi, Alabama, Tennessee, Kentucky, Illinois, Indiana, Michigan, Wisconsin, Georgia, Florida, South Carolina, North Carolina, Ohio, Pennsylvania, Virginia, West Virginia, Delaware, Maryland, New Jersey, New York, Connecticut, Massachusetts, Rhode Island, New Hampshire, Vermont, Maine, and the District of Columbia.

**NOTE.**—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it to be held at Chicago, Ill.

No. MC 76449 (sub-No. 14), filed June 28, 1973. Applicant: NELSON'S EXPRESS, INC., 675 North Market Street, Millersburg, Pa. 17061. Applicant's representative: Jon M. Musselman, 410 North Third Street, P.O. Box 1146, Harrisburg, Pa. 17108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Automotive and trailer axles and parts thereof, automotive and trailer wheels, hub and drum assemblies and parts thereof, automotive and trailer brake assemblies and parts thereof, rims, tires, and tires mounted on rims*, from Pine Grove, Pa., to points in Maryland, New York, Ohio, Virginia, West Virginia, and the District of Columbia; and (2) *articles, materials, and supplies* used in the

manufacture and distribution of the commodities named in (1) above from the above destinations, to Pine Grove, Pa.

**NOTE.**—Applicant states that the requested authority can be tacked with its regular-route authority in No. MC-76449 and sub-Nos. 5, 7, 9, and 10, at Pine Grove, Pa., to serve various points in Pennsylvania. If a hearing is deemed necessary, applicant requests it be held at Harrisburg, Pa., or Washington, D.C.

No. MC 78118 (sub-No. 23), filed June 28, 1973. Applicant: W. H. JOHNS, INC., 35 Witmer Road, Lancaster, Pa. 17602. Applicant's representative: Christian V. Graf, 407 North Front Street, Harrisburg, Pa. 17101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by wholesale, retail, and chain grocery and food business houses and in connection therewith, equipment, material, and supplies used in the conduct of such business (except in bulk), between the facilities of Acme Markets, Inc., in the Township of East Lampeter (Lancaster County), Pa., on the one hand, and, on the other, those points in New Jersey, lying on, south and west of a line beginning at the Pennsylvania-New Jersey State line and extending along U.S. Highway 22 to Alpha, N.J., thence along Interstate Highway 78 to intersection U.S. Highway 22, thence along U.S. Highway 22 to Somerville, N.J., thence southward along U.S. Highway 206 to Princeton, N.J., thence eastward along New Jersey Highway 571 to Hights town, N.J., and thence along New Jersey Highway 33 to Ocean Grove, N.J.; points in Delaware north of the Chesapeake and Delaware Canal; and those points in Pennsylvania in a territory east of the Susquehanna River to its intersection with U.S. Highway 209 at Millersburg, Pa., and on and south of a line beginning at the intersection of the Susquehanna River and U.S. Highway 209, thence along U.S. Highway 209 to Stroudsburg, Pa., and thence along Interstate Highway 80 to the Pennsylvania-New Jersey State line.*

**NOTE.**—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C. or Harrisburg, Pa.

No. MC 87720 (sub-No. 146), filed July 6, 1973. Applicant: BASS TRANSPORTATION CO., INC., P.O. Box 391, Flemington, N.J. 08822. Applicant's representative: Bert Collins, Suite 6193-5 World Trade Center, New York, N.Y. 10048. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities as are dealt in by retail and chain grocery, hardware, and drug stores, in containers, and materials and supplies (except in bulk) used in the manufacture and distribution of the above described commodities, between Chicago, Ill., and points in its Commercial Zone, on the one hand, and, on the other, Atlanta, Chamblee, and Doraville, Ga., Kansas City, Kans., Kansas City, Mo., Denver, Colo., Arlington, Tex., Detroit,*

*Mich., and Los Angeles, Calif., and points in the respective Commercial Zones thereof, under contract with American Home Products Corporation.*

**NOTE.**—Applicant also holds common carrier authority in MC 135684 (sub-No. 1), therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 89684 (sub-No. 83), filed June 11, 1973. Applicant: WYCOFF COMPANY, INCORPORATED, 560 South 2nd Street, Salt Lake City, Utah 84110. Applicant's representative: Harry D. Pugsley, 400 El Paso Gas Building, Salt Lake City, Utah 84109. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities (except those of unusual value, commodities in bulk, commodities requiring special equipment and household goods as defined by the Commission in Practices of Motor Common Carriers of Household Goods, 71 M.C.C. 467), between points in Salt Lake County, Utah, on the one hand, and, on the other, Alta, Utah, and points in Little Cottonwood Canyon on Utah Highway 210; and Brighton, Utah and points in Big Cottonwood Canyon on Utah Highway 152.*

**NOTE.**—Applicant states that tacking possibilities exist with its sub 63 and 54 to provide through service from the Denver, Colo., area and the Southern Idaho areas. Persons interested in the tacking possibilities are cautioned that failure to oppose them may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 103498 (sub-No. 32) (amendment), filed May 16, 1973, published in the FR issue of June 21, 1973, and republished, as amended, this issue. Applicant: W. D. SMITH TRUCK LINE, INC., P.O. Drawer C, DeQueen, Ark. 71832. Applicant's representative: Donald T. Jack, Jr., 1550 Tower Building, Little Rock, Ark. 72201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Insulating materials, from Grambling, La., to points in the United States (except Alaska and Hawaii).*

**NOTE.**—The purpose of this republication is to indicate that applicant seeks to perform operations from Grambling, La., in lieu of Simsboro, La. as originally requested. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark.

No. MC 104654 (sub-No. 152), filed June 11, 1973. Applicant: COMMERCIAL TRANSPORT, INC., P.O. Box 469, Belleville, Ill. 62222. Applicant's representative: L. A. Jaskiewicz, Suite 501, 1730 M Street NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities, in bulk, from Belleville, Ill., to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Missouri, Tennessee, and Wisconsin, restricted to traffic having an immediate prior movement by rail.*

**NOTE.**—Common control may be involved. Applicant indicates that no tacking will be performed, and therefore an appropriate restriction will apply. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo. or Washington, D.C.

No. MC 105159 (sub-No. 30), filed July 5, 1973. Applicant: KNUDSEN TRUCKING, INC., 1320 West Main Street, Red Wing, Minn. 55066. Applicant's representative: Robert D. Gisvold, 1000 First National Bank Bldg., Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feed and feed ingredients, from points in Minnesota, to points in Illinois, and Nebraska.*

**NOTE.**—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 105813 (sub-No. 190), filed July 13, 1973. Applicant: BELFORD TRUCKING CO., INC., 3500 N.W. 79th Avenue, Miami, Fla. 33148. Applicant's representative: Arnold L. Burke, 127 North Dearborn Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *candy and confectionery and related products (except in bulk), and (2) advertising matter, premium and display materials, when shipped in the same vehicle with commodities described in (1) above, in vehicles equipped with mechanical refrigeration, from the plantsite and warehouse facilities of M&M/MARS, Division of Mars, Incorporated, located at or near Albany, Atlanta, Doraville, and Decatur, Ga., to points in Florida, Illinois, Indiana, Kansas, Missouri, North Dakota, and South Dakota, restricted to the transportation of traffic originating at the plantsite and warehouse facilities of M&M/MARS, Division of Mars, Incorporated.*

**NOTE.**—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 106398 (sub-No. 675), filed July 2, 1973. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Tulsa, Okla. 74151. Applicant's representative: Irvin Tull (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Enameled steel silos, loading and unloading devices, waste storage tanks, livestock scales, livestock feed bunkers, forage metering devices, animal waste spreader tanks, livestock feeding systems, and parts and accessories for the above described commodities, from Dekalb, Ill., to points in South Dakota, Nebraska, and Kansas, and to points in the United States in and east of Minnesota, Iowa, Missouri, Arkansas, and Louisiana, restricted to shipments originating from the plant site of the A. O. Smith Corporation.*

**NOTE.**—Dual operations and common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 106400 (sub-No. 98), filed June 29, 1973. Applicant: KAW TRANSPORT COMPANY, a Corporation, P.O. Box 12628, North Kansas City, Mo. 64116. Applicant's representative: Robert L. Hawkins, Jr., P.O. Box 456, Jefferson City, Mo. 65101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Roofing asphalt* in bulk, in tank vehicles, from the plant site of Trumbull Asphalt Co., at North Kansas City, Mo., to points in Iowa.

**NOTE.**—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 106644 (sub-No. 154), filed June 18, 1973. Applicant: SUPERIOR TRUCKING COMPANY, INC., 2770 Peyton Road NW, P.O. Box 916, Atlanta, Ga. 30318. Applicant's representative: Hubert Johnson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe, plastic conduit, plastic or iron fittings and connections, valves, hydrants and gaskets*, (except oil field commodities as defined in *Mercer-Extension Oil Field Commodities*, 74 M.C.C. 459), from the plantsite and storage facilities of the Clow Corporation at or near Columbia, Mo., to points in the United States (except Alaska and Hawaii), restricted to traffic from the new plant site and storage facilities of the Clow Corporation at Columbia, Mo.

**NOTE.**—Common control may be involved. Applicant states that the requested authority will not be tacked with its existing authority, and may be restricted appropriately. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 108676 (sub-No. 54), filed June 24, 1973. Applicant: A. J. METLER HAULING & RIGGING, INC., 117 Chicauga Avenue NE, Knoxville, Tenn. 37917. Applicant's representative: Carl U. Hurst, P.O. Box E, Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Trailer chassis*, from Birston, Va., to Knoxville, Tenn.; (2) (a) *steel culvert pipe, parts and accessories* and (b) *steel sheet, guard rails, and parts and accessories* for such commodities, from Jeffersonville, Ind. and Girard, Ohio to points in Tennessee, on and east of U.S. Highway 27; and (3) *self-propelled motor vehicles*, each weighing less than 15,000 pounds, from the plant site of Long-Airdox, Inc. at or near Knoxville, Tenn., to points in the United States (except Alaska and Hawaii).

**NOTE.**—Applicant states that the requested authority in (2) above can be tacked with its existing authority at points in Tennessee

to serve points in Alabama, Georgia, North Carolina, South Carolina, and Virginia, but indicates it has no present intention to tack. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Knoxville or Nashville, Tenn.

No. MC 109551 (sub-No. 6), filed June 29, 1973. Applicant: MILLER TRUCKING, INC., 1001 S. Fourth Street, Gas City, Ind. Applicant's representative: Donald W. Smith, 900 Circle Tower Bldg., Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Glass containers, closures therefore, and paper cartons*, from Winchester and Richmond, Ind., to points in Illinois, Kentucky, Michigan, Ohio, and Wisconsin, and (2) *rejected shipments thereof*, from the destination points named in (1) above to Winchester and Richmond, Va.

**NOTE.**—Applicant also holds contract carrier authority in MC 74598, therefore dual operations may be involved. Common control may also be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Indianapolis, Ind.

No. MC 110012 (sub-No. 28), filed July 12, 1973. Applicant: G. B. C., INC., 707 North Liberty Hill Road, Morristown, Tenn. 37814. Applicant's representative: Robert E. Joyner, 2000 Clark Tower, 5100 Poplar Ave., Memphis, Tenn. 38137. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *New furniture*, crated or uncrated, from points in Jefferson and Hawkins Counties, Tenn., to points in the United States (except Alaska and Hawaii), and (2) *materials and supplies* used in the manufacture of furniture (except commodities in bulk, in tank vehicles), from points in the United States (except Alaska and Hawaii) to points in Jefferson and Hawkins Counties, Tenn.

**NOTE.**—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Knoxville, Tenn., or Washington, D.C.

No. MC 110098 (sub-No. 137), filed June 25, 1973. Applicant: ZERO REFRIGERATED LINES, a Corporation, 1400 Ackerman Road, P.O. Box 20380, San Antonio, Tex. 78220. Applicant's representative: Donald L. Stern, 530 Univac Building, 7100 West Center Road, Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products and articles distributed by meat packing houses* as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from the facilities of Missouri Beef Packers, Inc., at or near Boise, Idaho, to points in California, Arizona, New Mexico, Texas,

Kansas, Oklahoma, Missouri, Arkansas, and Louisiana, restricted to traffic originating at the named origins.

**NOTE.**—Applicant states that the requested authority can be tacked with its existing authority at Clovis, N. Mex. to serve points in Montana, Wyoming, North Dakota, and South Dakota, however applicant has no present intention to tack. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Boise, Idaho.

No. MC 110525 (sub-No. 1063), filed July 19, 1973. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, from the plant site of Dow Chemical, U.S.A., at or near Plaquemine, La., to points in the United States (except Alaska and Hawaii), restricted to shipment originating at the above named plant site.

**NOTE.**—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at New Orleans, La., or Houston, Tex.

No. MC 111383 (sub-No. 34), filed June 20, 1973. Applicant: BRASWELL MOTOR FREIGHT LINES, INC., 3925 Singleton Blvd., P.O. Box 4447, Dallas, Tex. 75208. Applicant's representative: E. Larry Wells, 4645 N. Central Expressway, Dallas, Tex. 75205. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment). (1) Between Birmingham, Ala. and Montgomery, Ala.: From Birmingham over U.S. Highway 31 and also Interstate Highway 65 to Montgomery, as an alternate route for operating convenience only, serving no intermediate points; (2) Between Birmingham, Ala. and Opelika, Ala.: From Birmingham over U.S. Highway 280 to Opelika, as an alternate route for operating convenience only, serving no intermediate points; and (3) Between La Grange, Ga. and Columbus, Ga.: From La Grange over Georgia Highway 219 to junction Georgia Highway 103, thence over Georgia Highway 103 to Columbus, and return over the same route, as an alternate route for operating convenience only, serving no intermediate points.

**NOTE.**—If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 111383 (sub-No. 36), filed June 20, 1973. Applicant: BRASWELL MOTOR FREIGHT LINES, INC., 3925 Singleton Blvd., P.O. Box 4447, Dallas, Tex. 75208. Applicant's representative: Lawrence A. Winkle, 4645 North Central Expressway, Dallas, Tex. 75205. Authority sought to operate as a *common*

carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment); (1) Between Alexandria, La. and Monroe, La.: From Alexandria over U.S. Highway 165 to Monroe and return over the same route, as an alternate route for operating convenience only, serving no intermediate points; (2) Between Alexandria, La. and Tallulah, La.: From Alexandria over U.S. Highway 165 to junction Louisiana State Highway 28, thence over Louisiana State Highway 28 to junction U.S. Highway 84, thence over U.S. Highway 84 to junction U.S. Highway 65, thence over U.S. Highway 65 to Tallulah, La. and return over the same route, as an alternate route for operating convenience only, serving no intermediate points and serving Tallulah, La. for the purpose of joinder only; and (3) Between Alexandria, La. and Natchez, Miss.: From Alexandria, La. over U.S. Highway 165 to junction Louisiana State Highway 28, thence over Louisiana State Highway 28 to junction U.S. Highway 84, thence over U.S. Highway 84 to junction U.S. Highway 65, thence over U.S. Highway 65 to Natchez, Miss. and return over the same route, as an alternate route for operating convenience only, serving no intermediate points.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 112148 (sub-No. 56), filed June 27, 1973. Applicant: WORSTER-IOWA, INC., Gay Road, R.D. #1, North East, Pa. 16428. Applicant's representative: William L. Fairbank, 900 Hubbell Bldg., Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses* as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and storage facilities of John Morrell & Co., at Humboldt, Iowa, to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia; restricted to traffic originating at the above-named plantsite and storage facilities.

NOTE.—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 112750 (sub-No. 299), filed June 20, 1973. Applicant: PUROLATOR COURIER CORP., 2 Nevada Drive, Lake Success, N.Y. 11040. Applicant's representative: John M. Delany (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehi-

cle, over irregular routes, transporting: *Commercial papers, documents, written instruments, and business records* (except currency, and negotiable securities) as are used in the business of banks and banking institutions; (1) between Vincennes, Ind., on the one hand, and, on the other, points in Clark, Clay, Crawford, Cook, Cumberland, Edwards, Effingham, Jasper, Lawrence, Wabash, and Wayne Counties, Ill.; (2) between Bedford and Sullivan, Ind., on the one hand, and, on the other, Chicago, Ill.; (3) between points in Worcester, Mass., on the one hand, and, on the other, points in Hartford County, Conn.; (4) from Pittsfield, Mass., to Windsor Locks, Conn.; (5) from Holyoke, Mass., to Windsor Locks, Conn.; and (6) between Berne, Ind., and Cleveland, Ohio, under a continuing contract, or contracts with banks and banking institutions.

NOTE.—Applicant holds common carrier authority under MC 111729 and subs thereunder, therefore dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, applicant requests it be held at Indiana or Washington, D.C.

No. MC 113267 (sub-No. 306), filed July 18, 1973. Applicant: CENTRAL & SOUTHERN TRUCK LINES, INC., 3385 Airways Blvd., Suite 116, Memphis, Tenn. 38116. Applicant's representative: Lawrence A. Fischer (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Milk products* (except in bulk), from the plantsite and storage facilities of Borden, Inc., at or near Starkville, Miss., to points in the United States (except Alaska and Hawaii).

NOTE.—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio, or Memphis, Tenn.

No. MC 113459 (sub-No. 81), filed July 9, 1973. Applicant: H. J. JEFFRIES TRUCK LINE, INC., P.O. Box 94850, Oklahoma City, Okla. 73109. Applicant's representative: James W. Hightower, 136 Wynnewood Professional Building, Dallas, Tex. 75224. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Power mowers, and accessories and attachments for power mowers*, from Hesston, Kans. to points in the United States (except Alaska and Hawaii).

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex., or Oklahoma City, Okla.

No. MC 113271 (sub-No. 34), filed July 13, 1973. Applicant: CHEMICAL TRANSPORT, a corporation, 1627 Third Street Northwest, Great Falls, Mont. 59404. Applicant's representative: Ray F. Koby, 314 Montana Bldg., Great Falls, Mont. 59401. Authority sought to operate as a *common carrier*, by motor vehi-

cle, over irregular routes, transporting: *Feed, feed ingredients and molasses*, in bulk, between points in Colorado, Idaho, Montana, Nebraska, North Dakota, South Dakota, and Wyoming.

NOTE.—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at any city in Montana or Colorado.

No. MC 114004 (sub-No. 133), filed July 10, 1973. Applicant: CHANDLER TRAILER CONVOY, INC., 8828 New Benton Highway, Little Rock, Ark. 72209. Applicant's representative: Harold G. Hernly, Jr., 118 North St. Asaph Street, Alexandria, Va. 22314. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, and *buildings and sections of buildings*, on under carriages, from points in Colorado, to points in the United States including Alaska (but excluding Hawaii), restricted against the transportation of buildings in sections, mounted on wheeled undercarriages, from the plantsite of Hallmore Homes, Inc., at Colorado Springs, Colo., to points in Wyoming, Montana, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, and New Mexico, and further restricted against the transportation of trailers designed to be drawn by passenger automobiles, in initial movements, and buildings, in sections, mounted on wheeled undercarriages, from points of manufacture in Pueblo County, Colo., to points in New Mexico, Kansas, Nebraska, Wyoming, Nevada, Utah, Arizona, Texas, Oklahoma, Arkansas, Idaho, Iowa, Louisiana, Minnesota, Missouri, Montana, North Dakota, Oregon, South Dakota, and Washington.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 114458 (sub-No. 158), filed July 23, 1973. Applicant: DART TRANSIT COMPANY, a corporation, 780 N. Prior Ave., St. Paul, Minn. 55104. Applicant's representative: Michael P. Zell (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Water heaters, boilers, househeating, hot water storage tanks, and garbage disposals*, from Kankakee, Ill., to points in Colorado, Iowa, Kansas, Minnesota, Missouri, Montana, Nebraska, North Dakota, South Dakota, Wisconsin, and Wyoming; restricted against the transportation of commodities which because of size or weight, require the use of special equipment.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at either Chicago, Ill., Milwaukee, Wis., or St. Paul, Minn.

No. MC 114604 (sub-No. 16), filed July 12, 1973. Applicant: CAUDELL

TRANSPORT, INC., State Farmers Market, Bldg. 33, Forest Park, Ga. 30050. Applicant's representative: Frank D. Hall, Suite 713, 3384 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except commodities in bulk), between the plantsites and warehouse facilities of Sea Pak, Division of W. R. Grace & Co., Golden Shore Seafoods, Inc., King Shrimp Company, and Sea Harvest Packing Company located in Glynn and Chatham Counties, Ga., and the facilities of the Georgia State Docks at Brunswick and Savannah, Ga., on the one hand, and, on the other, points in Alabama, North Carolina, South Carolina, Georgia, Mississippi, Tennessee, Louisiana, Virginia, Daytona Beach, Fla., and points in Florida in and north of Levy, Marion, Putnam, and Flagler Counties, restricted to the transportation of traffic originating at and destined to the plantsites and warehouse facilities of the above-named shippers located in Glynn and Chatham Counties, Ga., and the facilities of the Georgia State Docks at Brunswick and Savannah, Ga.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at either Atlanta, Ga., Savannah, Ga., or Washington, D.C.

No. MC 115022 (sub-No. 26), filed July 23, 1973. Applicant: CHAMBERLAIN MOBILEHOME TRANSPORT, INC., 64 East Main Street, Thomaston, Conn. 06787. Applicant's representative: Bernard J. Hasson, Jr., 927 15th St. NW., Suite 306, Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mobile homes*, in initial movements, from points in Cumberland County, Maine, to points in the United States (except Alaska and Hawaii).

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at either Portland, Maine, or Hartford, Conn.

No. MC 117036 (sub-No. 19), filed July 17, 1973. Applicant: H. M. KELLY, INC., Rural Delivey 1, New Oxford, Pa. 17350. 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: *Concrete products*, from Baltimore, Md., to points in Ohio and New York.

NOTE.—Dual operations and common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Baltimore, Md., or Washington, D.C.

No. MC 117068 (sub-No. 23), filed July 9, 1973. Applicant: MIDWEST HARVESTORE TRANSPORT, INC., 2118 17th Ave., NW., Rochester, Minn. 55901. Applicant's representative: Paul F. Sul-

livan, 711 Washington Bldg., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Enameled steel silos, loading and unloading devices, waste storage tanks, livestock feed bunkers, forage metering devices, animal waste spreader tanks, livestock feeding systems, and parts and accessories* for the above-named commodities, from the plantsite of the A. O. Smith Corporation, at De Kalb, Ill., to points in the United States in and west of Wisconsin, Minnesota, Iowa, Missouri, Arkansas, and Louisiana.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 118263 (sub-No. 54), filed July 16, 1973. Applicant: COLDWAY CARRIERS, INC., P.O. Box 38, Clarksville, Ind. 47130. Applicant's representative: George M. Catlett, 703-706 McClure Bldg., Frankfort, Ky. 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ingredients and materials* used to produce prepared foodstuffs (except commodities in bulk), from the plantsite and warehouse facility of the Pillsbury Company at New Albany, Ind., to the Pillsbury Company at Minneapolis, Minn.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky., or Cincinnati, Ohio.

No. MC 119493 (sub-No. 103), filed July 9, 1973. Applicant: MONKEM COMPANY, INC., W. 20th Street Road, P.O. Box 1196, Joplin, Mo. 64801. Applicant's representative: Ray F. Kempt (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Animal feed ingredients, fertilizer ingredients, ground iron ore, iron oxide, and ground manganese ore*, from the plantsite and warehouse facilities of Prince Manufacturing Company located at Quincy, Ill., to points in Arkansas, Illinois, Iowa, Kansas, Louisiana, Mississippi, Missouri, Nebraska, Oklahoma, and Texas, and (2) *paper and paper products* (except commodities in bulk), from West Monroe and Monroe, La., to Kansas City, Mo., Kansas City, Kansas commercial zone, and points in that portion of Arkansas located on and north of U.S. Highway 64 beginning at the Arkansas-Oklahoma State line to the intersection of U.S. Highway 64 and Arkansas Highway 7 at Russellville, thence on and west of Arkansas Highway 7 to intersection of Arkansas Highway 7 and U.S. Highway 65 at Harrison, thence on and west of U.S. Highway 65 to the Arkansas-Missouri State line.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 119777 (sub-No. 260), filed June 18, 1973. Applicant: LIGON SPECIALIZED HAULER, INC., P.O. Drawer L, Madisonville, Ky. 42431. Applicant's representative: Carl U. Hurst, P.O. Box E, Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles* as described in Appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 (except commodities which because of size or weight require the use of special equipment), from Ashland, Ky., to points in Alabama, Arkansas, Georgia, Illinois, Indiana, Iowa, Louisiana, Mississippi, Missouri, and Wisconsin.

NOTE.—Dual operations and common control may be involved. Applicant states that the requested authority can be tacked with its existing authority at Ashland, Ky., to provide a through service from Cleveland, Canton, Youngstown, and Warren, Ohio, and points in Allegheny, Beaver, Mercer, Venango, Washington and Westmoreland Counties, Pa., to points in the destination States named above. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 119777 (sub-No. 265), filed June 29, 1973. Applicant: LIGON SPECIALIZED HAULER, INC., P.O. Box L, Madisonville, Ky. 42431. Applicant's representative: Ronald E. Butler (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Boxes, crates, skids, bases, and parts thereof*, from West Helene, Ark., and points in Mississippi, to points in the United States (except Alaska and Hawaii).

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. Applicant also holds contract carrier authority in MC 126970 subs 1 and 3 thereunder, therefore dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark. or Lexington, Ky.

No. MC 119777 (sub-No. 266), filed July 2, 1973. Applicant: LIGON SPECIALIZED HAULER, INC., P.O. Box L, Madisonville, Ky. 42431. Applicant's representative: Ronald E. Butler (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and board*, between points in Washington and Oregon, on the one hand, and, on the other, points in the United States (except Alaska and Hawaii).

NOTE.—Applicant also holds contract carrier authority under MC 126970 and subs thereunder, therefore dual operations may be involved. Common control may also be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Lexington, Ky., or Washington, D.C.

No. MC 119777 (sub-No. 266), filed July 2, 1973. Applicant: LIGON SPECIALIZED HAULER, INC., P.O. Box L,

Madisonville, Ky. 42431. Applicant's representative: Ronald E. Butler (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and board*, between points in Washington and Oregon, on the one hand, and, on the other, points in the United States (except Alaska and Hawaii).

NOTE.—Applicant also holds contract carrier authority under MC 126970 and subs thereunder, therefore dual operations may be involved. Common control may also be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Lexington, Ky., or Washington, D.C.

No. MC 119777 (sub-No. 267), filed July 10, 1973. Applicant: LIGON SPECIALIZED HAULER, INC., P.O. Drawer L, Madisonville, Ky. 42431. Applicant's representative: Carl U. Hurst, P.O. Box E, Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles* as described in Appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 (except commodities which because of size or weight require the use of special equipment), from Cleveland, Canton, Youngstown, and Warren, Ohio, and points in Allegheny, Beaver, Mercer, Venango, Washington, and Westmoreland Counties, Pa., to points in Alabama, Arkansas, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Nebraska, Oklahoma, Tennessee, Texas, and Wisconsin.

NOTE.—Applicant also holds contract carrier authority in MC 126970 and subs thereunder, therefore dual operations may be involved. Common control may also be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at either Louisville, Ky., Pittsburgh, Pa., or Cleveland, Ohio.

No. MC 118038 (sub-No. 6), filed July 18, 1973. Applicant: EASLEY HAULING SERVICE, INC., P.O. Box 1261, Gun Club Road, Yakima, Wash. 98907. Applicant's representative: Norman E. Sutherland, 1200 Jackson Tower, Portland, Ore. 97205. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Polystyrene forms and shapes*, (1) from Wenatchee, Wash., to the port of entry on the international boundary line between the United States and Canada, near Bonners Ferry, Idaho, and (2) from Wenatchee, Wash., to Lewiston, Richfield, Franklin, and Hagerman, Idaho.

NOTE.—Applicant also holds contract carrier authority in MC 103494 and subs thereunder, therefore dual operations may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash., or Portland, Ore.

No. MC 119789 (sub-No. 172), filed July 30, 1973. Applicant: CARAVAN RE-

FRIGERATED CARGO, INC., P.O. Box 6188, 1612 East Irving Blvd., Dallas, Tex. 75222. Applicant's representative: James K. Newbold, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the Report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk), from Dallas, Tex., to points in Alabama, Connecticut, Delaware, Florida, Georgia, Maine, Maryland, Massachusetts, New Jersey, New Hampshire, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Virginia, West Virginia, and the District of Columbia.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Dallas, Tex.

No. MC 119789 (sub-No. 174), filed 26, 1973. Applicant: CARAVAN REFRIGERATED CARGO, INC., P.O. Box 6188, 1612 E. Irving Blvd., Dallas, Tex. 75222. Applicant's representative: Ralph W. Pulley, Jr., 4555 First National Bank Bldg., Dallas, Tex. 75202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except frozen foods, commodities in bulk, meats, meat products, meat byproducts, and articles distributed by meat packinghouses, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766), from Pittsburgh, Leetsdale, and Chambersburg, Pa., Salem, N.J., Fremont and Bowling Green, Ohio, to points in Texas, Oklahoma, Arkansas, Louisiana, Mississippi and Missouri.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 121664 (sub-No. 1), filed June 11, 1973. Applicant: G. A. HORNADY, CECIL M. HORNADY, AND B. C. HORNADY, a partnership, doing business as HORNADY BROTHERS TRUCK LINE, P.O. Box 846, Monroeville, Ala. 36460. Applicant's representative: Robert E. Tate, P.O. Box 517, Evergreen, Ala. 36401. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lumber*, from points in Monroe County, Ala., to points in Alabama, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Michigan, Mississippi, North Carolina, Ohio, South Carolina, Tennessee, Virginia, and West Virginia, restricted to traffic originating at Monroe County, Ala., and (2) *general commodities* (except commodities in bulk and explosives), (a) between points in Monroe County, Ala.; and (b) between points in Monroe County, Ala., on the one hand, and, on the other, Birmingham, Ala., and points

in its commercial zone as defined in 49 CFR 1048.101.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Montgomery or Birmingham, Ala.

No. MC 123048 (sub-No. 272), filed July 9, 1973. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., 1919 Hamilton Avenue, Racine, Wis. 53403. Applicant's representative: Paul C. Gartzke, 121 W. Doty Street, Madison, Wis. 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Wheels, spindles, axles, and rims*, (2) *attachments* for commodities named in (1) above, and (3) *parts* for commodities named in (1) and (2) above, from Davenport and Walcott, Iowa, to points in Illinois, Indiana, Michigan, Minnesota, and Wisconsin.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 123329 (sub-No. 22), filed May 29, 1973. Applicant: H. M. TRIMBLE & SONS LTD., 4056 Ogden Road South East, Calgary, Alberta, Canada. Applicant's representative: Ray F. Koby, 314 Montana Building, Great Falls, Mont. 59401. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, in bulk, from from points in Whatcom County, Wash., to the port of entry on the International boundary line between the United States and Canada, at or near Blaine, Wash.

NOTE.—Dual operations and common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at any location in State of Washington at the Commission's discretion.

No. MC 123476 (sub-No. 18), filed July 12, 1973. Applicant: CURTIS TRANSPORT, INC., 1334 Lonedell Road, Arnold, Mo. 63010. Applicant's representative: O. E. Mueller (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic foam egg cartons*, from the plantsite and warehouse facilities of Dolco Packaging Corp., at or near Lawrenceville, Ga., to points in the United States on and east of U.S. Highway 85.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Washington, D.C.

No. MC 123885 (sub-No. 13) (amendment), filed April 6, 1973, published in the FEDERAL REGISTER issue of June 14, 1973, and republished, as amended, this issue. Applicant: C & R TRANSFER CO., a corporation, 1315 West Blackhawk, Sioux Falls, S. Dak. 57101. Applicant's representative: James W. Olson, 506 West Boulevard, Rapid City, S. Dak.

57701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cement*, in bags and bulk, from Sioux Falls, S. Dak., to points in Minnesota, Iowa, Nebraska, and North Dakota; (2) *cement*, in bags and bulk, from points in Codington County, S. Dak., to points in North Dakota, Minnesota, Iowa, and Nebraska; (3) *cement*, in bags and bulk, from points in Pennington County, S. Dak., to points in Minnesota and Iowa; (4) *cement*, in bags, from points in Pennington County, S. Dak., to points in Nebraska (except points in that part of Nebraska located on U.S. Highway 83; those in Brown, Rock, Keya Paha, Blaine, Loup, and Garfield Counties; those in Cherry and Thomas Counties east of U.S. Highway 83; and those in Boyd, Wheeler, and Holt Counties on and west of U.S. Highway 281); and (5) *cement*, in bulk, from points in Pennington County, S. Dak., to points in that part of Nebraska located north and east of a line beginning at the Nebraska-Iowa State line, and extending westerly along U.S. Highway 30 to its intersection with U.S. Highway 83, thence northerly along U.S. Highway 83 to the Nebraska-South Dakota State line (except points on U.S. Highway 83).

**NOTE.**—The purpose of this republication is to clarify and amend applicant's requests for authority in (4) and (5) above. Dual operations may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Rapid City or Sioux Falls, S. Dak.

No. MC 123885 (sub-No. 17), filed July 6, 1973. Applicant: C & R TRANSFER CO., a Corporation, 1315 West Blackhawk Street, Sioux Falls, S. Dak. 57101. Applicant's representative: James W. Olson, 506 West Boulevard, Rapid City, S. Dak. 57701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bentonite, clay, and foundry molding sand treating compound*, in bulk, from the plantsite of American Colloid Co., at or near Belle Fourche, S. Dak., to points in Colorado, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, and Wisconsin.

**NOTE.**—Applicant also holds contract carrier authority MC 112306 (sub-Nos. 7, 14, and 15) therefore, dual operations may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Rapid City or Sioux Falls, S. Dak.

No. MC 123993 (sub-No. 28), filed July 12, 1973. Applicant: FOGLEMAN TRUCK LINE, INC., P.O. Box 1504, Crowley, La. 70526. Applicant's representative: Austin L. Hatchell, 1102 Perry Brooks Bldg., Austin, Tex. 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nonalcoholic beverages* in containers, from Gretna, La., to points in Alabama, Arkansas, Florida, Mississippi, Missouri, and Texas.

**NOTE.**—Applicant also holds contract carrier authority in MC 41116 and subs thereunder, therefore dual operations may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at New Orleans or Baton Rouge, La.

No. MC 124212 (sub-No. 71), filed July 12, 1973. Applicant: MITCHELL TRANSPORT, INC., 6500 Pearl Road, Cleveland, Ohio 44130. Applicant's representative: J. A. Kundtz, 1100 National City Bank Bldg., Cleveland, Ohio 44114. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fly ash*, in bulk, (1) from points in Connecticut, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont, to the plantsites of Lehigh Portland Cement Company located at Alsen, N.Y. and Providence, R.I., (2) from points in Delaware, Maryland, Pennsylvania, New Jersey, Virginia, West Virginia, and the District of Columbia, to the plantsites of Lehigh Portland Cement Company located at Union Bridge and Baltimore, Md., (3) from points in North Carolina, South Carolina, Virginia, West Virginia, and the District of Columbia, to the plantsites of Lehigh Portland Cement Company located at Waynesboro and Richmond, Va., and Durham, N.C., (4) from points in Illinois, Indiana, Iowa, Kentucky, Ohio, Tennessee, and Wisconsin, to the plantsites of Lehigh Portland Cement Company located at Mitchell and Anderson, Ind., Decatur, Plainfield and South Beloit, Ill., and Cedar Rapids, Iowa, (5) from points in Illinois, Iowa, Minnesota, Nebraska, North Dakota, South Dakota, and Wisconsin, to the plantsites of Lehigh Portland Cement Company located at Fargo, N. Dak., Burnsville Township (Dakota County), Minn., and Mason City, Iowa, and (6) from points in Idaho, Montana, Oregon, and Washington, to the plantsites of Lehigh Portland Cement Company located at Metalin Falls, Spokane, and Pasco, Wash., and Missoula, Mont.

**NOTE.**—Dual operations and common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 124221 (sub-No. 41), filed July 20, 1973. Applicant: HOWARD BAER, P.O. Box 27, Morton, Ill. 61550. Applicant's representative: Robert W. Loser, 1009 Chamber of Commerce Bldg., Indianapolis, Ind. 46204. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Dairy products*, as described in Section B of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, and *imitation dairy products* (Melerin), in vehicles equipped with mechanical refrigeration, and (2) *cottage cheese, yogurt, ice cream, ice cream products, sherbets, water ices, and water ice products*, in containers, in vehicles equipped with

mechanical refrigeration, from the plant site and storage facilities of the Kroger Co., at Indianapolis, Ind., to points in Georgia, (except points in Atlanta, Ga. and its Commercial Zone), and (3) *refused, rejected, and outdated merchandise*, from points in Georgia, to the original shipping plant and storage facilities at Indianapolis, Ind., under a continuing contract or contracts with The Kroger Co., restricted to shipments originating at the plantsite and storage facilities of The Kroger Co., at Indianapolis, Ind., and destined to stores of The Kroger Co., Super-X Drug Stores, a wholly-owned subsidiary of The Kroger Co., and storage facilities in the state of Georgia; and from the sites of The Kroger Co. stores, Super-X Drug Stores, and storage facilities in Georgia destined to The Kroger Co. plant and storage facilities at Indianapolis, Ind.

**NOTE.**—If a hearing is deemed necessary, applicant requests it be held at either Cincinnati, Ohio, Indianapolis, Ind., or Washington, D.C.

No. MC 124735 (sub-No. 15), filed July 13, 1973. Applicant: R. C. KERCHEVAL, JR., 2201 Sixth Avenue South, Seattle, Wash. 98134. Applicant's representative: Joseph O. Earp, 411 Lyon Building, 607 Third Avenue, Seattle, Wash. 98104. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Parts of mobile homes and utility trailers, automotive spring suspensions and parts thereof, brake drums, brake assemblies and parts thereof, tailgate hoists and parts thereof, wheels and wheel attaching parts, and parts for motor vehicle chassis and motor vehicle undercarriage*, from points in Missouri, Illinois, Indiana, Kansas, Iowa, Michigan, New York, Ohio, and Alabama, to Boise, Idaho, and Salt Lake City, Utah, under contract with Henderson Rim and Wheel.

**NOTE.**—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash.

No. MC 124796 (sub-No. 108), filed July 6, 1973. Applicant: CONTINENTAL CONTRACT CARRIER CORP., 15045 E. Salt Lake Avenue, P.O. Box 1257, City of Industry, Calif. 91749. Applicant's representative: J. Max Harding, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Materials, equipment and supplies* utilized in the installation of floors and floor coverings (except carpet and carpet padding); *floor mats and runners; adhesives; cove base; carpet binding accessories; maintenance equipment and products; and materials, equipment and supplies* utilized in the manufacture, sale, and distribution of the commodities described above, between Huntington, W. Va., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii), under a continuing contract, or contracts with Champion International Corporation, restricted against the transportation of commodities in bulk and

those which by reason of size or weight require the use of special equipment.

**NOTE.**—If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif., or Washington, D.C.

No. MC 125335 (sub-No. 3), filed June 15, 1973. Applicant: GOOD-WAY, INC., P.O. Box 2283, York, Pa. 17405. Applicant's representative: Chester A. Zyblut, 1522 K Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Hagerstown, Md., to points in Alabama, Connecticut, Florida, Georgia, Illinois, Indiana, Iowa, Louisiana, Massachusetts, Michigan, Minnesota, Nebraska, Rhode Island, Wisconsin, Delaware, Maryland, New Jersey, New York, Ohio, Pennsylvania, North Carolina, West Virginia, South Carolina, Kentucky, Tennessee, and the District of Columbia.

**NOTE.**—The purpose of this application is to substitute Hagerstown, Md., as a gateway in lieu of Winchester, Va. Applicant is presently authorized to transport frozen foods from Winchester, Va., to points in the involved destination states. It herein seeks to tack at Hagerstown instead of its present service point of Winchester. If a hearing is deemed necessary, applicant does not specify a location.

No. MC 125996 (sub-No. 37) (correction), filed June 8, 1973, published in the FR issue of August 2, 1973, and republished, as corrected, this issue. Applicant: ROAD RUNNER TRUCKING, INC., P.O. Box 37491, Omaha, Nebr. 68137. Applicant's representative: Arnold Burke, 127 North Dearborn St., Suite 1133, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal food ingredients*, from the plantsite and storage facilities utilized by Co-Pet-Co., Inc., at or near Cortland, N.Y., to Columbus, Ohio, restricted to shipments originating at Cortland, N.Y., and destined to Columbus, Ohio.

**NOTE.**—The purpose of this republication is to indicate that applicant seeks to transport "animal food ingredients" in lieu of "food ingredients", which was inadvertently previously published in error. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Syracuse, N.Y. or Omaha, Nebr.

No. MC 127238 (sub-No. 8), filed July 9, 1973. Applicant: DOROTHY R. ZUMMO, doing business as AIR DELIVERY SERVICE, P.O. Box 1103, Scranton, Pa. 18501. Applicant's representative: Russell S. Bernhard, 1625 K St. NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those which because of size or weight require the use of special equipment), between Allentown-Bethlehem-Eastern Airport, lo-

cated in Lehigh County, Pa., Philadelphia International Airport, at Philadelphia, Pa., Kennedy International Airport, at Jamaica, N.Y., La Guardia Airport, at Flushing, N.Y., and Newark Airport, at Newark, N.J., on the one hand, and, on the other, points in Warren and Hunterdon Counties, N.J. (except Flemington, Frenchtown, Lambertville, and the Commercial Zones thereof), restricted to the transportation of shipments having a prior or subsequent movement by air.

**NOTE.**—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Philadelphia, Pa.

No. MC 127505 (sub-No. 58), filed July 24, 1973. Applicant: RALPH H. BOELK, doing business as R. H. BOELK TRUCK LINES, Route #2, Mendota, Ill. 61342. Applicant's representative: Walter Kobos, 1016 Kehoe Drive, St. Charles, Ill. 60174. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe, plastic conduit, plastic and iron fittings and connections, valves, hydrants and gaskets* (except Oil Field Commodities as defined in *Mercer-Extension Oil Field Commodities*, 74 M.C.C. 459), from the plantsite and warehouse facilities of the Clow Corporation located at or near Columbia, Mo., to points in Illinois, Indiana, Kentucky, Michigan, Ohio and Wisconsin; restricted to traffic originating at the Clow Corporation plantsite and warehouse facilities located at or near Columbia, Mo.

**NOTE.**—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or St. Louis, Mo.

No. MC 127853 (sub-No. 4), filed June 15, 1973. Applicant: COMMERCE CONSULTANTS CORPORATION, 850 Charles Street, Gloucester, N.J. 08030. Applicant's representative: Leonard A. Jaskiewicz, 1730 M Street NW., Suite 501, Washington, D.C. 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), from the warehouse of John Jeffrey Corporation in Camden, N.J., to points in Delaware, Maryland, New Jersey, New York, Pennsylvania, Virginia, and the District of Columbia, under a continuing contract with John Jeffrey Corporation.

**NOTE.**—If a hearing is deemed necessary, applicant requests it be held at either Camden, N.J., Philadelphia, Pa., or Washington, D.C.

No. MC 128256 (sub-No. 22), filed July 16, 1973. Applicant: O. W. BLOSSER, doing business as BLOSSER TRUCKING, 215 N. Main Street, Middlebury, Ind. Applicant's representative: Alki Scopelitis, 815 Merchants Bank Bldg., Indianapolis, Ind. 46204. Author-

ity sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition board, plywood, and accessories and supplies* used in the installation thereof, from the plantsite of the Abitibi Corporation at Chicago, Ill., to points in North Dakota, South Dakota, Nebraska, Minnesota, and Iowa.

**NOTE.**—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Detroit, Mich.

No. MC 128338 (sub-No. 2), filed July 6, 1973. Applicant: RINGER TRUCKING, INC., Route 1, Box 54, Markleysburg, Pa. 15459. Applicant's representative: Arthur J. Diskin, 806 Frick Building, Pittsburgh, Pa. 15219. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, (1) from the plantsite of Weston Chemical Division of Borg-Warner Corporation at Morgantown, W. Va., to points in Pennsylvania, Ohio, Maryland, Virginia, Kentucky, Delaware, New York, New Jersey, Rhode Island, Massachusetts, North Carolina, Vermont, Connecticut, New Hampshire, Illinois, Missouri, Tennessee, and Louisiana, and (2) from points in Pennsylvania, Delaware, New Jersey, and Louisiana, to the above named plantsite, at Morgantown, W. Va., under a continuing contract with Weston Chemical Division of Borg-Warner Corporation.

**NOTE.**—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C. or Pittsburgh, Pa.

No. MC 128383 (sub-No. 32), filed June 15, 1973. Applicant: PINTO TRUCKING SERVICE, INC., 1414 Calcon Hock Road, Sharon Hill, Pa. 19079. Applicant's representative: Gerald K. Gimmel, P.O. Box 824, Gaithersburg, Md. 20760. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except commodities in bulk, Classes A and B explosives, and 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.

**NOTE.**—Applicant states that tacking might be possible with sub 22 (pending) at Cleveland Hopkins Airport to provide service to and from John F. Kennedy International Airport, New York, N.Y.; with sub 25 (pending) at Chicago O'Hare International Airport, Chicago, Ill., to provide service to and from Weir Cook Airport near Indianapolis, Ind.; or with sub 30 (pending) at Detroit Metropolitan Airport at or near Detroit, Mich., to provide service to and from John F. Kennedy International Airport, New York,

N.Y., but indicates that it has no present intention to tack. Applicant further states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 128762 (sub-No. 10), filed July 13, 1973. Applicant: P. L. LAWTON, INC., P.O. Box 325, Berwick, Pa. 18603. Applicant's representative: John M. Musselman, 410 North Third Street, Harrisburg, Pa. 17108. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Prepared foodstuffs* (except frozen and in bulk), *foodstuff ingredients* (except in bulk), *packing materials and equipment, machinery and parts thereof, dispensing equipment and parts thereof, advertising materials, display equipment and displays, premiums and office equipment, materials and supplies*, between the facilities of Old London Foods Division of Borden Foods, Borden, Inc., located at New York, N.Y., on the one hand, and, on the other, points in Connecticut, Delaware, Florida, Georgia, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia, and the District of Columbia, under contract with Wise Foods Division of Borden Foods, Borden, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Harrisburg, Pa., or Washington, D.C.

No. MC 129808 (sub-No. 11), filed July 9, 1973. Applicant: GRAND ISLAND CONTRACT CARRIER, INC., West Highway 30, Grand Island, Nebr. 68801. 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: *Materials and supplies* used in the manufacture and construction of mobile homes, between the plantsites of Chief Industries, Inc., at or near Aurora, Nebr., Russell, Kans., and Gainesville, Tex., restricted to a transportation service to be performed under a continuing contract or contracts with Chief Industries, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 129862 (sub-No. 3) (amendment), filed May 24, 1973, published in the FEDERAL REGISTER issue of August 2, 1973, and republished, as amended and corrected this issue. Applicant: RAJOR, INC., P.O. Box 765, Franklin, Tenn. 37064. Applicant's representative: Ernest D. Salm, 8179 Habasu Circle, Buena Park, Calif. 90621. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Baseball bats, toboggans, toboggan cushions, bat chokes rubber, bat rubber swing rings, bat grip clear pine tar in aerosol spray cans, hockey sticks, hockey pucks, skis and poles, ski scooters, and other items necessary to mer-*

chandise this line of sporting goods, from Dolgeville and Gloversville, N.Y., to points in the United States (except Alaska and Hawaii); (2) *baseball bats, components, materials and supplies* used in the manufacture, production and assembly of the commodities described in (1) above, from points in the United States (except Alaska and Hawaii), to Dolgeville and Gloversville, N.Y., under a contract in (1) and (2) above with Adirondack Division of A-T-O Inc.; (3) *iron and steel pipe hangers, suspension systems and components* for plumbing, heating, powerplant, and process piping systems, from Manasquan, N.J., to points in the United States (except Alaska and Hawaii); (4) *components, materials and supplies* used in the manufacture, production and assembly of the commodities described in (3) above, from points in the United States (except Alaska and Hawaii), to Manasquan, N.J., under a contract in (3) and (4) above with Fee and Mason Division of A-T-O Inc.; (5) *laundries, steam or commercial (washing or dry cleaning establishments), including lint collectors or filters, dampeners, dampening presses, dry rooms, dry room appliances, folders, ironer drying cylinders, ironers, marking machines, stackers, starch cookers or kettles, starching machines, tumblers, washer-extractors, washing machine cylinders, washing machines and wringers*, from Moline, Ill., to points in the United States (except Alaska and Hawaii);

(6) *Components, materials, and supplies* used in the manufacture, production and assembly of the commodities described in (5) above, from points in the United States (except Alaska and Hawaii), to Moline, Ill., under a contract in (5) and (6) above, with Hydraxtor Division of A-T-O Inc.; (7) *airpowered floor polishers and carpet sweepers, vacuum cleaners, die cast products and building alarm systems to detect smoke and burglars*, from Anaheim, Calif., to points in the United States (except California, Alaska and Hawaii); (8) *components, materials and supplies* used in the manufacture, production and assembly of the commodities described in (7) above, from points in the United States (except California, Alaska and Hawaii), to Anaheim, Calif., under a contract in (7) and (8) above, with Interstate Engineering Division of A-T-O Inc.; (9) *conveyors and electronic high-speed automated package sorting systems, and analog memory units for sortation equipment*, from Milwaukee, Wis., to points in the United States (except Alaska and Hawaii); (10) *components, materials, and supplies* used in the manufacture, production and assembly of the commodities described in (9) above, from points in the United States (except Alaska and Hawaii), to Milwaukee, Wis., under a contract in (9) and (10) above, with Speaker Sortation Systems Division of A-T-O Inc.; (11) *running gears, hitches, and fenders* used for mobile homes, motor homes, trailers, and recreational vehicles, from Anaheim and

Los Angeles, Calif., to points in the United States (except California, Alaska, and Hawaii);

(12) *Components, materials, and supplies* used in the manufacture, production and assembly of the commodities described in (11) above, from points in the United States (except California, Alaska and Hawaii), to Anaheim, and Los Angeles, Calif.; (13) *electric and gas refrigerators and their parts* for mobile homes, motor homes, and trailers, from Baltimore, Md., Elizabeth, N. J., and Elkhart, Ind. and Los Angeles and Anaheim, Calif., to points in the United States (except Alaska and Hawaii and with no service to California when originating from Los Angeles and Anaheim); (14) *running gears, hitches, and fenders* used for mobile homes, motor homes, trailers, and recreation vehicles, from Tiffin, Ohio, to points in the United States (except Alaska and Hawaii); (15) *components, materials, and supplies* used in the manufacture, production and assembly of the commodities described in (14) above, from points in the United States (except Alaska and Hawaii), to Tiffin, Ohio; (16) *outdoor advertising metal poster panels, school furniture and lockers, portable filing cabinets, crane and construction machinery cabs, and components*, from Tiffin, Ohio, to points in the United States (except Alaska and Hawaii); (17) *components, materials, and supplies* used in the manufacture, production and assembly of the commodities described in (16) above, from points in the United States (except Alaska and Hawaii), to Tiffin, Ohio, under a contract in (11) through (17) above, inclusive, with Hado Engineering Division of A-T-O Inc.; (18) *concrete mixers, mortar mixers, machines* used for applying concrete, mortar, plaster, fireproofing and similar materials, *road rollers, saws, motors, commercial air-cooling systems and their pads, and air makeup heating and cooling equipment*, from Los Angeles, Calif. and Elizabeth, N.J., to points in the United States (except Alaska and Hawaii);

(19) *Components, materials, and supplies* used in the manufacture, production and assembly of the commodities described in (18) above, from points in the United States (except Alaska and Hawaii), to Los Angeles, Calif. and Elizabeth, N.J.; (20) *air coolers and air makeup heating and cooling equipment*, from Little Rock, Ark., to points in the United States (except Alaska and Hawaii); (21) *components, materials and supplies* used in the manufacture, production and assembly of the commodities described in (20) above, from points in the United States (except Alaska and Hawaii), to Little Rock, Ark.; (22) *machinery parts*, from Los Angeles, Calif., to Little Rock, Ark. and Elizabeth N.J., under a contract in (18) through (22) above, inclusive with Essick Manufacturing Division of A-T-O Inc.; (23) *fire extinguishers, charged and not charged, portable hand and wheeled, fire extinguisher compounds, brass fire hose nozzles, brass fire hose couplings, brass valves and fittings,*

brass castings, brass fire engine accessories and equipment, and firehose, from Ranson and Charles Town, W. Va., and Charlottesville, Va., to points in the United States (except Alaska and Hawaii); (24) components, materials and supplies used in the manufacture, production and assembly of the commodities described in (23) above, from points in the United States (except Alaska and Hawaii), to Ranson and Charles Town, W. Va., and Charlottesville, Va.; (25) firehose with or without brass nozzles, brass firehose couplings, and brass valves, from North Bergen, N.J., to points in the United States (except Alaska and Hawaii);

(26) Components, materials, and supplies used in the manufacture, production and assembly of the commodities described in (25) above, from points in the United States (except Alaska and Hawaii), to North Bergen, N.J.; (27) components, materials and supplies used in the manufacture, production and assembly of fire engines and apparatus, from points in the United States (except Alaska and Hawaii), to Elmira, N.Y.; (28) replacement parts and apparatus for fire engines and apparatus, from Elmira, N.Y., to points in the United States (except Alaska and Hawaii); (29) fire extinguishers, charged and not charged, portable hand and wheeled, fire extinguishers compounds, from Elmira, N.Y., to points in the United States (except Alaska and Hawaii); (30) components, materials and supplies used in the manufacture, production and assembly of the commodities described in (29) above, from points in the United States (except Alaska and Hawaii), to Elmira, N.Y., under a contract in (23) through (30) above, inclusive, with Badger-Powhatan-Blaze Guard Division of American La-France, Inc., a subsidiary of A-T-O, Inc.; (31) ornamental iron work, partitions or partition doors, steel and wire combined in sections or panels, conveyors, gravity roller, steel wire tote and storage bins, from Louisville, Ky., to points in the United States (except Alaska and Hawaii);

(32) Components, materials, and supplies used in the manufacture, production and assembly of the commodities described in (31) above, from points in the United States (except Alaska and Hawaii), to Louisville, Ky., under a contract in (31) and (32) above with Logan Company a subsidiary of A-T-O, Inc.; (33) running gear hitches and fenders, used for mobile homes, motor homes and trailers and recreational vehicles, from Dayton, Oreg., to points in the United States (except Alaska and Hawaii); (34) components, materials, and supplies used in the manufacture, production and assembly of the commodities described in (33) above, from points in the United States (except Alaska and Hawaii), to Dayton, Oreg.; and (35) electric and gas refrigerators and their parts for mobile homes, motor homes and trailers, from Dayton, Oreg., to points in the United States (except Alaska and Hawaii), under a continuing contract, or contracts, in (33) through (35) above, inclusive,

with Hadco Engineering Division of A-T-O, Inc.; restricted in all of the above against the transportation of commodities in bulk, in tank vehicles.

NOTE.—The purpose of this republication is to clarify the requests for authority in parts (18) through (22), part (19) and part (23) as described above, and add the requests for authority in parts (33) through (35) in amendment to the previous notice. If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 133119 (sub-No. 23), filed July 23, 1973. Applicant: HEYL TRUCK LINES, INC., 235 Mill St., Akron, Iowa 51001. Applicant's representative: A. J. Swanson, 521 So. 14th Street, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Meats, meat products, meat byproducts, dairy products, and articles distributed by meat packing-houses as described in sections A, B, and C, of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), between Wagner, S. Dak., on the one hand, and, on the other, points in Arizona, California, Connecticut, Delaware, Idaho, Maryland, Massachusetts, Nevada, New Jersey, New Mexico, New York, Oklahoma, Oregon, Pennsylvania, Rhode Island, Texas, and Washington, restricted to transportation of traffic originating at the above-named origins and destined to the named destinations.

NOTE.—Applicant states that the requested authority cannot be tacked with its present authority. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Sioux City, Iowa.

No. MC 133917 (sub-No. 2), filed June 21, 1973. Applicant: CARTHAGE FREIGHT LINE, INC., a corporation, P.O. Box 174, Carthage, Tenn. 37030. Applicant's representative: Walter Harwood, 1822 Parkway Towers, Nashville, Tenn. 37219. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between South Carthage, Tenn., and Union Springs, Ala.: From South Carthage over Tennessee Highway 53 to its junction with Interstate Highway 40, thence over Interstate Highway 40 to its junction with Interstate Highway 65, thence over Interstate Highway 65 to Montgomery, Ala., thence over U.S. Highway 82 to Union Springs, Ala., and return over the same route, serving no intermediate points.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 134017 (sub-No. 5), filed July 31, 1973. Applicant: R. M. HENDERSON, doing business as H & M MOTOR LINES, One Furman Hall Road, Greenville, S.C. 29608. Applicant's representative: E. Stephen Helsley, 805 McLachlen

Bank Building, 666 11th Street NW., Washington, D.C. 20001. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Plastic articles, burlap articles, and paper articles (except in bulk), from Atlanta, Ga., to points in the United States (except Alaska and Hawaii), under a continuing contract or contracts with Packaging Products and Design Corp.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Newark, N.J.

No. MC 134233 (sub-No. 4), filed July 11, 1973. Applicant: ANGELO ACACIO, doing business as ANGELO TRUCKING COMPANY, 363 North Washington Street, Wilkes-Barre, Pa. 18705. Applicant's representative: Philip F. Hudock, Suite 506, 7900 Westpark Drive, McLean, Va. 22101. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Glass containers, used in the manufacture and distribution of nonalcoholic carbonated beverages, from Salem, Bridgeton, Milville, Freehold, and Cliffwood, N.J., and Orangeburg, N.Y., to Wilkes-Barre, Pa., under contract with Ma's Old Fashion Bottling, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Wilkes-Barre, Pa., or Washington, D.C.

No. MC 134473 (sub-No. 3), filed June 7, 1973. Applicant: NATIONAL TRAILER CONVOY OF CANADA, LTD., 61 Hymus Boulevard, Pointe Claire, Quebec, Canada. Applicant's representative: Leonard A. Jaskiewicz, 1730 M St. NW., Suite 501, Washington, D.C. 20036. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Trailers, designed to be drawn by passenger automobiles, (2) buildings in sections, mounted on wheeled undercarriages, and, (3) campers and camper coaches, between the international boundary line between the United States and Canada, on the one hand, and, on the other, Ports of Entry at Blaine, Oroville, Ferry, Danville, Laurier, Sumas Northport, and Metaline Falls, Wash.; Porthill and Eastport, Idaho; Port of Roosville, Port of Chief Mountain, Port of Piegan, Sweetgrass, Simpson, Port of Morgan, Port of Scobey, and Raymond, Mont.; Fortuna, Ambrose, Noonan, Portal, Northgate, Sherwood, Westhope, Hansboro, Walhalla, Neche, and Pembina, N. Dak.; Noyes, Pinocreek, International Falls, and Grand Portage, Minn.; Sault Ste. Marie, Port Huron and Detroit, Mich.; Niagara Falls, Buffalo, Alexandria Bay, Ogdensburg Roosevelttown, Fort Covington, Trout River, and Rouses Point, N.Y.; Highgate Springs, Franklin Richford, North Troy, Derby Line, Norton, and Beecher Falls, Vt.; Coburn Gore, Jackman, Fort Kent, Madawaska, Van Buren, Limestone, Fairfield, Easton, Houlton, Vanceboro, and Calais, Maine; restricted to traffic in interchange operations with National Trailer Convoy, Inc., and further restricted to traffic originating in or destined to the dominion of Canada.

**NOTE.**—Common control and dual operations may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y., and Great Falls, Mont.

No. MC 134494 (sub-No. 6), filed July 13, 1973. Applicant: WAYNE DANIEL, doing business as WAYNE DANIEL TRUCK, P.O. Box 303, Mt. Vernon, Mo. 65712. Applicant's representative: Lee K. Mathews, 411 North 7th St., Room 1302, St. Louis, Mo. 63101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Candy and confectioneries*, (1) from Elk Grove Village, and Itaska, Ill., to points in Washington, Oregon, Idaho, California, Nevada, Utah, New Mexico, Arizona, Colorado, and St. Louis, Mo.; and (2) from St. Louis, Mo., to points in New Mexico, Washington, and Idaho, under contract with Sunline, Inc., of St. Louis, Mo.

**NOTE.**—Applicant also holds common carrier authority in MC 133591 (Sub-No. 3), therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Washington, D.C.

No. MC 134599 (sub-No. 87), filed July 30, 1973. Applicant: INTERSTATE CONTRACT CARRIER CORPORATION, P.O. Box 748, Salt Lake City, Utah 84110. Applicant's representative: Richard A. Peterson, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Motorcycles and materials, parts and supplies* used in assembling motorcycles between, York, Pa. and Pennsylvania, N.J., on the one hand, and, on the other, points in Alabama, California, Texas, Oklahoma, Arizona, Utah, Colorado, New Mexico, Nevada, Georgia, North Carolina, South Carolina, and Wisconsin, under continuing contract with AMF Incorporated.

**NOTE.**—If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah, or Lincoln, Nebr.

No. MC 134806 (sub-No. 14), filed July 9, 1973. Applicant: B-D-R TRANSPORT, INC., P.O. Box 813, Brattleboro, Vt. 05301. Applicant's representative: Francis J. Ortman, 1100 17th Street NW., Suite 613, Washington, D.C. 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Tanned leather*, from Manchester and Pittsfield, N.H., to Wilton and Portland, Maine, and (2) *footwear*, from (a) Peace Bridge, N.Y., to Brattleboro, Vt., and Wilton, Maine and (b) from Brattleboro, Vt., and Exeter, N.H., to Wilton, Maine, under a continuing contract with G. H. Bass & Co.

**NOTE.**—If a hearing is deemed necessary, applicant requests it be held at Boston, Mass., or Portland, Maine.

No. MC 135152 (sub-No. 1), filed July 16, 1973. Applicant: CASKET DISTRIBUTORS, INC., Rural Route No. 2, West Harrison, Ind. 45030. Applicant's repre-

sentative: Jack B. Josselson, 700 Atlas Bank Building, Cincinnati, Ohio 45202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Uncrated caskets, casket displays, funeral supplies, and crated caskets* in mixed loads with uncrated caskets, from Toccoa, Ga., to points in the United States (except Alaska and Hawaii).

**NOTE.**—Dual operations and common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 136008 (sub-No. 10), filed July 2, 1973. Applicant: JOE BROWN COMPANY, INC., 20 Third Street, Northeast, P.O. Box 1669, Ardmore, Okla. 73401. Applicant's representative: Rufus H. Lawson, 2400 Northwest 23rd Street, P.O. Box 75124, Oklahoma City, Okla. 73107. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fly ash*, in bulk, in tank trucks, (a) from the plantsite known as Big Brown Steam Electric Station, located twelve miles northeast of Fairfield, Tex., to points in Oklahoma and (b) from the plantsite of Kansas City Power & Light Montrose Plant, at or near Ladue, Mo., to points in Oklahoma.

**NOTE.**—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla., or Dallas, Tex.

No. MC 136343 (sub-No. 11) (amendment), filed May 3, 1973, published in the FEDERAL REGISTER issue of August 2, 1973, and republished as amended, this issue. Applicant: MILTON TRANSPORTATION, INC., P.O. Box 207, Milton, Pa. 17847. 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: *Paper bags, plastic bags, paper boxes and wrapping paper*, (1) between facilities of Equitable Bag Co., Inc., at Long Island City, N.Y., and Moonachie, N.J., on the one hand, and, on the other, points in Pennsylvania, New Jersey, Maryland, Delaware, Ohio, Indiana, Illinois, Michigan, Kentucky, Tennessee, New York, Connecticut, Rhode Island, Massachusetts, Alabama, Florida, and the District of Columbia, and (2) between the facilities of Equitable Bag Co., Inc., at or near Florence, Ky., on the one hand, and, on the other, points in Ohio, Illinois, Michigan, Pennsylvania, New York, New Jersey, Maryland, Delaware, Massachusetts, Rhode Island, Connecticut, Florida, Alabama, and the District of Columbia.

**NOTE.**—The purpose of this republication is to reflect that applicant seeks radial operations in lieu of a from and to movement as previously published. Applicant also holds contract carrier authority under MC 96098 and subs, therefore dual operations may be involved. Common control may also be involved. Applicant states that the requested

authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 136713 (sub-No. 2), filed July 23, 1973. Applicant: AERO LIQUID TRANSIT, INC., 834 West Main Street, Lowell, Mich. 49331. Applicant's representative: Daniel J. Kozera, Jr., 715 McKay Tower, Grand Rapids, Mich. 49502. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gases*, in bulk, in tank vehicles, from Lowell, Mich., and the plantsite of the Alto Underground Storage Co., at or near Alto, Mich., to points in Indiana.

**NOTE.**—Applicant holds contract carrier authority in MC 135012, therefore dual operations may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Lansing, Mich., Chicago, Ill., or Detroit, Mich.

No. MC 138277 (sub-No. 2), filed July 27, 1973. Applicant: GEER TRUCKING CO., INC., P.O. Box 11993, Tampa, Fla. 33610. Applicant's representative: Clayton Geer, Sr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lighting fixtures, and materials, and supplies* used in the installation thereof, from Scottsboro, Ala., to points in the United States in and east of Texas, Oklahoma, Kansas, Nebraska, South Dakota, and North Dakota; and (2) *materials and supplies* used in the manufacture of lighting fixtures, from points in the United States in and east of Texas, Oklahoma, Kansas, Nebraska, South Dakota, and North Dakota to Scottsboro, Ala.

**NOTE.**—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C. or Tampa, Fla.

No. MC 136882 (sub-No. 4), filed July 5, 1973. Applicant: BTA TRUCKING CO., INC., 503 Lester Street, Woodbury, Tenn. 37190. Applicant's representative: Robert L. Baker, 500 James Robertson Parkway, Nashville, Tenn. 57201. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum storm doors and windows*, from Woodbury, Tenn., to Newton, Kans., Kingston, Pa., Goshen, Ind., Elsie, Mich., Blytheville, Ark., Kings Mountain and Havelock, N.C., Bradenton and Lakeland, Fla., Muscle Shoals, Ala., and Atlanta, Ga., under contract with V. E. Anderson Manufacturing Company.

**NOTE.**—If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 138104 (sub-No. 3), filed July 9, 1973. Applicant: MOORE TRANSPORTATION CO., INC., 3509 North Grove Street, Fort Worth, Tex. 76106. Applicant's representative: James W. Hightower, 136 Wynnewood Professional Building, Dallas, Tex. 75224. Authority sought to operate as a *common*

carrier, by motor vehicle, over irregular routes, transporting: (1) *Trailers and trailer chassis* (except those designed to be drawn by passenger automobiles), *trailer converter dollies, containers, and refuse bodies*, in initial truckaway service, from Fort Worth, Tex., to points in the United States, including Alaska, (but excluding Hawaii), and (2) *trailers and trailer chassis* (except those designed to be drawn by passenger automobiles), *trailer converter dollies, containers, and refuse bodies*, in secondary truckaway service, between points in the United States, including Alaska (but excluding Hawaii).

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 138331 (sub-No. 2), filed July 13, 1973. Applicant: ELLA BIGELOW, P.O. Box 25, Cobalt, Ontario, Canada. Applicant's representative: William J. Hirsch, 35 Court Street, Suite 444, Buffalo, N.Y. 14202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Grinding mill liners*, from the port of entry on the international boundary line between the United States and Canada, at Sault Ste. Marie, Mich., to points in Michigan and returned, *refused and rejected shipments* from points in Michigan, to the port of entry on the international boundary line between the United States and Canada at Sault Ste. Marie, Mich., under contract with The Wabi Iron Works Limited.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y.

No. MC 138552 (sub-No. 2), filed July 9, 1973. Applicant: MILTON MCCOMBS, JR., 2006 North Central Avenue, Tifton, Ga. 31794. Applicant's representative: Ronald D. Peterson, 1729 Gulf Life Tower, Jacksonville, Fla. 32207. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum* including calcium sulfate, from points in Florida to points in Alabama and Georgia.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Jacksonville, Fla.

No. MC 138586 (Sub-No. 1), filed July 12, 1973. Applicant: FRIGATE FREIGHT, a corporation, 37171 Sycamore Street, Newark, Calif. 94560. Applicant's representative: Michael J. Stecher, 140 Montgomery Street, San Francisco, Calif. 94104. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Electric and gas water heaters, range boilers, hydropneumatic tanks, and component parts thereof*, between Newark, Calif., and points in Arizona, Arkansas, Colorado, Idaho, Illinois, Iowa, Kansas, Louisiana, Mississippi, Missouri, Minnesota, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wisconsin, and Wyoming, under contract with National Steel Construction Co.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 138608 (sub-No. 1), filed July 12, 1973. Applicant: BAY TRUCKING & LEASING LTD., 153 Huron Crescent, Thunder Bay P, Ontario, Canada. Applicant's representative: Rolfe E. Hanson, 121 West Doty Street, Madison, Wis. 53703. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lumber*, from ports of entry on the international boundary line between the United States and Canada at Grand Portage and International Falls, Minn., and Sault Ste. Marie, Mich., to points in Wisconsin, Minnesota, Iowa, Illinois, Indiana, Michigan, North Dakota, and South Dakota, and (2) *lath*, from points in the above-named destination States, to ports of entry on the international boundary line between the United States and Canada at Grand Portage and International Falls, Minn., and Sault Ste. Marie, Mich., restricted to traffic moving in foreign commerce and restricted to service performed under contract or continuing contracts with Great West Timber, Ltd., Thunder Bay, Ontario.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Madison, Wis., or Chicago, Ill.

No. MC 138622 (sub-No. 2), filed July 16, 1973. Applicant: BOBBY E. LOWTHER, doing business as BOB LOWTHER TRUCKING, Ireland, W. Va. 26376. Applicant's representative: John M. Friedman, 2930 Putnam Avenue, Hurricane, W. Va. 25526. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Logs, lumber, and wood products*, from the plantsite of Rexroad Lumber Corporation at or near Sutton, W. Va., to points in Kentucky, Maryland, Ohio, North Carolina, Pennsylvania, Tennessee, and Virginia, under contract with Rexroad Lumber Corporation.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Charleston, W. Va., Columbus, Ohio, or Washington, D.C.

No. MC 138637 (sub-No. 2), filed July 5, 1973. Applicant: L. J. GOATER, INC., 88 Birchbrook Drive, Rochester, N.Y. 14623. Applicant's representative: S. Michael Richards, 44 North Avenue, Webster, N.Y. 14580. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Swimming pool kits and accessories*, between Bergen, N.Y., and points in De Kalb County, Ga., on the one hand, and, on the other, points in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia, under contract with Tallman Enterprises, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y.

No. MC 138687 (sub-No. 2), filed July 5, 1973. Applicant: BYNUM TRANSPORT, INC., 1010 Wilwood Drive, Lakeland, Fla. 33801. Applicant's representative: W. Guy McKenzie, Jr., P.O. Box 1200, Tallahassee, Fla. 32302. Authority sought to operate as a *common carrier* by motor vehicle, over irregular routes, transporting: *Dried citrus pulp and citrus pulp pellets*, in side and rear dump vehicles, from points in Manatee, Lake, Orange, Pasco, and Polk Counties, Fla., to Tampa, Fla.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Tampa, Fla.

No. MC 138774 (correction), filed May 10, 1973, published in the FR issue of July 12, 1973, and republished, as corrected, this issue. Applicant: AA TRIANGLE TRANSFER AND WAREHOUSE CO., INC., 300 Northeast 67th Street, Miami, Fla. 33138. Applicant's representative: Bernard C. Pesteoe, 511 Biscayne Building, 19 West Flager Street, Miami, Fla. 33130. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, in containers, restricted to traffic having a prior or subsequent movement beyond the points authorized, and further restricted to the performance of a pickup and delivery service in connection with packing, crating, or containerization or unpacking, uncrating, or decontainerization of such traffic, between points in Citrus, Hernando, Lake Marion, Sumter, Pasco, Pinellas, Flagler, Volusia, Orange, Osceola, Hardee, Palm Beach, Monroe, Broward, Brevard, Seminole, Indian River, Martin, Okeechobee, St. Lucie, Charlotte, Collier, Glades, Hendry, Lee, Highlands, Polk, Dade, De Soto, Manatee, Sarasota, and Hillsborough Counties, Fla.

NOTE.—The purpose of this republication is to indicate that applicant seeks to perform operations between 7 additional Florida Counties as described above, which were inadvertently omitted in the previous notice. If a hearing is deemed necessary, applicant requests it be held at Miami, Fla.

No. MC 138857, filed June 18, 1973. Applicant: W. L. BURGESS, d/b/a BURGESS TRUCKING COMPANY, P.O. Box 137, Clinton, Ky. 42031. Applicant's representative: Robert M. Pearce, P.O. Box E, Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk (except lime), and those requiring special equipment), (1) Between Clinton, and Anna, Ill., serving all intermediate points: From Clinton over U.S. Highway 51 to Anna, and return over the same route; (2) Between Anna and Jonesboro, Ill., serving all intermediate

points: From Anna over Illinois Highway 146 to Jonesboro, and return over the same route; (3) Between Anna and Vienna, Ill., serving all intermediate points: From Anna over Illinois Highway 146 to Vienna, and return over the same route; (4) Between Clinton and Louisville, Ky., serving all intermediate points west of the junction of U.S. Highway 45 and Kentucky Highway 58: From Clinton over Kentucky Highway 58 to its junction with U.S. Highway 45, thence over U.S. Highway 45 to Mayfield, Ky., thence over the Purchase Parkway to its junction with U.S. Highway 62 (near Gilbertsville, Ky.), thence over U.S. 62 to its junction with Western Kentucky Parkway, thence over Western Kentucky Parkway to its junction with Interstate Highway 65, thence over Interstate Highway 65 to Louisville, and return over the same route;

(5) Between Clinton and Fulton, Ky., serving all intermediate points: From Clinton over U.S. 51 to Fulton, and return over the same route; (6) Between Clinton and Hickman, Ky., serving all intermediate points: From Clinton over Kentucky Highway 239 to Cayce, thence over Kentucky Highway 94 to Hickman, and return over the same route; (7) Between Hickman and Fulton, Ky., serving all intermediate points: From Hickman over Kentucky Highway 125 to its junction with Tennessee Highway 5, thence over Tennessee Highway 5 to Union City, Tenn., thence over U.S. Highway 51 to Fulton, and return over the same route; (8) Between Fulton, Ky., and Martin, Tenn., serving all intermediate points: From Fulton, Ky., over U.S. Highway 45E to Martin, Tenn., and return over the same route; (9) Between Cairo, Ill., and Cape Girardeau, Mo., serving all intermediate points: From Cairo, Ill., over Illinois Highway 3 to its junction with Illinois Highway 146, thence over Illinois Highway 146 to Cape Girardeau, Mo.; (10) Between Cayce, Ky. and Union City, Tenn., serving all intermediate points: From Cayce, Ky. over Kentucky Highway 235 to junction with Tennessee Highway 21, thence over Tennessee Highway 21 to Union City, Tenn., and return over the same route; and (11) Between Cape Girardeau, Mo. and Anna, Ill., serving all intermediate points: From Cape Girardeau, Mo. over U.S. Highway 61 to the Missouri-Illinois State line, thence over Illinois Highway 146 to Anna, Ill., and return over the same route.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Paducah, Ky., Nashville, Tenn., or Louisville, Ky.

No. MC 138888 (sub-No. 2), filed July 3, 1973. Applicant: JOHN T. MARONEY, doing business as L&J TRANSPORTING & TOWING, 36-15 Queens Blvd., Long Island City, N.Y. 11101. Applicant's representative: John P. Tynan, 65-12 69th Place, Middle Village, N.Y. 11379. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transport-

ing: *Automobiles*, between New York, N.Y., Boston, Mass., Fairfield, N.J., and Philadelphia, Pa., under contract with Transportation Vehicles, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at New York City, N.Y.

No. MC 138904, filed May 29, 1973. Applicant: CARGO AND TRANSPORTATION SERVICES, INC., P.O. Box 1268, Pueblo, Colo. 81002. Applicant's representative: John H. Lewis, The 1650 Grant Street Building, Denver, Colo. 80203. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *General Commodities* (except commodities in bulk, in tank vehicles). Regular route: Between Pueblo, Colo., and Manzanola, Colo.; From Pueblo over U.S. Highway 50 to Manzanola and return over the same route, serving all intermediate points within fifteen (15) miles of Fowler, Colo.; Irregular route: Between points within a fifteen (15) mile radius of Fowler, Colo., on the one hand, and, on the other, points in Colorado.

NOTE.—The instant application seeks to convert the Certificate of Registration of Fowler Truck Line in MC 98205 (sub-No. 1) into a Certificate of Public Convenience and Necessity and also is related to the pending transfer proceeding in MC-FC 74593. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 138947, filed June 29, 1973. Applicant: C. P. TRANSPON INC., 71 Glen Road, Cranston, R.I. 02920. Applicant's representative: John J. Keller, 145 West Wisconsin Ave., Neenah, Wis. 54946. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Carpets, carpeting, mats, matting, rugs, tile, and materials and equipment* used in the manufacture, installation, and maintenance of the above-named commodities, (1) (a) from points in the United States (excluding Alaska and Hawaii), to points in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont; and (b) from the warehouse and factory of Carpet Products, Inc., at Cranston, R.I., to points in the United States (excluding Alaska and Hawaii), under continuing contract to Carpet Products, Inc.; and (2) (a) from points in the United States (excluding Alaska and Hawaii), to points in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont; and (b) from the warehouse and factory of Balfred Floor Covering Co., at East Providence, R.I., to points in the United States (excluding Alaska and Hawaii), under continuing contract to Balfred Floor Covering Co.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Providence, R.I.

No. MC 138971, filed July 19, 1973. Applicant: HOWARD LANE, 429 Knollwood Drive, Somerville, N.J. 08876. Applicant's representative: Kenneth R. Davis, 999 Union Street, Taylor, Pa. 18517. Authority sought to operate as a

*contract carrier*, by motor vehicle, over irregular routes, transporting: (A) *Automobile internal combustion engines* from Tonawanda, N.Y., Flint and Lansing, Mich., to Placentia, Calif., and (B) *marine type internal combustion engines* from Placentia, Calif., to points in the United States on and east of a line beginning at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with the western boundary of Itasca County, Minn., thence northward along the western boundaries of Itasca and Koochiching Counties, Minn., to the international boundary line between the United States and Canada, under contract with Guardian Marine, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

#### MOTOR CARRIER OF PASSENGERS

No. MC 29890 (sub-No. 38), filed June 20, 1973. Applicant: ROCKLAND COACHES, INC., 126 North Washington Ave., Bergenfield, N.J. 07621. Applicant's representative: S. S. Eisen, 370 Lexington Avenue, New York, N.Y. 10017. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage* in the same vehicle with passengers, between Paramus, N.J., and River Edge, N.J., serving no intermediate points: From the Junction of Forest Avenue and Howland Avenue in Paramus (a service point of applicant's present route), over Forest Avenue to the Bergen Mall Shopping Center adjacent to the junction of Forest Avenue with New Jersey Highway 4, thence over New Jersey Highway 4 to junction access road between Kinderkamack Road and New Jersey Highway 4 in River Edge (a service point on applicant's present route); and return over the same route.

NOTE.—Common control may be involved. Applicant states that the proposed route would be a diversion between intermediate points on the present route operating between Bergen County, N.J., on the one hand, and, on the other, New York, N.Y. Its purpose is to enable discharge and pickup of intrastate passengers at Bergen Mall as authorized by the State of New Jersey. If a hearing is deemed necessary, applicant requests it be held at Newark, N.J., or New York, N.Y.

No. MC 118832 (sub-No. 7) (clarification), filed April 16, 1973, published in the FEDERAL REGISTER issue of June 28, 1973, and republished, as clarified, this issue. Applicant: WESTOURS MOTOR COACHES, INC., 900 IBM Building, Seattle, Wash. 98101. Applicant's representative: A. T. Wendells, 3933 Seattle-First National Bank Building, Seattle, Wash. 98154. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Passengers and their baggage* in the same vehicle with passengers, in special and charter operations, (A) regular route, between the junction of Alaska Highways 2 and 5, and the international boundary line between the United States

and Canada at the Yukon Territory: From the junction of Alaska Highways 2 and 5 at Tetlin Junction, Alaska over Alaska Highway 5 to junction unnumbered Alaska Highway, thence over unnumbered Alaska Highway to the international boundary line between the United States and Canada at the Yukon Territory, and return over the same route; (B) irregular routes; (1) between Seattle, Wash., on the one hand, and, on the other, ports of entry on the international boundary line between the United States and Canada located in Washington, Idaho, and Montana, restricted to traffic originating at or destined to points in Alaska; and (2) (a) between points in Alaska, and (b) between points in Alaska, on the one hand, and, on the other, points in the United States (except Hawaii) including points on the international boundary lines between the United States and Canada.

NOTE.—Applicant indicates that the requested authority can be tacked with its subs 2 and 4 at points in Alaska, Seattle, Wash., and points along the international boundary lines between the United States and Canada, but no additional service could be rendered. If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash., or Anchorage, Alaska.

No. MC 138828 (sub-No. 1), filed July 2, 1973. Applicant: MAPLEWOOD EQUIPMENT COMPANY, a corporation, 419 Anderson Avenue, Fairview, N.J. 07022. Applicant's representative: Edward F. Bowes, 744 Broad Street, Newark, N.J. 07102. Authority sought to operate as a *common carrier*, by motor ve-

hicle, over irregular routes, transporting: *Passengers and their baggage*, in special operations, beginning and ending at Port Lee, N.J., and extending to the Yale Bowl at New Haven, Conn., in seasonal operations from September 1, to December 30, inclusive.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Newark, N.J., or New York, N.Y.

No. MC 138833, filed June 6, 1973. Applicant: LARUE A. YOUNG AND BARBARA B. YOUNG, a partnership, doing business as HOME TO PORT TRANSFER SERVICE, 40 West Fourth Street, Williamsport, Pa. 17701. Applicant's representative: John A. Felix, 322 Court Street, Williamsport, Pa. 17701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nine passengers or less and their baggage*, from points in Lycoming, Snyder, Toga, Union, Northumberland, Columbia, Clinton, Montour, and Sullivan Counties, Pa., to points in New York, New Jersey, Maryland, Virginia, Connecticut, Rhode Island, Massachusetts, and the District of Columbia.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Williamsport, Pa., or Washington, D.C.

No. MC 138948, filed July 23, 1973. Applicant: JOHN L. CANNADA, doing business as CANNADA BUS SERVICE, 1625 Main Street, Hartford, Conn. 06120. Applicant's representative: John L. Cannada (same address as applicant). Au-

thority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, restricted to traffic originating in the territory indicated, in charter operations, between points in Connecticut, on the one hand, and, on the other, points in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Hartford, Conn., or Boston, Mass.

APPLICATION IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN REQUESTED

No. MC 134129 (Sub-No. 6), filed July 5, 1973. Applicant: WILLIAM A. LONG, Bealeton, Va. 22712. Applicant's representative: Daniel B. Johnson, 716 Perpetual Building, 1111 E Street NW., Washington, D.C. 20004. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Plastic articles*, from Remington, Va., to points in the United States in and east of Louisiana, Arkansas, Missouri, Iowa, and Minnesota, and (2) *materials and supplies and equipment* used in the manufacture of plastic articles, from points in the destination territory in (1) above, to Remington, Va., under a continuing contract or contracts with Remington Plastics, Inc.

By the Commission.

[SEAL]

ROBERT L. OSWALD,  
Secretary.

[FR Doc.73-18349 Filed 8-29-73; 8:45 am]

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21237-21380	7	22207-22358	17	22303-23388	29
21381-21479	8	22359-22457	20	23389-23503	30
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PART II

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## **DEPARTMENT OF LABOR**

**Occupational Safety and  
Health Administration**



**OCCUPATIONAL SAFETY AND  
HEALTH STANDARDS**

**Industrial Slings**

## DEPARTMENT OF LABOR

Occupational Safety and Health  
Administration

[ 29 CFR Part 1910 ]

OCCUPATIONAL SAFETY AND HEALTH  
STANDARDS

## Industrial Slings

Pursuant to section 6(b) of the Williams-Steiger Occupational Safety and Health Act of 1970 (84 Stat. 1593; 29 U.S.C. 655), Secretary of Labor's Order No. 12-71 (36 FR 8754) and 29 CFR Part 1911, it is hereby proposed to adopt new standards for slings made from alloy steel chain, wire rope, metal mesh, natural or synthetic fiber rope, and synthetic webbing.

The proposed standards are based on the consensus standard, American National Standards Institute (ANSI) B30.9-1971, though the following changes have been made:

1. The frequency of sling inspections as required by the American National Standards Institute was increased so that all slings will be inspected each day they are in use. The daily inspections shall be conducted before the slings are put into service. In addition, slings made from alloy steel chain, wire rope and metal mesh shall receive a more thorough, periodic inspection at least every three months based on the extent of sling usage. The criteria for time lapse between inspections is based on 29 CFR 1918.64(b).

2. The proposed standards require the employer to designate a knowledgeable person to conduct the periodic inspections and to assume responsibility for the maintenance of safe equipment. This was not required by the ANSI standard in all cases.

3. The ANSI requirement that employers shall have the sling manufacturer perform the repairs and tests on the slings was changed to allow any organization, capable of performing the same repairs and tests with equal competence, do the work.

4. The provisions in the ANSI standard covering storage of slings have not been included because they do not directly concern employee safety.

5. A number of provisions within the ANSI standard which were advisory in nature have been made mandatory.

Interested persons are invited to submit written data, views, and arguments

concerning the proposal to the Office of Standards, Room 508, Railway Labor Building, 400 First Street NW., Washington, D.C. 20210 by October 26, 1973. The data, views, and arguments will be available for public inspection and copying at the Office of Standards located at the above address.

Pursuant to 29 CFR 1910.11(b) and (c), interested persons may, in addition to filing written matter as provided above, file objections to the proposal requesting an informal hearing with respect thereto, in accordance with the following conditions:

(1) The objections must include the name and address of the objector.

(2) The objections must be postmarked on or before October 26, 1973.

(3) The objections must specify with particularity the provision of the proposed rule to which objection is taken, and must state the grounds therefor.

(4) Each objection must be separately stated and numbered.

(5) The objections must be accompanied by a summary of the evidence proposed to be adduced at the requested hearing.

1. A new § 1910.190 would be added to 29 CFR Part 1910 to read as follows:

## § 1910.190 Slings.

(a) *Scope.* This section applies to slings made from alloy steel chain, wire rope, metal mesh, natural or synthetic fiber rope, and synthetic webbing, and used in conjunction with other equipment to move material by hoisting in general industrial operations. Specialized operations involving slings are covered by the following standards in this chapter: Ship Repairing, § 1915.62; Shipbuilding, § 1916.62; Shipbreaking, § 1917.62; Longshoring, §§ 1918.62, 1918.63, 1918.64 and Construction, § 1926.251. Slings of a size or made of a type of material not considered by this section shall be used only in accordance with the recommendations of the sling manufacturer.

(b) *Definitions applicable to this section.* (1) "Angle of loading" is the inclination of a leg or branch of a sling measured from the horizontal or vertical plane as shown in Fig. N-190-5; provided that an angle of loading of five degrees or less from the vertical may be considered a vertical load.

(2) "Braided wire rope" is a rope formed by plaiting component wire ropes.

(3) "Braided wire rope sling" is a sling made from braided wire rope.

(4) "Bridle wire rope sling" is a sling composed of multiple wire rope legs with the top ends gathered in a fitting that goes over the lifting hook.

(5) "Cable body endless sling-mechanical joint" is a wire rope sling made endless by joining the ends of a single length of cable laid rope with one or more metallic fittings.

(6) "Cable laid grommet-hand tucked" is an endless wire rope sling made from one continuous length of rope wrapped six times around a core formed by hand tucking the ends of the rope inside the six wraps.

(7) "Cable laid rope" is a wire rope composed of six wire ropes wrapped around a fiber or wire rope core.

(8) "Cable laid rope sling-mechanical joint" is a wire rope sling made from a cable laid rope with eyes fabricated by pressing or swaging one or more metal sleeves over the rope junction.

(9) "Coating" is an elastomer or other suitable material applied to a sling to impart desirable properties.

(10) "Cross rod" is a wire used to join spirals of metal mesh to form a complete fabric. (See Fig. N-190-2)

(11) "Designated" means selected or assigned by the employer or employer's representative as being qualified to perform specific duties.

(12) "Equivalent entity" is an organization which, by possession of technical equipment and knowledgeable personnel can perform with equal competence the same repairs and tests as the organization with which it is equated.

(13) "Fabric (metal mesh)" is the flexible portion of a metal mesh sling consisting of a series of transverse coils and cross rods.

(14) "Handle" is a terminal fitting to which metal mesh fabric is attached. (See Fig. N-190-1)

(15) "Female handle (choker)" is a handle with a handle eye and a slot of such dimension as to permit passage of a male handle thereby allowing the use of a sling in a choker hitch.

(16) "Handle eye" is an opening in a handle shaped to accept a hook, shackle or other lifting device.

(17) "Male handle (triangle)" is a handle with a handle eye.

(18) "Hitch" is the method by which a load is supported by a sling.

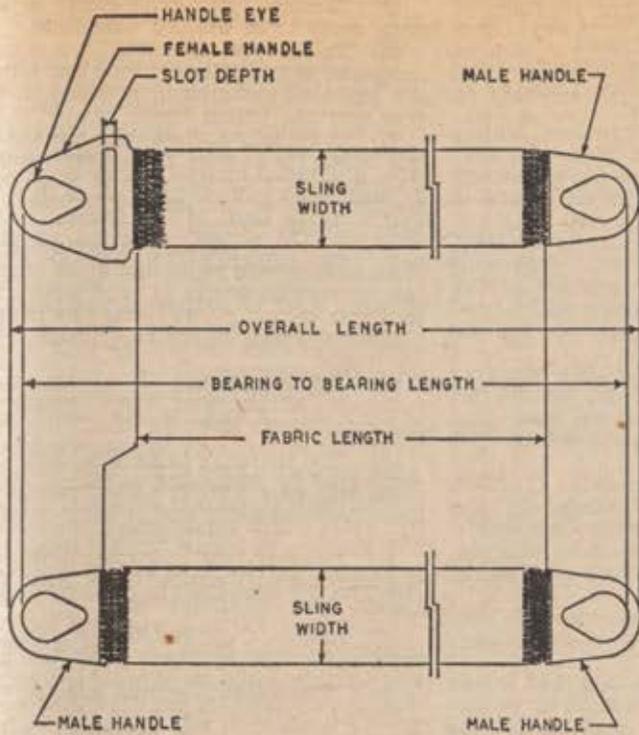


FIG. N-190-1

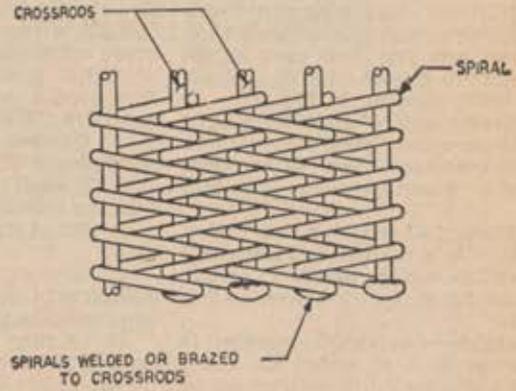
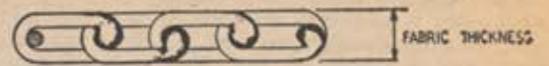


FIG. N-190-2

(19) "Basket hitch" is a method of supporting a load with the sling passed under the load with both ends, end attachments, eyes or handles on the hook or a single master link. (See Fig. N-190-4)

(20) "Choker hitch" is a method of supporting a load with one end of the sling passing through an end attachment, eye or handle on the other end and supporting the load. (See Fig. N-190-4)

(21) "Vertical hitch" is a method of supporting a load by a single, vertical part or leg of the sling. (See Fig. N-190-4)

(22) "Link" is a single ring of a chain.

(23) "Master coupling link" is an alloy steel welded coupling link used as an intermediate link to join alloy steel chain to master links. (See Fig. N-190-3)

(24) "Master link (Gathering ring)" is a forged or welded steel link used to support all members (legs) of an alloy steel chain or wire rope sling. (See Fig. N-190-3)

(25) "Mechanical coupling link (Alloy steel chain)" is a nonwelded, mechanically closed link used primarily to attach master links, hooks, etc., to running alloy steel chain.

(26) "Minimum breaking strength" is the minimum load at which the sling will break when loaded to destruction in direct tension.

(27) "Nominal breaking strength" is the load at which the sling could be expected to break when loaded to destruction in direct tension.

(28) "Proof load" is the specific load applied in performance of the proof test.

(29) "Proof test" is a nondestructive tension test made by the sling manufacturer or equivalent entity to verify construction and workmanship of the individual sling.

(30) "Rated capacity (Working load limit)" is the maximum allowable working load.

(31) "Reach (Alloy steel chain)" is the effective length of an alloy steel chain sling measured from the top bearing surface of the master link to the bearing surface in the base (bowl) of the hook.

(32) "Safety factor" is the ratio of nominal or minimum breaking strength to the rated capacity of the sling.

(33) "Selvage edge" is the finished edge of synthetic webbing designed to prevent unraveling.

(34) "Sling manufacturer" is a person or company that assembles sling components into their final form.

(35) "Spiral" is a single transverse coil that is the basic element from which metal mesh is fabricated.

(36) "Strand laid endless sling—mechanical joint" is a wire rope sling made endless from one continuous length of rope with the ends joined by one or more metallic fittings.

(37) "Strand laid grommet—hand tucked" is an endless wire rope sling made from one continuous length of wire wrapped six times around a core formed by hand tucking the ends of the wire inside the six wraps.

(38) "Strand laid rope" is a wire rope made with strands of wire (usually six or eight) formed around a fiber core, wire strand core, or independent wire rope core (IWRC).

(c) *General requirements.* (1) *Safe operating practices.*—Whenever any sling is to be used, the employer shall require that the following practices be observed:

(i) Slings that are unsafe shall not be used.

(ii) Slings shall not be exposed to temperatures in excess of the manufacturer's recommendations.

(iii) A sling shall be used that is long enough to provide the maximum practical angle between the sling leg and the horizontal (minimum practical angle at the crane hook if vertical angles are used).

(iv) Slings shall not be shortened with knots, bolts, or similar methods.

(v) Twisting and/or kinking the legs of a sling is prohibited.

(vi) A sling shall not be loaded in excess of its rated capacity.

(vii) The load shall be centered in the base (bowl) of the hook to prevent point loading.

(viii) Slings used in a basket hitch shall have the load balanced to prevent slippage.

(ix) A sling shall be padded or protected from the sharp edges of its load.

(x) Hands and fingers shall not be placed between the sling and its load.

(xi) Each sling shall be securely hitched to its load.

(xii) The load shall be free to move before lifting and shall be kept clear of all obstructions.

(xiii) Shock loading shall be avoided.

(xiv) All personnel must stand clear of a suspended load.

(xv) A sling shall not be pulled from under a load when the load is resting on the sling.

(2) *Inspections.*—(i) All slings, including end fastenings and attachments, shall be given a visual inspection for damage each day before being used. A thorough inspection of all alloy steel chain, wire rope, and metal mesh slings in use shall be made on a regular basis, to be determined on the basis of (A) frequency of sling use; (B) severity of service conditions; (C) nature of lifts being made; and (D) experience gained on the service life of slings used in similar circumstances. However, such inspection shall in no event be at intervals greater than once every three months.

(ii) Each sling shall bear an indication of the month in which it was thoroughly inspected.

(iii) The thorough inspection shall be performed by designated personnel and shall include inspection for wear, defective welds where applicable, deformation and increase in length. Where such deterioration results in a loss of original strength, the sling shall be removed from service.

(d) *Alloy steel chain.* (1) *Chain properties.*—(i) The employer shall obtain and retain a certificate of proof test from the manufacturer or an equivalent entity for each new, repaired or reconditioned sling used showing that it has been tested in accordance with ASTM Specification for Alloy Steel Chain, A391-65 (ANSI G61.1-1968).

(ii) Minimum proof loads for alloy steel chain shall be equal to twice the working load limit values shown for single branch slings.

(2) *Chain use.*—Alloy steel chain slings shall not be used with loads in excess of those prescribed in Table N-190-1.

(3) *Sling identification.*—Welded alloy steel chain slings shall have permanently affixed durable identification stating size, grade, rated capacity and sling manufacturer.

(4) *Attachments.*—(i) Hooks, rings, oblong links, pear shaped links, welded or mechanical coupling links or other attachments shall have a rated capacity at least equal to that of the alloy steel chain with which they are used.

(ii) Attachments shall be of a size recommended by the manufacturer.

(iii) All welded components in the sling assembly shall be proof tested by the sling manufacturer or an equivalent entity before use. The employer shall retain a certificate of this proof test.

TABLE N-190-1  
RATED CAPACITY (WORKING LOAD LIMIT), FOR ALLOY STEEL CHAIN SLINGS\*  
RATED CAPACITY (WORKING LOAD LIMIT), POUNDS

Chain Size, Inches	Single Branch Sling - 90 degree Loading		Double Sling Vertical Angle (1)		Triple and Quadruple Sling (3)	
	30 degree	45 degree	30 degree	45 degree	30 degree	45 degree
1/4	3,250	4,550	6,500	8,400	12,750	17,000
3/8	6,600	9,300	13,200	17,400	26,400	35,600
1/2	11,250	15,900	22,500	30,000	45,000	60,000
5/8	16,500	23,000	33,000	43,000	64,500	86,000
3/4	23,000	32,500	46,000	61,000	91,500	122,000
7/8	28,750	40,600	57,500	77,000	115,500	154,000
1	38,750	54,800	77,500	104,000	156,000	208,000
1-1/8	44,500	63,000	89,000	118,000	177,000	236,000
1-1/4	57,500	81,000	112,500	150,000	225,000	300,000
1-3/8	67,000	94,000	138,000	184,000	276,000	368,000
1-1/2	80,000	112,500	165,000	220,000	330,000	440,000
1-3/4	100,000	140,000	200,000	266,000	400,000	530,000

(1) Rating of multiple slings adjusted for angle of loading measured as the included angle between the fastened leg and the vertical as shown in Figure 5.  
 (2) Rating of multiple slings adjusted for angle of loading between the inclined leg and the horizontal plane of the load, as shown in Figure 5.  
 (3) Quadruple sling rating is same as triple sling because normal lifting practice may not distribute load uniformly to all 4 legs.

TABLE N-190-2  
MAXIMUM ALLOWABLE WEAR  
AT ANY POINT OF LINK

Chain Size, Inches	Maximum Allowable Wear, Inch
1/4	3/64
3/8	5/64
1/2	7/64
5/8	9/64
3/4	5/32
7/8	11/64
1	3/16
1-1/8	7/32
1-1/4	1/4
1-3/8	9/32
1-1/2	5/16
1-3/4	11/32

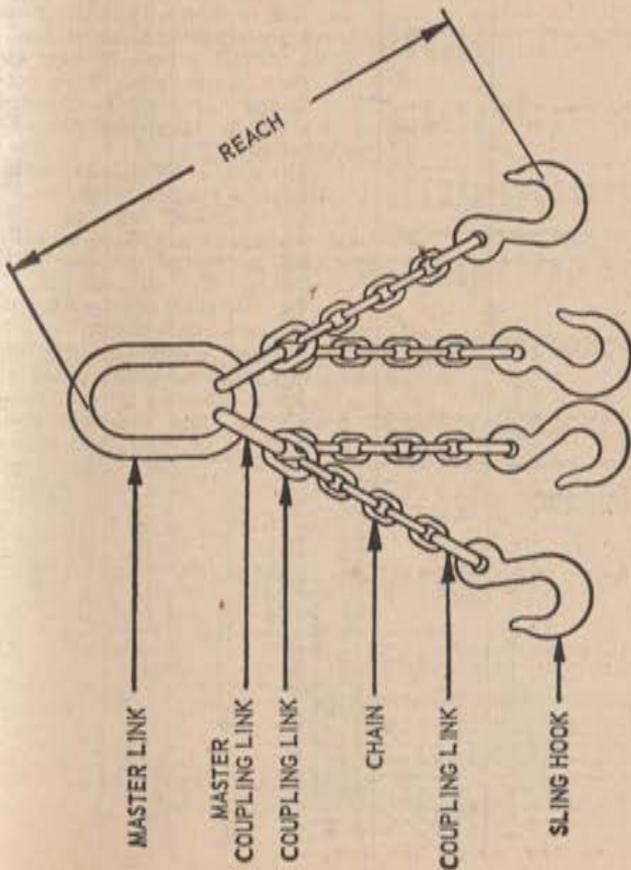


FIG. N-190-3 MAJOR COMPONENTS OF A QUADRUPLE SLING.

TABLE N-190-4  
RATED CAPACITIES FOR SINGLE LEG SLINGS  
6 x 19 AND 6 x 37 CLASSIFICATION IMPROVED FLOW STEEL GRADE ROPE  
WITH INDEPENDENT WIRE ROPE CORE (IWRC)

Diameter (Inches)	Rope Construction	Rated Capacities, Tons (2,000 lb)				Vertical Basket <sup>a</sup>
		HT	MS	S	HT	
1/4	6 x 19	0.53	0.59	0.44	1.0	1.1
5/16	6 x 19	0.81	0.87	0.65	1.6	1.7
3/8	6 x 19	1.1	1.2	0.92	2.3	2.5
7/16	6 x 19	1.5	1.7	1.3	3.1	3.4
1/2	6 x 19	2.0	2.2	1.6	3.9	4.4
9/16	6 x 19	2.5	2.7	2.0	4.9	5.5
5/8	6 x 19	3.0	3.4	2.5	6.0	7.2
3/4	6 x 19	4.2	4.9	3.1	8.4	10.0
7/8	6 x 19	5.5	6.5	4.1	11.0	14.0
1	6 x 19	7.2	8.5	5.0	14.0	18.0
1-1/8	6 x 19	9.0	10.0	6.8	18.0	23.0
1-1/4	6 x 37	10.0	12.0	7.9	21.0	26.0
1-3/8	6 x 37	13.0	15.0	9.6	25.0	32.0
1-1/2	6 x 37	15.0	17.0	11.0	30.0	38.0
1-5/8	6 x 37	18.0	20.0	13.0	35.0	44.0
1-3/4	6 x 37	20.0	24.0	15.0	41.0	51.0
2	6 x 37	25.0	30.0	20.0	53.0	66.0

HT = Hand Tracked Splice  
MS = Mechanical Splice  
S = Swaged or Zinc Plated Socket  
\*These values only apply when the D/d ratio for HT slings is 10 or greater, and for MS and S slings is 20 or greater where D = Diameter of core and d = Diameter of rope.

TABLE N-190-5  
RATED CAPACITIES FOR SINGLE LEG SLINGS  
CABLE LAID ROPE - MECHANICAL SPICE ONLY  
7 x 7 x 7 & 7 x 7 x 19 CONSTRUCTION GALVANIZED AIRCRAFT GRADE ROPE  
7 x 6 x 19 IWRC CONSTRUCTION IMPROVED FLOW STEEL GRADE ROPE

Diameter (Inches)	Rope Construction	Rated Capacities, Tons (2,000 lb)				Vertical Basket <sup>a</sup>
		HT	MS	S	HT	
1/4	7 x 7 x 7	0.50			0.38	1.0
3/8	7 x 7 x 7	1.1			0.81	2.0
1/2	7 x 7 x 7	1.8			1.4	3.7
5/8	7 x 7 x 7	2.8			2.1	5.5
3/4	7 x 7 x 7	3.8			2.9	7.5
5/8	7 x 7 x 19	2.9			2.3	5.8
3/4	7 x 7 x 19	4.1			3.0	8.1
7/8	7 x 7 x 19	5.4			4.0	11.0
1	7 x 7 x 19	6.9			5.1	14.0
1-1/8	7 x 7 x 19	8.2			6.2	16.0
1-1/4	7 x 7 x 19	9.9			7.4	20.0
3/4	7 x 6 x 19 IWRC	3.8			3.8	7.6
7/8	7 x 6 x 19 IWRC	5.0			5.0	10.0
1	7 x 6 x 19 IWRC	6.4			6.4	13.0
1-1/8	7 x 6 x 19 IWRC	7.7			7.7	15.0
1-1/4	7 x 6 x 19 IWRC	9.2			9.2	18.0
1-5/8	7 x 6 x 19 IWRC	10.0			10.0	20.0
1-3/4	7 x 6 x 19 IWRC	11.0			11.0	22.0
1-1/2	7 x 6 x 19 IWRC	13.0			13.0	26.0

HT = Hand Tracked Splice and Hidden Truck Splice  
MS = Mechanical Splice  
S = Swaged or Zinc Plated Socket  
\*These values only apply when the D/d ratio is 10 or greater where D = Diameter of core and d = Diameter of rope.

(iv) Homemade links, makeshift fasteners formed from bolts, rods, or other such attachments shall not be used.  
(v) Repair and reconditioning alloy steel chain slings.—(1) Worn or damaged alloy steel chain slings or attachments shall not be used until they are repaired by the sling manufacturer or an equivalent entity. (See paragraph (d) (1) (i) of this section.)

(ii) Slings shall not be used where mechanical coupling links or low carbon steel repair links were used to repair broken lengths of chain.  
(6) Effects of wear.—If wear at any point of any chain link exceeds that shown in Table N-190-2, the assembly shall be removed from service.

(7) Deformed attachments.—(i) Assemblies with deformed master links or coupling links shall be removed from service.  
(ii) Assemblies shall be removed from service if hooks are cracked, have been opened more than 15 percent of the normal throat opening measured at the narrowest point or twisted more than 10 degrees from the plane of the unbent hook.

(e) Wire rope. (1) General.—The wire rope slings covered by this subsection are set forth in Tables N-190-3 to 14. Other grades, types, sizes and constructions may be used. When such slings are used, they shall be used only in accordance with the recommendations of the sling manufacturer.  
(2) Factor of safety.—The factor of safety for wire rope slings of all grades shall be a minimum of five (5). Rated capacities for wire rope slings are shown in Tables N-190-3 through 14, which apply this safety factor.

TABLE N-190-3  
RATED CAPACITIES FOR SINGLE LEG SLINGS  
6 x 19 AND 6 x 37 CLASSIFICATION IMPROVED FLOW STEEL GRADE ROPE  
WITH FIBER CORE (FC)

Diameter (Inches)	Rope Construction	Rated Capacities, Tons (2,000 lb)				Vertical Basket <sup>a</sup>
		HT	MS	S	HT	
1/4	6 x 19	0.69	0.51	0.55	0.37	1.0
5/16	6 x 19	0.75	0.79	0.85	0.57	1.5
3/8	6 x 19	1.1	1.1	1.2	0.80	2.1
7/16	6 x 19	1.4	1.5	1.6	1.1	2.2
1/2	6 x 19	1.8	2.0	2.1	1.4	2.4
9/16	6 x 19	2.3	2.5	2.7	1.9	3.0
5/8	6 x 19	2.8	3.1	3.3	2.3	3.3
3/4	6 x 19	3.9	4.4	4.8	3.3	4.3
7/8	6 x 19	5.1	5.9	6.4	4.5	5.4
1	6 x 19	6.7	7.7	8.4	5.9	6.7
1-1/8	6 x 19	8.4	9.5	10.0	7.1	8.1
1-1/4	6 x 37	9.8	11.0	12.0	7.4	8.3
1-3/8	6 x 37	12.0	13.0	15.0	8.9	10.0
1-1/2	6 x 37	14.0	16.0	17.0	10.0	12.0
1-5/8	6 x 37	16.0	18.0	21.0	12.0	14.0
1-3/4	6 x 37	19.0	21.0	24.0	14.0	16.0
2	6 x 37	25.0	28.0	31.0	18.0	21.0

HT = Hand Tracked Splice and Hidden Truck Splice  
MS = Mechanical Splice  
S = Swaged or Zinc Plated Socket  
\*These values only apply when the D/d ratio for HT slings is 10 or greater, and for MS and S slings is 20 or greater where D = Diameter of core and d = Diameter of rope.

TABLE N-190-6  
RATED CAPACITIES FOR SINGLE LEG SLINGS  
8-PART AND 6-PART BRAIDED ROPE  
6 x 7 AND 6 x 19 CONSTRUCTION IMPROVED PLOW STEEL GRADE ROPE  
7 x 7 CONSTRUCTION GALVANIZED AIRCRAFT GRADE ROPE

Component Ropes Diameter (Inches)	Constr	Rated Capacities, Tons (2,000 lb)			
		Vertical	8-Part	6-Part	Basket/Ventical to 30 degree
3/32	6 x 7	0.42	0.32	0.24	0.74
1/8	6 x 7	0.76	0.57	0.42	1.3
3/16	6 x 7	1.7	1.3	0.94	2.3
3/32	7 x 7	0.51	0.39	0.29	0.89
1/8	7 x 7	0.95	0.71	0.53	1.6
3/16	7 x 7	2.1	1.5	1.2	3.6
3/16	6 x 19	1.7	1.3	0.98	2.2
1/4	6 x 19	3.1	2.3	1.7	4.0
5/16	6 x 19	4.8	3.5	2.7	6.2
3/8	6 x 19	6.8	5.1	3.8	8.9
7/16	6 x 19	9.3	6.9	5.2	12.0
1/2	6 x 19	12.0	9.0	6.7	15.0
5/16	6 x 19	15.0	11.0	8.5	20.0
3/4	6 x 19	19.0	14.0	10.0	24.0
7/8	6 x 19	27.0	20.0	15.0	35.0
1	6 x 19	36.0	27.0	20.0	47.0
1 1/8	6 x 19	47.0	35.0	26.0	61.0

\*These values only apply when the D/d ratio is 20 or greater where:  
D = Diameter of curvature around which the body of the sling is bent,  
d = Diameter of component rope.

TABLE N-190-7  
RATED CAPACITIES FOR 2-LEG & 3-LEG BRIDLE SLINGS  
6 x 19 AND 6 x 37 CLASSIFICATION IMPROVED PLOW STEEL GRADE ROPE  
WITH FIBER CORE (FC)

Rope Dia (Inches)	Constr	Rated Capacities, Tons (2,000 lb)			
		1-Leg Bridle Slings	2-Leg Bridle Slings	3-Leg Bridle Slings	
1/4	6 x 19	0.85	0.72	0.51	1.3
5/16	6 x 19	1.3	1.1	0.79	2.0
3/8	6 x 19	1.8	1.5	1.1	2.8
7/16	6 x 19	2.5	2.0	1.5	3.7
1/2	6 x 19	3.2	2.5	2.0	4.8
9/16	6 x 19	4.0	3.2	2.5	6.0
5/8	6 x 19	4.8	3.8	3.0	7.3
3/4	6 x 19	6.8	5.2	4.0	10.0
7/8	6 x 19	8.9	6.8	5.1	13.0
1	6 x 19	11.0	8.4	6.3	17.0
1-1/8	6 x 19	14.0	10.8	8.4	22.0
1-1/4	6 x 37	17.0	13.0	10.0	28.0
1-3/8	6 x 37	20.0	15.0	11.0	33.0
1-1/2	6 x 37	24.0	18.0	13.0	40.0
1-5/8	6 x 37	28.0	21.0	15.0	47.0
1-3/4	6 x 37	32.0	24.0	17.0	55.0
1-7/8	6 x 37	37.0	28.0	20.0	63.0
2	6 x 37	43.0	33.0	23.0	73.0

HT = Head Turned Splice,  
MS = Mechanical Splice

TABLE N-190-8  
RATED CAPACITIES FOR 2-LEG & 3-LEG BRIDLE SLINGS  
6 x 19 and 6 x 37 CLASSIFICATION IMPROVED PLOW STEEL GRADE ROPE  
WITH INDEPENDENT WIRE ROPE CORE (IWRC)

Rope Dia (Inches)	Constr	Rated Capacities, Tons (2,000 lb)			
		2-Leg Bridle Slings	3-Leg Bridle Slings	45 degree	30 degree
1/4	6 x 19	0.92	0.79	0.53	1.4
5/16	6 x 19	1.4	1.1	0.81	2.1
3/8	6 x 19	2.0	1.5	1.1	3.0
7/16	6 x 19	2.7	2.0	1.5	4.0
1/2	6 x 19	3.4	2.6	2.0	5.0
9/16	6 x 19	4.3	3.2	2.4	6.5
5/8	6 x 19	5.2	3.9	2.9	7.8
3/4	6 x 19	7.3	5.4	4.0	11.0
7/8	6 x 19	9.6	7.1	5.3	14.0
1	6 x 19	12.0	9.0	6.7	18.0
1-1/8	6 x 19	16.0	12.0	9.0	23.0
1-1/4	6 x 37	18.0	14.0	10.0	27.0
1-3/8	6 x 37	22.0	17.0	12.0	33.0
1-1/2	6 x 37	26.0	20.0	14.0	39.0
1-5/8	6 x 37	31.0	24.0	17.0	46.0
1-3/4	6 x 37	35.0	27.0	20.0	53.0
2	6 x 37	45.0	37.0	26.0	68.0

HT = Head Turned Splice,  
MS = Mechanical Splice

TABLE N-190-9  
RATED CAPACITIES FOR 2-LEG & 3-LEG BRIDLE SLINGS  
CABLE LAID ROPE - MECHANICAL SPLICE ONLY  
7 x 7 x 7 AND 7 x 7 x 19 CONSTRUCTIONS GALVANIZED AIRCRAFT GRADE ROPE  
7 x 6 x 19 IWRC CONSTRUCTION IMPROVED PLOW STEEL GRADE ROPE

Rope Dia (Inches)	Constr	Rated Capacities, Tons (2,000 lb)			
		2-Leg Bridle Slings	3-Leg Bridle Slings	45 degree	30 degree
1/4	7 x 7 x 7	0.87	0.71	0.50	1.3
3/8	7 x 7 x 7	1.9	1.5	1.1	2.8
1/2	7 x 7 x 7	3.2	2.6	1.8	4.8
5/8	7 x 7 x 7	4.8	3.9	2.8	7.2
3/4	7 x 7 x 7	6.5	5.4	3.8	9.9
5/8	7 x 7 x 19	5.0	4.1	2.9	7.5
3/4	7 x 7 x 19	7.0	5.7	4.1	10.0
7/8	7 x 7 x 19	9.3	7.6	5.4	14.0
1	7 x 7 x 19	12.0	9.7	6.9	18.0
1-1/8	7 x 7 x 19	14.0	12.0	8.2	21.0
1-1/4	7 x 7 x 19	17.0	14.0	9.9	26.0
3/4	7 x 6 x 19 IWRC	6.6	5.4	3.8	9.9
7/8	7 x 6 x 19 IWRC	8.7	7.1	5.0	13.0
1	7 x 6 x 19 IWRC	11.0	9.0	6.4	17.0
1-1/8	7 x 6 x 19 IWRC	13.0	11.0	7.7	20.0
1-1/4	7 x 6 x 19 IWRC	16.0	13.0	9.2	24.0
1-5/8	7 x 6 x 19 IWRC	19.0	15.0	10.0	28.0
1-3/4	7 x 6 x 19 IWRC	22.0	18.0	11.0	33.0
1-7/8	7 x 6 x 19 IWRC	26.0	21.0	13.0	39.0

TABLE N-190-12  
RATED CAPACITIES FOR CABLE LAID GROMMET - HAND TUCKED  
7 X 6 X 7 AND 7 X 6 X 19 CONSTRUCTIONS IMPROVED PLOW STEEL GRADE ROPE  
7 X 7 X 7 CONSTRUCTION GALVANIZED AIRCRAFT GRADE ROPE

CABLE BODY		RATED CAPACITIES, TONS (2,000 lb)			
Dia (Inches)	Constn	Vertical	Choker	Vertical Basket*	
3/8	7 X 6 X 7	1.3	0.95	2.5	
9/16	7 X 6 X 7	3.8	2.1	5.5	
3/8	7 X 6 X 7	1.6	1.2	3.2	
9/16	7 X 7 X 7	3.5	2.6	6.9	
5/8	7 X 7 X 7	4.5	3.4	9.0	
5/8	7 X 6 X 19	3.9	3.0	7.9	
3/4	7 X 6 X 19	5.1	3.8	10.0	
15/16	7 X 6 X 19	7.9	5.9	16.0	
1-1/8	7 X 6 X 19	11.0	8.4	22.0	
1-5/16	7 X 6 X 19	15.0	11.0	30.0	
1-1/2	7 X 6 X 19	19.0	14.0	39.0	
1-11/16	7 X 6 X 19	24.0	18.0	49.0	
1-7/8	7 X 6 X 19	30.0	22.0	60.0	
2-1/4	7 X 6 X 19	42.0	31.0	84.0	
2-5/8	7 X 6 X 19	55.0	42.0	112.0	

\*These values only apply when the D/d ratio is 5 or greater where:  
D = Diameter of curve around which cable body is bent,  
d = Diameter of cable body.

TABLE N-190-13  
RATED CAPACITIES FOR STRAND LAID ENDLESS SLINGS-MECHANICAL JOINT  
IMPROVED PLOW STEEL GRADE ROPE

ROPE BODY		RATED CAPACITIES, TONS (2,000 lb)			
Dia (Inches)	Constn	Vertical	Choker	Vertical Basket*	
1/4	6 X 19 IWRC	0.92	0.69	1.8	
3/8	6 X 19 IWRC	2.0	1.5	4.1	
1/2	6 X 19 IWRC	3.6	2.7	7.2	
5/8	6 X 19 IWRC	5.6	4.2	11.0	
3/4	6 X 19 IWRC	8.0	6.0	15.0	
7/8	6 X 19 IWRC	11.0	8.1	21.0	
1	6 X 19 IWRC	14.0	10.0	28.0	
1-1/8	6 X 19 IWRC	18.0	13.0	35.0	
1-1/4	6 X 37 IWRC	21.0	15.0	41.0	
1-3/8	6 X 37 IWRC	25.0	19.0	50.0	
1-1/2	6 X 37 IWRC	30.0	22.0	59.0	

\*These values only apply when the D/d ratio is 5 or greater where:  
D = Diameter of curve around which rope is bent,  
d = Diameter of rope body.

TABLE N-190-10  
RATED CAPACITIES FOR 2-LEG AND 3-LEG BRIDLE SLINGS  
8-PART AND 6-PART BRAIDED ROPE  
6 X 7 AND 6 X 19 CONSTRUCTION IMPROVED PLOW STEEL GRADE ROPE  
7 X 7 CONSTRUCTION GALVANIZED AIRCRAFT GRADE ROPE

Component Rope	Rated Capacities, Tons (2,000 lb)											
	2-Leg Bridle Slings			3-Leg Bridle Slings			45 degree			60 degree		
Vert 30 degree Horz 60 degree 8-Part	Vert 45 degree Horz 30 degree 8-Part	Vert 60 degree Horz 30 degree 8-Part	Vert 30 degree Horz 60 degree 6-Part	Vert 45 degree Horz 30 degree 6-Part	Vert 60 degree Horz 30 degree 6-Part	Vert 30 degree Horz 60 degree 4-Part	Vert 45 degree Horz 30 degree 4-Part	Vert 60 degree Horz 30 degree 4-Part	Vert 30 degree Horz 60 degree 3-Part	Vert 45 degree Horz 30 degree 3-Part	Vert 60 degree Horz 30 degree 3-Part	
3/32 6 X 7	0.55	0.60	0.45	0.32	1.1	0.83	0.90	0.68	0.64	0.48	0.48	
3/8 6 X 7	1.3	0.98	1.1	0.80	0.76	2.0	1.5	1.2	1.1	0.85	1.9	
3/16 6 X 7	2.9	2.1	2.4	1.8	1.7	4.4	3.3	3.6	2.7	2.5	1.9	
3/32 7 X 7	0.89	0.67	0.72	0.55	0.51	0.39	1.3	1.0	1.1	0.82	0.58	
1/8 7 X 7	1.6	1.3	1.3	1.0	0.95	0.71	2.5	1.8	2.0	1.5	1.1	
3/16 7 X 7	3.6	2.7	2.9	2.2	2.1	1.5	5.4	4.0	4.4	3.3	2.3	
3/16 6 X 19	3.0	2.2	2.4	1.8	1.7	1.3	4.5	3.4	3.7	2.8	1.9	
1/4 6 X 19	5.3	4.0	4.3	3.2	3.1	2.3	6.0	4.5	4.9	4.6	3.4	
5/16 6 X 19	8.3	6.2	6.7	5.0	4.8	3.5	12.0	9.3	10.0	7.6	5.4	
3/8 6 X 19	12.0	8.9	9.7	7.2	6.8	5.1	18.0	13.0	14.0	10.0	7.7	
7/16 6 X 19	16.0	12.0	13.0	9.8	9.3	6.9	24.0	18.0	20.0	15.0	10.0	
1/2 6 X 19	21.0	15.0	17.0	13.0	12.0	9.0	31.0	23.0	25.0	19.0	13.0	
5/16 6 X 19	26.0	20.0	21.0	16.0	15.0	11.0	36.0	28.0	32.0	24.0	17.0	
3/8 6 X 19	32.0	24.0	26.0	20.0	20.0	14.0	48.0	36.0	40.0	30.0	21.0	
7/8 6 X 19	46.0	35.0	38.0	28.0	27.0	20.0	69.0	52.0	56.0	42.0	30.0	
1 6 X 19	62.0	47.0	51.0	38.0	36.0	27.0	94.0	70.0	76.0	57.0	40.0	
1 6 X 19	81.0	61.0	66.0	50.0	47.0	35.0	122.0	91.0	99.0	74.0	53.0	

TABLE N-190-11  
RATED CAPACITIES FOR STRAND LAID GROMMET - HAND TUCKED  
IMPROVED PLOW STEEL GRADE ROPE

ROPE BODY		RATED CAPACITIES, TONS (2,000 lb)			
Dia (Inches)	Constn	Vertical	Choker	Vertical Basket*	
1/4	7 X 19	0.85	0.64	1.7	
5/16	7 X 19	1.3	1.0	2.6	
3/8	7 X 19	1.9	1.4	3.8	
7/16	7 X 19	2.6	1.9	5.2	
1/2	7 X 19	3.3	2.5	6.7	
5/8	7 X 19	4.2	3.1	8.4	
3/4	7 X 19	5.2	3.9	10.0	
7/8	7 X 19	7.4	5.6	15.0	
1	7 X 19	10.0	7.5	20.0	
1-1/8	7 X 19	13.0	9.7	26.0	
1-1/4	7 X 19	16.0	12.0	32.0	
1-3/8	7 X 37	18.0	14.0	37.0	
1-1/2	7 X 37	23.0	16.0	44.0	
1-5/8	7 X 37	26.0	19.0	52.0	

\*These values only apply when the D/d ratio is 5 or greater where:  
D = Diameter of curve around which rope is bent,  
d = Diameter of rope body.

TABLE N-190-14  
RATED CAPACITIES FOR CABLE LAID ENDLESS SLINGS-MECHANICAL JOINT  
7 X 7 X 7 AND 7 X 7 X 19 CONSTRUCTIONS GALVANIZED AIRCRAFT GRADE ROPE  
7 X 6 X 19 IFRC CONSTRUCTION IMPROVED FLOW STEEL GRADE ROPE

Dia (Inches)	Constn	RATED CAPACITIES, TONS (2,000 lb)	
		Vertical	Choker
1/4		0.83	1.6
3/8		1.8	3.5
1/2		3.0	6.1
5/8		4.5	9.1
3/4		6.3	12.0
5/8		4.7	9.5
3/4		6.7	13.0
7/8		8.9	18.0
1		11.0	22.0
1-1/8		14.0	28.0
1-1/4		17.0	33.0
3/4			6.2
7/8	8.3		16.0
1-1/8	10.0		21.0
1-1/4	13.0		26.0
3/4		15.0	31.0
5/8		18.0	37.0
3/2		22.0	43.0

\* These values only apply when the D/d value is 8 or greater where:  
D = Diameter of curvature around which cable body is bent,  
d = Diameter of cable body.

(3) **Proof test.**—Slings of all grades terminated by mechanical splices, sockets, and pressed or swaged terminals shall be proof tested by the sling manufacturer or an equivalent entity prior to initial use. The employer shall retain a certificate of this proof test.

(1) The proof load for single leg slings and endless slings shall be two times the vertical rated capacity.

(2) The proof load for multiple leg bridle slings shall be applied to the individual legs and shall be two times the vertical rated capacity of a single leg sling of the same size, grade, and the construction of rope.

(4) Minimum sling lengths. (1) Cable laid and 6 x 19 and 6 x 37 slings shall have a minimum clear length of wire rope 10 times the rope diameter between splices, sleeves or end fittings.

(2) Braided slings shall have a minimum clear length or wire rope 40 times the component rope diameter between the loops or end fittings.

(3) Grommets and endless slings shall have a minimum circumferential length of 96 times the body diameter of the grommet or endless sling.

(5) **End attachments.**—(1) All components welded prior to assembly in the sling shall be proof tested by the sling manufacturer or an equivalent entity prior to initial use. The employer shall retain a certificate of the proof test.

(2) Welding of handles or of any other accessories to end attachments shall be performed prior to the assembly of the sling.

(6) **Removal from service.**—A wire rope sling that exhibits any of the following conditions shall be immediately removed from service:

(1) Six randomly distributed broken wires in one rope lay, or three broken wires in one strand in one rope lay.

(2) Wear or scraping of one-third the original diameter of outside individual wires.

(1B) Kinking, crushing, bird caging or any other damage resulting in distortion of the wire rope structure.

(iv) Evidence of possible heat damage;

(v) End attachments that are cracked, deformed, or worn.

(vi) Hooks that have been opened more than 15 percent of the normal throat opening measured at the narrowest point or twisted more than 10 degrees from the plane of the unbent hook.

(vii) Corrosion of the rope or end attachments.

(f) **Metal mesh sling.** (1) **Metal mesh sling classification.**—Metal mesh slings are classified in accordance with Table N-190-15. Only metal mesh slings that are manufactured in accordance with the provisions of this paragraph shall be used.

TABLE N-190-15

Type	Classification	Designation
Heavy Duty	Carbon Steel	35-CS
	Stainless Steel	35-SS
Medium Duty	Carbon Steel	43-CS
	Stainless Steel	43-SS
Light Duty	Carbon Steel	59-CS
	Stainless Steel	59-SS

TABLE N-190-16  
FABRIC CONSTRUCTION

	HEAVY DUTY	MEDIUM DUTY	LIGHT DUTY
Nominal Spinal Tens per Foot of Sling Width	35	43	59
Spinal Wire Size USSWG	10 Ga. (0.135 in.)	12 Ga. (0.105 in.)	14 Ga. (0.080 in.)
Nominal Cross Rode per Foot of Fabric Length	21	30	38
Size of Cross Rode USSWG	8 Ga. (0.162 in.)	10 Ga. (0.135 in.)	14 Ga. (0.080 in.)
Nominal Fabric Thickness	1/2 in.	3/8 in.	5/16 in.

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(2) *Construction.* (i) *Fabric construction.*—Fabric shall be constructed in accordance with the provisions in Table N-190-16.

(ii) *Handle construction.*—The handle shall have a rated capacity at least equal to the metal fabric and exhibit no deformation after proof testing.

(iii) *Attachment of handles to fabric.*—The fabric and handles shall be joined so that:

(A) The rated capacity of the sling is not reduced.

(B) The load is evenly distributed across the width of the fabric.

(C) Sharp edges do not damage the fabric.

(iv) *Sling coatings.*—Slings may be painted, plated, impregnated with elastomers such as neoprene or polyvinyl chloride, or otherwise suitably coated. Coatings which diminish the rated capacity of a sling shall not be applied.

(3) *Sling testing.*—All new and repaired metal mesh slings shall be proof tested at a minimum of 1½ times their rated capacity. Elastomer impregnated slings shall be proof tested before coating.

(4) *Sling marking.*—All metal mesh slings shall have permanently affixed durable identification stating the manufacturer's name or trademark and the rated capacity for vertical basket hitch and choker hitch loadings.

(5) *Proper use of metal mesh slings.*—Metal mesh slings shall not be used to lift loads in excess of those prescribed in Table N-190-17 which applies a safety factor of five (5). The sling manufacturer's specifications shall be complied with for slings which differ in width, materials, or design from those shown in Table N-190-17.

TABLE N-190-17  
RATED CAPACITIES  
(1b)

SLING WIDTH IN INCHES	VERTICAL OR CHOKER		EFFECT OF ANGLE ON RATED CAPACITIES IN BASKET HITCH		
					
			30 deg Vertical 60 deg Horizontal	45 deg Vertical 45 deg Horizontal	60 deg Vertical 30 deg Horizontal
<b>35-CS and 35-SS</b>					
2	1,900	3,200	2,600	2,100	1,500
3	2,700	4,400	4,700	3,800	2,700
4	4,000	6,000	6,900	5,600	4,000
6	6,000	12,000	10,400	8,400	6,000
8	8,000	16,000	13,800	11,300	8,000
10	10,000	20,000	17,000	14,100	10,000
12	12,000	24,000	20,700	16,900	12,000
14	14,000	28,000	24,300	19,700	14,000
16	16,000	32,000	27,700	22,600	16,000
18	18,000	36,000	31,100	25,400	18,000
20	20,000	40,000	34,600	28,300	20,000
<b>43-CS and 43-SS</b>					
2	1,350	2,700	2,300	1,900	1,400
3	2,000	4,000	3,500	2,800	2,000
4	2,700	5,400	4,700	3,800	2,700
6	4,000	8,000	7,000	5,600	4,500
8	6,000	12,000	10,400	8,500	6,000
10	7,500	15,000	13,000	10,600	7,500
12	9,000	18,000	15,600	12,700	9,000
14	10,500	21,000	18,200	14,800	10,500
16	12,000	24,000	20,800	17,000	12,000
18	13,500	27,000	23,400	19,100	13,500
20	15,000	30,000	26,000	21,200	15,000
<b>59-CS and 59-SS</b>					
2	900	1,800	1,600	1,300	900
3	1,400	2,800	2,400	2,000	1,400
4	2,000	4,000	3,500	2,800	2,000
6	3,000	6,000	5,200	4,200	3,000
8	4,000	8,000	6,900	5,700	4,000
10	5,000	10,000	8,500	7,100	5,000
12	6,000	12,000	10,400	8,500	6,000
14	7,000	14,000	12,100	9,900	7,000
16	8,000	16,000	13,800	11,300	8,000
18	9,000	18,000	15,600	12,700	9,000
20	10,000	20,000	17,300	14,100	10,000

(6) *Repairs.* (1) Metal mesh slings shall be repaired only by a metal mesh sling manufacturer or an equivalent entity.

(ii) The sling shall be permanently marked to identify the repairing agency and the date of repair.

(g) *Rope slings: Natural and synthetic fiber.* (1) *Type of fiber & safety factor.*—The following safety factors shall be used for the four basic fiber types covered by this paragraph:

Fiber type	Safety factor
Manila -----	5 minimum
Nylon -----	9 minimum
Polyester -----	9 minimum
Polypropylene -----	6 minimum

(2) *Rope: Grade, size, construction.*—This paragraph covers sling made from

conventional three-strand construction fiber rope. For each fiber type, essential descriptive data (diameter, weight, and strength) is given in Tables N-190-18 through N-190-21.

(3) *Rated load capacities.*—Rope slings shall not be used to lift loads in excess of those prescribed in Tables N-190-18 through N-190-21 which apply the appropriate safety factor.

(4) *Sling configurations.*—(explanation of Fig. N-190-4 and N-190-5) The several sling configurations encompassed here are identified in Fig. N-190-4 & 5. For both Figures, the following symbols are used to indicate the minimum contact surface which shall be provided between a portion of the sling and a load or support:

TABLE N-190-18  
MANILA ROPE SLINGS

ROPE DIA-METER  Nominal in Inches	Nominal Weight Per 100 ft In Pounds	Minimum Breaking Strength In Pounds	RATED CAPACITY IN POUNDS (Safety Factor = 5)															
			EYE AND EYE SLING						ENDLESS SLING									
			VERTICAL HITCH		CHOKER HITCH		BASKET HITCH				VERTICAL HITCH		CHOKER HITCH		BASKET HITCH			
							Angle of Rope to Horizontal								Angle of Rope to Vertical			
							90 deg	60 deg	45 deg	30 deg					0 deg	30 deg	45 deg	60 deg
1/2	7.5	2,650	550	250	1,100	900	750	550	950	500	1,900	1,700	1,400	950				
9/16	10.4	3,450	700	350	1,400	1,200	1,000	700	1,200	600	2,500	2,200	1,800	1,200				
5/8	13.3	4,400	900	450	1,800	1,500	1,200	900	1,600	800	3,200	2,700	2,200	1,600				
3/4	16.7	5,400	1,100	550	2,200	1,900	1,500	1,100	2,000	950	3,900	3,400	2,800	2,000				
13/16	19.5	6,500	1,300	650	2,600	2,300	1,800	1,300	2,300	1,200	4,700	4,100	3,300	2,300				
7/8	22.5	7,700	1,500	750	3,100	2,700	2,200	1,500	2,800	1,400	5,600	4,800	3,900	2,800				
1	27.0	9,000	1,800	900	3,600	3,100	2,600	1,800	3,200	1,600	6,500	5,600	4,600	3,200				
1 1/16	31.3	10,500	2,100	1,100	4,200	3,600	3,000	2,100	3,800	1,900	7,600	6,600	5,400	3,800				
1 1/8	36.0	12,000	2,400	1,200	4,800	4,200	3,400	2,400	4,300	2,200	8,600	7,500	6,100	4,300				
1 1/4	41.7	13,500	2,700	1,400	5,400	4,700	3,800	2,700	4,900	2,400	9,700	8,400	6,900	4,900				
1 5/16	47.9	15,000	3,000	1,500	6,000	5,200	4,300	3,000	5,400	2,700	11,000	9,400	7,700	5,400				
1 1/2	59.9	18,500	3,700	1,850	7,400	6,400	5,200	3,700	6,700	3,300	13,500	11,500	9,400	6,700				
1 5/8	74.6	22,500	4,500	2,300	9,000	7,800	6,400	4,500	8,100	4,100	16,000	14,000	11,500	8,100				
1 3/4	89.3	26,500	5,300	2,700	10,500	9,200	7,500	5,300	9,500	4,800	19,000	16,500	13,500	9,500				
2	107.5	31,000	6,200	3,100	12,500	10,500	8,800	6,200	11,000	5,600	22,500	19,500	16,000	11,000				
2 1/8	125.0	36,000	7,200	3,600	14,500	12,500	10,000	7,200	13,000	6,500	26,000	22,500	18,500	13,000				
2 1/4	146.0	41,000	8,200	4,100	16,500	14,000	11,500	8,200	15,000	7,400	29,500	25,500	21,000	15,000				
2 1/2	166.7	46,500	9,300	4,700	18,500	16,000	13,000	9,300	16,500	8,400	33,500	29,000	23,500	16,500				
2 5/8	190.8	52,000	10,500	5,200	21,000	18,000	14,500	10,500	18,500	9,500	37,500	32,500	26,500	18,500				

See Figs. 4 & 5 for Sling Description

## PROPOSED RULES

TABLE N-190-19  
NYLON ROPE SLINGS

ROPE DIA- METER	Nominal Weight Per 100 ft In Pounds	Minimum Breaking Strength In Pounds	RATED CAPACITY IN POUNDS (Safety Factor = 9)											
			EYE AND EYE SLING						ENDLESS SLING					
			VERTICAL HITCH	CHOKER HITCH	BASKET HITCH				VERTICAL HITCH	CHOKER HITCH	BASKET HITCH			
					Angle of Rope to Horizontal						Angle of Rope to Horizontal			
					90 deg	60 deg	45 deg	30 deg			90 deg	60 deg	45 deg	30 deg
Angle of Rope to Vertical				Angle of Rope to Vertical				Angle of Rope to Vertical						
0 deg	30 deg	45 deg	60 deg	0 deg	30 deg	45 deg	60 deg	0 deg	30 deg	45 deg	60 deg			
1/2	6.5	6,080	700	350	1,400	1,200	950	700	1,200	600	2,400	2,100	1,700	1,200
9/16	8.3	7,600	850	400	1,700	1,500	1,200	850	1,500	750	3,000	2,600	2,200	1,500
5/8	10.5	9,880	1,100	550	2,200	1,900	1,600	1,100	2,000	1,000	4,000	3,400	2,800	2,000
3/4	14.5	13,490	1,500	750	3,000	2,600	2,100	1,500	2,700	1,400	5,400	4,700	3,800	2,700
13/16	17.0	16,150	1,800	900	3,600	3,100	2,600	1,800	3,200	1,600	6,400	5,600	4,600	3,200
7/8	20.0	19,000	2,100	1,100	4,200	3,700	3,000	2,100	3,800	1,900	7,600	6,600	5,400	3,800
1	26.0	23,750	2,600	1,300	5,300	4,600	3,700	2,600	4,800	2,400	9,500	8,200	6,700	4,800
1 1/16	29.0	27,360	3,000	1,500	6,100	5,300	4,300	3,000	5,500	2,700	11,000	9,500	7,700	5,500
1 1/8	34.0	31,350	3,500	1,700	7,000	6,000	5,000	3,500	6,300	3,100	12,500	11,000	8,900	6,300
1 1/4	40.0	35,625	4,000	2,000	7,900	6,900	5,600	4,000	7,100	3,600	14,500	12,500	10,000	7,100
1 5/16	45.0	40,850	4,500	2,300	9,100	7,900	6,400	4,500	8,200	4,100	16,500	14,000	12,000	8,200
1 1/2	55.0	50,350	5,600	2,800	11,000	9,700	7,900	5,600	10,000	5,000	20,000	17,500	14,000	10,000
1 5/8	68.0	61,750	6,900	3,400	13,500	12,000	9,700	6,900	12,500	6,200	24,500	21,500	17,500	12,500
1 3/4	83.0	74,100	8,200	4,100	16,500	14,500	11,500	8,200	15,000	7,400	29,500	25,500	21,000	15,000
2	95.0	87,400	9,700	4,900	19,500	17,000	13,500	9,700	17,500	8,700	35,000	30,500	24,500	17,500
2 1/8	109.0	100,700	11,000	5,600	22,500	19,500	16,000	11,000	20,000	10,000	40,500	35,000	28,500	20,000
2 1/4	129.0	118,750	13,000	6,600	26,500	23,000	18,500	13,000	24,000	12,000	47,500	41,000	33,500	24,000
2 1/2	149.0	133,000	15,000	7,400	29,500	25,500	21,000	15,000	26,500	13,500	53,000	46,000	37,500	26,500
2 5/8	168.0	153,900	17,100	8,600	34,000	29,500	24,000	17,000	31,000	15,500	61,500	53,500	43,500	31,000

See Figs. 4 &amp; 5 for Sling Description

TABLE N-190-20  
POLYESTER ROPE SLINGS

ROPE DIA- METER	Nominal Weight Per 100 ft In Pounds	Minimum Breaking Strength In Pounds	RATED CAPACITY IN POUNDS (Safety Factor = 9)											
			EYE AND EYE SLING						ENDLESS SLING					
			VERTICAL HITCH	CHOKER HITCH	BASKET HITCH				VERTICAL HITCH	CHOKER HITCH	BASKET HITCH			
					Angle of Rope to Horizontal						Angle of Rope to Horizontal			
					90 deg	60 deg	45 deg	30 deg			90 deg	60 deg	45 deg	30 deg
Angle of Rope to Vertical				Angle of Rope to Vertical				Angle of Rope to Vertical						
0 deg	30 deg	45 deg	60 deg	0 deg	30 deg	45 deg	60 deg	0 deg	30 deg	45 deg	60 deg			
1/2	8.0	6,080	700	350	1,400	1,200	950	700	1,200	600	2,400	2,100	1,700	1,200
9/16	10.2	7,600	850	400	1,700	1,500	1,200	850	1,500	750	3,000	2,600	2,200	1,500
5/8	13.0	9,500	1,100	550	2,100	1,800	1,500	1,100	1,900	950	3,800	3,300	2,700	1,900
3/4	17.5	11,875	1,300	650	2,600	2,300	1,900	1,300	2,400	1,200	4,800	4,100	3,400	2,400
13/16	21.0	14,725	1,600	800	3,300	2,800	2,300	1,600	2,900	1,500	5,900	5,100	4,200	2,900
7/8	25.0	17,100	1,900	950	3,800	3,300	2,700	1,900	3,400	1,700	6,800	5,900	4,800	3,400
1	30.5	20,900	2,300	1,200	4,600	4,000	3,300	2,300	4,200	2,100	8,400	7,200	5,900	4,200
1 1/16	34.5	24,225	2,700	1,300	5,400	4,700	3,800	2,700	4,800	2,400	9,700	8,400	6,900	4,800
1 1/8	40.0	28,025	3,100	1,600	6,200	5,400	4,400	3,100	5,600	2,800	11,000	9,700	7,900	5,600
1 1/4	46.3	31,540	3,500	1,800	7,000	6,100	5,000	3,500	6,300	3,200	12,500	11,000	8,900	6,300
1 5/16	52.5	35,625	4,000	2,000	7,900	6,900	5,600	4,000	7,100	3,600	14,500	12,500	10,000	7,100
1 1/2	66.8	44,460	4,900	2,500	9,900	8,600	7,000	4,900	8,900	4,400	18,000	15,500	12,500	8,900
1 5/8	82.0	54,150	6,000	3,000	12,000	10,400	8,500	6,000	11,000	5,400	21,500	19,000	15,500	11,000
1 3/4	98.0	64,410	7,200	3,600	14,500	12,500	10,000	7,200	13,000	6,400	26,000	22,500	18,000	13,000
2	118.0	76,000	8,400	4,200	17,000	14,500	12,000	8,400	15,000	7,600	30,500	26,500	21,500	15,000
2 1/8	135.0	87,400	9,700	4,900	19,500	17,000	13,500	9,700	17,500	8,700	35,000	30,500	24,500	17,500
2 1/4	157.0	101,650	11,500	5,700	22,500	19,500	16,000	11,500	20,500	10,000	40,500	35,000	29,000	20,500
2 1/2	181.0	115,900	13,000	6,400	26,000	22,500	18,000	13,000	23,000	11,500	46,500	40,000	33,000	23,000
2 5/8	205.0	130,150	14,500	7,200	29,000	25,000	20,500	14,500	26,000	13,000	52,000	45,000	37,000	26,000

See Figs. 4 &amp; 5 for Sling Description

TABLE N-190-21  
POLYPROPYLENE ROPE SLINGS

ROPE DIA-METER Nominal in Inches	Nominal Weight Per 100 ft in Pounds	Minimum Breaking Strength in Pounds	RATED CAPACITY IN POUNDS (Safety Factor = 6)											
			EYE AND EYE SLING						ENDLESS SLING					
			VERTICAL HITCH	CHOKER HITCH	BASKET HITCH				VERTICAL HITCH	CHOKER HITCH	BASKET HITCH			
					Angle of Rope to Horizontal						Angle of Rope to Horizontal			
					90 deg	60 deg	45 deg	30 deg			90 deg	60 deg	45 deg	30 deg
Angle of Rope to Vertical				Angle of Rope to Vertical										
0 deg	30 deg	45 deg	60 deg	0 deg	30 deg	45 deg	60 deg							
1/2	4.7	3,990	650	350	1,300	1,200	950	650	1,200	600	2,400	2,100	1,700	1,200
9/16	6.1	4,845	800	400	1,600	1,400	1,100	800	1,500	750	2,900	2,500	2,100	1,500
5/8	7.5	5,890	1,000	500	2,000	1,700	1,400	1,000	1,800	900	3,500	3,100	2,500	1,800
3/4	10.7	8,075	1,300	700	2,700	2,300	1,900	1,300	2,400	1,200	4,900	4,200	3,400	2,400
13/16	12.7	9,405	1,600	800	3,100	2,700	2,200	1,600	2,800	1,400	5,600	4,900	4,000	2,800
7/8	15.0	10,925	1,800	900	3,600	3,200	2,600	1,800	3,300	1,600	6,600	5,700	4,600	3,300
1	18.0	13,300	2,200	1,100	4,400	3,800	3,100	2,200	4,000	2,000	8,700	7,900	6,500	4,000
1 1/16	20.4	15,200	2,500	1,300	5,100	4,400	3,600	2,500	4,600	2,300	9,100	7,900	6,500	4,600
1 1/8	23.7	17,385	2,900	1,500	5,800	5,000	4,100	2,900	5,200	2,600	10,500	9,000	7,400	5,200
1 1/4	27.0	19,950	3,300	1,700	6,700	5,800	4,700	3,300	6,000	3,000	12,000	10,500	8,500	6,000
1 5/16	30.5	22,325	3,700	1,900	7,400	6,400	5,300	3,700	6,700	3,400	13,500	11,500	9,500	6,700
1 1/2	38.5	28,215	4,700	2,400	9,400	8,100	6,700	4,700	8,500	4,200	17,000	14,500	12,000	8,500
1 5/8	47.5	34,200	5,700	2,900	11,500	9,900	8,100	5,700	10,500	5,100	20,500	18,000	14,500	10,500
1 3/4	57.0	40,850	6,800	3,400	13,500	12,000	9,600	6,800	12,500	6,100	24,500	21,000	17,500	12,500
2	69.0	49,400	8,200	4,100	16,500	14,500	11,500	8,200	15,000	7,400	29,500	25,500	21,000	15,000
2 1/8	80.0	57,950	9,700	4,800	19,500	16,500	13,500	9,700	17,500	8,700	35,000	30,100	24,500	17,500
2 1/4	92.0	65,550	11,000	5,500	22,000	19,000	15,000	11,000	19,500	9,900	39,500	34,000	28,000	19,500
2 1/2	107.0	76,000	12,500	6,300	25,500	22,000	18,000	12,500	23,000	11,500	45,500	39,500	32,500	23,000
2 5/8	120.0	85,500	14,500	7,100	28,500	24,500	20,000	14,500	25,500	13,000	51,500	44,500	36,500	25,500

See Figs. 4 & 5 for Sling Description

(i) The symbol  $\text{\textcircled{A}}$  represents a contact surface which shall have a diameter of curvature at least double the diameter of the rope from which the sling is made.

(ii) The symbol  $\text{\textcircled{B}}$  represents a contact surface which shall have a diameter of curvature at least 8 times the diameter of the rope.

(iii) The symbol  $\text{\textcircled{C}}$  represents a load in a choker hitch and illustrates the rotary force on the load and/or the slippage of the rope in contact with the load. Diameter of curvature of the load surface shall be at least double the rope diameter.

(5) *Splicing*.—All splices shall be made in accordance with the fiber rope sling manufacturer's recommendations.

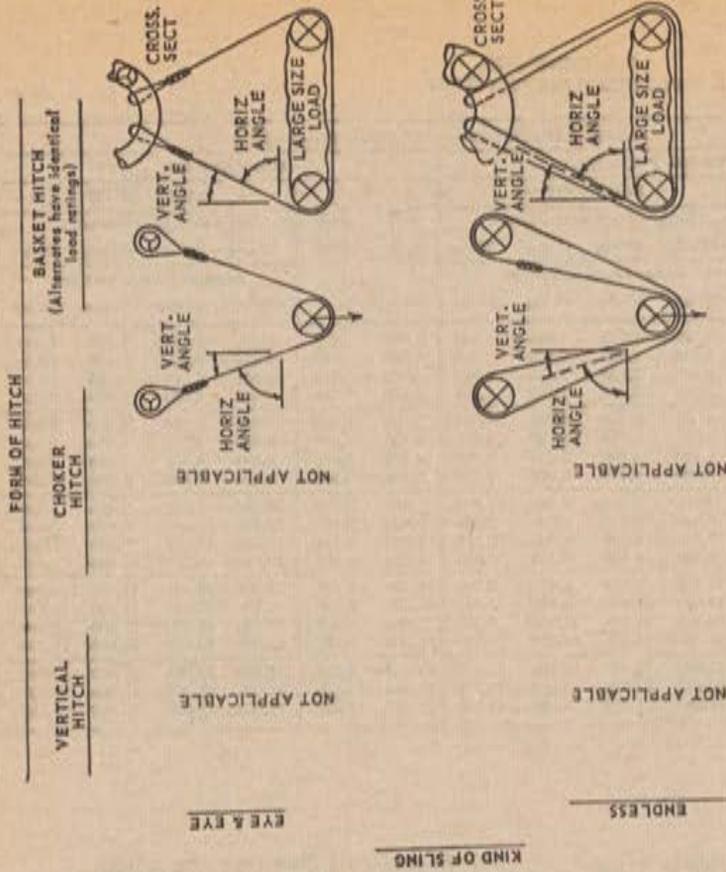
(i) In manila rope, eye splices shall contain at least three full tucks, and short splices shall contain at least six full tucks, three on each side of the splice center line.

(ii) In synthetic fiber rope, eye splices shall contain at least four full tucks, and short splices shall contain at least eight full tucks, four on each side of the splice center line.

(iii) Strand end tails shall not be trimmed short (flush with the surface of the rope) immediately adjacent to the full tucks. The precaution applies to both eye and short splices and all types of fiber rope. For fiber ropes under one inch in diameter the tails shall project at least six rope diameters beyond the last full tuck. For fiber ropes one inch in diameter and larger, the tail shall project at least 6 inches beyond the last full tuck. In applications where the projecting tails may be objectionable the tails shall be tapered and spliced into the body of the rope using at least two additional tucks (which will require a tail length of approximately six rope diameters beyond the last full tuck.)

BASIC SLING CONFIGURATIONS WITH ANGLED LEGS

**NOTE:** For vertical angles of 5° or less, refer to Fig. 5 "Basic Sling Configurations with Vertical Legs." The use of slings with vertical angles more than 60° (horizontal angles less than 30°) is NOT RECOMMENDED.



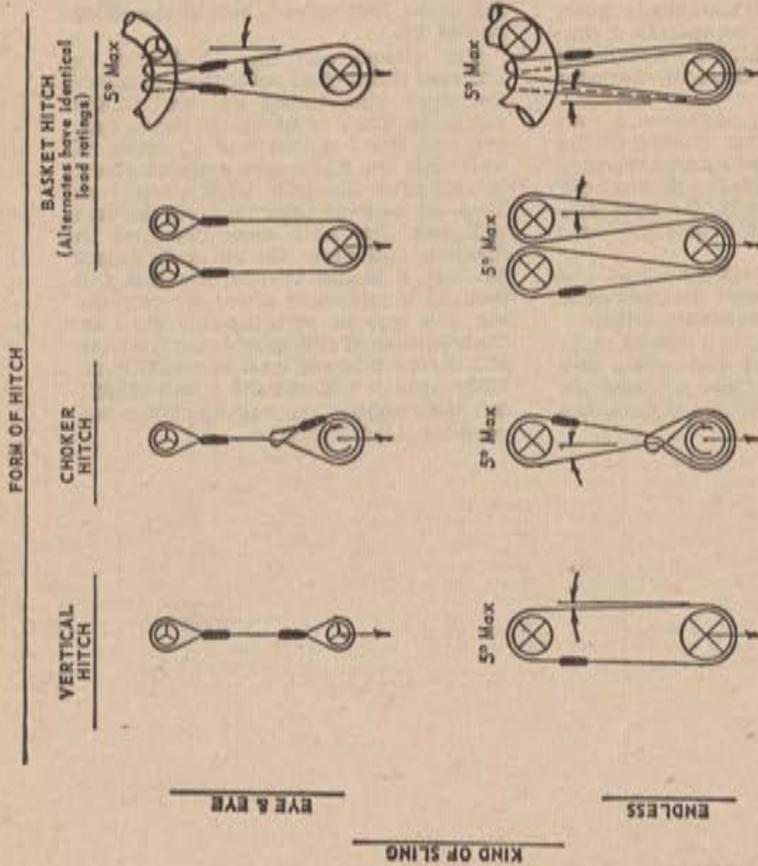
These symbols represent load or support surfaces in contact with the sling. For fiber rope slings, these surfaces have limitations as stated in Section 9-4.4.



FIG. N-190-5

BASIC SLING CONFIGURATIONS WITH VERTICAL LEGS

**NOTE:** Legs 5° or less from vertical may be considered vertical. For slings with legs more than 5° off vertical, the actual angle as shown, in Fig. 6 must be considered.



These symbols represent load or support surfaces in contact with the sling. For fiber rope slings, these surfaces have limitations as stated in Section 9-4.4.

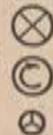


FIG. N-190-4

(iv) Fiber rope slings shall have a minimum clear length of rope between eye splices equal to 10 times the rope diameter.

(v) Knots shall not be used in lieu of splices.

(vi) Clamps not designed specifically for fiber ropes shall not be used.

(vii) For all eye splices, the eye shall be sufficiently large to provide an included angle of not greater than 60 degrees at the splice when the eye is placed over the load or support. (See Fig. N-190-4)

(6) *End attachments.*—(i) End attachments in contact with the rope shall not have sharp edges, projections, etc. that might weaken the fiber rope.

(ii) Appropriately rated thimbles shall be used.

(h) *Synthetic webbing slings.* (1) *Construction.*—(i) Only synthetic webbing slings that are manufactured in accordance with the provisions of this paragraph shall be used.

(ii) *Webbing.*—Synthetic webbing shall be of uniform thickness and width and selvage edges shall not be split from the webbing's width.

(iii) *Thread.*—The thread used in the manufacture of sling shall be of the same type material as the webbing.

(iv) *Fittings.*—Fittings shall be:

(A) Of sufficient strength to sustain twice the rated capacity without permanent deformation;

(B) Of a minimum breaking strength equal to that of the sling; and

(C) Free of all sharp edges that would in any way damage the webbing.

(v) *Attachment of end fittings to webbing and formation of eyes.*—Stitching shall be the only method used to attach end fittings to webbing and to form eyes.

The thread shall be in an even pattern and contain a sufficient number of stitches to develop the full breaking strength of the sling.

(vi) *Coatings.*—Slings may be coated with elastomers or other suitable material that will impart desirable characteristics.

(2) *Safety factor.*—Factor of safety for synthetic web slings shall be a minimum of five (5).

(3) *Marking.*—Each sling shall be marked or coded to show:

(i) Name or trademark of manufacturer;

(ii) Rated capacities for the type of hitch; and

(iii) Type of material.

(4) *Environmental considerations.*—When slings made from synthetic webbing are to be used the following precautions shall be taken:

(A) Nylon slings shall not be used where acid conditions exist.

(B) Polyester and polypropylene slings shall not be used where caustic conditions exist.

(C) Polyester and nylon slings shall not be used at temperatures in excess of 180° F nor polypropylene in excess of 200° F.

(D) Aluminum fittings shall not be used where caustic conditions exist.

(5) *Repairs.*—(i) Synthetic web sling shall be repaired by a sling manufacturer or an equivalent entity.

(ii) All repaired slings shall be proof tested and certified by the sling manufacturer or an equivalent entity prior to their return to service.

(iii) Temporary repairs to either the webbing or the fittings shall not be permitted.

2. Subparagraph (2) of § 1910.179(j) would be amended by deleting the words "or load attachment" from subdivision (iv) and by revoking subdivision (v) as this material is the subject matter of the proposed new § 1910.190. The amended provisions of § 1910.179(j) (2) would read as follows:

§ 1910.179 Overhead and gantry cranes.

• • • • •  
(j) *Inspection.* • • • • •

(2) *Frequent inspections.* • • • • •

(iv) Hoist chains, including end connections, for excessive wear, twist, distorted links interfering with proper function, or stretch beyond manufacturer's recommendations. Visual inspection daily; monthly inspection with signed report.

(v) [Revoked]

• • • • •

§§ 1910.182, 1910.183, 1910.184 [Redesignated]

3. The following section redesignations would be made in Subpart N:

Old section number	New section number
§ 1910.182	§ 1910.208
§ 1910.183	§ 1910.209
§ 1910.184	§ 1910.210

(Sec. 6, Pub. L. 91-596, 84 Stat. 1593 (29 U.S.C. 655))

Signed at Washington, D.C., this 18th day of August 1973.

JOHN STENDER,  
Assistant Secretary of Labor.

[FR Doc.73-17909 Filed 8-29-73;8:45 am]

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