

register federal

MONDAY, NOVEMBER 5, 1973

WASHINGTON, D.C.

Volume 38 ■ Number 212

Pages 30421-30524



PART I

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

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Phone 523-5240



Area Code 202

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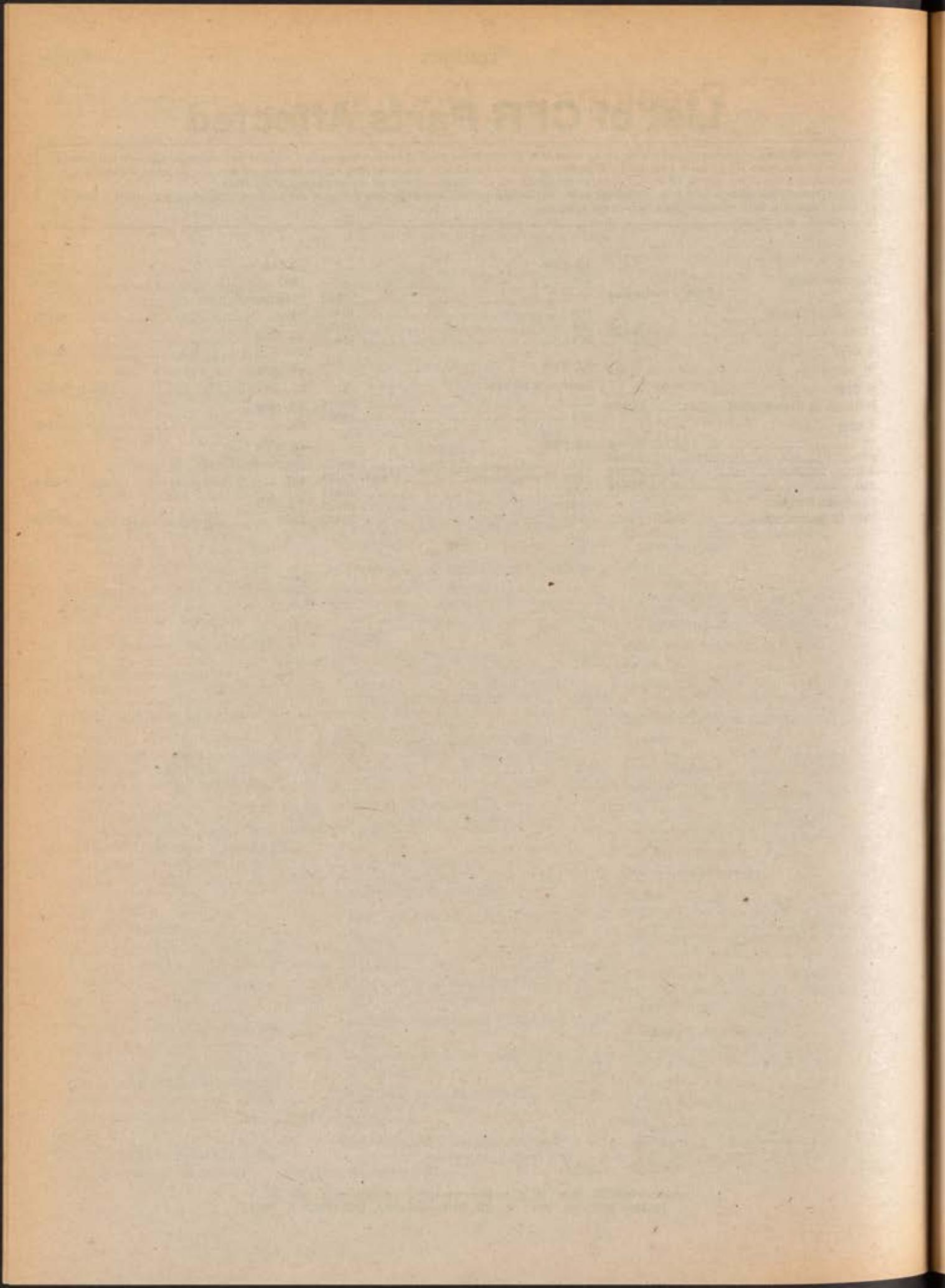
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A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1973, and specifies how they are affected.

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Title 3—The President

PROCLAMATION 4253

Proclamation Amending Part 3 of the Appendix to the Tariff Sched- ules of the United States with Re- spect to the Importation of Agricultural Commodities

By the President of the United States of America

A Proclamation

WHEREAS, pursuant to section 22 of the Agricultural Adjustment Act, as amended (7 U.S.C. 624), limitations have been imposed by Presidential proclamations on the quantities of certain dairy products which may be imported into the United States in any quota year; and

WHEREAS the import restrictions proclaimed pursuant to said section 22 are set forth in part 3 of the Appendix to the Tariff Schedules of the United States; and

WHEREAS the Secretary of Agriculture has reported to me that he believes that additional quantities of butter, butter substitutes containing butterfat and butter oil provided for in items 950.05 and 950.06 of part 3 of the Appendix to the Tariff Schedules of the United States (TSUS) may be entered for a temporary period without rendering or tending to render ineffective, or materially interfering with, the price support program now conducted by the Department of Agriculture for milk or reducing substantially the amount of products processed in the United States from domestic milk; and

WHEREAS, under the authority of section 22, I have requested the United States Tariff Commission to make an investigation with respect to this matter; and

WHEREAS the Secretary of Agriculture has determined and reported to me that a condition exists with respect to such articles provided for in items 950.05 and 950.06 of the TSUS which requires emergency treatment and that the quantitative limitation imposed on such articles should be increased during the period ending December 31, 1973, without awaiting the recommendations of the United States Tariff Commission with respect to such action; and

THE PRESIDENT

WHEREAS I find and declare that the entry during the period ending December 31, 1973, of additional quantities of 56,000,000 pounds of the articles provided for in item 950.05 of the TSUS and 22,600,000 pounds of the articles provided for in item 950.06 of the TSUS will not render or tend to render ineffective, or materially interfere with, the price support program which is being undertaken by the Department of Agriculture for milk and will not reduce substantially the amount of products processed in the United States from domestic milk; and that a condition exists which requires emergency treatment and that the quantitative limitations imposed on such articles should be increased during such period without awaiting the recommendations of the United States Tariff Commission with respect to such action;

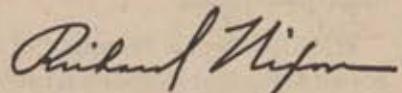
NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, acting under and by virtue of the authority vested in me as President, and in conformity with the provisions of section 22 of the Agricultural Adjustment Act, as amended, and the Tariff Classification Act of 1962, do hereby proclaim that headnote 3(a) of part 3 of the Appendix to the Tariff Schedules of the United States is temporarily amended by adding a new subdivision as follows:

(viii) Notwithstanding any other provision of this part, 56,000,000 pounds of the articles described in item 950.05 and 22,600,000 pounds of the articles described in item 950.06 may be entered during the period beginning November 1, 1973, and ending December 31, 1973, in addition to the annual quota quantities specified for such articles under items 950.05 and 950.06, and import licenses shall not be required for entering such additional quantities. No individual, partnership, firm, corporation, association, or other legal entity (including its affiliates or subsidiaries) may during such period enter pursuant to this provision an aggregate quantity of such additional articles in excess of 2,500,000 pounds. The 56,000,000 pounds of the articles described in item 950.05 shall be allocated among supplying countries as follows:

Supplying Country	Quantity in pounds
New Zealand	28,560,000
Member States of the European Economic Community	24,640,000
Other Countries as follows:	
Argentina, Australia, Canada, Norway, Sweden, and Switzerland	2,800,000

The additional quota quantities provided for herein shall continue in effect pending Presidential action upon receipt of the report and recommendations of the Tariff Commission with respect thereto.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of October in the year of our Lord nineteen hundred and seventy-three, and of the Independence of the United States of America the one hundred and ninety-eighth.



NOTE: For the text of the President's letter to the Commissioner of the United States Tariff Commission regarding Proclamation 4253, see the Weekly Compilation of Presidential Documents, Volume 9, Number 44, issue of November 5, 1973.

[FR Doc.73-23547 Filed 11-1-73; 1:38 pm]

EXECUTIVE ORDER 11745

Creating an Emergency Board To Investigate a Dispute Between the
Long Island Rail Road and Certain of Its Employees

WHEREAS, a dispute exists between the Long Island Rail Road and certain of its employees represented by the Brotherhood of Railroad Signalmen, AFL-CIO, a labor organization; and

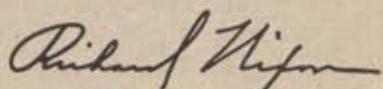
WHEREAS, this dispute has not heretofore been adjusted under the provisions of the Railway Labor Act, as amended; and

WHEREAS, this dispute, in the judgment of the National Mediation Board, threatens substantially to interrupt interstate commerce to a degree such as to deprive a section of the country of essential transportation service:

NOW, THEREFORE, by virtue of the authority vested in me by section 10 of the Railway Labor Act, as amended (45 U.S.C. 160), I hereby create a board of three members, to be appointed by me, to investigate this dispute. No member of the board shall be pecuniarily or otherwise interested in any organization of railroad employees or any carrier.

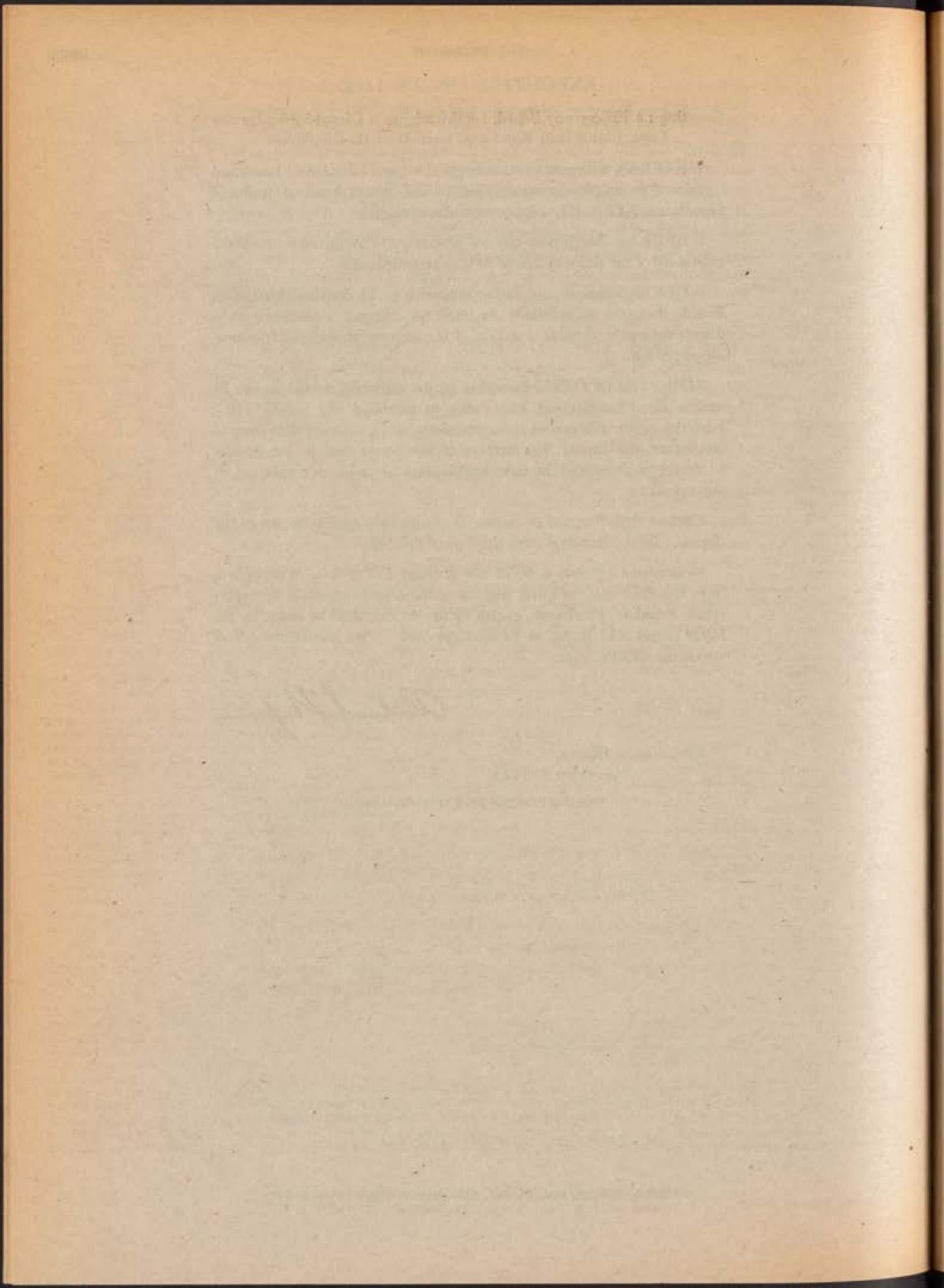
The board shall report its finding to the President with respect to the dispute within thirty days from the date of this order.

As provided by section 10 of the Railway Labor Act, as amended, from this date and for thirty days after the board has made its report to the President, no change, except by agreement, shall be made by the Long Island Rail Road, or by its employees, in the conditions out of which the dispute arose.



THE WHITE HOUSE,
November 1, 1973.

[FR Doc. 73-23588 Filed 11-1-73; 4:36 pm]



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 4—Accounts

CHAPTER I—GENERAL ACCOUNTING OFFICE

SUBCHAPTER D—TRANSPORTATION

PART 56—JOINT REGULATIONS PRESCRIBING STANDARDS FOR THE PAYMENT OF CHARGES FOR TRANSPORTATION SERVICES FURNISHED THE UNITED STATES

Under section 322 of the Transportation Act of 1940, as amended by the Transportation Payment Act of 1972, 86 Stat. 1163, the Secretary of the Treasury and the Comptroller General of the United States are authorized to issue joint regulations prescribing standards for payment of charges for transportation of persons or property for or on behalf of the United States by any carrier or forwarder. Since the standards are so closely related to the standardized procedures prescribed in Subchapter D—Transportation of Title 4, Chapter 1, Code of Federal Regulations, the standards are prescribed as a part of that subchapter, even though they have the legal character of joint regulations.

In accord with 5 U.S.C. 553 notice and public procedure are unnecessary since these regulations involve rules of agency procedure and practice.

Title 4, Chapter 1, Subchapter D, of the Code of Federal Regulations is amended by adding a new part 56, as follows:

Sec.

- 56.1 Prescription of standards.
- 56.2 Applicability of other pertinent regulations.
- 56.3 Cash payments.
- 56.4 Payment upon presentation of bills.
- 56.5 Payment prior to Government confirmation that the service has been satisfactorily performed.
- 56.6 Bonds to be furnished.

AUTHORITY: 86 Stat. 1163 (49 U.S.C. 66).

§ 56.1 Prescription of standards.

The regulations in this part, issued jointly by the Comptroller General of the United States and the Secretary of the Treasury under section 1 of the Transportation Payment Act of 1972, 86 Stat. 1163, prescribe standards for the payment of charges for transportation of persons or property for or on behalf of the United States. Subsection (a) continues authority for payment of transportation bills upon presentation prior to audit or settlement by the United States General Accounting Office, but broadens eligibility for such payment to include all carriers and forwarders. Subsection (b) authorizes payment of such charges by any carrier or forwarder in

advance of completion of services, without regard to section 3648 of the Revised Statutes, as amended (31 U.S.C. 529), provided that the carrier or forwarder has issued the usual ticket, receipt, bill of lading, or equivalent document covering the service involved. Regulations prescribed by the head of an agency pursuant to section 1 of the Transportation Payment Act of 1972 will be reviewed by the General Accounting Office as a part of its audit of the agency's activities. The term "carrier or forwarder" includes regulated carriers and forwarders as well as those entities exempt from regulation under the laws of the United States, and those engaged in performing intrastate transportation services, and transportation services within and between foreign countries.

§ 56.2 Applicability of other pertinent regulations.

All pertinent provisions of Subchapter D where not in conflict with the provisions in this part, will continue to be applicable to the transportation services covered hereby.

§ 56.3 Cash payments.

Subject to regulations prescribed by the Comptroller General, agency heads may prescribe the payment in cash at origin or destination for transportation services furnished for the account of the United States. Agency heads will give recognition to the fact that the use of cash for this purpose is an optional matter, which can be exercised only when there is a mutual agreement between the Government agency and the carrier or forwarder involved.

§ 56.4 Payment upon presentation of bills.

Bills of carriers or forwarders shall ordinarily be paid upon presentation, except that bills presented for payment by (a) an assignee bank or financial institution under the authority of 31 U.S.C. 203 and 41 U.S.C. 15; or (b) payees who are in bankruptcy proceedings, or who are subject to the control of a receiver, trustee or other similar representative; or (c) payees who consistently fail to refund overcharges without assertion of substantial defenses or other valid reasons when notified by the United States General Accounting Office or any other interested Government agency; or (d) payees who without good cause fail to make timely disposition or settlement of loss or damage or other claims asserted by agencies of the United States; or (e) payees owing substantial sums of money to the United States concerning which no adequate arrangements for settlement have been made; or (f) payees in such bad financial condition as to justify a determination that the Government's best interests require consideration of special payment rules for their account; or (g) payees who do business with the United States infrequently and who have not previously been administratively approved for payment upon presentation of bills; or

which no adequate settlement arrangements have been made; or (f) payees in such bad financial condition as to justify a determination that the Government's best interests require consideration of special payment rules for their accounts; or (g) payees who do business with the United States infrequently and who have not previously been administratively approved for payment upon presentation of bills; or (h) by any other person or business organization determined administratively for valid reasons to be ineligible for payment upon presentation, shall not be paid upon presentation, unless after review of the facts and in the absence of objection by the United States General Accounting Office it is determined administratively that the best interests of the United States will not be jeopardized by such payment. Such determination should be based on evaluation of performance by each carrier or forwarder in the light of an agency's standards or needs.

§ 56.5 Payment prior to Government confirmation that the service has been satisfactorily performed.

Payment of transportation bills shall be made upon carrier or forwarder certification that the shipment involved has been delivered in good order and condition, except that payment shall not be made upon the carrier's or forwarder's certification exclusively when transportation bills are presented for payment to a Government disbursing officer by (a) an assignee bank or financial institution under the authority of 31 U.S.C. 203 and 41 U.S.C. 15; or (b) payees who are in bankruptcy proceedings or are subject to the control of a receiver, trustee, or other similar representative; (c) payees who consistently fail to refund overcharges without assertion of substantial defenses or other valid reasons when notified by the United States General Accounting Office or any other interested Government agency; (d) payees who without good cause fail to make timely disposition or settlement of loss or damage or other claims asserted by agencies of the United States; or (e) payees owing substantial sums of money to the United States concerning which no adequate arrangements for settlement have been made; or (f) payees in such bad financial condition as to justify a determination that the Government's best interests require consideration of special payment rules for their account; or (g) payees who do business with the United States infrequently and who have not previously been administratively approved for payment upon presentation of bills; or

RULES AND REGULATIONS

(h) by any other person or business organization determined administratively for valid reasons to be ineligible for payment upon certification of performance, unless after review of the facts and in the absence of objection by the United States General Accounting Office it is determined administratively that the best interests of the United States will not be jeopardized by such payment. Such determination should be based on evaluation of performance by each carrier or forwarder in the light of an agency's standards or needs.

§ 56.6 Bonds to be furnished.

Whenever the head of an agency of the United States or his designee determines in any particular case that a bond (or other form of guarantee or assurance) of an acceptable surety is essential for the account of any particular carrier or forwarder in order to protect the interests of the United States, where payments are to be made on Government bills of lading in advance of notice by the proper consignee or other authorized person that the shipment involved has been delivered in good order and condition, such bond may be required and held by the agency making such requirement. The bond shall be for such amount as in the discretion of the responsible Government officers is necessary for the protection of the Government's best interests but shall not exceed \$10,000 unless the head of the agency or his designee certifies that a bond for a higher amount is justified in the circumstances.

[SEAL]

GEORGE P. SHULTZ,
Secretary of the Treasury.
ELMER B. STAATS,
Comptroller General
of the United States.

[FR Doc.73-23482 Filed 11-2-73; 8:45 am]

Title 18—Conservation of Power and Water Resources

CHAPTER I—FEDERAL POWER COMMISSION

PART 2—GENERAL POLICY AND INTERPRETATIONS

[Docket No. R-474; Order No. 493-A]

Order Clarifying and Amending Prior Order and Denying Motions for Reconsideration

OCTOBER 29, 1973.

By Order No. 493 issued September 21, 1973, we adopted certain definitions to standardize end use classifications. Motions for clarification and for reconsideration and applications for rehearing of that order were filed by numerous parties.

Order No. 493 is a general rulemaking proceeding and would have no effect on any specific person without a further proceeding. Accordingly, applications for rehearing do not lie under the provisions of section 19(a) of the Natural Gas Act. We will treat the applications for rehearing filed in this proceeding as motions for reconsideration.

The following parties filed motion for clarification or for reconsideration:

General Motors Corporation,
Johns Manville Corpora-
tion (Jointly) Sept. 27, 1973

Stauffer Chemical Corporation	Oct. 10, 1973
Brick Institute of America	Oct. 11, 1973
Georgia Industrial Group ¹	Oct. 11, 1973
Crucible, Inc.	Oct. 16, 1973
Foster-Forbes Glass Company	Oct. 19, 1973
Southern California Edison Company	Oct. 23, 1973
The Brooklyn Union Gas Company	Oct. 23, 1973
Piedmont Natural Gas Company, Inc.	Oct. 23, 1973
Alabama Gas Corporation	Oct. 23, 1973
Corning Glass Works	Oct. 23, 1973
State of Louisiana, Louisiana Municipal Association, Louisiana Public Service Commission, Parish of Cameron and St. James Parish Utilities (Jointly)	Oct. 23, 1973
City of Wilcox, Arizona and Arizona Electric Power Cooperative (Jointly)	Oct. 23, 1973
Delta Brick and Tile Company, Inc.	Oct. 23, 1973
Southwest Gas Corporation	Oct. 24, 1973

¹ Consisting of American Industrial Clay Co. of Sandersville, Anglo-American Clays Corp., Burgess Pigment Co., Chemical Products Corp., Engelhard Minerals & Chemicals Corp., Georgia Kaolin Co., Glass Containers Corp., Griffin Pipe Products Co., (AMSTED Industries, Inc.), Nabisco, Inc., Southwire Co., Thiele Kaolin Co., and Thompson, Weinman and Co.

Answers in opposition to the joint motion filed by Johns Manville and General Motors were filed by Michigan Gas Utilities Company and by South Carolina Electric and Gas Company on October 12, 1973.

The intent of this rulemaking proceeding is to standardize end use classifications and service priorities in order to aid the industry in meeting its responsibilities to serve the public's needs during this time of critical nationwide gas shortage. The natural gas industry has evolved as one of the largest energy sources for this Nation. The industry, however, has not developed and implemented any uniform definitions in serving the public, which would aid in characterizing the markets. As a result of the lack of uniform market data, implementation of end use curtailment programs may result in undue discrimination and preferences among the ultimate consumers. However, we recognize that it is impossible to set forth specific definitions dealing with every conceivable industrial, commercial, or residential use of natural gas. A review of the 105 replies to our notice in this proceeding substantiates the impossibility of that task. Accordingly, in this proceeding, we have determined to define generally the terms within which the preponderance of natural gas usage can be included. Obviously, particular end uses will not fit neatly into the definitions prescribed herein, and, accordingly, the appropriate individual curtailment proceeding will deal with the details and specifics of applying these definitions to the markets on a particular pipeline's system.

While we are here defining certain terms that are used in the priorities of deliveries established by us in Order No. 467-B, we are not dealing with those specific priorities. To the extent that

parties in this proceeding have attempted to deal with the content of Order No. 467-B, those pleadings are inappropriate here and the requests contained therein are hereby denied.

The area of principal concern, as expressed in the various motions filed in this proceeding, deals with our definition of "alternate fuel capabilities." In this area, parties argue that interruptible industrial consumers should be accorded a higher priority use where propane and other gaseous fuels are the only feasible alternative, since those fuels are in short supply. To accomplish their purpose, these petitioners recommend modification of the definitions to effectuate a Priority 3 level of curtailment rather than the Priority 6 to 9 levels which would otherwise be accorded an interruptible industrial consumer under their reading of these definitions as applied to Order No. 467-B. However, as an alternative, other petitioners suggest the elimination of the word "firm" in Priority 2 to effectuate equality between firm and interruptible usage for feedstock, process, and plant protection requirements.

In their answer in opposition, Michigan Gas Utilities Company and South Carolina Electric and Gas Company state that the position expressed by General Motors and Johns Manville is a continuation of their long-standing attempt to receive favorable treatment for their interruptible natural gas requirements. They further contend that Order No. 467-B is clear regarding the unavailability of process, feedstock, and plant protection for interruptible industrial consumers.

In our Order No. 493 we clearly intended to exclude from the definitions of "process gas" and "plant protection" propane and other gaseous fuels as not being considered alternate fuels for purposes of these definitions. However, the ability of interruptible industrial consumers to qualify for higher priority usage within those definitions as they apply to Order No. 467-B may not have been evident. Accordingly, we will clarify Order No. 493 and amend the definition of "alternate fuel capability" to exclude therefrom propane and other gaseous fuels. The clarification made here is specifically intended to permit interruptible industrial consumers to qualify an appropriate portion of their requirements for Priority 3 usage under Order No. 467-B, where the use is for plant protection, feedstock, or process as those definitions are defined in this proceeding.

Certain petitioners request the Commission to modify its Policy Statement in Docket No. R-469 to eliminate the term "firm" from Priority 2, in order to place interruptible industrial consumers for plant protection, feedstock, or process in parity with firm gas used for the same purpose. The request for all practical purposes would invalidate contract distinctions for all other end uses. Order No. 467-B contains a dichotomy between "firm" and "interruptible" during curtailed deliveries of natural gas and was adopted by the Commission in that order after evidentiary hearings held in a number of pipeline curtailment proceedings.

The judgment to use those terms should not be altered except upon good cause shown. Petitioners have not presented any arguments that would warrant any change in our policy in this regard.

Certain petitioners seek determination of their specific gas usage by arguing individual situations that should be heard in specific curtailment proceedings involving their interstate pipeline supplier's curtailment plan. For example, Crucible, Inc. urges that it obtained an interruptible contract for its supply of natural gas because its distributor would not offer it a firm contract. Therefore, it urges that its supply should be considered as a firm use. The facts of that argument do not warrant a generalization in this proceeding to change the definition of interruptible as requested by Crucible. However, our determination here is without prejudice to Crucible's rearguing its position on this issue in the specific individual case involving its interstate pipeline supplier's plan of curtailment.²

Certain petitioners urge modification of our definition of process gas to specifically set out their particular uses. It is not our purpose in this proceeding to attempt to define and categorize each individual process usage of natural gas. The proper vehicle for such assertions is in the individual curtailment proceeding involving specific pipeline systems. In that manner, all facets of the facts surrounding the particular usage of natural gas on that system can be fully evaluated.

The remaining arguments advocated by Petitioners are in essence reiterations of arguments and comments advanced to the Commission in response to the notice issued in this proceeding. Those contentions were considered by the Commission when it issued Order No. 493 and further elaboration thereon is not warranted in this order, since petitioners have not advanced any new facts or principles of law which would warrant modification of our position on those issues.

The requests for a conference with the staff of the Commission and for oral argument should be denied inasmuch as the petitioners urging those requests have not presented any justification for them. Further, we believe that no useful purpose will be served by either procedure.

The Commission finds:

(1) Good cause exists to treat the applications for rehearing as motions for reconsideration and to deny them except as hereinafter ordered.

(2) Good cause exists for clarifying Order No. 493 by amending the definition of "alternate fuel capabilities" as hereinafter ordered.

(3) Good cause exists for denying the requests for a conference with our Staff

and for oral argument in this proceeding.

(4) The motions for reconsideration filed herein present no new facts or principles of law which were not considered by the Commission when it issued Order No. 493 or, which having now been considered, warrant any change or modification in that order except as hereinafter ordered.

The Commission, acting pursuant to the provisions of the Natural Gas Act, as amended, particularly Sections 4, 5, 7, and 16 (52 Stat. 822, 824, 825; 56 Stat. 83, 84, 61 Stat. 459; 76 Stat. 72; 15 U.S.C. §§ 717c, 717d, 717f) orders:

(A) Part 2 of the Commission's General Rules of Practice and Procedure, General Policy and Interpretations, Subchapter A, Chapter I, Title 18 of the Code of Federal Regulations is amended by adding a new § 2.78(c) which will read as follows:

§ 2.78 Utilization and conservation of natural resources—natural gas.

(c) When used in paragraphs (a) and (b) of this section, the following terms will be defined as follows:

(1) *Residential*. Service to customers which consists of direct natural gas usage in a residential dwelling for space heating, air conditioning, cooking, water heating, and other residential uses.

(2) *Commercial*. Service to customers engaged primarily in the sale of goods or services including institutions and local, state, and federal government agencies for uses other than those involving manufacturing or electric power generation.

(3) *Industrial*. Service to customers engaged primarily in a process which creates or changes raw or unfinished materials into another form or product including the generation of electric power.

(4) *Firm service*. Service from schedules or contracts under which seller is expressly obligated to deliver specific volumes within a given time period and which anticipates no interruptions, but which may permit unexpected interruption in case the supply to higher priority customers is threatened.

(5) *Interruptible service*. Service from schedules or contracts under which seller is not expressly obligated to deliver specific volumes within a given time period, and which anticipates and permits interruption on short notice, or service under schedules or contracts which expressly or impliedly require installation of alternate fuel capability.

(6) *Plant protection gas*. Is defined as minimum volumes required to prevent physical harm to the plant facilities or danger to plant personnel when such protection cannot be afforded through the use of an alternate fuel. This includes the protection of such material in process as would otherwise be destroyed, but shall not include deliveries required to maintain plant production. For the purposes of this definition propane and other gaseous fuels shall not be considered alternate fuels.

(7) *Feedstock gas*. Is defined as natural gas used as raw material for its chem-

ical properties in creating an end product.

(8) *Process gas*. Is defined as gas use for which alternate fuels are not technically feasible such as in applications requiring precise temperature controls and precise flame characteristics. For the purposes of this definition propane and other gaseous fuels shall not be considered alternate fuels.

(9) *Boiler fuel*. Is considered to be natural gas used as a fuel for the generation of steam or electricity, including the utilization of gas turbines for the generation of electricity.

(10) *Alternate fuel capabilities*. Is defined as a situation where an alternate fuel could have been utilized whether or not the facilities for such use have actually been installed; *Provided however*, where the use of natural gas is for plant protection, feedstock, or process uses and the only alternate fuel is propane or other gaseous fuel then the consumer will be treated as if he had no alternate fuel capability.

(B) In all other respects Order No. 493 issued September 21, 1973, remains in full force and effect.

(C) To the extent not herein granted, the motions for reconsideration filed in this proceeding are hereby denied.

(D) The requests for a conference with our staff and for oral argument are hereby denied.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[F.R. Doc. 73-23452 Filed 11-2-73; 8:45 a.m.]

CHAPTER I—FEDERAL POWER COMMISSION

[Docket No. R-486; Order No. 486-1]

ACCOUNTING FOR SPECIALIZED TRAINING COSTS

OCTOBER 29, 1973.

Order No. 486, issued by the Commission in this docket on July 3, 1973, was promulgated for the purpose of establishing uniform accounting procedures for the costs of training employees to operate or maintain new and unique facilities. Order 486 provided, *inter alia*, that specialized training costs be recorded in Account 303—Miscellaneous Intangible Plant.

A number of interested and affected utilities³ have requested the Commission to reconsider that portion of Order No. 486 which requires recording of specialized training costs as intangible plant. They argue that such costs should be included as an integral part of the cost of the facilities to which the training costs are related, and should be recorded in the plant accounts in the same manner as other construction costs. They further

²Southern California Edison Company reiterates its position that it has urged in the curtailment proceeding involving its interstate pipeline supplier. The arguments raised by Southern California Edison Company are denied here without prejudice to its arguments in the curtailment proceeding pending before this Commission (*El Paso Natural Gas Company*, Docket No. RP72-6).

³Commonwealth Edison, Toledo Edison Company, Public Service Company of Indiana, Philadelphia Electric Company, Wisconsin Electric Power Company, Union Electric Company, Northeast Utilities, Public Service Electric and Gas Company, and Pennsylvania Power and Light Company.

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point out that the recording of specialized training costs as intangible assets would result in the loss of the Job Development Credit and the benefits of accelerated depreciation for tax purposes.

Upon further consideration of this matter we find the arguments of the responding utilities to be persuasive. This is especially true since Order No. 486 provides for the subject training costs to be written off over the life of the related facilities, rather than over a five-year period as originally proposed. As a result training costs may properly be recorded in the related plant accounts rather than in separate account 303.

In light of the foregoing, Order No. 486 will be amended so as to modify the Uniform Systems of Accounts to delete specialized training costs from intangible plant, and to include such costs under components of construction costs.

The Commission, acting pursuant to 5 U.S.C. 553, Sections 301, 302, 303, and 309 of the Federal Power Act (49 Stat. 854, 855, 858-859; 16 U.S.C. 825, 825a, 825b, 825h), and Sections 8, 9, and 16 of the Natural Gas Act (52 Stat. 825, 826, 830; 15 U.S.C. 717g, 717h, 717o), orders:

PART 101—UNIFORM SYSTEM OF ACCOUNTS PRESCRIBED FOR CLASS A AND CLASS B PUBLIC UTILITIES AND LICENSEES

(A) The Uniform System of Accounts for Class A and Class B Public Utilities and Licensees prescribed by Part 101, Chapter I, Title 18 of the Code of Federal Regulations is amended as follows:

1. The Electric Plant Instructions are amended by:

a. Amending subparagraph "(19) Training" of instruction "3. Components of Construction Cost."

b. By revoking Instruction "17. Training Costs."

As amended, this portion of the Electric Plant Instructions reads:

Electric Plant Instructions

3. Components of Construction Cost.

(19) "Training Costs." When it is necessary that employees be trained to operate or maintain plant facilities that are being constructed and such facilities are not conventional in nature, or are new to the company's operations, these costs may be capitalized as a component of construction cost. Once plant is placed in service, the capitalization of training costs shall cease and subsequent training costs shall be expensed. (See Operating Expense Instruction 4.)

17. [Revoked]

2. The Operating Expense Instructions are amended by:

a. Amending item 7 of the instruction "1. Supervision and Engineering."

b. Amending text of instruction "4. Training Costs."

As amended, this portion of the Operating Expense Instructions reads:

Operating Expense Instructions

1. Supervision and Engineering.

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7. • • • (See Electric Plant Instruction 3(19)).

4. Training Costs.

When it is necessary that employees be trained to specifically operate or maintain plant facilities that are being constructed, the related costs shall be accounted for as a current operating and maintenance expense. These expenses shall be charged to the appropriate functional accounts currently as they are incurred. However, when the training costs involved relate to facilities which are not conventional in nature, or are new to the company's operations, then see Electric Plant Instruction 3(19), for accounting.

3. Account "303, Miscellaneous Intangible Plant," of the Electric Plant Accounts is amended by amending the text of paragraph "B", by revoking paragraph "C", and by recodifying the present paragraph "D" as "C". As amended account 303 reads:

Electric Plant Accounts

1. INTANGIBLE PLANT

303 Miscellaneous intangible plant.

B. When any item included in this account is retired or expires, the book cost thereof shall be credited hereto and charged to account 426.5, Other Deductions, or account 111, Accumulated Provision for Amortization of Electric Utility Plant, as appropriate.

C. [Recodified from "D" without change in text.]

4. Account "404, Amortization of Limited-term Electric Plant," of the Income Accounts is amended by revising the first sentence. As amended, this portion of account 404 reads:

Income Accounts

1. UTILITY OPERATING INCOME

404 Amortization of limited-term electric plant.

This account shall include amortization charges applicable to amounts included in the electric plant accounts for limited-term franchises, licenses, patent rights, limited-term interests in land, and expenditures on leased property where the service life of the improvements is terminable by action of the lease.

PART 104—UNIFORM SYSTEM OF ACCOUNTS FOR CLASS C PUBLIC UTILITIES AND LICENSEES

(B) The Uniform System of Accounts for Class C and Class D Public Utilities

and Licensees prescribed by Part 104, Chapter I, Title 18 of the Code of Federal Regulations is amended as follows:

1. The Electric Plant Instructions are amended by amending the text of instruction "2. Components of Construction Costs" and by revoking Electric Plant Instruction "14. Training Costs." As amended, this portion of the Electric Plant Instructions reads:

Electric Plant Instructions

2. Components of Construction Cost.

The cost of construction of property chargeable to the electric plant accounts shall include, where applicable, the cost of labor, materials and supplies, transportation, work done by others for the utility, injuries and damages incurred in construction work, privileges and permits, special machine service, allowance for funds used during construction, training costs and such portion of general engineering, administrative salaries and expenses, insurance, taxes, and other analogous items as may be properly includable in construction costs (See Operating Expense Instruction 3).

14. [Revoked]

2. The Operating Expense Instructions are amended by amending instruction "3. Training Costs." As amended, the Operating Expense Instruction reads:

Operating Expense Instructions

3. Training Costs.

When it is necessary that employees be trained to specifically operate or maintain plant facilities that are being constructed, the related costs shall be accounted for as a current operating and maintenance expense. These expenses shall be charged to the appropriate functional accounts currently as they are incurred. However, when the training costs involved relate to facilities which are not conventional in nature, or are new to the company's operations, such costs may be capitalized as a component of construction cost. Once plant is placed in service, the capitalization of training costs shall cease and subsequent training costs shall be expensed.

3. Account "303, Miscellaneous Intangible Plant," of the Electric Plant Accounts is amended by amending the text of paragraph "B", by revoking paragraph "C", and by recodifying the present paragraph "D" as "C". As amended account 303 reads:

Electric Plant Accounts

1. INTANGIBLE PLANT

303 Miscellaneous intangible plant.

B. When any item included in this account is retired or expires, the book cost thereof shall be credited hereto and charged to account 426.5, Other Deductions, or account 110, Accumulated Provision for Depreciation and Amortization

of Electric Utility Plant, as appropriate. C. [Recodified from "D" without change in text.]

4. Account "404, Amortization of Limited-term Electric Plant," of the Income Accounts is amended by revising the first sentence. As amended, this portion of account 404 reads:

Income Accounts

1. UTILITY OPERATING INCOME

404 Amortization of limited-term electric plant.

This account shall include amortization charged applicable to amounts included in the electric plant accounts for limited-term franchises, licenses, patent rights, limited-term interests in land, and expenditures on leased property where the service life of the improvements is terminable by action of the lease.

PART 201—UNIFORM SYSTEM OF ACCOUNTS FOR NATURAL GAS COMPANIES

(C) The Uniform System of Accounts for Class A and Class B Natural Gas Companies prescribed by Part 201, Chapter I, Title 18 of the Code of Federal Regulations is amended as follows:

1. The Gas Plant Instructions are amended by:

a. Amending subparagraph "(19) Training" of instruction "3. Components of Construction Costs."

b. Revoking Instruction "16. Training Costs." As amended, this portion of the Gas Plant Instructions reads:

Gas Plant Instructions

3. Components of construction cost.

(19) "Training Costs." When it is necessary that employees be trained to operate or maintain plant facilities that are being constructed and such facilities are not conventional in nature or are new to the company's operations, these costs may be capitalized as a component of construction cost. Once plant is placed in service, the capitalization of training costs shall cease, and subsequent training costs shall be expended. (See Operating Expense Instruction 4.)

16. [Revoked]

2. The Operating Expense Instructions are amended by:

a. Amending item 7 of the instruction "1. Supervision and engineering."

b. Amending text of instruction "4. Training costs." As amended, this portion of the Operating Expense Instructions reads:

Operating Expense Instructions

1. Supervision and engineering.

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7. (See Gas Plant Instruction 3 (19)).

4. Training costs.

When it is necessary that employees be trained to specifically operate or maintain plant facilities that are being constructed, the related costs shall be accounted for as a current operating and maintenance expense. These expenses shall be charged to the appropriate functional accounts currently as they are incurred. However, when the training costs involved relate to facilities which are not conventional in nature, or are new to the company's operations, then see Gas Plant Instruction 3(19) for accounting.

3. Account "303, Miscellaneous intangible plant," of the Gas Plant Accounts is amended by amending the text of paragraph "B", by revoking paragraph "C", and by recodifying the present paragraph "D" as "C". As amended account 303 reads:

Gas Plant Accounts

1. INTANGIBLE PLANT

303 Miscellaneous intangible plant.

B. When any item included in this account is retired or expires, the book cost thereof shall be credited hereto and charged to account 426.5, Other Deductions, or account 111, Accumulated Provision for Amortization and Depletion of Gas Utility Plant, as appropriate.

C. [Recodified from "D" without change in text.]

4. Account "404.3, Amortization of other limited-term gas plant," of the Income Accounts is amended by revising the first sentence. As amended, this portion of account 404.3 reads:

Income Accounts

1. UTILITY OPERATING INCOME

404.3 Amortization of other limited-term gas plant.

This account shall include amortization charges applicable to amounts included in the gas plant accounts for limited-term franchises, licenses, patent rights limited-term interests in land, and expenditures on leased property where the service life of the improvements is terminable by action of the lease.

Gas Plant Instructions

2. Components of Construction Cost.

The cost of construction of property chargeable to the gas plant accounts shall include, where applicable, fees for construction certificate applications paid after grant of certificate, the cost of labor, materials and supplies, transportation, work done by others for the utility, injuries and damages incurred in construction work, privileges and permits, special machine service, allowance for funds used during construction, training costs, and such portion of general engineering, administrative salaries and expenses, insurance, taxes, and other analogous items as may be properly includable in construction costs. (See Operating Expense Instruction 3)

15. [Revoked]

2. Amend the Operating Expense Instructions by amending instruction "3. Training costs." As amended the Operating Expense Instruction reads:

Operating Expense Instructions

3. Training costs.

When it is necessary that employees be trained to specifically operate or maintain plant facilities that are being constructed, the related costs shall be accounted for as current operating and maintenance expense. These expenses shall be charged to the appropriate functional accounts currently as they are incurred. However, when the training costs involved relate to facilities which are not conventional in nature, or are new to the company's operations, such costs may be capitalized as a component of construction cost. Once plant is placed in service, the capitalization of training costs shall cease and subsequent training costs shall be expensed.

3. Account "303, Miscellaneous intangible plant," of the Gas Plant Accounts is amended by amending the text of paragraph "B", by revoking paragraph "C", and by recodifying the present paragraph "D" as "C". As amended account 303 reads:

Gas Plant Accounts

1. INTANGIBLE PLANT

303 Miscellaneous intangible plant.

A. *

B. When any item included in this account is retired or expires, the book cost thereof shall be credited hereto and charged to account 426.5, Other Deductions, or account 110, Accumulated Provision for Depreciation, Depletion and Amortization of Gas Utility Plant, as appropriate.

C. Recodified from "D" without change in text]

4. Account "404, Amortization of limited-term gas plant" of the Income Accounts is amended by revising the first sentence. As amended, this portion of account 404 reads:

Income Accounts

1. UTILITY OPERATING INCOME

404 Amortization of limited-term electric plant.

This account shall include amortization charges applicable to amounts included in the gas plant accounts for limited-term franchises, licenses, patent rights, limited-term interests in land other than land rights held for the production of natural gas and expenditures on leased property where the service life of the improvements is terminable by action of the lease.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.73-23439 Filed 11-2-73:8:45 am]

Title 29—Labor

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

PART 1952—APPROVED STATE PLANS FOR ENFORCEMENT OF STATE STANDARDS

Approval of Illinois Plan

1. *Background.* Part 1902 of Title 29, Code of Federal Regulations prescribes procedures under section 18 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667) whereby the several States may submit for approval under the requirements of that section, plans for the development and enforcement of State occupational safety and health standards.

Illinois submitted a plan pursuant to Part 1902 on January 2, 1973. Notice of receipt of the plan was published in the *FEDERAL REGISTER* on January 22, 1973, (38 FR 2188). Pursuant to said notice interested persons were afforded thirty (30) days from the date of publication to submit written comments concerning the plan. Further, interested persons were given an opportunity to request an informal hearing with respect to the plan or any part thereof.

Written comments concerning the plan were submitted on behalf of the Illinois Association of Aggregate Producers, the American Industrial Hygiene Association, the Minerva Company, Standard Oil Company (Indiana), United States Steel Corporation, the Chicago Area Committee on Occupational Safety and Health, United Electrical, Radio and Machine Workers of America, American Federation of Labor and Congress of Industrial Organizations, the Illinois State Federation of Labor and Congress of Industrial Organizations, Eagle-Pitcher Industries, Inc., Region 4 of the United Auto Workers, and the Ozark-Mahoning Company and by Mr. Alan J. Harrison, and Mr. George W. Harper.

Requests for an informal hearing were made by the following individual and organizations: Mr. George W. Harper; the AFL-CIO Standing Committee on Safety

and Occupational Health; the Illinois State Federation of Labor and Congress of Industrial Organizations; Region 4 of the United Auto Workers; the Chicago Area Committee on Occupational Safety and Health; District Council #11 of the United Electrical Radio and Machine Workers of America; the Mining Division of the Ozark-Mahoning Company; the Chemicals and Metals Division of Eagle-Pitcher Industries, Inc.; and the Fluorspar Division of the Minerva Company.

In response to such public comments and questions raised by the staff of the Office of Federal and State Operations, Illinois made many significant modifications to its Plan. The Assistant Secretary then found it appropriate to afford under § 1902.12 of Title 29, Code of Federal Regulations an additional opportunity for public comment on the modifications of the plan. Notice of such modifications was published in the *FEDERAL REGISTER* on September 6, 1973 (38 FR 24281).

Pursuant to said notice, comments were received from the American Federation of Labor and Congress of Industrial Organizations, the Illinois State Federation of Labor and Congress of Industrial Organizations, the Caterpillar Tractor Company, the Central Illinois Industrial Association, and the Chicago Area Committee on Occupational Safety and Health.

As there are no significant objections which are outstanding to the Plan, as amended, all requests for a public hearing are denied. None of the questions raised in the public comments are of such a nature as to require a hearing under § 1902.11(f) of Title 29, Code of Federal Regulations.

The plan designates the Industrial Commission and the Department of Labor as the agencies to be responsible for administering the plan throughout the State. It defines the occupational safety and health issues covered by it as defined by the Secretary of Labor in 29 CFR 1902.2(c) (1). Illinois is adopting all Federal safety and health standards contained in 29 CFR Parts 1910 and 1926. All employees within Illinois are covered, including those employed by the State and its political subdivisions.

The plan includes existing enabling legislation, the Illinois Health and Safety Act (Ill. Rev. Stat., Ch. 48, pars. 137.1 et seq.) and the Illinois Safety Inspections and Education Act (Ill. Rev. Stat., Ch. 48, pars. 59.1 et seq.) as well as amendments to these Acts which were passed by the State on June 30, 1973, and became effective October 1, 1973. There is also contained within the plan letters from the State dated July 9, 1973, May 25, 1973, June 25, 1973, July 27, 1973, and October 17, 1973, which modify the plan in order to bring it into full conformity with Part 1902.

2. *Issues.* As noted above, the State has modified and clarified its plan in order to meet the objections that had been raised in the following areas during the review process.

(a) *Standards.* 1. The State has added a provision requiring that notices of public hearings on proposed standards appear in newspapers of general circulation within the State.

2. Section 137.02 of the Illinois Health and Safety Act which provided that every petition for a hearing on proposed standards must be signed by five (5) employees or five (5) employers, or by a majority of employers in a specified industry is to be deleted because it unduly restricted the right to request a public hearing on a proposed standard.

3. Illinois has promised to amend its provision for judicial review of standards to provide that a petition for such review shall not operate as an automatic stay of a standard, but rather will be in the court's discretion in each individual case.

4. The State's method for the granting of temporary variances was an important area of concern. Under Illinois' proposed system, all applications for permanent variances will be handled by the Industrial Commission. Temporary variance applications will, however, be initially sent to the Department of Labor. If a notice of contest is received by the Department of Labor regarding a temporary variance application, such application will then be referred to the Industrial Commission for further handling. All uncontested temporary variance applications will therefore be taken care of by the Department of Labor. It was pointed out to the State that such division of authority might weaken the effectiveness of its variance granting procedure. The State responded that it felt that its procedure would prove in operation to be more efficient than having the Industrial Commission handle all the variance applications through its formal procedures for contested cases. The State's variance provisions do contain the same requirements and criteria for the granting of variances and do provide that notice and an opportunity to be heard regarding such applications are to be given to employees as does the Federal Act. Further, the State has provided assurances that in the case of contested applications the employer will still bear the burden of proving that he is entitled to a variance. The State also intends to promulgate regulations concerning variances which will be patterned after 29 CFR 1905. Illinois will, therefore, be given the opportunity to carry out its variance granting procedure as outlined above, but its procedure will be carefully monitored to ensure its effectiveness.

5. Question was also raised regarding Illinois' provision in section 8 of its Health and Safety Act which states that no standard of the Industrial Commission is to become effective until 90 days have elapsed after its promulgation. This is unlike the Federal Act wherein such delay is discretionary. This period of time is to be given to employers and employees to become familiar with newly promulgated standards. Further, this delay will not affect worker safety for

in cases where there is the possibility of danger from exposure to new hazards or to substances determined to be toxic or physically harmful, there is provision for temporary emergency standards which take effect immediately upon publication. It is to be noted that this mandatory ninety (90) day delay should not prevent the Industrial Commission from granting an additional period of time in the case of a particular standard in order to allow employers in such situation to make the necessary changes and adjustments required for compliance.

6. The State is amending section 4(e) (1)(e) of the Health and Safety Act to specify that employers are to post notices of variance applications "at places where employee notices are normally posted".

7. Section 4(e) of the Health and Safety Act is to be amended to provide that temporary variances may only remain in effect for a maximum of two years and to provide for the granting of interim orders pursuant to variance requests.

8. A provision for the publishing of decisions concerning standards in a newspaper of general circulation within the State is to be added to the Health and Safety Act.

9. The State has provided assurances that all acceptable variance applications are to be published in the Illinois Occupational Safety and Health Bulletin as well as in a newspaper of general circulation within the State.

(b) *Penalty provisions.* 1. The State has promised to amend section 2(d)(7) of its Safety Inspections and Education Act to prescribe a penalty for the violation of posting requirements as is provided for in section 17(1) of the Federal Act.

2. There is also to be added to the Safety Inspections and Education Act a criminal penalty for the falsification of records under that Act as well as the Health and Safety Act.

(c) *Review procedures.* 1. Section 59.8 of the Safety Inspections and Education Act which provides that before any prosecution is instituted based upon the laboratory findings of any industrial hygiene unit of the Department, any person dissatisfied with such findings shall be entitled to have an independent review thereof is to be deleted to prevent such provision from weakening the testimony of State industrial hygienists.

2. A provision stipulating that the commencement of a judicial review proceeding shall not, unless ordered by the Court operate as a stay of the order of the Commission shall be added to the State's legislation.

3. Public comments were also concerned about Illinois' proposed informal review procedure and the impact it would have on the formal citation process. Illinois' informal review procedure is to be patterned after 29 CFR 1903.19 wherein it is provided that any employer, employee or representative of employees may request an informal conference to discuss any issues raised by an inspec-

tion, citation, notice of proposed penalty or notice of intention to contest. However, no informal conference operates as a stay of the period of time required for filing a notice of intention to contest a citation, proposed penalty, or abatement period. In addition, employees and/or employee representatives, as well as employers are to be given an opportunity to participate as provided in 29 CFR 1903.19.

4. Question was raised regarding the granting to the Industrial Commission the authority to handle the administrative review of citations, proposed penalties, and abatement periods instead of creating a separate review commission as under the Federal Act. There is no requirement that a State's procedure for administrative appeals mirror the Federal appeals procedure. Illinois intends to use a separate review hearing section within the Industrial Commission to handle such appeals, thereby meeting the requirements of due process. Further, within one month of plan approval the state intends to submit proposed regulations describing how the Industrial Commission will function when it is acting as a review body. This review procedure will be carefully evaluated and monitored during the Plan's operation to ensure its effectiveness.

(d) *Recordkeeping.* Assurances from the State have been provided to the effect that the Industrial Commission shall refer all recordkeeping and reporting variance requests which pertain to information covered by 29 CFR Part 1904 to the Bureau of Labor Statistics, the United States Department of Labor.

(e) *Administration.* 1. Section 15 of the Health and Safety Act is to be amended to provide that the State's annual report shall contain all the rules promulgated by the Industrial Commission which are in full force and effect at the time of publication.

2. The State is also planning to increase the staff of its Industrial Hygiene Unit.

(f) *Employee complaint procedure.* The Illinois Plan had failed to give employees the right to an informal review of the Department of Labor's refusal to issue a citation with respect to a violation alleged by an employee as is contained in section 8(f)(2) of the Federal Act. The Illinois Department of Labor has assured that it will establish by regulation such informal review procedure. In addition, § 137.17(b) of the Illinois Health and Safety Act affords employees or representatives of employees, who believe that a violation of a safety or health standard exists that threatens physical harm or that an imminent danger exists upon which the Department of Labor has failed to take enforcement action, the opportunity to petition the Industrial Commission for a formal hearing regarding such alleged violation.

(g) *Imminent danger provisions.* Criticism was submitted with regard to the State's imminent danger provision. Illinois provides in section 2(e) of its Safety Inspections and Education Act that

whenever the Director of the Department of Labor believes that an imminent danger exists he may petition the circuit court for appropriate relief against an employer and employee including an order directing the employer or employee to cease and desist from the practice creating the imminent danger. Public comment was concerned that such provision creates an employee sanction. The intent of this imminent danger provision is not to impose a monetary penalty upon an employee but rather to protect all concerned from the possibility of injury through the issuance of such cease and desist orders. Therefore, we do not consider such a provision an employee sanction; it is not aimed at shifting the responsibility for compliance with standards from an employer to an employee and further would not have the effect of inhibiting employees from exercising their rights under the Act.

3. *Decision.* After careful consideration of the Illinois Plan, including the modifications thereof, and comments submitted regarding the plan, the plan is hereby approved under section 18 of the Act and Part 1902.

This decision incorporates requirements of the Act and implementing regulations applicable to State plans generally. It also incorporates intentions as to continued Federal enforcement of Federal standards in areas covered by the plan and the state's Developmental Schedule as set out in § 1952.283 below.

Pursuant to § 1902.20(b)(1)(iii) of Title 29 of the Code of Federal Regulations, the present level of Federal enforcement in Illinois will be continued with present priorities to the extent necessary to provide safe and healthful workplaces in the State. An evaluation of the State plan, as implemented, will be made on a continuing basis to assess the appropriate level of Federal enforcement activity. Federal enforcement authority will continue to be exercised to the degree necessary to assure occupational safety and health protection for employees in the State of Illinois. Part 1952 is hereby amended by adding thereto a new Subpart V reading as follows:

Subpart V—Illinois

1952.280	Description of the plan.
1952.281	Where the plan may be inspected.
1952.282	Level of Federal enforcement.
1952.283	Developmental schedule.

AUTHORITY: Sec. 18, Pub. L. 91-596, 84 Stat. 1608 (29 U.S.C. 667).

§ 1952.280 Description of the plan.

(a) (1) The plan identifies the Industrial Commission and the Department of Labor as the State agencies designated to administer the plan throughout the State. Basically, the Industrial Commission is to promulgate, modify, revoke, and review occupational safety and health standards while the Department of Labor is to enforce standards and to conduct inspections of workplaces.

(2) The plan defines the covered occupational safety and health issues as defined by the Secretary of Labor in 29

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CFR 1902.2(c)(1). Further, Illinois has adopted all Federal safety and health standards contained in 29 CFR Parts 1910 and 1926. The State program is to extend its protection to all employees in the State including those employed by it and its political subdivisions.

(b) The plan includes existing enabling legislation, the Illinois Health and Safety Act (Ill. Rev. Stat., Ch. 48, pars. 137.1 et seq.) and the Illinois Safety Inspections and Education Act (Ill. Rev. Stat., Ch. 48, pars. 59.1 et seq.) as well as amendments to these Acts which were passed on June 30, 1973, and became effective October 1, 1973. Under these Acts as amended the Illinois Industrial Commission and its Department of Labor shall have full authority to enforce and to administer all provisions of the State plan.

(c) The legislation provides procedures for the promulgation of standards, including standards for the protection of employees against new and unforeseen hazards; furnishing information to employees on hazards, precautions, symptoms, and emergency treatment; and procedures for granting temporary and permanent variances. The law also contains procedures for inspections including inspections in response to complaints; ensures employer and employee representatives an opportunity to accompany inspectors and to call attention to possible violations before, during and after inspections; protection of employees against discharge or discrimination in terms or conditions of employment through court suits brought by the Department of Labor; notice to employees of their protections and obligations under the State law; prompt restraint of imminent danger situations; safeguards to protect trade secrets; prompt notice to employers and employees of alleged violations of standards and abatement requirements; effective sanctions against employers; and employer right to review of alleged violations, abatement periods, and proposed penalties with an opportunity for employee participation and employee right of review of such abatement periods.

(d) The plan also contains a voluntary compliance program. The State intends to utilize the public media to transmit information about its safety and health program. Further, a series of one-day seminars are to be conducted throughout the State for the purpose of informing employers and employees of their rights and responsibilities under the plan. Off-site consultative services will be available for employers in order to encourage and to assist them in achieving voluntary compliance with the plan.

(e) Also included in the plan are proposed budgets to be devoted to it as well as descriptions of the job classifications and personnel who will be carrying out the program. Further, the plan sets out goals and provides a timetable for bringing it into full conformity with 29 CFR, Part 1902.

§ 1952.281 Where the plan may be inspected.

A copy of the complete Illinois plan may be inspected and copied during normal business hours at the Illinois Department of Labor, or Illinois Industrial Commission, 160 La Salle Street, Chicago, Illinois 60601; Assistant Regional Director, Occupational Safety and Health Administration, U.S. Department of Labor, 300 South Wacker Drive, Room 1201, Chicago, Illinois 60606; and the Office of Federal and State Operations, Occupational Safety and Health Administration, Room 305, 400 First Street NW, Washington, D.C. 20210.

§ 1952.282 Level of Federal enforcement.

Pursuant to § 1902.20(b)(1)(iii) of Title 29 of the Code of Federal Regulations, the present level of Federal enforcement in Illinois will be continued with present priorities to the extent necessary to provide safe and healthful workplaces in the State. Thereafter, authority will be retained to the degree necessary to assure occupational safety and health protection to employees in the State of Illinois.

§ 1952.283 Developmental schedule.

(a) Proposed legislative amendments to be introduced in the 1974 session of the State legislature.

(b) Issuance of the Illinois Safety and Health Bulletin one month after plan approval.

(c) Employer recording and reporting regulations are to be submitted one month after plan approval.

(d) Development of a Management Information System by July 1, 1974.

(e) Procedures for granting to employees the opportunity for informal review of decisions of the Department of Labor not to take compliance action in response to employee complaints to be completed one month after plan approval.

(f) Development of the State's Public Employee Safety and Health Program by July 1, 1974.

(g) Completion of Rules of Procedure for the Industrial Commission in its review of occupational safety and health citations one month after plan approval.

(h) Assurance that the Industrial Commission shall have sole responsibility for the promulgation of safety and health standards three months after plan approval.

(i) Adoption of Illinois Regulations parallel to 29 CFR 1905 one month after plan approval.

(j) Illinois occupational safety and health standards shall be reprinted one month after plan approval.

(k) Within three years of plan approval all developmental steps will be fully implemented.

Signed at Washington, D.C. this 30th day of October, 1973.

JOHN H. STENDER,
Assistant Secretary of Labor.

[FR Doc.73-23497 Filed 11-2-73;8:45 am]

Title 31—Money and Finance: Treasury

**CHAPTER II—FISCAL SERVICE,
DEPARTMENT OF THE TREASURY**

SUBCHAPTER A—BUREAU OF ACCOUNTS

PART 209—PAYMENT TO FINANCIAL ORGANIZATIONS FOR CREDIT TO ACCOUNTS OF EMPLOYEES AND BENEFICIARIES

Corrections

On October 4, 1973, in the **FEDERAL REGISTER** at page 27521 to 27523, FR Doc. 73-21165, the Department of the Treasury published the adoption of a revision of its regulations governing payments to financial organizations for credit to accounts of employees at 31 CFR Part 209 (also appearing as Department Circular No. 1076, Revised).

The part title was incorrectly set forth, and is hereby corrected to read as set forth above.

(R.S. 3620, as amended; 31 U.S.C. 492.)

Dated: October 31, 1973.

[SEAL] JOHN K. CARLOCK,
Fiscal Assistant Secretary.

[FR Doc.73-23481 Filed 11-2-73;8:45 am]

Title 38—Pensions, Bonuses, and Veterans' Relief

CHAPTER I—VETERANS ADMINISTRATION

PART 21—VOCATIONAL REHABILITATION AND EDUCATION

Subpart D—Administration of Educational Benefits; 38 U.S.C. Chapters 34, 35, and 36
REPORTS BY SCHOOLS

On page 23541 of the **FEDERAL REGISTER** of August 31, 1973, there was published a notice of proposed regulatory development concerning § 21.4203 to clarify what periods of enrollment a school organized on a term, quarter, or semester should report. Interested persons were given 30 days in which to submit comments, suggestions, or objections regarding the proposed regulation.

Pursuant to such notice, written comments were received from one interested party. This comment suggested that new regulations be directed to change the current system so that veterans are more effectively and efficiently served. That is the intent of this proposed change which permits a school to certify on a single certification two or more periods of enrollment. This eliminates the need for a reenrollment certification following a break period for which no educational benefits are payable. This proposed regulation is hereby adopted without change and is set forth below.

Effective date. This VA Regulation is effective October 30, 1973.

Approved: October 30, 1973.

By direction of the Administrator.

[SEAL] FRED B. RHODES,
Deputy Administrator.

In § 21.4203(b), subparagraph (1) is amended to read as follows:

§ 21.4203 Reports by schools; requirements.

(b) *Entrance or reentrance.*—The certification must clearly specify the program objective. Upon receipt of a certification of enrollment, an official authorization will be issued showing the beginning and ending dates of each period for which an allowance may be paid. The authorization will be for the period of enrollment or the extent of the eligible person's entitlement, whichever is the lesser.

(1) Schools organized on a term, quarter or semester basis may generally report enrollment for the term, quarter or semester or the complete course to the expected date of graduation. Certifications for the ordinary school year may include the summer session. Certifications for the complete course will include a report of the dates between school years if the school does not offer a summer session that includes all or a part of each month between the spring and fall term, or the veteran or eligible person does not intend to attend the summer session. Schools should also report any break within a school year if the interval is for a full calendar month or more. No allowances are payable for these intervals. Enrollment certifications for the complete course are encouraged, except where the student is a veteran or eligible person pursuing a program on a less than half-time basis or is a serviceman. For these students a separate enrollment certification will be required for each term, quarter or semester.

[FR Doc.73-23483 Filed 11-2-73;8:45 am]

Title 49—Transportation

CHAPTER X—INTERSTATE COMMERCE COMMISSION

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[S.O. 1133; Amdt. 1]

PART 1033—CAR SERVICE

Central Iowa Railway and Development Co.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 30th day of October 1973.

Upon further consideration of Service Order No. 1133 (38 FR 12606), and good cause appearing therefor:

It is ordered, That:

1033.1133 Service Order No. 1133 (Central Iowa Railway and Development Company authorized to operate over tracks abandoned by Chicago, Rock Island and Pacific Railroad Company and to operate over tracks of Chicago, Rock Island and Pacific Railroad Company) be and it is hereby, amended by substituting the following paragraph (f) for paragraph (f) thereof:

(f) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., April 30, 1974, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p.m., October 31, 1973.

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

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

By the Commission, Railroad Service Board.

[SEAL]

ROBERT L. OSWALD,
Secretary.

[FR Doc.73-23506 Filed 11-2-73;8:45 am]

Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

PART 85—CONTROL OF AIR POLLUTION FROM NEW MOTOR VEHICLES AND NEW MOTOR VEHICLE ENGINES

Emissions Standards for Light Duty Trucks Correction

In FR Doc. 73-15821 appearing at page 24362 in the issue of Tuesday, August 7, 1973, in the table under § 85.275-15(d), the last column should read as follows:

Road load power @ 50 m.p.h. horsepower
5.9
6.5
7.1
7.7
8.3
8.8
9.4
9.9
10.3
11.2
12.0
12.7
13.4
13.9
14.4

(Sec. 7(d), 70 Stat. 670 (42 U.S.C. 3535(d)) sec. 2, 48 Stat. 1246. (12 U.S.C. 1703).)

Effective date. This amendment is effective December 5, 1973.

SHELDON B. LUBAR,
Assistant Secretary for Housing
Production and Mortgage
Credit.

[FR Doc.73-23469 Filed 11-2-73;8:45 am]

Title 24—Housing and Urban Development

CHAPTER II—OFFICE OF ASSISTANT SECRETARY FOR HOUSING PRODUCTION AND MORTGAGE CREDIT—FEDERAL HOUSING COMMISSIONER [FEDERAL HOUSING ADMINISTRATION]

SUBCHAPTER B—MORTGAGE AND LOAN INSURANCE PROGRAMS UNDER NATIONAL HOUSING ACT

[Docket No. R-73-236]

PART 201—PROPERTY IMPROVEMENT AND MOBILE HOME LOANS

Assignment of Security

On September 6, 1973, a notice of proposed rulemaking was published in the *FEDERAL REGISTER* (38 FR 24222), stating that the Department of Housing and Urban Development was considering an amendment to Part 201 of Title 24, Subpart A, "Property Improvement Loans," that would require that prior to filing claim for reimbursement for loss on a defaulted loan an insured lending institution must record an assignment to the United States of any security it holds in connection with the defaulted loan.

Interested persons were given 30 days in which to submit written comments or suggestions. No comments or suggestions have been received and the proposed amendment is hereby adopted without change.

Accordingly, § 201.11(h) is redesignated as paragraph (l) and a new paragraph (h) is added to read:

§ 201.11 Claims.

(h) *Recordation.* Where security has been recorded the insured shall, prior to filing claim, place of record an assignment to the United States of America of said security.

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Title 24—Housing and Urban Development

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

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

[Docket No. FI-239]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

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

§ 1914.4 Status of participating communities.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of authorization of sale of flood insurance for area
Massachusetts	Berkshire	Pittsfield, City of				Oct. 29, 1973.
Missouri	Jefferson	Arnold, City of				Emergency. Do.
New Jersey	Somerset	Millstone, Borough of				Do.

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

Issued: October 23, 1973.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.73-23376 Filed 11-2-73;8:45 am]

[Docket No. FI-240]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

Section 1914.4 of Part 1914 of Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations is amended by adding in alphabetical sequence a new entry to the table. In this entry, a complete chronology of effective dates appears for each listed community. Each date appearing in the last column of the table is followed by a designation which indicates whether the date signifies (1) the effective date of the authorization of the sale of flood insurance in the area under the emergency or under the regular flood insurance program; (2) the effective date on which the community became ineligible for the sale of flood insurance because of its failure to submit land use and control measures as required pursuant to § 1909.24(a); or (3) the effective date of a community's formal reinstatement in the program pursuant to § 1909.24(b). The entry reads as follows:

§ 1914.4 Status of participating communities.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of authorization of sale of flood insurance for area
Florida	Nassau	Unincorporated Areas				July 9, 1971. Emergency. Dec. 31, 1971. Suspended. Oct. 26, 1973. Reinstated. Nov. 1, 1973. Emergency.
New York	Suffolk	Huntington, Town of				

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

Issued: October 25, 1973.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.73-23377 Filed 11-2-73;8:45 am]

[Docket No. FI-241]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

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

§ 1914.4 Status of participating communities.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of authorization of sale of flood insurance for area
Connecticut	Middlesex	Portland, Town of				Oct. 31, 1973.
New Jersey	Middlesex	Spotswood, Borough of				Emergency.
Texas	Bexar	Castle Hills, City of				Do.
Do.	Cameron	La Feria, City of	I 48 001 0000 02	Texas Water Development Board, P.O. Box 13087, Capitol Station, Austin, Tex. 78711.	Road Administrator, Comal County, Room, 309 County Courthouse, New Braunfels, Tex. 78130.	Do.
Do.	Comal	Unincorporated Areas			Texas Insurance Department, 1110 San Jacinto St., Austin, Tex. 78701.	Mar. 5, 1971. Emergency. Nov. 19, 1973. Regular.
Do.	Val Verde	Del Rio, City of				Oct. 31, 1973. Emergency.

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

Issued: October 25, 1973.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc. 73-23378 Filed 11-2-73; 8:45 am]

[Docket No. FI-242]

PART 1915—IDENTIFICATION OF SPECIAL HAZARD AREAS

List of Communities With Special Hazard Areas

The Federal Insurance Administrator finds that comment and public procedure and the use of delayed effective dates in identifying the areas of communities which have special flood or mudslide hazards, in accordance with 24 CFR Part 1915, would be contrary to the public interest. The purpose of such identifications is to guide new development away from areas threatened by flooding, a purpose which is accomplished pursuant to statute by denying subsidized flood insurance to structures thereafter built within such areas. The practice of issuing proposed identifications for comment or of delaying effective dates would tend to frustrate this purpose by permitting imprudent or unscrupulous builders to start construction within such hazardous areas before the official identification became final, thus increasing the communities' aggregate exposure to loss of life and property and the agency's financial exposure to flood losses, both of which are contrary to the statutory purposes of the program. Accordingly, the Department is not providing for public comment in issuing this amendment and it will become effective November 2, 1973. Section 1915.3 is amended by adding in alphabetical sequence a new entry to the table, which entry reads as follows:

§ 1915.3 List of communities with special hazard areas.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification areas which have special flood hazards	
Arkansas	Nevada	Prescott, City of	H 06 099 3260 01 through H 06 099 3260 02	Division of Soil and Water Resources, State Department of Commerce, 1920 West Capitol Ave., Little Rock, Ark. 72201.	Mayor, Prescott City Hall, Prescott, Ark. 71857.	Nov. 9, 1973	
Florida	Wakulla	St. Marks, Town of	H 12 129 2720 01 through H 12 129 2720 04	Arkansas Insurance Department, 400 University Tower Bldg., Little Rock, Ark. 72204.	Department of Community Affairs, 2571 Executive Center Circle East, Howard Bldg., Tallahassee, Fla. 32301.	Town Hall, Town of St. Marks, St. Marks, Fla. 32355.	Do.
Illinois	Cook	Schiller Park, Village of	H 17 031 7820 01 through H 17 031 7820 03	State of Florida Insurance Department, Treasurer's Office, the Capitol, Tallahassee, Fla. 32304.	Department of Local Government Affairs, 309 West Washington St., Chicago, Ill. 60606.	Municipal Bldg., 9326 West Irving Park Rd., Schiller Park, Ill. 60176.	Do.
Do.	do.	Winnetka, Village of	H 17 031 9460 01 through H 17 031 9460 03	Illinois Insurance Department, 525 West Jefferson St., Springfield, Ill. 62702.	do.	Public Works Department, Village Hall, 510 Green Bay Rd., Winnetka, Ill. 60093.	Do.
Do.	Lake	Lincolnshire, Village of	H 17 097 4858 01 through H 17 097 4858 04	do.		Village of Lincolnshire, 45 London-derry Lane, Lincolnshire, Ill. 60015.	Do.

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State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Do.....	La Salle.....	Streator, Village of.	H 17 099 8270 01 through	do.....	City Clerk's Office, 203 East Hickory St., Streator, Ill. 61364.	Do.
Louisiana.....	Washington Parish.	Franklinton, Town of.	H 17 099 8270 02, H 22 117 0790 01 through	State Department of Public Works, P.O. Box 44156, Capitol Station, Baton Rouge, La. 70804.	Mayor, Franklinton, La. 70438.	Do.
			H 22 117 0790 02	Louisiana Insurance Department, Box 44214, Capitol Station, Baton Rouge, La. 70804.		
Maryland.....	Carroll.....	Sykesville, Town of.	H 24 013 1530 01	Department of Water Resources, State Office, Bldg., Annapolis, Md. 21401.	Town Office, 38 Main St., Sykesville, Md. 21784.	Do.
Michigan.....	Kent.....	Plainfield, Township of.	H 26 081 1085 03 through	Water Resources Commission, Bureau of Water Management, Stevens T. Mason Bldg., Lansing, Mich. 48926.	Plainfield Township Hall, 6156 Belmont Ave., Belmont, Mich. 49306.	Do.
	do.....	Grand Rapids, City of.	H 26 081 1085 12	Michigan Insurance Bureau, 111 North Hosmer St., Lansing, Mich. 48913.		
Do.....	do.....	Wyoming, City of.	H 26 081 2010 01 through	do.....	City Planning Department, Room 914, City Hall, 300 Monroe Ave., NW, Grand Rapids, Mich. 49502.	Do.
			H 26 081 2010 19		Wyoming Planning Department, City Hall, 1155 28th St., SW, Wyoming, Mich. 49509.	Do.
Minnesota.....	Bir Stone.....	Ortonville, City of.	H 27 011 5440 01 through	Division of Waters, Soils and Minerals, Department of Natural Resources, Centennial Office Bldg., St. Paul, Minn. 55101.	Mayor, City Hall, Ortonville, Minn. 56278.	Do.
			H 27 011 5440 03	Minnesota Division of Insurance, R-210 State Office Bldg., St. Paul, Minn. 55101.		
Do.....	Carlton.....	Carlton, Village of.	H 27 017 1080 01 through	do.....	Mayor, Civic Center, Carlton, Minn. 55718.	Do.
Do.....	do.....	Cloquet, City of.	H 27 017 1370 01 through	do.....	Mayor, Cloquet City Offices, 508 Cloquet Ave., Cloquet, Minn. 55720.	Do.
Do.....	Carver.....	Chanhassen, Village of.	H 27 017 1370 04	do.....	Mayor, Village Hall, Chanhassen, Minn. 55317.	Do.
Do.....	Cottonwood.....	Windom, City of.	H 27 019 1170 01 through	do.....	Mayor, City Hall, 444 9th St., Windom, Minn. 56101.	Do.
Do.....	Hennepin.....	Brooklyn Center, City of.	H 27 033 7630 01 through	do.....	Mayor, City of Brooklyn Center, 60001 Shingle Creek Pkwy., Brooklyn Center, Minn. 55429.	Do.
Do.....	do.....	Hopkins, City of.	H 27 033 7630 02 through	do.....	Mayor, City of Hopkins, 1010 First Street, Hopkins, Minn. 55343.	Do.
Do.....	do.....	Robbinsdale, City of.	H 27 033 8320 01 through	do.....	Mayor, City of Robbinsdale, 4221 Lake Road, Minneapolis, Minn. 55422.	Do.
Do.....	do.....	Rockford, Village of.	H 27 033 8320 04	do.....	Mayor, Village of Rockford, Rockford, Minn. 55373.	Do.
Missouri.....	St. Louis.....	Florissant, City of.	H 27 171 5070 01 through	do.....	City Hall, 585 Rue St. Francois, Florissant, Mo. 63031.	Do.
			H 29 189 2780 01 through	Water Resources Board, P.O. Box 271, Jefferson City, Mo. 65101.		
			H 29 189 2780 07	Division of Insurance, P.O. Box 600, Jefferson City, Mo. 65101.		
New York.....	Allegany.....	Wellsboro, Village of.	H 36 003 6540 01	New York State Department of Environmental Conservation, Division of Resources Management Services, Bureau of Water Management, Albany, N.Y. 12201.	Municipal Bldg., 156 North Main, Wellsboro, N.Y. 14895.	Do.
				New York State Insurance Dept., 123 William St., New York, N.Y. 10038 and 324 State St., Albany, N.Y. 12210.	Office of the Village Clerk, Town Hall, Allegany, N.Y. 14706.	Do.
Do.....	Cattaraugus.....	Allegany, Village of.	H 36 009 0110 01	do.....		
Do.....	Greene.....	Ashland, Town of.	H 36 039 0281 01 through	do.....	Town Clerk's Office, 207 Main St., Wellsville, N.Y. 14894.	Do.
Do.....	Monroe.....	Honeoye Falls, Village of.	H 36 039 0281 06			
Do.....	do.....	Parma, Town of.	H 36 055 2770 01 through	do.....	Village Hall, 5 East St., Honeoye Falls, N.Y. 14472.	Do.
Do.....	Suffolk.....	Lindenhurst, Village of.	H 36 055 4654 01 through	do.....	Parma Town Hall, 1300 Hilton-Parma Corners Rd., Hilton, N.Y. 14468.	Do.
North Carolina. Pasquotank.....	Elizabeth City, City of.		H 36 055 4654 11		Office of the Village Clerk, Village of Lindenhurst, Lindenhurst, N.Y. 11757.	Do.
			H 36 103 3270 01	do.....	Municipal Bldg., 300 East Colonial Ave., Elizabeth City, N.C. 27900.	Do.
			H 37 139 1460 01 through	North Carolina Office of Water and Air Resources, Department of Natural and Economic Resources, P.O. Box 27687, Raleigh, N.C. 27611.		
			H 37 139 1460 02	North Carolina Insurance Department, P.O. Box 26387, Raleigh, N.C. 27611.		

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Ohio	Cuyahoga	Gates Mills, Village of	H 39 035 2860 01	Ohio Dept. of Natural Resources, Ohio Departments Bldg., Columbus, Ohio 43215.	Office of the Service Director, Town Hall, Chagrin River Road, Gates Mills, Ohio 44040.	Do.
Do	Huron	Wakeman, Village of	H 39 077 8490 01	do	Mayor, Municipal Bldg., Wakeman, Ohio 44889.	Do.
Do	Lucas	Ottawa Hills, Village of	H 39 095 6270 01	do	Mayor, Village of Ottawa Hills, Ottawa Hills, Ohio 43696.	Do.
Do	Columbiana	Washingtonville Village of	H 39 099 8580 01	do	Mayor, Washingtonville Village, Washingtonville, Ohio 44490.	Do.
Do	Richland	Shelby, City of	H 39 130 7500 01	do	Mayor, City Bldg., Shelby, Ohio 44875.	Do.
Do	Tuscarawas	Uhrichsville, City of	H 39 139 7500 02	do	Mayor, 219½ North Main St., Uhrichsville, Ohio 44683.	Do.
Do	Warren	Waynesville, Village of	H 39 157 8210 01	do	Mayor, Waynesville, Ohio 45068.	Do.
Oregon	Clackamas	Estacada, Town of	H 41 005060 01	Executive Department, State of Oregon, Salem, Oreg. 97310.	Mayor, City Hall, Estacada, Oreg. 97023.	Do.
Do	Tillamook	Nehalem, City of	H 41 057 1480 01	do	Office of the Recorder, City of Nehalem, Box 143, Nehalem, Oreg. 97131.	Do.
Do	Umatilla	Stanfield, City of	H 41 059 1970 01	do	Mayor, City Hall, 120 SE Harding, Stanfield, Oreg. 97875.	Do.
Do	do	Umatilla, City of	H 41 059 2120 01	do	Mayor, City Hall, 240 Monroe, Umatilla, Oreg. 97882.	Do.
Pennsylvania	Berks	Douglass, Township of	H 42 011 2024 01	Department of Community Affairs, Commonwealth of Pennsylvania, Harrisburg, Pa. 17120.	Douglass Township Municipal Bldg., Douglas Drive, R.D. No. 2, Boyertown, Pa. 19512.	Do.
Do	do	Lower Alsace, Township of	H 42 011 4617 01	do	Lower Alsace Township Bldg., 28th and Harvey Sts., Pe恩side, Reading, Pa. 19606.	Do.
Do	do	Shillington, Borough of	H 42 011 4617 02	do	Town Hall, Philadelphia and Lancaster Ave., Shillington, Pa. 19607.	Do.
Do	do	West Reading, Borough of	H 42 011 7640 01	do	West Reading Borough Hall, 5000 Chestnut St., West Reading, Pa. 19602.	Do.
Do	Dauphin	Dauphin, Borough of	H 42 013 1910 01	do	Fire Hall, Borough of Dauphin, Dauphin, Pa. 17018.	Do.
Do	Indiana	Homer City, Borough of	H 42 063 3680 01	do	Homer City Borough Office, Fireman's Hall, Homer City, Pa. 15748.	Do.
Do	Lebanon	Annville, Township of	H 42 075 0174 1	do	Lebanon County-City Planning Department, Room No. 3, Municipal Bldg., 400 South Eighth St., Lebanon, Pa. 17042.	Do.
Do	do	South Annville, Township of	H 42 075 7834 01	do	do	Do.
Texas	Comal	Unincorporated Areas	H 42 075 7834 05	Texas Water Development Board, P.O. Box 13087, Capitol Station, Austin, Tex. 78711.	Road Administrator, Comal County, Room 309 County Courthouse, New Braunfels, Tex. 78130.	Do.
Wisconsin	Waupaca and Autagamie	New London, City of	H 48 061 0000 02	Texas Insurance Department, 1110 San Jacinto St., Austin, Tex. 78701.	City Clerk's Office, City of New London, New London, Wis. 54631.	Do.
Do	Waukesha	Brookfield, City of	H 48 061 0000 14	Department of Natural Resources, P.O. Box 450, Madison, Wis. 53701.	Brookfield City Hall, 2000 North Calhoun Rd., Brookfield, Wis. 53005.	Do.
			H 55 087 3390 01	Wisconsin Insurance Department, 212 North Bassett St., Madison, Wis. 53703.		
			through			
			H 55 087 3390 05			
			H 55 087 3390 08			
			do			
			H 55 133 0708 01			
			through			
			H 55 133 0708 09			

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

Issued: October 25, 1973.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc. 73-23379 Filed 11-2-73; 8:45 am]

[Docket No. R-73-109]

PART 1932—PROTECTIVE DEVICE REQUIREMENTS

PART 1933—COVERAGE, RATES, AND PRESCRIBED POLICY FORMS

Date of Commencement of Coverage Under Commercial Crime Insurance Policies

The Department of Housing and Urban Development published on July 23, 1973, at 38 FR 19686, regulations with respect to the Federal Crime Insurance

Program. These regulations provided for pre-inspection of non-residential properties for which crime insurance is sought. Under the authority contained in section 306(g), 82 Stat. 540; 12 U.S.C. § 1721, an amendment is now being published to provide coverage during the period between application and pre-inspection of property found to be protected by the required protective devices.

Because this amendment clarifies the existing pre-inspection regulations and

provides coverage in cases in which it would not otherwise exist, comment and public procedure are unnecessary and contrary to the public interest. Inasmuch as this amendment provides a benefit to applicants for Federal commercial crime insurance policies, this amendment is also being made effective upon publication in the **FEDERAL REGISTER**.

Accordingly, 24 CFR, Parts 1932 and 1933 are amended as follows:

1. Section 1932.3a is amended to read:

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§ 1932.3a Mandatory pre-inspection of commercial properties.

(b) Coverage under a commercial crime insurance policy indemnifying burglary losses shall not commence unless it is determined that the premises sought to be insured complies with all applicable protective device requirements.

2. Section 1933.25a is amended to read:

§ 1933.25a Application and date of commencement of coverage.

Application for Federal commercial crime insurance shall be made only on a form approved by the Administrator. When a property is found by pre-inspection to comply with the applicable protective device requirements, coverage on that property under a policy covering burglary losses will commence at noon on the day following the date of the application unless a later date is specified in the application. Coverage under a policy covering robbery only will commence at noon on the day following the date of the application unless a later date is specified in the application.

Effective date. This amendment shall be effective upon November 5, 1973.

GEORGE K. BERNSTEIN,

Federal Insurance Administrator.

[FR Doc.73-23470 Filed 11-2-73;8:45 am]

Title 6—Economic Stabilization**CHAPTER I—COST OF LIVING COUNCIL**

[Phase IV Price Ruling 1973-3]

APPENDIX—PHASE IV PRICE RULINGS**Community Antenna Television**

Facts. X, a corporation, provides community antenna television (CATV) service to persons located within Y city limits. X obtained authority to furnish CATV service within the city limits when the Y city council enacted an ordinance providing X with the franchise to render CATV service within the city limits. Statutory and case law of the state Z, where Y city is situated, did not confer on the city council jurisdiction to regulate rates charged by X but X did agree to submit to the city council's regulatory authority as a condition of doing business. Furthermore, Z's public utility commission does not regulate X's activities.

Issue. Is X considered a public utility for Economic Stabilization purposes?

Ruling. X is considered a public utility for purposes of the Phase IV price control program. Rates for CATV services provided by X are exempt under 6 CFR 150.56. This ruling is based on the definition of "public utility" appearing in 6 CFR 150.31, which is substantially the same as the Phase II definition of "public utility", (6 CFR 300.302), and the reasoning of Price Commission Ruling 1972-279 (37 FR 24418, Nov. 17, 1972). That ruling was based on facts identical to those stated in this ruling. The rationale of that ruling is set forth below:

X is considered a public utility for Economic Stabilization purposes. Economic Stabilization Regulation, 6 CFR 300.16 (1972) defined a public utility to mean, "a person that furnishes utility services to the public ***". The same section defined "utility service" to mean, "any commodity or service affected with a public interest ***". United States v. Southwestern Cable Co., 392 U.S. 157 (1968), the Supreme Court held CATV is subject to the regulatory authority of the Federal Communications Commission since CATV provides a public service affected with a public interest.

Regulation § 300.16 was superseded on September 16, 1972, by Economic Stabilization Regulation § 300.30-811, 37 FR 18893 (1972). The new definition of public utility in § 300.302 is expansive in nature. Section 300.302 defines a public utility to mean, "a person that furnishes service to the public ***". X furnishes a service to the public.

Furthermore, the general operation of CATV resembles a public utility operation. X must attract large quantities of capital for construction of its communication facilities. The prices charged by CATV for its service must be sufficient to provide an adequate rate of return in order to attract the necessary capital. Therefore, price increases by CATV could not be reconciled with Price Commission regulations applicable to service organizations, since service organizations may only raise prices above base price to reflect incurred allowable costs, not to insure an adequate rate of return.

Regulation § 300.302 lists "telephone, and telegraph *** service" as examples of public utility activities. CATV closely resembles the operation of a telephone or telegraph company in that its cables often parallel the same routes used by telephone and telegraph wire. In addition, the CATV service area is restricted and CATV functions in a non-competitive atmosphere. (See PC Ruling 1972-85, 37 FR 4371 (1972).)

Therefore, under both sets of regulations, CATV is considered a public utility. CATV cannot be considered a service organization since Economic Stabilization Regulation, 6 CFR § 300.14 (1973) excludes public utilities from the definition of a service organization.

OCTOBER 31, 1973.

WILLIAM N. WALKER,
General Counsel,
Cost of Living Council.

[FR Doc.73-23549 Filed 11-1-73;2:11 pm]

[Phase IV Price Ruling 1973-4]

APPENDIX—PHASE IV PRICE RULINGS**Price Increases Required by State Law**

Facts. Firm A is a price category III firm wholly engaged in retailing activities in State B. Firm A operates drug stores which, among other things, sell liquor for consumption off the premises. Firm A has elected pursuant to 6 CFR 150.310 to group all of its retail products in a single merchandise category and has elected to be controlled on the basis of gross margin. Since the advent of Phase IV, firm A has maintained prices at or below adjusted freeze prices. The authority in state B with jurisdiction over liquor prices has directed that the minimum price of liquor at retail be increased 10 cents per gallon to reflect a dollar-for-dollar increase in liquor taxes. Firm A's annual revenue increase from such a price increase would be \$20,000. If firm A raises prices for liquor

pursuant to the state B directive it will become subject to the requirement under 6 CFR 150.304 that prices within its merchandise category be controlled so that the gross margin realized for the category during any fiscal quarter does not exceed the higher of the gross margin realized for the category during the corresponding fiscal quarter of the pricing base period or the gross margin realized for the category for the pricing base period. In order to comply with this requirement, firm A would have to make price reductions sufficient to reduce its annual revenues by \$500,000.

Issue. Must firm A increase its prices pursuant to state B's directive?

Ruling. Firm A is not required to implement the price increases directed by state B. Article VI of the U.S. Constitution (the "Supremacy Clause") and court decisions thereunder subordinate state statutes to conflicting federal statutes. The Economic Stabilization Regulations promulgated by the Cost of Living Council under the authority of Executive Orders 11695 and 11730, which in turn were issued under authority of the Economic Stabilization Act of 1970, as amended, prevail over any state directive with which they may conflict. State B's directive is in conflict with the Council's regulations since the state-directed price increases would place firm A in violation of the Council's regulations and would take away from firm A the option provided to retailers to maintain prices at adjusted freeze price levels. Firm A would be required to make substantial price reductions in order to bring himself into compliance with the Council's regulations. Such a result was not contemplated by the Council's retail-wholesale regulations.

WILLIAM N. WALKER,
General Counsel,
Cost of Living Council.

OCTOBER 31, 1973.

[FR Doc.73-23612 Filed 11-2-73;10:51 am]

Title 7—Agriculture**CHAPTER I—AGRICULTURAL MARKETING SERVICE, DEPARTMENT OF AGRICULTURE****PART 47—RULES OF PRACTICE UNDER THE PERISHABLE AGRICULTURAL COMMODITIES ACT****Duties and Responsibilities of Administrative Law Judges**

On August 19, 1972, the Civil Service Commission published in the *FEDERAL REGISTER* (37 FR 16787) a rule changing the title of hearing examiner, as used in 5 CFR Part 930, Subpart B, to administrative law judge. By designation to the Office of Administrative Law Judges dated December 20, 1972 (37 FR 28475), as amended April 27, 1973 (38 FR 10795), the Secretary of Agriculture has provided for the issuance by the administrative law judges of initial decisions in adjudication proceedings subject to sections 556 and 557 of Title 5, United States Code, such decisions to become final without further proceedings unless there

is an appeal to the Secretary by a party to the proceeding in accordance with applicable rules of practice: *Provided, however*, That no decision shall be final for purposes of judicial review except a final decision of the Secretary upon appeal. To incorporate these and other technical changes in the Rules of Practice (7 CFR Part 47) under the Perishable Agricultural Commodities Act, 1930 (46 Stat. 531 et seq., as amended; 7 U.S.C. 499a et seq.), and pursuant to the authority contained in Section 15, 46 Stat. 537, as amended, 7 U.S.C. 499c, said Rules of Practice are hereby amended as follows:

1. Amend § 47.2 (1), (j), and (l) to read as follows:

§ 47.2 Definitions.

(1) (1) "Examiner": In connection with reparation proceedings, the term "examiner" is synonymous with "presiding officer" and means any attorney employed in the Office of the General Counsel of the Department.

(2) "Administrative Law Judge." In connection with disciplinary proceedings, the terms "Administrative Law Judge" or "Judge" mean any Administrative Law Judge appointed pursuant to 5 U.S.C. 3105, assigned to conduct the proceeding.

(j) (1) "Examiner's report": In connection with reparation proceedings, "examiner's report" means the examiner's report to the Secretary, and includes the examiner's proposed (i) findings of fact and conclusions with respect to all material issues of fact, law or discretion, as well as the reasons or basis therefore, (ii) order and (iii) rulings on findings, conclusions and orders submitted by the parties.

(2) "Initial decision": In connection with disciplinary proceedings, "initial decision" or "decision" means the initial decision of an Administrative Law Judge, and includes the Administrative Law Judge's (i) findings of fact and conclusions with respect to all material issues of fact, law or discretion, as well as the reasons or basis therefor, (ii) order and (iii) rulings on findings, conclusions and order submitted by the parties.

(1) "Hearing Clerk" means the Hearing Clerk, United States Department of Agriculture, Washington, D.C. 20250.

2. Amend § 47.5 to read as follows:

§ 47.5 Scope and applicability of rules of practice.

Sections 47.6 through 47.25 shall be applicable to the procedure governing the filing and disposition of formal complaints in reparation proceedings. Sections 47.26 through 47.43 shall be applicable to the procedure governing the filing and disposition of formal complaints and other moving papers instituting disciplinary proceedings. Sections 47.1 through 47.5 and § 47.46 shall be applicable to all proceedings under the regulations in this part.

3. Amend § 47.11(d) to read as follows:

§ 47.11 Examiners.

(d) *Who may act in absence of examiner.* In case of the absence, illness, resignation, or death of the examiner who has been assigned to a proceeding, or, in case the General Counsel determines that, for other good cause, such examiner should not act, the powers and duties to be performed by him under these rules of practice in connection with such proceeding may, subject to the provisions of paragraph (a) of this section, be assigned to another examiner.

§ 47.13 [Amended]

4. Amend § 47.13(a) (2) by substituting the word "Secretary" for the word "Administrator" in the two places in which it occurs.

5. Amend the first sentence of § 47.15 by deleting the words "the General Counsel or" from paragraph (c) and by amending paragraphs (f) (1) (i) and (h) to read as follows:

§ 47.15 Oral hearing before the examiner.

(f) *Evidence—(1) In general.* (i) The testimony of witnesses at a hearing shall be upon oath or affirmation, subject to cross-examination, and shall be reported verbatim.

(h) *Transcript.* The reporter recording the testimony at a hearing will deliver the original transcript, with exhibits thereto attached, to the examiner, who will retain such copy for the official file and for use in preparing his report. The reporter will also deliver to the examiner such other copy or copies as may be ordered by the Department, which copy or copies the examiner will forward to the hearing clerk. Parties to the proceeding, or others, who desire a copy of the transcript of the hearing may place orders at the hearing with the reporter, who will furnish and deliver such copies direct to the purchaser upon payment of the applicable rate per page.

§ 47.17 [Amended]

6. Amend the first sentence of § 47.17 (a) to read as follows: The attendance of witnesses and the production of documentary evidence from any place in the United States on behalf of any party to the proceeding may, by subpoena, be required at any designated place of hearing or at any designated place for the taking of a deposition.

7. Amend § 47.19 to read as follows:

§ 47.19 Post-hearing procedure before the examiner.

(a) *Certification of the transcript.* As soon as practicable after receipt of the transcript, the examiner shall prepare his certificate stating that, to the best of his knowledge and belief, the transcript is a true, correct, and complete transcript of the testimony given at the hearing, except in such particulars as he shall specify, and that the exhibits transmitted are all the exhibits received in evidence at the hearing, with such ex-

ceptions as he shall specify. The original of such certificate shall be attached to the original transcript and a copy of such certificate shall be furnished to each of the parties and to the hearing clerk. The examiner shall correct the original copy of the transcript by adding or crossing out (but without obscuring the text) at the appropriate places any words necessary to make the text conform to the correct meaning, as certified by the examiner.

(b) *Proposed findings of fact, conclusions, and order.* The examiner shall decide and shall announce at the hearing whether proposed findings of fact, conclusions, and order may be filed by the parties. If allowed by the examiner, he shall announce a definite calendar day as the time within which these documents may be filed. Such findings of fact, conclusions, and order shall be based solely upon the evidence of record. They may be accompanied by supporting briefs and by a statement of objections made to the rulings of the examiner at the hearing.

(c) *Briefs.* If the examiner does not allow proposed findings of fact, conclusions, and order to be filed, the parties shall be given until a definite calendar day to file briefs.

(e) *The examiner's report.* The examiner, with the assistance and collaboration of such employees of the Department as may be assigned for the purpose, and within a reasonable time after the termination of the periods allowed for the filing of the submissions of the parties allowed by this section, shall prepare, upon the basis of the evidence received at the hearing and with due consideration of submissions of the parties filed pursuant to this section, his report. Such report shall be filed with the hearing clerk and shall be prepared in the form of a final order for the signature of the Secretary, but shall not be served upon the parties, unless and until it shall have been signed by the Secretary, as hereinafter provided.

§§ 47.27, 47.31, 47.32, 47.33, 47.34, 47.36, 47.38, 47.43 [Amended]

8. Amend §§ 47.27(d), 47.29, 47.31(a) (2), 47.31(b), 47.32 (except 47.32(a) (2), 47.32(c) (3) (ii), 47.32(e) (8), and 47.32 (g)), 47.33, 47.34, 47.36, 47.38 (except 47.38(1)), and 47.43 as follows: (1) Wherever the term "examiner" appears, the term "judge" is substituted therefor; (2) wherever the term "examiners" appears, the term "judges" is substituted therefor; and (3) wherever the term "examiner's" appears, the term "judge's" is substituted therefor.

9. Amend § 47.26(b) to read as follows:

§ 47.26 Stipulations and consent orders.

(b) At any time after the issuance of the moving paper and prior to the hearing in any proceeding, the Secretary, in his discretion may allow the respondent to consent to an order. In so consenting, the respondent must submit, for filing in the record, a stipulation or statement in

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which he admits at least those facts necessary to the Secretary's jurisdiction and agrees that an order may be entered against him. Upon a record composed of the complaint and the stipulations or agreement consenting to the order, the judge may enter the order consented to by the respondent, which shall have the same force and effect as an order made after oral hearing.

10. Amend § 47.30(c) to read as follows:

§ 47.30 The answer.

(c) *Procedure upon admission of facts.* The admission, in the answer or by failure to file an answer, of all the material allegations of fact contained in the moving papers shall constitute a waiver of hearing. Upon such admission of facts, complainant shall file in triplicate a proposed decision, along with a motion for the adoption thereof, which motion and proposed decision shall be served upon the respondent by the hearing clerk. Within 20 days after service of such motion and proposed decision, the respondent may file with the hearing clerk objections thereto. In not less than 30 days after service of complainant's motion and proposed decision, the judge shall issue a decision without further procedure or hearing. Absent a waiver by the parties of service of the judge's decision, it shall be served upon them by the hearing clerk. The parties shall be given an opportunity to file appeals to the decision, to file briefs in support of such appeals, and to make oral arguments thereon before the Secretary in accordance with § 47.39.

11. Amend § 47.31 to read as follows:

§ 47.31 Motions and requests.

(a) *General.* (1) All motions and requests shall be filed with the hearing clerk, except that those made during an oral hearing may be stated orally and made a part of the transcript.

(2) The judge shall rule upon all motions and requests filed or made prior to the issuance of the initial decision. The Secretary shall rule upon all motions and requests filed in connection with an appeal of the initial decision to the Secretary.

(b) *Certification to Secretary.* The submission or certification of any motion, request, objection, or other question to the Secretary prior to the issuance of an initial decision shall be in the discretion of the judge.

12. Amend § 47.32 as follows: Amend paragraphs (a) (2), (b), (c) (3) (ii), and (e) (1) (i) to read as set forth below. In paragraph (e) (8) substitute the terms "judge" or "judge's" wherever the terms "examiner" or "examiner's" appear, and insert the words "on appeal" after the word "if" in the last sentence. Delete paragraph (g). As amended, § 47.32 reads as set forth below:

§ 47.32 Oral hearing before examiner.

(a) * * * (2) Waiver of oral hearing shall not be deemed to be a waiver of the

right to make oral argument before the Secretary upon appeal of the judge's initial decision.

(b) *Time and place.* If and when the proceeding has reached the state where oral hearing is to be held, the judge, upon motion of any of the parties, jointly or individually, stating that the matter is at issue and is ready for hearing, shall set a time and place for hearing giving careful consideration to the convenience of the parties, and shall file with the hearing clerk a notice stating the time and place of hearing. If any change in the time or place of the hearing becomes necessary it shall be made by the Judge and notice of such change shall be served upon the parties.

(c) * * *

(3) * * *

(ii) Failure to appear at a hearing shall not be deemed to be a waiver of the right to be served with a copy of the judge's initial decision, to appeal therefrom to the Secretary, and to make oral argument before the Secretary with respect thereto.

(e) *Evidence—(1) In general.* (i) The testimony of witnesses at a hearing shall be on oath or affirmation, subject to cross-examination, and shall be reported verbatim.

(g) [Deleted]

§ 47.33 [Amended]

13. Amend § 47.33(b) by substituting the word "Secretary" for the word "Administrator" in the first sentence.

14. Amend § 47.37 to read as follows:

§ 47.37 Post-hearing procedure.

(a) *Corrections to and certification of transcript.*—(1) At such time as the judge may specify, but not later than the time fixed for filing proposed findings of fact, conclusions and order, or briefs, as the case may be, the parties may file with the judge proposed corrections to the transcript.

(2) As soon as practicable after the filing of proposed findings of fact, conclusions and orders, or briefs, as the case may be, the judge shall file with the hearing clerk his certificate indicating any corrections to be made in the transcript, and stating that, to the best of his knowledge and belief, the transcript, as corrected, is a true, correct, and complete transcript of the testimony given at the hearing, and that the exhibits are all the exhibits properly a part of the hearing record. The original of such certificate shall be attached to the original transcript and a copy of such certificate shall be served upon each of the parties by the hearing clerk who shall also enter onto the transcript (without obscuring the text) any correction noted in the certification.

(b) *Proposed findings of fact, conclusions, orders, and briefs.* Each party may file with the hearing clerk proposed findings of fact, conclusions and orders, based solely upon the record, and on matters

subject to official notice, and a brief in support thereof. The judge shall announce at the hearing a definite calendar day as the time within which these documents may be filed.

(c) *Administrative law judge's initial decision.* The judge, within a reasonable time after the termination of the period allowed for the filing of proposed findings of fact, conclusions and orders, and briefs in support thereof, shall prepare, upon the basis of the record and on matters officially noticed and shall file with the hearing clerk, his initial decision, a copy of which shall be served by the hearing clerk upon each of the parties. Such decision shall become final without further proceedings 35 days after the date of service thereof, unless there is an appeal to the Secretary by a party to the proceeding pursuant to § 47.39(a): *Provided, however,* That no decision shall be final for purposes of judicial review except a final decision of the Secretary upon appeal.

15. Amend § 47.38 by changing the designation of paragraph (j) to (k) and substituting "Judge's" for the word "examiner's" amending paragraph (i) and inserting a new paragraph (j) as follows:

§ 47.38 Shortened procedure.

(i) *Briefs and proposed findings of fact, conclusions, and orders.* Except as otherwise may be directed by the judge, the filing of complainant's statement in reply, or the expiration of the time for such filing, will conclude the presentation of evidence. Promptly after the conclusion of the presentation of evidence, the judge shall file with the hearing clerk a notice that the parties may have 10 days after the service of such notice by the hearing clerk within which to file briefs and proposed findings of fact, conclusions, and orders.

(j) *Administrative law judge's initial decision under the shortened procedure.* The procedure provided in § 47.37(c) shall apply to judge's initial decisions under the shortened procedure.

16. Amend § 47.39 to read as follows:

§ 47.39 Appeal to Secretary.

(a) *Filing of petition.* Any party who disagrees with a judge's decision, or any part thereof, may appeal the decision to the Secretary by transmitting an appeal petition to the hearing clerk within 30 days after service of said decision upon said party. Each issue set forth in the appeal, and the arguments thereon, shall be separately numbered; shall be plainly and concisely stated; and shall contain detailed citations of the record, statutes, regulations and authorities being relied upon in support thereof. The appeal petition shall be served upon the other party to the proceeding by the hearing clerk.

(b) *Transmittal of record.* Whenever an appeal of an initial decision is filed and a response thereto has been filed or

the time for filing a response has expired, the hearing clerk shall transmit to the Secretary the record of the proceeding. Such record shall include: the pleadings; motions, and requests filed and rulings thereon; the transcript of the testimony taken at the hearing, together with the exhibits filed therein; any statements filed under the shortened procedure; any documents or papers filed in connection with prehearing conferences; such proposed findings of fact, conclusions and orders, and briefs in support thereof, as may have been filed in connection with the hearings; the judge's initial decision; and the appeal petition; briefs in support thereof and responses thereto as may have been filed in the proceeding.

(c) *Response to appeal petition.* Within 20 days after the service of an appeal brought by a party to the proceeding, any other party may file with the hearing clerk a response in support of or in opposition to such appeal which shall be served upon the appellant.

17. Amend § 47.40 to read as follows:

§ 47.40 Argument before Secretary.

(a) *Oral argument.* A party bringing an appeal may request, within the prescribed time period for filing such appeal, an opportunity for oral argument before the Secretary. Failure to make such request in writing, within the prescribed time period, shall be deemed a waiver of oral argument. The Secretary, in his discretion, may grant, refuse, or limit any request for oral argument on appeal.

(b) *Briefs.* The Secretary may allow or refuse to allow briefs to be filed, either in lieu of or in addition to oral argument.

(c) *Scope of argument.* Argument to be heard on appeal, whether oral or in a written brief, shall be limited to the issues raised in the appeal, except that if the Secretary determines that additional issues should be argued, the parties shall be given reasonable notice of such determination, so as to permit preparation of adequate arguments on all issues to be argued.

18. Amend § 47.41 to read as follows:

§ 47.41 Consideration of appeal by the Secretary and issuance of final order.

As soon as practicable after the receipt of the record from the hearing clerk, or, in case oral argument was had, as soon as practicable thereafter, the Secretary, upon the basis of and after due consideration of the record, shall rule on the appeal. If the Secretary decides that no change or modification of the judge's decision is warranted, he may adopt the judge's decision as the final order of the Secretary, preserving any right of the party bringing the appeal to seek judicial review of such decision in the proper forum.

(b) *Issuance of final order.* A final order issued by the Secretary shall be filed with the hearing clerk, who shall serve it forthwith upon the parties.

§ 47.46 [Amended]

19. Amend the first sentence of § 47.46 by changing the words "presiding officer" to read "judge".

Effective date. The foregoing amendments and revisions shall become effective on November 5, 1973.

(Sec. 15, 146 Stat. 587, as amended; 7 U.S.C. 4990.)

Done at Washington, D.C., this 30th day of October 1973.

CLAYTON YEUTTER,
Assistant Secretary.

[FPR Doc.73-23462 Filed 11-2-73; 8:45 am]

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

PART 965—TOMATOES GROWN IN LOWER RIO GRANDE VALLEY IN TEXAS

Limitation of Handling

This regulation, designed to promote orderly marketing of Saladette tomatoes grown in the Lower Rio Grande Valley in Texas requires that they be inspected and meet specified requirements in order to maintain high standards of quality of Saladette tomatoes shipped to consumers.

Notice of rulemaking with respect to a proposed handling regulation, to be made effective under Marketing Order No. 965 (7 CFR Part 965) regulating the handling of tomatoes grown in the Lower Rio Grande Valley in Texas, was published in the *FEDERAL REGISTER* October 10, 1973 (38 FR 27936). This program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

The notice afforded interested persons an opportunity to file written data, views or arguments pertaining thereto not later than October 19, 1973.

An exception was filed by Smith & Wicker Tomato Co., Inc., McAllen, Texas, on behalf of three other tomato shippers and seven other growers objecting to paragraph (c)'s detailed specifications for the proposed $\frac{1}{2}$ bushel (20 pound) container. They contend that limiting handlers to this one exact size and type of box would penalize small handlers and be contrary to the preference of many tomato receivers for some other container such as a different shaped 20 pound box with a regular lid. It is concluded that a box with these unique specifications might not be readily and economically available to all handlers by the effective date of this regulation and that other commercially acceptable containers may be equally suitable for delivering tomatoes to consumers in an attractive and protective manner. Therefore, the container type, material and strength requirements are hereby deleted.

The recommendations of the Texas Valley Tomato Committee reflects its appraisal of the 1973-74 crop of Salad-

ette tomatoes and the marketing prospects for this season and are consistent with the marketing policy it unanimously adopted. The grade, color, container and inspection requirements are intended to prevent the shipment of low quality Saladette tomatoes and the use of inadequate, dirty or deceptive containers.

After consideration of all relevant matters presented, including the proposal set forth in the notice which was recommended by the Texas Valley Tomato Committee, established under said marketing order, it is hereby found and determined that this handling regulation, as hereinafter set forth, will tend to effectuate the declared policy of the act.

It is hereby further found that good cause exists for not postponing the effective date of this section until 30 days after publication in the *FEDERAL REGISTER* (5 U.S.C. 553) in that shipments of 1973-74 crop tomatoes grown in the production area have begun and the regulation should become effective at the time herein provided to maximize the benefits to producers. The Texas Valley Tomato Committee held an open meeting on September 4, 1973, to consider recommendations for a handling regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; information regarding the provisions of the recommendation by the committee has been disseminated among the growers and handlers of tomatoes in the production area; and proposed requirements have been reduced so compliance with this section should not require any special preparation on the part of handlers subject thereto which cannot be completed by such effective date.

The regulation is as follows:

§ 965.309 Handling regulation.

Except as otherwise provided in this section, beginning the effective date hereof through July 31, 1974, Saladette tomatoes shall not be handled unless they meet the requirements of paragraphs (a), (b), (c), (d), and (e) of this section, or are exempted by paragraphs (g) or (h).

(a) *Stem scars.* Stem scars shall not exceed $\frac{1}{4}$ inch in diameter.

(b) *Minimum grade and color.* Saladette tomatoes shall grade 80 percent of U.S. No. 1 or better and at time of inspection shall have attained the color classification of "breaker" as defined in Section 51.1864 of the current U.S. Standards for Grades of Fresh Tomatoes.

(c) *Containers.* Saladette tomatoes shall be packed in one of three containers described below which should be commercially acceptable and provide adequate protection during shipment. These containers and their components shall be clean and bright in appearance without marks, stains or other evidence of previous use.

RULES AND REGULATIONS

- (1) Containers having a capacity of one pint;
- (2) Containers having a capacity of one quart; or
- (3) Containers having a capacity of approximately 20 pounds.

(d) *Pack.* Containers shall be fairly well filled and the net weight of the 20 pound container shall not exceed 23 pounds.

(e) *Inspection.* (1) Regulated tomatoes shall be inspected and certified as required by § 965.60; and (2) no handler shall transport or cause the transportation of any shipment of such tomatoes by motor vehicle unless each such shipment is accompanied by a copy of a valid inspection certificate applicable thereto.

(f) *Tolerances.* To allow for variations incident to proper grading, for any lot there shall be a tolerance of 5 percent by count, for tomatoes which fail to meet the stem scar or color requirements specified in paragraphs (a) and (b) of this section respectively. Also any individual container may have double the prescribed tolerance: *Provided*, That the averages for the entire lot are within the tolerances specified.

(g) *Minimum quantity.* For purposes of regulation under this part, each person subject thereto may handle, pursuant to § 965.53, up to, but not to exceed 69 pounds of Saladette tomatoes per day without regard to the requirements of this part, but this exception shall not apply to any portion of a shipment of over 69 pounds of tomatoes.

(h) *Special purpose shipments.* The requirements set forth in this section shall not be applicable to shipments of Saladette tomatoes for the following purposes: (1) Relief or charity; (2) processing; (3) for experimental projects; (4) livestock feed; and (5) export to Mexico.

(i) *Safeguards.* Each handler making shipments of Saladette tomatoes pursuant to paragraph (h) of this section for relief or charity, for processing, for experimental projects, for livestock feed or for export to Mexico shall apply for and obtain an approved Certificate of Privilege from the committee applicable to shipments for such purpose and on exports to Mexico handlers shall within 7 days after export file with the committee a copy of Shippers Export Declaration, U.S. Department of Commerce Form 7525-V, to verify export of each shipment. The Shippers Export Declaration shall not be required on exports through the ports of Brownsville, Progreso, Hidalgo, Los Ebanos, and Rio Grande City.

(j) *Definitions.* "Saladette" tomatoes means a variety of *Lycopersicum Solanaceae* that ranges from plum shaped to almost perfectly round, averages about two ounces in weight and generally has a quarter inch or less stem scar and a slightly elongated blossom end or tip. The fruit are red in color, have a tough shining peel, are thick walled and have 2 to 3 (primarily 3) locules completely filled with gel. When used herein, the terms "pint" and "quart" mean contain-

ers with respective capacities of 33.6 and 67.2 cubic inches; and other terms used in this section shall have the same meaning as when used in this part and the U.S. Standards for Grades of Fresh Tomatoes (§§ 51.1855-51.1877 of this title) and the new standards published in the September 5, 1973, *FEDERAL REGISTER* (38 FR 23931) which will supersede the former on December 1, 1973.

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

Signed November 1, 1973, to become effective November 5, 1973.

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

(FPR Doc.73-23589 Filed 11-2-73;8:45 am)

PART 966—TOMATOES GROWN IN FLORIDA

Limitation of Handling

This regulation, designed to promote orderly marketing of Florida tomatoes, imposes minimum grade, size, quality and maturity standards and requires inspection of fresh shipments to keep undesirable tomatoes from being shipped to consumers.

Notice of rulemaking with respect to a proposed handling regulation, to be effective under Marketing Agreement No. 125 and Order No. 966, both as amended (7 CFR Part 966), regulating the handling of tomatoes grown in the production area, was published in the October 10, 1973, *FEDERAL REGISTER* (38 FR 27937). This program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

The notice afforded interested persons through October 19, 1973, to file written data, views or arguments pertaining to that proposal. None was filed.

The recommendations of the Florida Tomato Committee reflect its appraisal of the composition of the 1973-74 crop of Florida tomatoes and the marketing prospects for this season. The requirements for containers, container net weights, size classifications, and inspection are intended to standardize shipments in the interest of orderly marketing and thereby improve net returns to producers. Such requirements will contribute to the prevention of deceptive packing practices and will thus provide a basis for informed sale and purchase decisions on the part of both handlers and consumers. The minimum grade and size requirements should preclude shipments to fresh market of tomatoes which usually are of negligible economic value to producers.

Exceptions are provided to certain of these requirements to recognize special situations in which such requirements would be inappropriate or unreasonable. The provisions for special pack are designed to meet the different requirements for such shipments. Shipments may be made to certain special purpose outlets without regard to the above require-

ments: *Provided*, That safeguards are used to prevent such tomatoes from reaching unauthorized outlets. Tomatoes for canning are so exempted because the act prohibits regulation of such tomatoes. Likewise shipments for relief or charity are exempt from all requirements; to do otherwise would serve no useful purpose. Shipments for export are exempted from grade and size classifications, inspection and container requirements in order to accommodate the different preferences which may occur in export outlets.

Up to 60 pounds of tomatoes per day may be handled without regard to grade and size classification, container, or inspection requirements in order to avoid placing an unreasonable burden on persons handling no commercial quantities of tomatoes.

An exemption is also provided for special types of tomatoes such as elongated and cerasiform because they have characteristics which differ substantially from regular tomatoes and they do not compete as identical substitutes.

After consideration of all relevant matters presented, including the above proposal recommended by the Florida Tomato Committee, established pursuant to said marketing agreement and order, it is hereby found and determined that the handling regulation, as hereinafter set forth, will tend to effectuate the declared policy of the act.

It is hereby further found that good cause exists for not postponing the effective date of this section until 30 days after publication in the *FEDERAL REGISTER* (5 U.S.C. 553) in that shipments of 1973-74 crop tomatoes grown in the production area have begun and the regulation should become effective at the time herein provided to maximize the benefits to producers. The Florida Tomato Committee held an open meeting on September 7, 1973, to consider recommendations for a handling regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; information regarding the provisions of the recommendation by the committee has been disseminated among the growers and handlers of tomatoes in the production area; and compliance with this section should not require any special preparation on the part of handlers subject thereto which cannot be completed by such effective date.

The regulation is as follows:

§ 966.311 Handling regulation.

Except as otherwise provided, during the period beginning the effective date hereof through June 16, 1974, no person shall handle any lot of tomatoes for shipment outside the regulated area unless they meet the requirements of paragraph (a) of this section or are exempted by paragraphs (b) or (d) of this section.

(a) *Grade, size, container and inspection requirements.*—(1) *Grade.* Tomatoes shall be graded and meet the requirements specified in either § 51.1855 U.S. No. 1, § 51.1856 U.S. Combination, § 51.1857 U.S. No. 2 or § 51.1858 U.S. No. 3, of the U.S. Standards for Grades of

Fresh Tomatoes as set forth in the September 5, 1973, *FEDERAL REGISTER* (38 FR 23931) except that when not more than 15 percent of tomatoes in any lot fail to meet the requirements of U.S. No. 1 grade and not more than one-third of this 15 percent (or 5 percent) are comprised of defects causing very serious damage including not more than one percent of tomatoes which are soft or affected by decay, such tomatoes may be shipped and designated as 85 percent U.S. No. 1 grade or better.

(2) *Size.* (i) Tomatoes shall be over $1\frac{1}{2}$ inches in diameter and be sized in accordance with § 51.1859 of the U.S. tomato standards except that a tolerance of 10 percent by count shall be allowed for tomatoes in any lot which are smaller than the specified minimum diameter.

(ii) Tomatoes of designated sizes may not be commingled unless they are over $2\frac{1}{2}$ inches in diameter and each container shall be marked to indicate the designated size.

(3) *Containers.* (i) Tomatoes shall be packed in containers of 10, 20, 30, or 40 pounds designated net weights and comply with the requirements of § 51.1863 of the U.S. tomato standards. In addition the net weight of the contents of the 10 pound container may not be less than this designated net weight and shall not exceed the designated weight by more than 2 pounds.

(ii) Each container shall be marked to indicate the designated net weight.

(4) *Inspection.* Tomatoes shall be inspected and certified pursuant to the provisions of § 966.60. Each handler who applies for inspection shall register with the committee pursuant to § 966.113. Registered handlers shall pay assessments as provided in § 966.42. Inspection certificates must accompany truck shipments.

(b) *Special purpose shipments.* The requirements of paragraph (a) of this section shall not be applicable to shipments of tomatoes for canning, relief, charity or export if the handler thereof complies with the safeguard requirements of paragraph (c) of this section. Shipments for canning are also exempt from the assessment requirements of this part.

(c) *Safeguards.* Each handler making shipments of tomatoes for canning, relief, charity or export in accordance with paragraph (b) of this section shall:

(1) Apply to the committee and obtain a Certificate of Privilege to make such shipments.

(2) Prepare on forms furnished by the committee a report in quadruplicate on such shipments authorized in paragraph (b) of this section.

(3) Bill or consign each shipment directly to the designated applicable receiver.

(4) Forward one copy of such report to the committee office and two copies to the receiver for signing and returning one copy to the committee office. Failure of the handler or receiver to report such shipments by signing and returning the applicable report to the committee office within ten days after shipment shall be

cause for cancellation of such handler's certificate and/or receiver's eligibility to receive further shipments pursuant to such certificate. Upon cancellation of any such certificate, the handler may appeal to the committee for reconsideration.

(d) *Exemption.* (1) *For types.* The following types of tomatoes are exempt from these regulations: Elongated types commonly referred to as pear shaped or paste tomatoes and including but not limited to San Marzano, Red Top and Roma varieties; cerasiform type tomatoes commonly referred to as cherry tomatoes, hydroponic tomatoes, and greenhouse tomatoes.

(2) *For minimum quantity.* For purposes of these regulations each person subject thereto may handle up to but not to exceed 60 pounds of tomatoes per day without regard to the requirements of these regulations but this exemption shall not apply to any shipment or any portion thereof of over 60 pounds of tomatoes.

(3) *For special packed tomatoes.* Tomatoes packed by a handler who has been designated as a "Certified Tomato Repacker" by the committee are exempt from the tomato grade classifications of paragraph (a) (1) of this section and the size classifications of paragraph (a) (2) of this section and the container weight requirements of paragraph (a) (3) of this section if such tomatoes comply with the inspection requirements of paragraph (a) (4) of this section.

(e) *Definitions.* "Hydroponic tomatoes" means tomatoes grown in solution without soil; "greenhouse tomatoes" means tomatoes grown indoors. A "Certified Tomato Repacker" is a repacker of tomatoes in the regulated area who has the facilities for handling, regrading, re-sorting, and repacking tomatoes into consumer sized packages and has been certified as such by the committee. "U.S. tomato standards" means the revised United States Standards for Grades of Fresh Tomatoes (§§ 51.1855-51.1877) published in the *FEDERAL REGISTER* (38 FR 23931) of September 5, 1973, or variations thereof specified in this section. Other terms in this section shall have the same meaning as when used in Marketing Agreement No. 125, as amended, and this part, and the U.S. tomato standards.

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

Signed November 1, 1973, to become effective November 5, 1973.

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

[FR Doc. 73-23590 Filed 11-2-73; 8:45 am]

PART 980—VEGETABLES: IMPORT REGULATIONS

Importation of Tomatoes

The Secretary of Agriculture hereby determines that the importation of tomatoes into the United States is in most

direct competition with those regulated under the Federal marketing order for tomatoes grown in Florida, and this regulation establishes the same minimum grade, size, quality and maturity requirements for imported tomatoes as are in effect for tomatoes grown in Florida.

Notice of rule making regarding these requirements to be made effective under Section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 608e-1) was published in the October 10, 1973, *FEDERAL REGISTER* (38 FR 27938).

The notice afforded interested persons an opportunity to file data, views, or arguments in regard thereto not later than October 19, 1973. One exception was filed which contended that the proposed import requirements were not consistent with the quality requirements imposed under the Florida Tomato Marketing Order because imports would not be required to meet the grade and size classifications imposed under the Florida regulation wherein individual lots must conform to one of the grade and size categories specified therein.

Section 8e of the act requires that whenever the Secretary of Agriculture issues grade, size, quality, or maturity regulations under a domestic marketing order for a particular commodity, he must issue the same or comparable regulations on imports of that commodity. There is no provision that comparable grade and size classification requirements be imposed. Therefore the exception is denied and the minimum U.S. No. 3 grade and $1\frac{1}{2}$ diameter will apply to imports.

Under section 8e (7 U.S.C. 608e-1) of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), whenever two or more marketing orders are concurrently in effect regulating the same agricultural commodity produced in different areas of the United States, the importation of such commodity shall be prohibited unless it complies with the grade, size, quality, and maturity provisions of the order which, as determined by the Secretary of Agriculture, regulates the commodity produced in the area with which the imported commodity is in most direct competition.

During the effective period hereof two domestic tomato handling regulations are in effect—one for tomatoes handled pursuant to Marketing Order No. 966, as amended (7 CFR Part 966) regulating the shipments of tomatoes grown in Florida and the other for Saladette tomatoes handled pursuant to Marketing Order No. 965 (7 CFR Part 965) regulating the handling of tomatoes grown in the Lower Rio Grande Valley of Texas. It is determined that imported tomatoes during the effective period hereof will be in most direct competition with tomatoes produced in Florida, which accounted for approximately 96 percent of the combined fresh tomato crops grown in Florida and Texas during the late fall, winter and spring of 1972-73.

RULES AND REGULATIONS

After consideration of all relevant matters, including the proposal set forth in the aforesaid notice, and other available information, it is hereby found that the proposal as published in the notice should be made effective, and that the minimum grade, size, quality and maturity requirements are the same as that in effect under Marketing Order No. 966, as amended (7 CFR Part 966), for shipments of tomatoes grown in the Florida production area. This regulation is subject to amendment with reasonable notice.

It is hereby further found that good cause exists for not postponing the effective date of this regulation beyond the time specified (5 U.S.C. 553) in that (1) the requirements established by this regulation are mandatory under Section 8e of the act; (2) notice of the proposed regulation was given on October 5, 1973, by issuance of a press release and by publication in the *FEDERAL REGISTER* of October 10, 1973; (3) in fixing the effective date hereof consideration was given to the time required for transportation of the tomatoes and entry into the United States; and (4) such notice is in excess of the three day minimum required by the act.

The regulation is as follows:

§ 980.207 Tomato import regulation.

Except as otherwise provided, during the period beginning the effective date hereof through June 16, 1974, no person may import fresh tomatoes, except pear shaped, cherry, hydroponic and greenhouse tomatoes as defined herein, unless they are inspected and meet the requirements of this section.

(a) *Minimum grade and size requirements.* (1) At least U.S. No. 3 grade and over 1 $\frac{1}{2}$ inches in diameter;

(2) Not more than 10 percent, by count, in any lot may be smaller than the specified minimum diameter.

(b) *Minimum quantity exemption.* Any importation which in the aggregate does not exceed 60 pounds may be imported without regard to the provisions of this section.

(c) *Plant quarantine.* Provisions of this section shall not supersede the restrictions or prohibitions on tomatoe under the Plant Quarantine Act of 1912.

(d) *Designation of Governmental inspection service.* The Federal or the Federal-State Inspection Service, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, and the Fruit and Vegetable Division, Production and Marketing Branch, Canada Department of Agriculture, are designated as govern-

mental inspection services for certifying the grade, size, quality and maturity of tomatoes that are imported into the United States under the provisions of Section 8e of the act.

(e) *Inspection and official inspection certificates.* (1) An official inspection certificate certifying the tomatoes meet the United States import requirements for tomatoes under Section 8e (7 U.S.C. 608e-1), issued by a designated governmental inspection service and applicable to a specified lot is required on all imports of fresh tomatoes.

(2) Inspection and certification by the Federal or Federal-State Inspection Service will be available and performed in accordance with the rules and regulations governing certification of fresh fruits, vegetables and other products (Part 51 of this title). Each lot shall be made available and accessible for inspection as provided therein. Cost of inspection and certification shall be borne by the applicant.

(3) Since inspectors may not be stationed in the immediate vicinity of some smaller ports of entry, importers should make advance arrangements for inspection by ascertaining whether or not there is an inspector located at their particular port of entry. For all ports of entry where an inspection office is not located, each importer must give the specified advance notice to the applicable office listed below prior to the time the tomatoes will be imported.

Ports	Office	Advance notice
All Texas points.	L. M. Denbo, P.O. Box 107, San Juan, Tex. 78589 (Phone 512-787-4091 or 6881).	1 day.
All Arizona points.	H. O. Morgan, P.O. Box 1614, Nogales, Ariz. 85621 (Phone 602-287-2902).	Do.
All California points.	D. P. Thompson, 784 South Central Ave., Room 250, Los Angeles, Calif. 90021 (Phone 213-622-8756).	3 days.
All Hawaii points.	Stevenson Ching, P.O. Box 5125, Pawaii Substation, 1428 South King St., Honolulu, Hawaii 96814 (Phone 808-941-3071).	1 day.
All Puerto Rico points.	Durrell McNeal, P.O. Box 10168, Santurce, P.R. 00908 (Phone 809-783-2230 or 4116).	2 days.
New York City.	Frank J. McNeal, Room 28A, Hunt Point Market, Bronx, N.Y. 10474 (Phone 212-991-7669 or 7668).	1 day.
New Orleans.	Pascal J. Lamarc, 5027 Federal Office Bldg., 701 Loyola Ave., New Orleans, La. 70113 (Phone 504-527-6741 or 6742).	Do.
All Florida points.	Hubert S. Flynn, P.O. Box 20194, Orlando, Fla. 32814 (Phone 305-894-9611).	Do.
All other points.	D. S. Matheson, Fruit and Vegetable Division, Agriculture Marketing Service, Washington, D.C. 20250 (Phone 202-447-5879).	3 days.

(4) Inspection certificates shall cover only the quantity of tomatoes that is being imported at a particular port of entry by a particular importer.

(5) Each inspection certification issued with respect to any tomatoes to be imported into the United States shall set forth, among other things:

(i) The date and place of inspection;

(ii) The name of the shipper, or applicant;

(iii) The commodity inspected;

(iv) The quantity of the commodity covered by the certificate;

(v) The principal identifying marks on the containers;

(vi) The railroad car initials and number, the truck and trailer license number, the name of the vessel, or other identification of the shipment; and

(vii) The following statement, if the facts warrant: Meets import requirements of 7 U.S.C. 608e-1.

(f) *Reconditioning prior to importation.* Nothing contained in this part shall be deemed to preclude any importer from reconditioning prior to importation any shipment of tomatoes for the purpose of making it eligible for importation.

(g) *Definitions.* For the purpose of this section, "Importation" means release from custody of the United States Bureau of Customs. "Cherry tomatoes" means cerasiform types commonly referred to as "cherry tomatoes." "Pear shaped tomatoes" means elongated types, commonly referred to as pear shaped or paste tomatoes and include San Marzano, Red Top, and Roma varieties. "Hydroponic tomatoes" means tomatoes grown in solution without soil. "Greenhouse tomatoes" means tomatoes grown indoors. The terms relating to grade and size, as used herein, shall have the same meaning as when used in the U.S. Standards for Grades of Fresh Tomatoes (§§ 51.1855-51.1877 of this title, 38 FR 23931).

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

Signed November 1, 1973, to become effective November 9, 1973.

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

[FR Doc.73-23591 Filed 11-2-73; 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

Rural Electrification Administration

[7 CFR Part 1701]

ELECTRIC BORROWERS

Uniform System of Accounts

Notice is hereby given that, pursuant to the Rural Electrification Act, as amended (7 U.S.C. 901 et seq.), REA proposes to make certain revisions in REA Bulletin 181-1, Uniform System of Accounts Prescribed for Electric Borrowers of the Rural Electrification Administration.

Persons interested in the revisions of REA Bulletin 181-1 may submit written data, views, or comments to the Director, Accounting and Auditing Division, Room 4307, South Building, Rural Electrification Administration, U.S. Department of Agriculture, Washington, D.C. 20250, not later than 30 days from the publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Director, Accounting and Auditing Division, during regular business hours.

The proposed revisions in the Uniform System of Accounts are as follows:

PROPOSED REVISIONS IN THE REA SECTION OF REA BULLETIN 181-1

1. A new subaccount is established as follows:

427.3 *Interest Charged to Construction-Credit.* This account shall include concurrent credits for interest charged construction based upon the net cost for the period of construction of borrowed funds used for construction purposes. (See electric plant instruction 3 (17).)

2. Revision of Account 419.1. After inclusion of the revision, the account shall read as follows:

419.1 *Allowance for Funds Used During Construction.* This account shall include concurrent credits for allowance for funds other than borrowed funds used for construction purposes during the period of construction, based upon a reasonable rate (see electric plant instruction 3 (17).)

3. Revision of the Appendix to include Account 427.3, Interest Charged to Construction-Credit. This subaccount is to be included in the REA column only, and is to be coded (e).

PROPOSED REVISIONS IN THE FPC SECTION OF REA BULLETIN 181-1

1. General Instruction "16. Separate Accounts or Records for Each Licensed

Project" is amended by revising subparagraph "(a)" and "(c)" thereof. As so amended, subparagraphs "16 (a)" and "(c)" read:

GENERAL INSTRUCTIONS

16. *Separate Accounts or Records for Each Licensed Project.*

(a) The actual legitimate original cost of the project, including the original cost (or fair value, as determined under section 23 of the Federal Power Act) of the original project, the original cost of additions thereto and betterments thereof and credits for property retired from service, as determined under the Commission's regulations:

(c) The credits and debits to the depreciation and amortization accounts, and the balances in such accounts:

2. The Electric Plant Instructions are amended by:

a. Revising the second and third sentences of paragraph "C" of instruction "1. Classification of Electric Plant at Effective Date of System of Accounts."

b. Revising paragraph "D" of instruction "2. Electric Plant to be Recorded at Cost."

c. Revoking paragraph "B(4)" and recodifying present paragraph "B(5)" as B(4) of instruction "5. Electric Plant Purchased or Sold."

d. Revising the first sentence in paragraph "F" of instruction "5. Electric Plant Purchased or Sold."

As so amended, the revised portions of the Electric Plant Instructions read:

ELECTRIC PLANT INSTRUCTIONS

1. *Classification of Electric Plant at Effective Date of System of Accounts.*

C. * * * The difference between the original cost, as above, and the cost of the utility of electric plant after giving effect to any accumulated provision for depreciation or amortization shall be recorded in Account 114, Electric Plant Acquisition Adjustments. The original cost of electric plant shall be determined by analysis of the utility's records or those of the predecessor or vendor companies with respect to electric plant previously acquired as operating units or systems and the difference between the original cost so determined, less accumulated provisions for depreciation and amortization and the cost to the utility with necessary adjustments for retirements from the date of acquisition, shall be entered in account 114, Electric Plant Acquisition Adjustments. * * *

2. *Electric Plant to be Recorded at Cost*

D. The electric plant accounts shall not include the cost or other value of electric plant contributed to the company. Contributions in the form of money or its equivalent toward the construction of electric plant shall be credited to the accounts charged with the cost of such construction. Plant constructed from contributions of cash or its equivalent shall be shown as a reduction to gross plant constructed when assembling cost data in work orders for posting to plant ledgers of accounts. The accumulated gross costs of plant accumulated in the work order shall be recorded as a debit in the plant ledger of accounts along with the related amount of contributions concurrently being recorded as a credit.

5. *Electric Plant Purchased or Sold*

B. * * *

(4) [Revoked].

(5) [Recodified as (4)].

F. When electric plant constituting an operating unit or system is sold, conveyed, or transferred to another by sale, merger, consolidation, or otherwise, the book cost of the property sold or transferred to another shall be credited to the appropriate utility plant accounts, including amounts carried in account 114, Electric Plant Acquisition Adjustments. The amounts (estimated if not known) carried with respect thereto in the accounts for accumulated provision for depreciation and amortization and in account 252, Customer Advances for Construction, shall be charged to such accounts and contra entries made to account 102, Electric Plant Purchased or Sold. * * *

3. The chart of Balance Sheet Accounts is amended by:

a. Revoking subtitle "10. Contributions in Aid of Construction" and account title "271, Contributions in Aid of Construction."

b. Recodifying subtitle "11. Accumulated Deferred Income Taxes" as "10."

As so amended, the chart of Balance Sheet Accounts reads:

BALANCE SHEET ACCOUNTS

(Chart of Accounts)

LIABILITIES AND OTHER CREDITS

10. [Revoked]

271 [Revoked]

10. Accumulated Deferred Income Taxes

4. The text of the Balance Sheet Accounts is amended as follows:

a. The last sentence in account "252, Customer Advances for Construction," is revised.

b. Subtitle "10. Contributions in Aid of Construction" and account "271, Contributions in Aid of Construction," are revoked.

PROPOSED RULES

c. Subtitle "11. Accumulated Deferred Income Taxes" is recodified as "10."

As so amended, these portions of the text of Balance Sheet Accounts read:

BALANCE SHEET ACCOUNTS

LIABILITIES AND OTHER CREDITS

8. Deferred Credits

252 Customers advances for construction. * * * When a customer is refunded the entire amount to which he is entitled, according to the agreement or rule under which the advance was made, the balance, if any, remaining in this account shall be credited to the respective plant account.

10. [Revoked]

271. [Revoked]

10. Accumulated Deferred Income Taxes.

Dated: October 24, 1973.

GEORGE P. HERZOG,
Acting Administrator.

[FR Doc.73-23461 Filed 11-2-73;8:45 am]

[7 CFR Part 1701]

SPECIFICATIONS FOR RURAL
TELEPHONE FACILITIESProposed Revision in REA Specification for
Central Office Loop Extenders

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 Bulletin 345-55 to announce a revision in REA Specification PE-61 for central office loop extenders. On issuance of REA Bulletin 345-55, Appendix A to Part 1701 will be modified accordingly.

Persons interested in the revision of PE-61 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, not later than December 3, 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 revision of REA Specification PE-61 may be secured in person or by written request from the Director, Telephone Operations and Standards Division.

The text of REA Bulletin 345-55 announcing the revision of the specification is as follows:

REA BULLETIN 345-55

REA SPECIFICATION FOR CENTRAL OFFICE LOOP
EXTENDERS AND LOOP EXTENDER VOICE FRE-
QUENCY REPEATER COMBINATIONS, PE-61

I. Purpose. To announce a revision in REA Specifications PE-61 for Central Office Loop Extenders and to include the loop extender voice frequency repeater combination in its scope.

II. General. REA Specification PE-61 has recently been revised to:

1. Include specifications and tests for a combination loop extender and voice frequency repeater.
2. Change the tests for dial pulse distortion in order to make them more specific.
3. Add a paragraph to prevent extraneous switching noises.
4. Specify a maximum reversal time for the loop extender on detection of reverse battery from the central office equipment.
5. Add a maximum drain requirement for idle loop extenders without a common power supply.
6. Change the surge test requirements.
7. Limit radio and television interference.
8. Require more meaningful application literature from the suppliers.
9. Add an accelerated life test.
10. Specify requirements for cut-through type loop extenders.
11. Change circuit drawing of tests to conform with the above requirements.

The revised specification becomes effective May 1, 1974. All loop extenders and loop extender voice frequency repeater combinations bid or ordered by REA borrowers after that date shall comply with the revised REA Specification PE-61 dated December 1973. This does not preclude the adoption of the revised specification by manufacturers prior to the effective date. Equipment on the List of Materials as of the date of this bulletin shall be requalified prior to May 1, 1974.

III. Availability of Specification. Copies of the revised PE-61 will be furnished by REA upon request. Questions concerning this revised specification 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 October 30, 1973.

C. R. BALLARD,
Assistant Administrator—Telephone.

[FR Doc.73-23460 Filed 11-2-73;8:45 am]

DEPARTMENT OF LABOR

Occupational Safety and Health
Administration

[29 CFR Part 1910]

STANDARD FOR OCCUPATIONAL
EXPOSURE TO TOLUENE

Advance Notice of Proposed Rulemaking

The National Institute for Occupational Safety and Health (NIOSH), U.S. Department of Health, Education, and Welfare has submitted to the Secretary of Labor, pursuant to the Williams-Steiger Occupational Safety and Health Act of 1970, criteria for a recommended standard on the occupational exposure to toluene. The Office of Standards, Occupational Safety and Health Administration, U.S. Department of Labor is studying the criteria and would appreciate public participation on the issues of whether a new standard for toluene should be issued on the basis of the criteria or any other information, and, if so, what should be the contents of a proposed standard for toluene. The issues are set forth with greater particularity below.

Accordingly, interested persons are invited to submit written data, views and arguments concerning a standard on oc-

cupational exposure to toluene. Comments are specifically requested concerning:

(1) Whether a new standard on occupational exposure to toluene should be issued;

(2) Each section of the standard recommended by NIOSH;

(3) Suitable alternatives to the recommendations of NIOSH;

(4) Work injury and illness experience with toluene;

(5) Supported cost data of the estimated costs of coming into compliance with the standard recommended by NIOSH;

(6) Supported data on any possible environmental impact of the recommended standard, and specifically (a) any adverse environmental effects which cannot be avoided should the standard be adopted, (b) alternatives to such standard, (c) the relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity, and (d) any irreversible commitments of resources which would be involved if the standard should be implemented; and

(7) Any other related issues.

Communications should be submitted to the Office of Standards, Occupational Safety and Health Administration, U.S. Department of Labor, Room 509 Railway Labor Building, 400 First Street NW, Washington, D.C. 20210, before January 7, 1974. The communications will be available for public inspection and copying at the Office of Standards.

The NIOSH document containing the criteria and the recommended standard on occupational exposure to toluene will be available for inspection and copying, upon request, at the Office of Standards in Washington, D.C. and at any of the following regional or area offices.

REGIONAL OFFICES

U.S. Department of Labor
Occupational Safety and Health Administra-
tion
Fourth Floor

18 Oliver Street
Boston, Massachusetts 02110

U.S. Department of Labor
Occupational Safety and Health Administra-
tion
Gateway Building

3535 Market Street, Room 15220
Philadelphia, Pennsylvania 19104

U.S. Department of Labor
Occupational Safety and Health Administra-
tion
300 South Wacker Drive

Room 1201
Chicago, Illinois 60606

U.S. Department of Labor
Occupational Safety and Health Administra-
tion
823 Walnut Street

Waltower Building—Room 300
Kansas City, Missouri 64106

U.S. Department of Labor
Occupational Safety and Health Administra-
tion
9497 Federal Building

450 Golden Gate Avenue
Box 36017
San Francisco, California 94102

U.S. Department of Labor Occupational Safety and Health Administra- tion 1515 Broadway 1 Astor Plaza New York, New York 10036	U.S. Department of Labor Occupational Safety and Health Administration 2809 Art Museum Drive, Suite 4 Jacksonville, Florida 32207	U.S. Department of Labor Occupational Safety and Health Administration Room 561—600 Federal Building Louisville, Kentucky 40202	U.S. Department of Labor Occupational Safety and Health Administration Commerce Building—Room 801 118 North Royal Street Mobile, Alabama 36602	U.S. Department of Labor Occupational Safety and Health Administration 1361 East Morehead Street Charlotte, North Carolina 28204	U.S. Department of Labor Occupational Safety and Health Administration Federal Building—Room 1110A 31 Hopkins Plaza Baltimore, Maryland 21201	U.S. Department of Labor Occupational Safety and Health Administration Todd Mall, 2047 Canyon Road Birmingham, Alabama 35216	U.S. Department of Labor Occupational Safety and Health Administration 300 South Wacker Drive Chicago, Illinois 60606	U.S. Department of Labor Occupational Safety and Health Administration Room 224—Bryson Building 700 Bryden Road	U.S. Department of Labor Occupational Safety and Health Administration Clark Building—Room 400 633 West Wisconsin Avenue Milwaukee, Wisconsin 53203	U.S. Department of Labor Occupational Safety and Health Administration U.S. Post Office and Courthouse Room 423	U.S. Department of Labor Occupational Safety and Health Administration 46 East Ohio Street Indianapolis, Indiana 46204	U.S. Department of Labor Occupational Safety and Health Administration 847 Federal Office Building 1240 East Ninth Street Cleveland, Ohio 44199	U.S. Department of Labor Occupational Safety and Health Administration 1600 Hayes Street—Suite 302 Nashville, Tennessee 37203	U.S. Department of Labor Occupational Safety and Health Administration Michigan Theatre Building, Room 626 220 Bagley Avenue	U.S. Department of Labor Occupational Safety and Health Administration Room 5522 Federal Office Building 550 Main Street	U.S. Department of Labor Occupational Safety and Health Administration Room 734 Federal Office Building 234 N. Summit Street	U.S. Department of Labor Occupational Safety and Health Administration 100 McAllister Street, Room 1706 San Francisco, California 94102									
U.S. Department of Labor Occupational Safety and Health Administra- tion 1375 Peachtree Street, N.E. Suite 587 Atlanta, Georgia 30309	U.S. Department of Labor Occupational Safety and Health Administration Room 561—600 Federal Building Louisville, Kentucky 40202	U.S. Department of Labor Occupational Safety and Health Administration 1361 East Morehead Street Charlotte, North Carolina 28204	U.S. Department of Labor Occupational Safety and Health Administration Federal Building—Room 1110A 31 Hopkins Plaza Baltimore, Maryland 21201	U.S. Department of Labor Occupational Safety and Health Administration Todd Mall, 2047 Canyon Road Birmingham, Alabama 35216	U.S. Department of Labor Occupational Safety and Health Administration 300 South Wacker Drive Chicago, Illinois 60606	U.S. Department of Labor Occupational Safety and Health Administration Room 224—Bryson Building 700 Bryden Road	U.S. Department of Labor Occupational Safety and Health Administration Clark Building—Room 400 633 West Wisconsin Avenue Milwaukee, Wisconsin 53203	U.S. Department of Labor Occupational Safety and Health Administration U.S. Post Office and Courthouse Room 423	U.S. Department of Labor Occupational Safety and Health Administration 46 East Ohio Street Indianapolis, Indiana 46204	U.S. Department of Labor Occupational Safety and Health Administration 847 Federal Office Building 1240 East Ninth Street Cleveland, Ohio 44199	U.S. Department of Labor Occupational Safety and Health Administration Michigan Theatre Building, Room 626 220 Bagley Avenue	U.S. Department of Labor Occupational Safety and Health Administration Room 5522 Federal Office Building 550 Main Street	U.S. Department of Labor Occupational Safety and Health Administration Room 734 Federal Office Building 234 N. Summit Street	U.S. Department of Labor Occupational Safety and Health Administration 100 McAllister Street, Room 1706 San Francisco, California 94102												
U.S. Department of Labor Occupational Safety and Health Administra- tion 7th Floor—Texaco Building 1512 Commerce Street Dallas, Texas 75201	U.S. Department of Labor Occupational Safety and Health Administration Room 561—600 Federal Building Louisville, Kentucky 40202	U.S. Department of Labor Occupational Safety and Health Administration 1361 East Morehead Street Charlotte, North Carolina 28204	U.S. Department of Labor Occupational Safety and Health Administration Federal Building—Room 1110A 31 Hopkins Plaza Baltimore, Maryland 21201	U.S. Department of Labor Occupational Safety and Health Administration Todd Mall, 2047 Canyon Road Birmingham, Alabama 35216	U.S. Department of Labor Occupational Safety and Health Administration 300 South Wacker Drive Chicago, Illinois 60606	U.S. Department of Labor Occupational Safety and Health Administration Room 224—Bryson Building 700 Bryden Road	U.S. Department of Labor Occupational Safety and Health Administration Clark Building—Room 400 633 West Wisconsin Avenue Milwaukee, Wisconsin 53203	U.S. Department of Labor Occupational Safety and Health Administration U.S. Post Office and Courthouse Room 423	U.S. Department of Labor Occupational Safety and Health Administration 46 East Ohio Street Indianapolis, Indiana 46204	U.S. Department of Labor Occupational Safety and Health Administration 847 Federal Office Building 1240 East Ninth Street Cleveland, Ohio 44199	U.S. Department of Labor Occupational Safety and Health Administration Michigan Theatre Building, Room 626 220 Bagley Avenue	U.S. Department of Labor Occupational Safety and Health Administration Room 5522 Federal Office Building 550 Main Street	U.S. Department of Labor Occupational Safety and Health Administration Room 734 Federal Office Building 234 N. Summit Street	U.S. Department of Labor Occupational Safety and Health Administration 100 McAllister Street, Room 1706 San Francisco, California 94102												
U.S. Department of Labor Occupational Safety and Health Administra- tion Federal Building—Room 18010 P.O. Box 3588, 1961 Stout Street Denver, Colorado 80202	U.S. Department of Labor Occupational Safety and Health Administration 506 Second Avenue 1808 Smith Tower Building Seattle, Washington 98104	U.S. Department of Labor Occupational Safety and Health Administration Room 203—Midtown Plaza 700 East Water Street Syracuse, New York 13210	U.S. Department of Labor Occupational Safety and Health Administration Federal Office Building 970 Broad Street—Room 1435C Newark, New Jersey 07102	U.S. Department of Labor Occupational Safety and Health Administration 370 Old Country Road Garden City, Long Island, New York 11530	U.S. Department of Labor Occupational Safety and Health Administration Condominium San Alberto Building Santurce, Puerto Rico 00907	U.S. Department of Labor Occupational Safety and Health Administration William J. Green, Jr. Federal Bldg. 600 Arch Street Philadelphia, Pennsylvania 19106	U.S. Department of Labor Occupational Safety and Health Administration Charleston National Plaza Suite 1726 700 Virginia Street Charleston, West Virginia 25301	U.S. Department of Labor Occupational Safety and Health Administration 400 N. 8th Street, P.O. Box 10186 Richmond, Virginia 23240	U.S. Department of Labor Occupational Safety and Health Administration 4099 William Penn Highway Monroeville, Pennsylvania 15146	U.S. Department of Labor Occupational Safety and Health Administration 1371 Peachtree Street, N.E. Room 723 Atlanta, Georgia 30309	U.S. Department of Labor Occupational Safety and Health Administration Room 204—Bridge Building Fort Lauderdale, Florida 33308	U.S. Department of Labor Occupational Safety and Health Administration 1412 Main Street Dallas, Texas 75202	U.S. Department of Labor Occupational Safety and Health Administration 1205 Texas Avenue Lubbock, Texas 79401	U.S. Department of Labor Occupational Safety and Health Administration 512—Petroleum Building 420 South Boulder	U.S. Department of Labor Occupational Safety and Health Administration Tulsa, Oklahoma 74103	U.S. Department of Labor Occupational Safety and Health Administration 307 Central National Bank Building Houston, Texas 77002	U.S. Department of Labor Occupational Safety and Health Administration 546 Carondelet Street—4th Floor New Orleans, Louisiana 70130	U.S. Department of Labor Occupational Safety and Health Administration 1627 Main Street Room 1100 Kansas City, Missouri 64108	U.S. Department of Labor Occupational Safety and Health Administration 210 North 12th Boulevard Room 554 St. Louis, Missouri 63101	U.S. Department of Labor Occupational Safety and Health Administration City National Bank Building Room 803 Harney and 16th Streets Omaha, Nebraska 68101	U.S. Department of Labor Occupational Safety and Health Administration 333 Queen Street—Suite 505 Honolulu, Hawaii 09513	U.S. Department of Labor Occupational Safety and Health Administration Hartwell Building, Room 514 19 Pine Avenue Long Beach, California 90802	U.S. Department of Labor Occupational Safety and Health Administration Squire Plaza Building 8527 W. Colfax Avenue Lakewood, Colorado 80215	U.S. Department of Labor Occupational Safety and Health Administration Suite 309 Executive Building 455 East 4th South Salt Lake City, Utah 84111	U.S. Department of Labor Occupational Safety and Health Administration 2812 1st Avenue North Billings, Montana 59101	U.S. Department of Labor Occupational Safety and Health Administration 100 McAllister Street, Room 1706 San Francisco, California 94102

PROPOSED RULES

U.S. Department of Labor
Occupational Safety and
Health Administration
Suite 318—Amerco Towers
2721 North Central Avenue
Phoenix, Arizona 85004

U.S. Department of Labor
Occupational Safety and
Health Administration
1203 South Carson Street
Carson City, Nevada 89701

U.S. Department of Labor
Occupational Safety and
Health Administration
121—107th Street, N.E.
Bellevue, Washington 98004

U.S. Department of Labor
Occupational Safety and
Health Administration
Federal Building, Room 227
605 West 4th Avenue
Anchorage, Alaska 99501

U.S. Department of Labor
Occupational Safety and
Health Administration
Room 526 Pittock Block
921 SW. Washington Street
Portland, Oregon 97205

NATIONAL OFFICE

U.S. Department of Labor
Occupational Safety and
Health Administration
Office of Standards
Room 507—Railway Labor Building
400 First Street NW.
Washington, D.C. 20210.

And they will be available for inspection at the national and regional offices of the U.S. Department of Health, Education, and Welfare, National Institute for Occupational Safety and Health, at the following addresses:

U.S. Department of HEW
National Institute for
Occupational Safety & Health
Room 10-A-22
5600 Fishers Lane
Rockville, Maryland 20852

U.S. Department of HEW
National Institute for
Occupational Safety & Health
1100 Commerce Street, Room 8-C-53
Dallas, Texas 75202

U.S. Department of HEW
National Institute for
Occupational Safety & Health
401 North Broad Street
Philadelphia, Pennsylvania 19108

U.S. Department of HEW
National Institute for
Occupational Safety & Health
9017 Federal Building
19th and Stout Streets
Denver, Colorado 80202

U.S. Department of HEW
National Institute for
Occupational Safety & Health
John F. Kennedy Federal Building
Government Center
Boston, Massachusetts 02203
U.S. Department of HEW
National Institute for
Occupational Safety & Health
26 Federal Plaza
New York, New York 10007
U.S. Department of HEW
National Institute for
Occupational Safety & Health
601 East 12th Street
Kansas City, Missouri 64106
U.S. Department of HEW
National Institute for
Occupational Safety & Health
254 Federal Office Building
50 Fulton Street
San Francisco, California 94102
U.S. Department of HEW
National Institute for Occupational Safety
& Health
50 Seventh Street NE.
Atlanta, Georgia 30323
U.S. Department of HEW
National Institute for Occupational Safety
& Health
Arcade Building—1321 Second Street
Seattle, Washington 98101
U.S. Department of HEW
National Institute for Occupational Safety
& Health
300 South Wacker Drive
Chicago, Illinois 60607

Finally, copies of the NIOSH document may be purchased from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

This advance notice of proposed rulemaking is issued under section 6 of the Williams-Steiger Occupational Safety and Health Act of 1970 (84 Stat. 1593; 29 U.S.C. 655) and Secretary of Labor's Order No. 12-71 (36 FR 8754).

Signed at Washington, D.C., this 30th day of October 1973.

JOHN H. STENDER,
Assistant Secretary of Labor.

[FR Doc. 73-23496 Filed 11-2-73; 8:45 am]

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Parts 3, 121]

FOOD AND FOOD PRODUCTS

Food Additives and GRAS Substances;
Extension of Time for Filing Comments

In the FEDERAL REGISTER of July 26, 1973, the Commissioner of Food and

Drugs proposed to amend 21 CFR Parts 3 and 121 with respect to (1) substances prohibited from use in food (38 FR 20040), (2) carob bean gum (38 FR 20041), (3) food categories and food ingredient functions (38 FR 20044), (4) mannitol and sorbitol (38 FR 20046), and (5) methyl paraben and propyl paraben (38 FR 20048). A period of 90 days, ending October 24, 1973, was provided for filing comments on these proposals.

The Commissioner has received requests for an extension of the comment period because copies of the Scientific Literature Reviews and other relevant review materials being reproduced for distribution were not available to those requesting them in time to permit adequate study and the filing of comments within the 90 days provided.

Good reason therefor appearing the time for filing comments in this matter is extended to December 23, 1973.

(Secs. 201(s), 409, 701(a), 52 Stat. 1042, 1049, 1055, as amended; 21 U.S.C. 321(s), 348, 371 (a) and under authority delegated to the Commissioner (21 CFR 2.120).)

Dated: October 30, 1973.

SAM D. FINE,
Associate Commissioner for
Compliance.

[FR Doc. 73-23434 Filed 11-2-73; 8:45 am]

FEDERAL MARITIME COMMISSION

[46 CFR Part 538]

[General Order 19; Docket No. 73-53]

INCREASES IN CONTRACT RATES

Rules Governing Filing; Extension of Time
To File Comments

Upon request of interested persons and good cause appearing time within which comments may be submitted in response to the notice of proposed rulemaking in this proceeding (38 FR 22495; August 21, 1973) is enlarged to and including November 30, 1973.

Replies of Hearing Counsel shall be filed on or before December 17, 1973, and answers to Hearing Counsel shall be filed on or before December 28, 1973.

By the Commission.

[SEAL] JOSEPH C. POLKING,
Assistant Secretary.

[FR Doc. 73-23490 Filed 11-2-73; 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 STATE

[Public Notice CM-83]

NATIONAL REVIEW BOARD FOR THE CENTER FOR CULTURAL AND TECHNICAL INTERCHANGE BETWEEN EAST AND WEST

Notice of Meeting

The Executive Committee of the National Review Board for the Center for Cultural and Technical Interchange Between East and West (East-West Center) will meet in open session at the St. Francis Hotel in San Francisco, California (room number will be posted on the hotel's daily directory) on November 19, 1973 from 9:30 a.m. to 4:30 p.m.

The Committee will discuss the Grant-in-Aid Agreement between the East-West Center and the University of Hawaii.

CAROL M. OWENS,
Executive Secretary.

OCTOBER 24, 1973.

[FR Doc.73-23463 Filed 11-2-73;8:45 am]

DEPARTMENT OF THE TREASURY

Customs Service

[T.D. 73-302; Customs Delegation Order No. 48]

REGIONAL COMMISSIONERS OF CUSTOMS ET AL.

Delegation and Revocation of Authority

OCTOBER 26, 1973.

By virtue of the authority vested in me by Treasury Department Order No. 165, Revised (T.D. 53654, 19 FR 7241), as amended:

(1) I hereby delegate to the following officers and such other officers as may be designated by them in writing the authority to designate persons as indicated below as Customs officers (excepted) without additional compensation, in accordance with guidelines issued by Headquarters, U.S. Customs Service:

a. Regional Commissioners and District Directors of Customs may designate persons within their respective jurisdictions as Customs Inspectors (excepted), Customs Patrol Officers (excepted) or Customs Warehouse Officers (excepted) and may revoke designations;

b. The Directors, Inspection and Control Division and Patrol Division, Headquarters, Office of Operations, may designate persons as Customs Inspectors (excepted), Customs Patrol Officers (excepted) or Customs Warehouse Officers (excepted) and may revoke designations;

(2) Any action heretofore taken by the foregoing officers which involved the

designation of persons as Customs Officers (excepted) without additional compensation is affirmed and ratified. Such designations shall remain valid for a period of 6 months from the date of this delegation order unless sooner revoked or reissued by any of the individuals delegated authority in paragraph one, above.

(3) The authority delegated to Special Agents in Charge by Customs Delegation Orders No. 42 (T.D. 71-181, 36 FR 13410) and 45 (T.D. 73-47, 38 FR 4000) is hereby revoked and those delegation orders are superseded. All designations made under those delegation orders shall continue in force for a period of 6 months from the date of this delegation order unless sooner revoked or reissued by any of the individuals delegated authority in paragraph one, above.

[SEAL] VERNON D. ACREE,
Commissioner of Customs.

[FR Doc.73-23475 Filed 11-2-73;8:45 am]

[484.17]

STANDARD NEWSPRINT PAPER Proposal To Change Minimum Basis Weight

OCTOBER 30, 1973.

There was published in the **FEDERAL REGISTER** of August 29, 1973 (38 FR 23341), notice of a proposal to revise downward to 24.5 pounds the minimum basis weight of standard newsprint paper provided for in the free provision of item 252.65, Schedule 2, Subpart B, Tariff Schedules of the United States. That notice provided a comment period through October 29, 1973.

In order to provide interested parties additional time in which to submit comments, the comment period is extended through December 29, 1973.

[SEAL] VERNON D. ACREE,
Commissioner of Customs.

[FR Doc.73-23480 Filed 11-2-73;8:45 am]

Internal Revenue Service [Delegation Order No. 142]

REGIONAL COMMISSIONER FOR STABILIZATION WORK, NORTH ATLANTIC REGION

Delegation of Authority

OCTOBER 26, 1973.

1. Pursuant to the authority granted to the Commissioner of Internal Revenue by Cost of Living Council Orders Numbers 15, 15A, 15B, 15C, 15D, 15E, 15F, and 19, there is hereby delegated to the Regional Commissioner for the North

Atlantic Region authority to assign and/or transfer Economic Stabilization Program work including, but not limited to, investigations, compliance matters and administrative functions between the Internal Revenue Service Districts of Brooklyn and Manhattan.

2. This authority may not be redelegated.

Effective on October 26, 1973.

[SEAL] DONALD C. ALEXANDER,
Commissioner.

[FR Doc.73-23476 Filed 11-2-73;8:45 am]

DEPARTMENT OF DEFENSE

Department of the Air Force

USAF SCIENTIFIC ADVISORY BOARD MUNITIONS-ARMAMENT PANEL

Notice of Meeting

OCTOBER 30, 1973.

The USAF Scientific Advisory Board Munitions-Armament Panel will hold a closed meeting on November 9, 1973, from 9 a.m. until 4 p.m., at Lawrence Livermore Laboratory, Livermore, California.

The Panel will conduct the meeting to receive classified briefings.

For further information contact the Scientific Advisory Board Secretariat at 202-697-4648.

STANLEY L. ROBERTS,
Colonel, USAF, Chief, Legislative Division, Office of The Judge Advocate General.

[FR Doc.73-23457 Filed 11-2-73;8:45 am]

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

CONTROLLED SUBSTANCES IN SCHEDULE II

Proposed Amendment to 1974 Aggregate Production Quota for Methamphetamine

A notice was published on September 21, 1973, establishing aggregate production quotas on all controlled substances in Schedules I and II (38 FR 26472). At this time the aggregate production quota for methamphetamine was established at 517,961 grams of the anhydrous free base for 1974.

An application has been received for the 1974 production of 1,375,000 grams of levo-desoxyephedrine, an isomer of methamphetamine. This entire quantity will be utilized in the production of an over-the-counter preparation. Studies of this product have indicated that it has not been the subject of abuse and should not be confused with the dextrorotatory

NOTICES

isomer of Methamphetamine. The latter isomer has been the seriously abused form of methamphetamine.

Based upon consideration of the foregoing, the Acting Administrator of the Drug Enforcement Administration, under the authority vested in the Attorney General by Section 306 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 826) and delegated to the Administrator of the Drug Enforcement Administration by Section 0.100 of Title 28 of the Code of Federal Regulations (see 38 FR 18380, July 10, 1973), hereby proposes that the aggregate production quota for methamphetamine for 1974 expressed in grams of anhydrous free base be amended and increased to a total of 1,892,961 grams. None of the additional amount may be used in the dextrorotatory or racemic form of methamphetamine.

All interested persons are invited to submit their comments and objections in writing regarding this proposal. These comments or objections should state with particularity the issues concerning which the person desires to be heard. Comments and objections should be submitted in quintuplicate to the Office of Chief Counsel, Drug Enforcement Administration, Department of Justice, Room 611, 1405 Eye Street NW, Washington, D.C. 20537, and must be received by November 30, 1973. If a person believes that one or more issues raised by him warrant a full adversary-type hearing, he should so state and summarize the reasons for his belief.

In the event that comments or objections to this proposal raise one or more issues which the Administrator finds, in his sole discretion, warrant a full adversary-type hearing, the Administrator shall order a public hearing and publish a notice thereof in the *FEDERAL REGISTER* summarizing the issues to be heard and setting a time for the hearing (which shall not be later than December 2, 1973).

Dated: October 30, 1973.

JOHN R. BARTELS, Jr.,
Acting Administrator,

Drug Enforcement Administration.
[FR Doc. 73-23484 Filed 11-2-73; 8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

LAKEVIEW DISTRICT ADVISORY BOARD

Notice of Meeting and Agenda

Notice is hereby given that the Bureau of Land Management Lakeview District Advisory Board will meet at 9 a.m., Pacific Standard time on December 4, 1973, at the Lakeview District Office conference room, 357 North "L" St., Lakeview, Oregon.

The agenda for the meeting will include:

1. Organization of the Board.
2. 1974 grazing applications.
3. Section 7 transfers.
4. Consideration of suspended non-use.
5. Supplemental use.
6. Proposed rule making.
7. View Point Ranch commensurability.

8. Report on last year Advisory Board recommendations.
9. Wild horse management.
10. Grazing increase—Griener Allotment.
11. Other items that may properly be brought before the Board.

The meeting will be open to the public insofar as seating is available. Time will be available for brief statements from members of the public, but those wishing to make an oral statement must inform the Chairman in writing prior to the meeting. Interested persons may file a written statement with the Board for its consideration. They should be sent to Chairman, Lakeview District Advisory Board, care of District Manager, Bureau of Land Management, P.O. Box 151, Lakeview, Oregon 97630.

MARVIN LE NOUE,
District Manager.

OCTOBER 26, 1973.

[FR Doc. 73-23484 Filed 11-2-73; 8:45 am]

[ES 7958]

WISCONSIN

Survey Group 84; Notice of Filing of Plat of Survey

OCTOBER 30, 1973.

1. The plat of survey of the island described below, accepted on August 3, 1970, will be officially filed in this office effective at 10 a.m. on December 13, 1973.

FOURTH PRINCIPAL MERIDIAN

T. 38 N., R. 20 E.,
Sec. 5, lot 5.
Containing 0.19 acres.

2. This island in the Menominee River was omitted from the original survey in 1847.

3. The island's formation is in all regards similar to that of the opposite mainland. Its soil is of a rich sandy loam formation over large boulders and rock outcroppings. Vegetation consists of timber, mostly pine and cedar; undergrowth; young trees; brush and grass. There is no evidence of improvements, present use, or occupancy of this island.

4. The character of the island and timber growth thereon attest to its existence on May 29, 1848, when Wisconsin was admitted to the Union, and at all times since. The island is over 50 percent upland in character within the interpretation of the Swamp Act of September 28, 1850.

5. Except for valid existing rights, this land will not be subject to application, petition, selection, or to any other appropriation under public land law, including the mineral leasing laws, until a further order is issued.

6. All inquiries relating to this island should be addressed to the Director, Eastern States Office, Bureau of Land Management, 7981 Eastern Avenue, Silver Spring, Maryland 20910.

LOWELL J. UDY,
Director,
Eastern States Office.

OCTOBER 30, 1973.

[FR Doc. 73-23486 Filed 11-2-73; 8:45 am]

National Park Service

[Order No. 2]

ADMINISTRATIVE OFFICER, ET AL.

Delegation of Authority Regarding

Delegation of Authority Regarding Execution of Contracts and Purchase Orders for Equipment Supplies or Services

1. *Administrative Officer.* The Administrative Officer, Assateague Island National Seashore, may execute, approve, and administer contracts not in excess of \$25,000 for supplies, equipment or services in conformity with applicable regulations and statutory authority and subject to the availability of appropriations.

2. *General Supply Specialist.* The General Supply Specialist, Assateague Island National Seashore, may issue Purchase Orders not in excess of \$2,000 for supplies, equipment or services in conformity with applicable regulations and statutory authority and subject to the availability of appropriations.

3. This order supersedes Order No. 1 dated November 15, 1966 and published 32 FR 15 on January 4, 1967.

(National Park Service Order No. 77, (38 FR 7478) as amended; Northeast Region Order No. 7 (37 FR 6325), as amended.)

Dated: September 26, 1973.

RAYMOND L. SMITH,
Acting Superintendent, Assateague Island National Seashore.

[FR Doc. 73-23472 Filed 11-2-73; 8:45 am]

National Park Service

HONOKOHAU STUDY ADVISORY COMMISSION

Notice of Meeting

Notice is hereby given in accordance with the Federal Advisory Committee Act that a meeting of the Honokohau Study Advisory Commission will be held from 9:00 a.m. to 3:00 p.m., November 10, 1973, at the Bernice Pauahi Building Conference Room, The Kamehameha Schools, Honolulu, Hawaii.

The Commission was established by Public Law 92-346 to provide advice to the Secretary of the Interior on matters relating to the making of a study of the feasibility and desirability of establishing as a part of the National Park System an area comprising the site of Honokohau National Historic Landmark.

Members of the Commission are as follows:

Colonel Arthur Chun, Kailua-Kona (Chairman).
Rev. Henry K. Boshard, Kailua-Kona.
Mr. Nani Mary Bowman, Honolulu.
Mr. Fred Cachola, Waianae.
Mr. Alika Cooper, Hilo.
Dr. Kenneth P. Emory, Honolulu.
Mr. Homer A. Hayes, Honolulu.
Mr. Kwai Wah Lee, Hilo.
Ms. Iolani Luahine, Kailua-Kona.
Mr. George Naope, Hilo.
Mrs. Abbie Napeahi, Hilo.
Mr. George Pinehaka, Honauau, Kona.
Mr. David K. Roy, Kailua-Kona.
Mr. Pilipo Springer, Holualoa.
Mrs. Emily Kaai Thomas, Honolulu.

The matters to be considered at the meeting are to review alternatives for the report and draft of report material.

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

Persons wishing further information concerning the meeting, or who wish to submit written statements, may contact Robert L. Barrel, State, Director, Hawaii, National Park Service, 677 Ala Moana Boulevard, Suite 512, Honolulu, HI 96813.

Minutes of the meeting will be available for public inspection four weeks after the meeting at the Office of the State Director, Hawaii, and the Regional Director, Western Region, National Park Service, 480 Golden Gate Avenue, San Francisco, CA 94102.

Dated: October 31, 1973.

ROBERT M. LANDAU,
Liaison Officer, Advisory Com-
missions, National Park Serv-
ice.

[FR Doc.73-23518 Filed 11-2-73;8:45 am]

Office of the Secretary
OUTER CONTINENTAL SHELF
Leasing Beyond 200 Meters

This notice supersedes notices in the *FEDERAL REGISTER* of April 20, 1973, page 9839, July 3, 1973, page 17743, and October 2, 1973, page 27307, in which the Bureau of Land Management called for nominations for areas for oil and gas leasing under the Outer Continental Shelf Lands Act for areas offshore Louisiana on the U.S. outer continental shelf, seaward of 200 meters insofar as those notices related to the President's Oceans Policy Statement of May 23, 1970.

It has been determined that it will not be necessary to insert any additional provisions in leases to be issued beyond the 200 meter isobath to comply with the President's Oceans Policy and to accommodate the international negotiations now in progress regarding the law of the sea.

This determination has been made because it is the opinion of the Department of the Interior that no changes in the current form of leases for outer continental shelf exploration and exploitation are required to ensure the effective compliance by the United States with any new international treaty standards which may result from the present international negotiations on the law of the sea.

Pursuant to the President's statement of May 23, 1970, establishing the United States Oceans Policy, the United States is seeking to achieve international agreement in the United Nations Conference on the Law of the Sea which among other things would require that in exercising their rights on the seabed, coastal nations be obliged to conform their activities to any international standards provided for in any Convention on the Law of the Sea to which the United States shall become party, to the extent those standards apply to:

- a. The accommodation of conflicting lawful uses in the area;
- b. The protection of the area from pollution;
- c. The assurance of the integrity of investment made for resource development in the area.

The United States has submitted draft treaty articles to the United Nations on this matter, and these articles as well as the proposals of all other nations in this negotiation regarding the outer continental shelf are on file in the Department of State (D/LOS). After review of the proposals made by other governments, the U.S. Government has concluded that these negotiations on the law of the sea will not result in more extensive obligations on coastal nations regarding the conduct of exploration and exploitation activities in the areas in question than those set forth above. The draft treaty articles submitted by the United States also propose that coastal nations share revenues, and that the treaty be subject to procedures for ensuring coastal State adherence, including peaceful and compulsory settlement of disputes.

Furthermore, these would be obligations of the coastal nation, and would not alter the revenue, financial, and other terms and conditions of leases issued prior to the entry into force of any new law of the sea treaty.

Attention is invited to the National Petroleum Council report "Law of the Sea" of May 1973 which endorses the United States effort to achieve international agreement on these enumerated matters. The National Petroleum Council is an officially constituted advisory body to the Secretary of the Interior.

In view of the positions of the United States and other nations in the law of the sea negotiations with respect to the extent of and conditions for coastal nations jurisdiction over the outer continental shelf and the opinion of the Department of the Interior that existing legal authority is sufficient for the United States to meet any new treaty obligations with respect to the conduct of operations on the outer continental shelf which may be required by any such Convention to which the United States may become a party, it has been determined that it will not be necessary to insert any new provisions in leases issued seaward of the 200 meter isobath.

W. R. WILSON,
Acting Deputy Assistant Secretary
of the Interior.

NOVEMBER 2, 1973.

[FR Doc.73-23598 Filed 11-2-73;9:57 am]

DEPARTMENT OF COMMERCE
Domestic and International Business
Administration
GEORGIA INSTITUTE OF TECHNOLOGY

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.*).

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: 73-00295-98-90000. Applicant: Georgia Institute of Technology, Atlanta, Ga. 30332. Article: Lithium-Drifted Silicon x-ray and electron detector. Manufacturer: SIMTEC Industries, Inc., Canada. Intended use of article: The foreign article will be used in several basic academic research programs including some to be undertaken as Ph. D. thesis work. These programs will investigate inner shell transitions involving $M_{1/2}$ subshell electrons, $L_{1/2}$ subshell fluorescence and Coster-Kronig yields and mean L-shell fluorescence yields.

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 has been encapsulated to provide the capability for being cleaned of alpha decay products and vacuum pump oil. The National Bureau of Standards (NBS) advised in its memorandum dated October 15, 1973 that the capability described above is pertinent to the applicant's use in research on electron subshell transitions and associated fluorescence. NBS also advised that it knows of no domestic instrument of equivalent scientific value to the foreign article for the applicant's intended use.

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.

(Catalog of Federal Domestic Assistance Program, No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

[FR Doc.73-23437 Filed 11-2-73;8:45 am]

UNIVERSITY OF CALIFORNIA—
LIVERMORE

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

NOTICES

during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 73-00571-75-47500. Applicant: University of California, Lawrence Livermore Laboratory, P.O. Box 808, Livermore, California 94550. Article: Two (2) Monochrometers type THR with Photomultiplier attachment type PMB 6256. Manufacturer: Jobin-Yvon, France. Intended use of article: The article is intended to be used in a laser isotope separation program to make spectroscopic measurements on atomic and molecular vapor samples. The materials to be studied include europium and other rare metals, uranium, uranium hexafluoride and other uranium compounds.

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 the capability for resolution in the first order of greater than 1:270.00. The National Bureau of Standards (NBS) advised in its memorandum dated October 9, 1973 that the capability described above is pertinent to the purposes for which the article is intended to be used. NBS also advised that it knows of no domestic instrument or apparatus of equivalent scientific value to the foreign article for the applicant's intended use.

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.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

[FR Doc. 73-23436 Filed 11-2-73; 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: 73-00291-98-54200. Applicant: Yale University, Purchasing Department, 260 Whitney Avenue, New Haven, CT. 06520. Article: Extended Interaction Oscillator. Manufacturer: Var-

ian Associates of Canada Ltd., Canada. Intended Use of Article: The article is intended to be used for atomic beam magnetic resonance measurement of fine structure of 2^P state. This will involve precision measurement of fundamental physical constants, precision test of quantumelectrodynamics, and check on recent theoretical calculations of He properties and wave functions.

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 an oscillator frequency of 32.6 gigahertz (GHz) with a power output of 50 watts minimum. The National Bureau of Standards advised in its memorandum dated October 17, 1973 that the capability described above is pertinent to the purposes for which the article is intended to be used. NBS also advised that it knows of no domestic instrument of equivalent scientific value to the foreign article for the applicant's intended use.

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.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

[FR Doc. 73-23435 Filed 11-2-73; 8:45 am]

Office of the Secretary
MANAGEMENT-LABOR TEXTILE ADVISORY COMMITTEE

Notice of Meeting

NOVEMBER 1, 1973.

The Management-Labor Textile Advisory Committee will meet at 2 p.m. on November 14, 1973, in Room 6802, Department of Commerce, 14th and Constitution Avenue NW., Washington, D.C. 20230.

The Committee, which is comprised of 40 members representing the industry, trade associations, and trade unions, advises Department officials on conditions in the textile industry and on trade in textiles and apparel.

The agenda for the meeting is as follows:

1. Review of Import Trends.
2. Implementation of Textile Agreements.
3. Report on Conditions in the Domestic Market.
4. Other Business.

A limited number of seats will be available to the public. The public will be permitted to file written statements with the committee before or after the meeting. To the extent time is available at the end of the meeting the presentation of oral statements will be allowed.

Portions of future meetings which concern subjects not listed above will be open to public participation unless it is determined, in accord with section 10(d) of the Federal Advisory Committee Act and the OMB-Justice memorandum on Advisory Committee Management, that specifically identified portions will be closed.

Further information concerning the Committee may be obtained from Arthur Garel, Director, Office of Textiles, Main Commerce Building, U.S. Department of Commerce, Washington, D.C. 20230.

SETH M. BODNER,
Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary for Resources and Trade Assistance.

[FR Doc. 73-23550 Filed 11-2-73; 8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Alcohol, Drug Abuse, and Mental Health Administration

NATIONAL ADVISORY COUNCIL ON ALCOHOL ABUSE AND ALCOHOLISM

Notice of Meeting

The Interim Administrator, Alcohol, Drug Abuse, and Mental Health Administration, announces the following meeting dates and other required information for the National Advisory Council on Alcohol Abuse and Alcoholism scheduled to assemble in November 1973:

Name of committee	Date, time, place	Type of meeting and contact person
National Advisory Council on Alcohol Abuse and Alcoholism.	November 19-20, 1973, 9:30 a.m.-5:00 p.m., HEW Parklawn Bldg., Conference Room F, 5600 Fishers Lane, Rockville, Md. 20852.	November 19-20-Closed. Mrs. Delores del Metoyer Finister, Parklawn Bldg., Room 16-C-17, Rockville, Md. 20852, Phone: 301-443-2554.

PURPOSE

To advise the Secretary of Health, Education, and Welfare regarding policy direction and program issues of national significance in the area of alcohol abuse and alcoholism; to review all grant applications submitted, and to evaluate these applications in terms of scientific merit and coherence with Department policies.

AGENDA

November 19, will be devoted to a discussion of (1) policy issues, (2) a progress report on activities of the National Center for Alcohol Education, (3) legislative actions affecting the ADAMHA/NIAAA, and (4) program developments.

On November 20, the Council will conduct a final review of grant applications for Federal assistance and this session will not be open to the public in accordance with the determination by the Interim Administrator, Alcohol, Drug

Abuse, and Mental Health Administration, and pursuant to the provisions of Public Law 92-463, section 10(d).

Agenda items are subject to change as priorities dictate.

Substantive program information may be obtained from the contact person listed above.

The NIAAA Information Officer who will furnish summaries of the meeting and a roster of committee members is Mr. Harry C. Bell, Associate Director for Public Affairs, National Institute on Alcohol Abuse and Alcoholism, Room 6-C-15, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20852, telephone: 301-443-3306.

Date: October 29, 1973.

ROGER O. EGERBERG,
Interim Administrator, Alcohol,
Drug Abuse, and Mental
Health Administration.

[FR Doc.73-23479 Filed 11-2-73; 8:45 am]

Food and Drug Administration
[FAP 2A2810]

NATIONAL MARINE FISHERIES SERVICE
Notice of Withdrawal of Petition for Food
Additives

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b), 72 Stat. 1786; 21 U.S.C. 348(b)), the following notice is issued:

In accordance with § 121.52 *Withdrawal of petitions without prejudice* of the procedural food additive regulations (21 CFR 121.52), National Marine Fisheries Service, Department of Commerce, Washington, DC 20235 has withdrawn its petition (FAP 2A2810), notice of which was published in the *FEDERAL REGISTER* of August 2, 1972 (37 FR 15443), proposing that § 121.1202 *Whole fish protein concentrate* (21 CFR 121.1202) be amended by raising the limit on the level of residue of isopropyl alcohol that may be present in whole fish protein concentrate.

Dated: October 25, 1973.

ALBERT C. KOLBYE, JR.
Acting Director, Bureau of Foods.
[FR Doc.73-23433 Filed 11-2-73; 8:45 am]

**DEPARTMENT OF
TRANSPORTATION**

National Highway Traffic Safety
Administration

HIGHWAY SAFETY PROGRAMS

Standard for Devices to Measure Breath
Alcohol

The purpose of this notice is to publish the details of a program for development of a qualified products list for use by the National Highway Traffic Safety Administration, and by State and local governments using Federal funds for purchasing evidential breath-testing equipment.

The Highway Safety Act of 1966 provides that each State shall have a high-

way safety program designed to reduce motor vehicle accidents and deaths, injuries and property damage resulting therefrom. The Secretary of Transportation is charged with the responsibility for developing uniform standards for highway safety programs, pursuant to section 402(a) of the Act, and for carrying out a research and demonstration program, pursuant to section 403 of the Act. From the outset of the program, development of a broadly-based alcohol countermeasures program has been a high priority. Highway Safety Program Standard No. 8 covers Alcohol in Relation to Highway Safety, and establishes requirements for the alcohol-related aspects of the State programs. The standard includes requirements for legislative actions (such as development of implied consent laws, and laws establishing presumptive levels of intoxication), as well as for development of breath testing and other law enforcement capabilities. The NHTSA has also conducted a vigorous research and demonstration effort to advance the available technology in this field.

In these efforts it has been clear that development and use of accurate testing devices is essential. All jurisdictions covered by the Act now have implied consent statutes. All but four have statutes establishing a 0.10 percent blood alcohol level or lower as a presumptive level of intoxication. Some States have also recently adopted statutes establishing a certain blood alcohol level as illegal "per se", for a person in control of a motor vehicle.

In addition to a requirement in Standard No. 8 for development of controls relating to breath-testing activities, Volume 8 of the Highway Safety Program Manual provides additional guidelines for assisting States in implementing programs. Section IV, paragraph 3 of the Manual deals with chemical tests for alcohol impairment. The requirements with respect to breath tests are further specified in subsection 3(c), "Analysis of Breath". This section provides certain specifications for the accuracy of breath-testing equipment to be used in the law enforcement process. With the rapidly advancing breath-sensing technology there has been a proliferation of new devices being offered on the market for use by police in enforcement programs. As a result of these developments there is a need for an extension of the requirements currently provided in Volume 8 of the Manual. Officials from State and local governments have requested guidance in making purchases; court developments have highlighted the importance of accuracy; and the continuing use of Federal funds for purchasing breath-testing equipment makes it important to ensure effective expenditure of the funds.

To meet this need a variety of standards are being developed by the National Bureau of Standards (NBS) for the NHTSA. The first of these standards covers evidential breath-testing devices. The development of this standard included a review of the current state of the

art in breath-testing devices to develop a performance standard against which devices could be tested and a qualified products list developed. The effort began initially in the Committee on Alcohol and Drugs of the National Safety Council (NSC) and has been carried through by the NHTSA in close collaboration with the National Bureau of Standards. Since many manufacturers may wish to sell products to the NHTSA and State and local governments using Federal funds it was decided that a comment and assistance on the standards would be sought from manufacturers as well as from scientific and other technological experts. In December 1972, manufacturers were sent copies of the draft standard for review. The NBS mailed a draft of the standard, with a request for comments or suggestions, to 22 manufacturers, 52 State governors' representatives and highway safety coordinators (with a request that they forward an additional enclosed copy of the draft to their State official responsible for selecting or purchasing breath-testing equipment), and 21 other experts in the field, most of whom were members of the Executive Board of the Committee on Alcohol and Drugs, National Safety Council. Replies have been received from 12 manufacturers, 30 State officials, and 6 other experts. Comments were also received from an ad hoc review subcommittee of the National Safety Council Committee on Alcohol and Drugs.

Generally the letters approved of the draft, although most letters contained suggestions for change. Subjects most frequently mentioned were the system of units, the definition of blood alcohol equivalent (BAQ) and the specificity test using alcohol-free subjects.

As a result of these suggestions, the units for blood alcohol concentration were changed from mg/ml to the more familiar percent weight by volume (percent W/V) based upon grams of alcohol per 100 milliliters of blood. The definition of BAQ was eliminated. The name of the specificity test was changed to "Blank Reading" test. The scope of the standard was also changed to include mobile evidential breath testers.

Three letters suggested that the precision and accuracy tolerances were too tight and three others (including the Committee on Alcohol and Drugs) suggested that these tolerances were too loose. After restudying the data, NBS decided not to change these tolerances, which are based on a chi-square test at the 95-percent confidence level using data from 90 tests at NBS with three different breath testers at the three concentration levels.

Notice of the availability of the draft for review was also published in the *Commerce Business Daily* in December 1972.

The result of this review and deliberation is the standard testing procedure set forth below. Items meeting the standard will be included on a qualified products list that will be used to determine acceptability for purchase by the Federal Government in its efforts and for

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purchase by the State and local governments with funds available pursuant to section 402(a) of the Act.

Qualification testing to these standards, of products submitted by manufacturers, will be conducted by the DOT Transportation Systems Center (TSC), 55 Broadway, Cambridge, Massachusetts 02142. The National Bureau of Standards will act as consultants to the Transportation Systems Center in the conduct of these tests. Tests will be conducted semi-annually. Manufacturers wishing to submit devices for evaluation must apply for a test date to the Department Systems Center not later than 4 weeks after publication of this notice. Normally, at least 30 days will be required from the date of notification until the test can be scheduled. One week prior to the scheduled initiation of the testing program, the manufacturer will deliver two units of his equipment to TSC. In addition to the Operator's Manual and the Maintenance Manual normally supplied with the purchase of this equipment, the manufacturer shall deliver to TSC specifications and drawings which fully describe these units. Proprietary information will be respected.

The two units submitted must be a prototype model. One of the two units will be returned to the manufacturer at the end of the testing period. The United States will reserve the right to purchase the remaining device at its discretion. The manufacturer will have the right to check his units between the arrival in Cambridge and the start of the test, but will have no access to the units during the tests. Any malfunction of the device which results in failure to complete any of the tests satisfactorily will result in failure of the qualification program. If a device fails, it may be resubmitted for next testing series.

All testing is expected to be completed within 3 months of the date of publication of this notice. The test results will be transmitted to each manufacturer. On the basis of these results, the NHTSA will develop a qualified products list covering the evidential breath-testing equipment. It is expected that within 6 months of the publication of this notice an NHTSA Directive will be issued amending Volume 8 of the Highway Safety Program Manual to include the qualified products list as a funding criteria. Only devices appearing on this list will be purchased with Federal funds available under sections 402(a) or 403 of the Act. However, units not on the list may be purchased by DOT or NBS for experimental or developmental testing.

Retesting of devices will be conducted under several circumstances. First, it is expected that annual periodic testing will be conducted using devices purchased on the open market. Second, the NHTSA intends to modify and improve these standards as new data and test procedures become available. It is intended, for example, to add to the standards another section defining means of checking for the capability of a device to collect deep lung air by the use of rebreathing techniques. It is also intended to

increase the requirements for accuracy and precision if warranted by cost-effectiveness considerations. A requirement may be added for instruments to produce a permanent record of the test results. Comments and recommended revisions are invited from all interested parties. Suggestions should be addressed to the Associate Administrator, Traffic Safety Programs, National Highway Traffic Safety Administration, DOT, 400 7th Street, SW, Washington, D.C. 20590. Notification will be provided in the *FEDERAL REGISTER* of each such modification. The manufacturers whose equipment has already been tested to the standard will be notified to resubmit the equipment for testing to the new specification only.

Third, if at any time a manufacturer changes the design of a device currently on the NHTSA qualified products list, the manufacturer should submit the proposed changes to the DOT Transportation Systems Center for review. Based on this review, the NHTSA will decide whether the change will require retesting of the unit. Normally, such retesting will be accomplished at the next annual testing period. In special cases, however, the NHTSA may, at its option, permit an earlier retesting of the device.

Fourth, the DOT Transportation Systems Center will, on behalf of NHTSA, establish a Standards Compliance Information System (SCIS) for the purpose of eliciting information on the performance of devices listed on the NHTSA qualified products list. Reports will be solicited from State and local agencies on their acceptance testing. In addition, field performance data will be obtained from law enforcement agencies using the equipment. User reports will be elicited to assure that (1) devices continue to perform according to the NHTSA standard, and (2) experience in field use does not indicate an excessive breakdown rate or maintenance problems.

If information gathered through the SCIS indicates that an instrument on the qualified products list is not performing in accordance with the NHTSA standard, the Transportation Systems Center will initiate a special investigation. This study may include visits to users and additional tests of the device obtained from the open market. If this investigation indicates that the devices actually sold on the market are not meeting the NHTSA standard, then the manufacturer will be notified that the instrument may be dropped from the qualified products list. In this event the manufacturer shall have 30 days to reply.

Based on the DOT Transportation Systems Center investigation and the data presented in reply by the manufacturer, the NHTSA will make a determination as to whether the instrumentation should remain on the qualified products list. Devices dropped from the list may not be resubmitted for reconsideration for a period of 1 year. Upon resubmission, the manufacturer must submit a statement describing what has been done to overcome the problems which led to the dropping of the device in question from the list.

The primary objective of these standards is to ensure that Federal funds provided to the States under Section 402 of the Highway Safety Act are expended only for effective breath test equipment. A second objective of these standards is to assist the State and local communities by providing a centralized qualification test program for breath-testing devices designed to collect evidence in law enforcement programs. These standards are not intended to replace the current qualification programs required in certain States for this equipment or to directly regulate the manufacture of breath-testing equipment. However, some States may wish to make use of this program in addition to setting their own requirements. Finally, it is hoped that these standards can assist industrial organizations in producing breath test equipment by establishing a minimum national performance standard against which they can develop their designs.

Accordingly, the DOT performance standard for evidential breath testers to measure alcohol content shall be as set forth below.

(23 U.S.C. 402, 403.)

Issued on: October 30, 1973.

WILLARD Y. HOWELL,
*Acting Associate Administrator,
Traffic Safety Programs, National Highway Traffic Safety Administration.*

EVIDENTIAL BREATH TESTERS FOR ALCOHOL CONTENT

1. Purpose and Scope. The purpose of this standard is to establish performance requirements and methods of test for evidential breath testers. Evidential breath testers (EBT) are instruments which measure the alcohol content of deep lung samples of breath with sufficient accuracy for evidential purposes. The standard as a whole is intended primarily for use in qualification testing of EBT.

2. Classification.

2.1 Mobility. **2.1.1 Mobile evidential breath testers.** EBT which are designed to be transported to nonfixed operational sites in the field.

2.1.2 Nonmobile evidential breath testers. EBT which are designed for operation at a fixed location.

2.2 Power source.

2.2.1 Battery powered evidential breath testers. EBT which are powered by batteries.

2.2.2 A.C. powered evidential breath testers. EBT which are powered from the a.c. power lines.

3. Definitions.

3.1 Alcohol. Ethanol; ethyl alcohol.
3.2 Blood alcohol concentration (BAC). Blood alcohol concentration, expressed in percent weight by volume (percent w/v) based upon grams of alcohol per 100 milliliters of blood in accordance with the Uniform Vehicle Code.¹

¹ Copies of the Uniform Vehicle Code Supplement 1 1972 are available from the National Committee on Uniform Traffic Laws and Ordinances, 955 North L'Enfant Plaza, SW, Washington, D.C. 20024.

§ 11-902.1(a) (Supplement 1, 1972). A BAC of 0.10 percent w/v is equivalent to 0.10 grams of alcohol per 100 milliliters of blood (0.10g/100ml or 1.0mg/ml).

Alcohol concentrations in either breath or in vapor mixtures are expressed in milligrams of alcohol per liter of vapor (mg/l). For convenience, an equivalent BAC will be given in percent w/v in parentheses. To convert a vapor concentration in units of mg/l to units of percent w/v, multiply by 0.21.

3.3 *Qualification tests.* Tests performed to check the compliance of a product with the requirements of a standard in advance of, and independent of, any specific procurement action.

3.4 *Standard deviation.* A common indication of precision among repeated measurements of a single quantity given by:

$$\text{Standard Deviation} = \sqrt{\frac{\text{Sum } (X - \bar{X})^2}{N-1}}$$

where:

N = the number of measurements,
X = the value of a single measurement, and
 \bar{X} = the mean of all X's.

An equivalent formula which is often more convenient for performing calculations is:

$$\text{Standard Deviation} = \sqrt{\frac{SS}{N-1}}$$

$$\text{where } SS = \text{Sum of } X^2 - \frac{(\text{Sum of } X)^2}{N}$$

3.5 *Systematic error.* The difference between the mean measured value and the known value, expressed as a percentage of the known value.

4. Requirements.

4.1 *Precision.* Evidential breath testers shall measure the alcohol content of vapor mixtures with an average standard deviation of no more than 0.02 mg/l (0.004 percent W/V) when tested in accordance with 5.1.

4.2 *Accuracy.* Evidential breath testers shall measure the alcohol content of vapor mixtures with a systematic error of no more than plus or minus 10 percent at an ethanol vapor concentration of 0.24 mg/l (0.050 percent W/V), and no more than plus or minus 5 percent at concentrations of 0.48 mg/l (0.10 percent W/V) and 0.72 mg/l (0.15 percent W/V), when tested in accordance with 5.2.

4.3 *Blank reading.* Evidential breath testers shall indicate an average instrument reading of no more than 0.048 mg/l (0.010 percent W/V) when breath from alcohol-free subjects is tested in accordance with 5.3.

¹This conversion factor is based on a commonly used value recommended by the Committee on Alcohol and Drugs of the National Safety Council; that is, 2.1 liters of "deep lung" air at 34°C contains approximately the same quantity of ethanol as 1 ml of circulating pulmonary arterial blood. See, for example, R. N. Harger, R. B. Forney and R. S. Baker, "Estimation of the Level of Blood Alcohol from Analysis of Breath," Quarterly Journal of Studies on Alcohol, 17, 1-18 (1956).

4.4 *Breath sampling.* Since the breath/blood correlation will be poor if an improper breath sample is taken, the instrument reading shall be compared with direct measurements of capillary or venous whole blood samples, in accordance with 5.4, to test for deep-lung sampling performance.

Note.—The use of this test in the standard does not imply that direct blood measurements are necessarily the only possible means for checking the deep-lung sampling performance of the instrument. If an acceptable performance test which involves breath alcohol measurement alone is developed, revision of this standard will be considered.

4.4.1 The limits to bias in breath/blood correlation shall be zero and ± 0.020 percent W/V as determined by the value of \bar{Y} , the evidential breath tester reading corresponding to a BAC of 0.10 percent W/V on the breath/blood correlation line drawn in accordance with 5.4.13. That is, the value of \bar{Y} shall be between 0.08 and 0.10 percent W/V.

4.4.2 At least seven of the eight breath-alcohol data points calculated in 5.4.10 shall not depart from the breath/blood correlation line by more than ± 0.020 percent W/V. That is, at least seven of the eight breath-blood points plotted in accordance with 5.4.12 shall lie between the two lines drawn in accordance with 5.4.14 parallel to the breath/blood correlation line and passing through the points $\bar{Y} + 0.020$ and $\bar{Y} - 0.020$ percent W/V.

4.5 Power.

4.5.1 When a.c. powered evidential breath testers are operated at a.c. line voltages of 108 volts and 123 volts (rms) in accordance with 5.5, the systematic errors shall not exceed plus or minus 5 percent, and the standard deviations shall not exceed 0.02 mg/l (0.004 percent W/V).

4.5.2 Battery powered evidential breath testers shall have an indicator which warns when the accuracy and precision requirements (4.1 and 4.2), cannot be met because of battery condition.

4.5.3 The operator's manual supplied with battery powered evidential breath testers shall state the approximate number of breath tests which can be performed before battery replacement or recharging is necessary.

4.6 Ambient conditions.

4.6.1 Evidential breath testers shall meet the requirements of this standard when operated within the following ambient conditions.

(a) Temperature: 20°C (68°F) to 30°C (85°F).

(b) Pressure: 635 mm (25 in) to 787 mm (31 in) Hg.

(c) Relative Humidity: 10-90 percent.

4.6.2 When an evidential breath tester is designed for operation at temperatures outside the limits specified in 4.6.1.a, the instrument shall be tested in accordance with 5.6 at each of the specified limits outside the range 20°C to 30°C. The systematic errors shall not exceed plus or minus 5 percent and the standard deviations shall not exceed 0.02 mg/l (0.004 percent W/V).

4.6.3 If a temperature correction is required, this correction shall not exceed 20 percent of the uncorrected value.

4.7 *Vibration stability of mobile EBT.* Evidential breath testers shall measure the alcohol content of vapor mixtures with a systematic error of no more than plus or minus 5 percent and a standard deviation of no more than 0.02 mg/l (0.004 percent W/V) after they have been subjected to the vibration test in accordance with 5.7.

4.8 *Electrical safety.* Evidential breath testers shall meet the following requirements of the American National Standard Electrical Safety Requirements, ANSI C 39.5-1964: 3.1, Shock Hazard; 3.1.1, Grounding; 3.4, Flammability; 4.1.1, Marking of Terminals; 4.1.3, Male Plugs; 4.2.1, Internal (Wiring and Cabling); and 4.4, Over-Current Protection.

4.9 *Operator's manual.* An operator's manual shall be supplied by the manufacturer or distributor with each evidential breath tester. This manual shall clearly state the instructions for operation and maintenance of the instrument, and shall include the following information.

(a) The ranges of temperature, atmospheric pressure and relative humidity within which the instrument is designed to be operated.

(b) Any temperature corrections to compensate for ambient temperatures outside the range given in 4.6.1.a.

5. *Test methods.* The ambient conditions of temperature, pressure, and humidity shall be within the ranges specified in 4.6.1 during the tests described in 5.1, 5.2, 5.3, 5.4, 5.5, and 5.7.

5.1 Precision test using known ethanol vapor concentrations.

5.1.1 Connect a device which supplies known concentrations of ethanol vapor to the evidential breath tester in accordance with the instructions in the operator's manual. The device and the ethanol mixture used therein shall meet the requirements of the standard for breath tester calibrating units.

5.1.2 Flush the sampling assembly of the instrument completely with the alcohol vapor sample as described in the operator's manual.

5.1.3 Using the evidential breath tester, measure each of the three known ethanol vapor concentrations listed below ten times:

- (a) 0.24 mg/l (0.050 percent W/V).
- (b) 0.48 mg/l (0.10 percent W/V).
- (c) 0.72 mg/l (0.15 percent W/V).

5.1.4 For each of the three sets of ten measurements made in accordance with 5.1.3, calculate the standard deviation. (See sample calculation in appendix A.) Add the three standard deviations and divide by 3 to obtain the average standard deviation.

5.2 Accuracy test using known ethanol vapor concentrations. Use the test

¹Copies of this ANSI publication may be obtained from the American National Standards Institute, Inc., 1430 Broadway, New York, New York 10018.

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data obtained in accordance with 5.1 to calculate the systematic error at each of the three known vapor concentrations.

5.3 *Blank test using alcohol-free test subjects.*

5.3.1 Select five test subjects in generally good physical condition. The test subjects shall have consumed no alcoholic beverage during the 2-day period prior to testing and no more than the equivalent of 3 ounces of 100-proof liquor during the 4-day period prior to testing.

5.3.2 At least two of the five subjects selected shall be smokers and shall smoke at least once during the 2-hour period preceding the start of testing, but shall stop at least 20 minutes before the start of testing.

5.3.3 Take a breath sample from each test subject and obtain an instrument reading, allowing sufficient instrument recovery time (i.e., the time necessary to properly clear the evidential breath tester when following the operating instructions) between measurements.

5.3.4 Repeat 5.3.3 to obtain a total of ten measurements.

5.4 *Breath sampling test.*

5.4.1 Select eight test subjects in generally good physical condition.

5.4.2 The subjects' body temperatures measured orally shall be between 97.0° F and 99.5° F just prior to the start of testing.

5.4.3 Alcoholic beverages (mixed if desired with a non-alcoholic beverage) shall be consumed by the eight subjects over a period of 1 to 2 hours. A very light meal consisting of one sandwich and a non-alcoholic beverage shall be offered to the subjects before the start of the drinking period. Smoking shall be permitted if desired during the drinking period.

5.4.4 The eight subjects shall be divided into two groups of four. Each subject shall be given a different amount of alcoholic beverage to drink, to ensure that there is a distribution of BAC's within each group, and that Group I BAC's are within the range 0.04 to 10 percent W/V and Group II BAC's are within the range 0.1 to 0.2 percent W/V. Table 1 shall be used as a guide to calculate the consumption of alcoholic beverages necessary for a subject to reach a particular BAC. No constraints on body weight of subjects is implied in table 1. However, the listed amounts of liquor should be adjusted for light and heavy subjects.

TABLE 1

BAC, percent W/V	Amount of 100-proof liquor consumed	Body weight, pounds
0.05-0.06	3 ounces	175-150
0.10-0.12	5½ ounces	175-150
0.20-0.23	10 ounces	175-150

5.4.5 A waiting period preceding the taking of a breath sample from each subject in accordance with 5.4.7.1 shall begin when he has consumed all of the alcoholic beverage given him. The duration of this waiting period shall be at least 90 minutes if capillary blood samples are to

be drawn, and 120 minutes if venous blood samples are to be drawn. During the waiting period the subjects shall not consume any alcoholic beverages. Those subjects who smoke may do so, but shall stop at least 20 minutes before the testing begins.

5.4.6 Blood samples, to be taken by a medically qualified person, shall be either venous blood from the cubital arm vein or capillary blood from the finger tip.

5.4.7 Instruct each subject individually as to the manner in which a breath specimen is to be delivered to the instrument under test, in accordance with the operator's manual. The test shall then proceed as follows.

5.4.7.1 Take the subject's breath sample and obtain the instrument reading.

5.4.7.2 Take a blood sample within 2 minutes after taking the breath sample.

5.4.7.3 Repeat 5.4.7.1 taking care that the breath testing instrument has had sufficient recovery time, but allowing no more than 6 minutes between the taking of the first and second breath samples.

The blood samples shall be analyzed within 72 hours after being taken, using a method of analysis which meets the requirements of 5.8. No less than two determinations of alcohol concentration shall be made on each blood sample.

5.4.8.1 A reference sample of known concentration of ethanol in whole blood in the range between 0.05 and 0.20 percent W/V shall be prepared by the analyzing laboratory, and five determinations of the reference sample ethanol concentration shall be made concurrently with the analysis of the blood samples.

5.4.8.2 The analysis of the reference sample and the blood samples shall be considered acceptable only if—

(a) The standard deviation of the five determinations of the reference sample concentration does not exceed 0.005 percent W/V; and

(b) The systematic error of the five determinations of the reference sample concentration does not exceed plus or minus 5 percent.

5.4.9 Calculate the average of the BAC measurements for each test subject. Let the letter X equal this average BAC, and use the subscripts 1 to 8 to designate the test subjects in ascending order of alcohol concentration (i.e., X_1, X_2, \dots, X_8).

5.4.10 Calculate the averages of the duplicate instrument readings made in accordance with 5.4.7 for each test subject. Convert if necessary to the same units used in 5.4.9 (percent W/V) by means of the conversion factor 0.21 (see footnote 2). Designate each average instrument reading with the letter Y and the same subscript used to identify the subject in accordance with 5.4.9.

5.4.11 Compute the following averages, and designate them as indicated.*

(a) X_n , as the average of X_1, X_2, \dots, X_8 .

(b) X_L , as the average of X_1, X_2, \dots, X_8 .

* See appendix B for a sample calculation. An additional example may be found on pages 5-27, paragraph 5-4.3.2 of NBS Handbook 91, "Experimental Statistics," available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

(c) Y_n , as the average of Y_1, Y_2, \dots, Y_8 .

(d) Y_L , as the average of Y_1, Y_2, \dots, Y_8 .

(e) \bar{X} , as the average of all eight X values.

(f) \bar{Y} , as the average of all eight Y values.

5.4.12 Plot on graph paper the points corresponding to (\bar{X}, \bar{Y}) , (X_n, Y_n) , (X_L, Y_L) and the eight breath-blood points corresponding to $(X_1, Y_1), (X_2, Y_2), \dots, (X_8, Y_8)$ (see figure in appendix B).

5.4.13 Draw a straight line, referred to as the "breath/blood correlation line" through the point (\bar{X}, \bar{Y}) and parallel to a line (not drawn in the graph) joining the points (X_L, Y_L) and (X_n, Y_n) .

5.4.14 Draw two lines parallel to the breath/blood correlation line and passing through the points $\bar{Y} + 0.020$ and $\bar{Y} - 0.020$ W/V.

5.5 *Power line voltage test.*

5.5.1 Apply line power to the a.c. powered EBT under test through a variable autotransformer having a nominal input voltage of 117 volts a.c. and an output adjustable between 0 and 130 volts, and having a current rating as required by the instrument under test. Any voltage regulating device used with the instrument shall be connected between the variable autotransformer and the instrument under test.

5.5.2 Monitor the autotransformer output voltage with an rms a.c. voltmeter having an accuracy of plus or minus 2 percent in the range of 105 to 125 volts.

5.5.3 Adjust the voltage of the EBT to 108 volts. After at least one-half hour, check the voltage and readjust if necessary. Then immediately measure a known ethanol vapor concentration of 0.48 mg/l (0.10% W/V) ten times as in the precision test (5.1).

5.5.4 Increase the voltage to 123 volts, and at least one-half hour later readjust the voltage if necessary and again measure a known ethanol vapor concentration of 0.48 mg/l (0.10% W/V) ten times.

5.5.5 Calculate the systematic errors and the standard deviations for each of the two sets of ten measurements (obtained with line voltages of 108 volts and 123 volts).

5.6 *Ambient temperature test.*

5.6.1 The test temperatures shall be constant and accurate within plus or minus 3°C throughout the duration of the testing period.

5.6.2 Allow at least 1 hour for the instrument to come to temperature equilibrium after each test temperature change.

5.6.3 Perform steps 5.1.1 and 5.1.2. Measure a known ethanol vapor concentration of 0.48 mg/l (0.10 percent W/V) ten times at each test temperature.

5.6.4 Calculate the average value of the ethanol vapor concentration measured at each test temperature. Apply any temperature corrections specified by the operator's manual to obtain the adjusted average values.

5.6.5 Using the adjusted average values, calculate the systematic error for each set of ten measurements. Also calculate the standard deviation for each set of ten measurements.

5.7 Vibration test for mobile EBT.²

5.7.1 Subject the mobile EBT to vibrations of simple harmonic motion having an amplitude of 0.015 inches (total excursion 0.03 inches) applied initially at a frequency of 10 Hz and increased at a uniform rate of 30 Hz in 2½ minutes, then decreased at a uniform rate to 10 Hz in 2½ minutes.

5.7.2 Subject the unit to vibrations of simple harmonic motion having an amplitude of 0.0075 inches (total excursion 0.015 inches) applied initially at a frequency of 30 Hz and increased at a uniform rate to 60 Hz in 2½ minutes, then decreased at a uniform rate to 30 Hz in 2½ minutes.

5.7.3 Repeat 5.7.1 and 5.7.2 in each of three directions, namely in the directions parallel to both axes of the base and perpendicular to the plane of the base.

5.7.4 Perform steps 5.1.1 and 5.1.2. Measure a known ethanol vapor concentration of 0.48 mg/l (0.10 W/V) ten times, and calculate the systematic error and the standard deviation.

5.8 Blood alcohol methodology test. The analytical measurement system for the blood alcohol concentration determination shall be checked in the testing laboratory at least once prior to that laboratory performing the analysis required in 5.4.8.

5.8.1 The determination of the ethanol concentrations of the reference blood alcohol samples shall be performed by the same laboratory personnel who determine the ethanol concentrations of the test subject blood samples taken in accordance with 5.4. The analysis of the reference samples shall closely parallel the analysis of the test subject blood samples, especially with respect to laboratory conditions and analytical technique.

5.8.2 Prepare with an accuracy of plus or minus 1 percent, a blank (an alcohol-free blood sample), and three reference blood alcohol samples having ethanol concentrations within plus or minus 10 percent of 0.05, 0.100 and 0.200 percent W/V, by adding known quantities of ethanol to alcohol-free whole blood containing a suitable preservative.

5.8.3 Determine the ethanol concentrations of each of the three reference samples and the blank five times.

5.8.4 Compute the means, standard deviations, and systematic errors for each of the four sets of five determinations.

5.8.5 The method of analysis shall be considered acceptable if:

(a) The apparent ethanol concentration of the blank (alcohol-free blood) does not exceed 0.002 percent W/V.

(b) The average of the standard deviations from the analyses of the three reference samples does not exceed 0.005 percent W/V.

(c) The systematic error of the analysis of the 0.05 percent W/V reference

sample does not exceed plus or minus 10 percent; and

(d) The systematic errors of the analyses of the 0.100 and 0.200 percent W/V reference samples do not exceed plus or minus 5 percent.

APPENDIX A

SAMPLE CALCULATIONS OF PRECISION AND ACCURACY

The results of ten sample measurements made in accordance with 5.1 at three known ethanol vapor concentration levels are as follows:

Measure-	0.24 mg/l (0.050	0.48 mg/l (0.10	0.72 mg/l (0.15
ment	percent W/V)	percent W/V)	percent W/V)
1.....	0.045	0.092	0.168
2.....	.046	.097	.149
3.....	.049	.100	.145
4.....	.046	.105	.148
5.....	.045	.091	.146
6.....	.049	.098	.147
7.....	.047	.098	.152
8.....	.050	.102	.147
9.....	.047	.093	.154
10.....	.046	.094	.182
Average.....	.047	.097	.149
S.D.....	.0018	.0042	.0229
Average.....		.0030	
S.D.....	-.6.0	-.3.0	-.0.7

APPENDIX B

SAMPLE CALCULATIONS IN THE DEEP LUNG SAMPLING TEST

B.1 Breath and blood alcohol concentration measurements have been made for each

TABLE 3

Blood	Breath
X % W/V	Y % W/V
X ₁ =0.0510	Y ₁ =0.0510
X ₂ =0.0640	Y ₂ =0.0648
X ₃ =0.0820	Y ₃ =0.0717
X ₄ =0.0880	Y ₄ =0.0899
X ₅ =0.1250	Y ₅ =0.1164
X ₆ =0.1590	Y ₆ =0.1294
X ₇ =0.1900	Y ₇ =0.1577
X ₈ =0.2030	Y ₈ =0.1647

B.2 The average values computed in accordance with 5.4.11 for the above data are:

$$X_L=0.06567\% \text{ W/V} \quad Y_L=0.06250\% \text{ W/V}$$

$$X_H=0.18400\% \text{ W/V} \quad Y_H=0.1506\% \text{ W/V}$$

$$\bar{X}=0.12025\% \text{ W/V} \quad \bar{Y}=0.10570\% \text{ W/V}$$

B.3 The data points and breath/blood correlation line are entered in the sample graph (Figure 1) as required in 5.4.12 and 5.4.13.

B.4 The value of \bar{Y} , as defined in 4.4.1, is equal to 0.091% W/V.

B.5 All eight of the breath/blood points lie between the two lines drawn parallel to the breath/blood correlation line and through the points

$$\bar{Y}+0.020\% \text{ W/V}=0.111\% \text{ W/V}$$

$$\bar{Y}-0.020\% \text{ W/V}=0.071\% \text{ W/V}$$

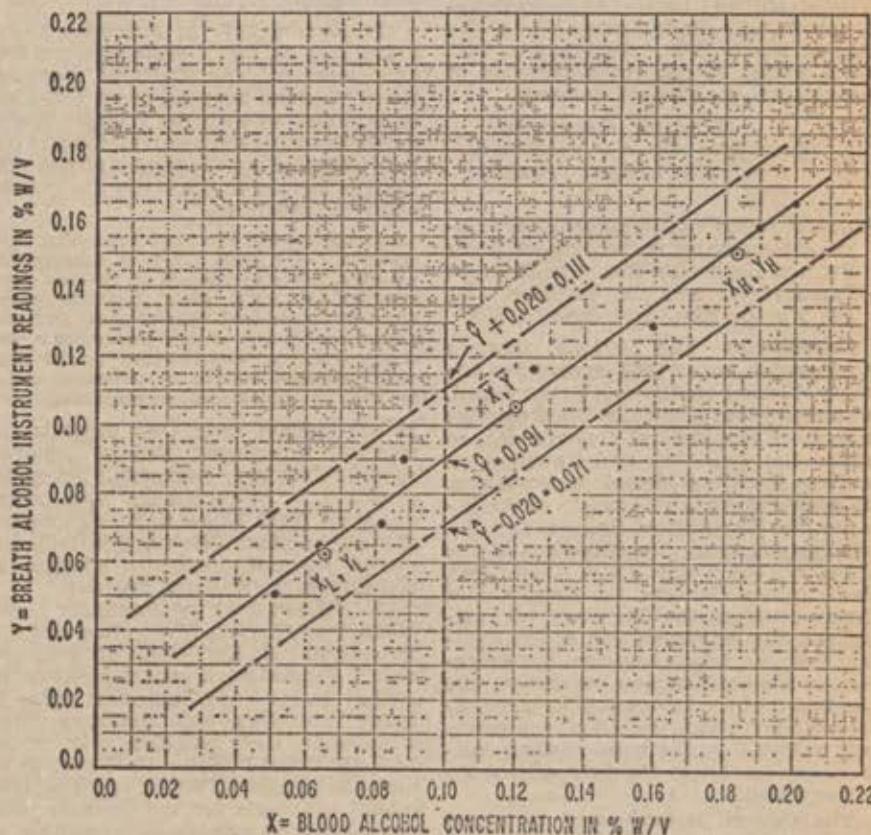


Figure 1- Sample Data from Deep Lung Sampling Test

[FR Doc.73-23369 Filed 11-2-73; 8:45 am]

²This test was taken from EIA Standard RS-204-A (July 1972) which is available from Electronic Industries Association, Engineering Department, 2001 Eye Street NW, Washington, D.C. 20006.

NOTICES

ADVISORY COUNCIL ON HISTORIC PRESERVATION
CULTURAL PROPERTIES
Procedures for the Protection

Pursuant to the National Historic Preservation Act of 1966, (80 Stat. 915, 16 U.S.C. 470) and Executive Order 11593, May 13, 1971, "Protection and Enhancement of the Cultural Environment" (36 F.R. 8921, 16 U.S.C. 470), the Advisory Council on Historic Preservation has proposed steps to implement the purposes of those authorities through the revision of Procedures for Compliance previously set forth in the *FEDERAL REGISTER* of February 28, 1973 (38 FR 5388). It is the purpose of this notice, through publication of the following procedures, to apprise the public, as well as governmental agencies, associations, and all other organizations and individuals interested in historic preservation of the implementing actions that are proposed in order that there will be a greater awareness of the responsibilities of Federal agencies and the Advisory Council, and to solicit Federal agencies to consult with the Advisory Council regarding procedures required under section 1(3) of Executive Order 11593. Interested parties are hereby invited to submit written comments, suggestions or objections to the proposed revisions in the Procedures for Compliance to the Executive Director, Advisory Council on Historic Preservation, Suite 430, 1522 K Street NW, Washington, D.C. 20005, within 30 days of publication of this notice in the *FEDERAL REGISTER*.

ROBERT R. GARVEY, Jr.,
Executive Director, Advisory Council on Historic Preservation.

PROCEDURES FOR THE PROTECTION OF CULTURAL PROPERTIES IN ACCORDANCE WITH SECTION 106 OF THE NATIONAL HISTORIC PRESERVATION ACT AND SECTIONS 1(3) AND 2(b) OF EXECUTIVE ORDER 11593

Introduction. The National Historic Preservation Act of 1966 created the Advisory Council on Historic Preservation, an independent agency of the Executive branch of the Federal Government, to advise the President and Congress on matters involving historic preservation. Its members are the Secretary of the Interior, the Secretary of Housing and Urban Development, the Secretary of the Treasury, the Secretary of Commerce, the Attorney General, the Secretary of Transportation, the Secretary of Agriculture, the Administrator of the General Services Administration, the Secretary of the Smithsonian Institution, the Chairman of the National Trust for Historic Preservation, and 10 citizen members selected on the basis of their outstanding service in the field of historic preservation.

The Council is authorized to review and comment upon undertakings carried out, licensed, or assisted by the Federal Government which have an effect upon cultural properties; to recommend meas-

ures to coordinate activities of Federal, State, and local agencies and private institutions and individuals relating to historic preservation; and to obtain from the appropriate Federal agencies certain information necessary to the performance of these duties.

Authorities. The Council reviews Federal, federally assisted, and federally licensed undertakings affecting cultural properties as defined herein, in accordance with the following authorities.

(1) *Section 106 of the National Historic Preservation Act.* Federal, federally assisted, and federally licensed undertakings affecting properties included in the National Register of Historic Places must be submitted to the Council for review and comment.

The head of any Federal agency having direct or indirect jurisdiction over a proposed Federal or federally assisted undertaking in any State and the head of any Federal department or independent agency having authority to license any undertaking shall, prior to the approval of the expenditure of any Federal funds on the undertaking or prior to the issuance of any license, as the case may be, take into account the effect of the undertaking on any district, site, building, structure, or object that is included in the National Register. The head of any such Federal agency shall afford the Advisory Council on Historic Preservation, established under Title II of this Act, a reasonable opportunity to comment with regard to such undertaking.

(2) *Section 1(3) of Executive Order 11593, May 13, 1971, "Protection and Enhancement of the Cultural Environment."* Federal agencies must establish, in consultation with the Council, procedures regarding the preservation and enhancement of non-federally owned cultural properties in the execution of their plans and programs.

Agencies of the executive branch of Government * * * shall * * *, in consultation with the Advisory Council on Historic Preservation (16 U.S.C. 4701), institute procedures to assure that Federal plans and programs contribute to the preservation and enhancement of non-federally owned sites, structures and objects of historical, architectural or archeological significance.

In the interim, until they institute the required procedures, Federal agencies should fulfill their responsibilities under section 1(3) by complying with procedures set forth below to provide review of agency actions affecting non-federally owned cultural properties eligible for inclusion in the National Register.

(3) *Section 2(b) of Executive Order 11593, May 13, 1971, "Protection and Enhancement of the Cultural Environment."* Federal agencies are required, by section 2(a) of the Executive order, to locate, inventory and nominate properties under their jurisdiction or control to the National Register. Until such processes are complete, Federal agencies must submit proposals for the transfer, sale, demolition, or substantial alteration of federally-owned properties eligible for inclusion in the National Register to the Council for review and comment.

The heads of Federal agencies shall . . . exercise caution during the interim period until inventories and evaluations required by subsection (a) are completed to assure that any federally owned property that might qualify for nomination is not inadvertently transferred, sold, demolished or substantially altered. The agency head shall refer any questionable actions to the Secretary of the Interior for an opinion respecting the property's eligibility for inclusion on the National Register of Historic Places. The Secretary shall consult with the liaison officer for historic preservation for the State or territory involved in arriving at his opinion. Where, after a reasonable period in which to review and evaluate the property, the Secretary determines that the property is likely to meet the criteria described for listing on the National Register of Historic Places, the Federal agency head shall reconsider the proposal in light of national environmental and preservation policy. Where, after such consideration, the Federal agency head proposes to transfer, sell, demolish or substantially alter the property he shall not act with respect to the property until the Advisory Council on Historic Preservation shall have been provided an opportunity to comment on the proposal.

Coordination with agency requirements under the National Environmental Policy Act of 1969. The Council advises Federal agencies that the Guidelines for the Preparation of Environmental Impact Statements (40 CFR Part 1500), issued by the Council on Environmental Quality, direct that compliance with section 102(2)(C) of the National Environmental Policy Act should, to the extent possible, be combined with other statutory obligations, such as the National Historic Preservation Act and Executive Order 11593, to yield a single document which meets all applicable requirements. To achieve this objective, the Advisory Council directs that Federal agencies, to the fullest extent possible, undertake compliance with the procedures set forth below to ensure that obligations under the National Historic Preservation Act and Executive Order 11593 are fulfilled during the preparation of a draft environmental impact statement required under Section 102(2)(C) of the National Environmental Policy Act. The Advisory Council recommends that compliance with these procedures be undertaken at the earliest stages of the environmental impact statement process to expedite review of the statement. The Advisory Council advises Federal agencies that it will consider final environmental impact statements complete only when they include evidence of full compliance with the procedures set forth below.

A. Definitions. As used in these procedures:

1. "National Historic Preservation Act" means Public Law 89-665, approved October 15, 1966, an "Act to establish a program for the preservation of additional historic properties throughout the Nation and for other purposes," 80 Stat. 915, 16 U.S.C. 470, hereinafter referred to as "the Act."

2. "Executive Order" means Executive Order 11593, May 13, 1971, "Protection

and Enhancement of the Cultural Environment," 36 FR 8921, 16 U.S.C. 470.

3. "Undertaking" includes but is not limited to:

(1) Recommendations or favorable reports relating to legislation including requests for appropriations. The requirement for following these procedures applies to both: (a) Agency recommendations on their own proposals for legislation; and (b) agency reports on legislation initiated elsewhere. In the latter case only the agency which has primary responsibility for the subject matter involved will comply with these procedures.

(2) New and continuing projects and program activities: Directly undertaken by Federal agencies; or supported in whole or in part through Federal contracts, grants, subsidies, loans, or other forms of funding assistance; or involving a Federal lease, permit, license, certificate, or other entitlement for use.

(3) The making, modification, or establishment of regulations, rules, procedures, and policy.

4. "National Register" means the National Register of Historic Places, which is a register of districts, sites, buildings, structures, and objects, significant in American history, architecture, archeology, and culture, maintained by the Secretary of the Interior under authority of section 2(b) of the Historic Sites Act of 1935 (49 Stat. 666, 16 U.S.C. 461) and section 101(a)(1) of the National Historic Preservation Act. The National Register is published in its entirety in the *FEDERAL REGISTER* each year in February. Addenda are published monthly.

5. "National Register Property" means a district, site, building, structure, or object included in the National Register.

6. "Property eligible for inclusion in the National Register" means any district, site, building, structure, or object which the Secretary of the Interior determines is likely to meet the National Register Criteria.

7. "Decision" means the exercise of agency authority at any stage of an undertaking where alterations might be made in the undertaking to modify its impact upon cultural properties.

8. "Substantial alteration" means any effect that meets the criteria for adverse effect set forth in Appendix B.

9. "Agency Official" means the head of the Federal Agency having responsibility for the undertaking or a subordinate employee of the Federal Agency to whom authority with respect to the evaluation of the effect of the proposed undertaking has been delegated.

10. "Chairman" means the Chairman of the Advisory Council on Historic Preservation, or such member designated to act in his stead.

11. "Executive Director" means the Executive Director of the Advisory Council on Historic Preservation established by Section 205 of the Act, or his designated representative.

12. "State Historic Preservation Officer" means the official within each State, authorized by the State at the re-

quest of the Secretary of the Interior, to act as liaison for purposes of implementing the Act, or his designated representative.

13. "Secretary" means the Secretary of the Interior, or his designee authorized to carry out the responsibilities of the Secretary of the Interior under Executive Order 11593.

B. *Agency procedures.* At the earliest stage of planning or consideration of the proposed undertaking, including master and regional planning, the Agency Official shall take the following steps to comply with the requirements of Section 106 of the National Historic Preservation Act and Sections 1(3) and 2(b) of Executive Order 11593.

I. Compliance with section 106—Protection of properties listed on the National Register.

1. *Consideration of effect.* As early as possible and in all cases prior to agency decision concerning an undertaking, the Agency Official shall: (a) Consult the National Register to determine if a National Register property is located within the area of the undertaking's potential environmental impact; and (b) if a National Register property is located within such area, apply the "Criteria for Effect," set forth in Appendix A, to determine whether the undertaking has an effect upon the property. Upon applying the criteria and finding no effect, the undertaking may proceed. The Agency official shall keep adequate documentation of a determination of no effect.

2. *Effect established.* Upon finding that the undertaking will have any effect upon a National Register property, the Agency Official shall: (a) Request, in writing, the comments of the Advisory Council; (b) notify the appropriate State Historic Preservation Officer; and (c) proceed with the consultation process set forth in Section C of these procedures.

II. Compliance with Section 1(3)—Protection of non-federally owned properties eligible for the National Register.

1. *Location and inventory.* As early as possible and in all cases prior to Agency decision on an undertaking, the Agency Official shall locate and inventory non-federally owned properties possessing historical, architectural, archeological, or cultural value located within the area of the undertaking's potential environmental impact. The Agency Official shall ensure that the inventory is of professional quality.

2. *Evaluation.* The Agency Official shall, in consultation with the appropriate State Historic Preservation Officer, apply the National Register Criteria set forth in Appendix C, to each non-federally owned property on the inventory to determine whether it is eligible for inclusion in the National Register. The Agency Official shall keep adequate documentation of his determination pursuant to this action.

3. *Eligibility for the National Register.* If the Agency Official determines that a non-federally owned property appears to meet the National Register Criteria or if it is questionable whether the National Register Criteria are met, the Agency Official shall request, in writing, an opinion from the Secretary respecting the property's eligibility for inclusion in the National Register. The Secretary shall consult with the appropriate State Historic Preservation Officer and notify the Agency Official in writing of his findings

Criteria or if it is questionable whether the National Register Criteria are met, the Agency Official shall request, in writing, an opinion from the Secretary respecting the property's eligibility for inclusion in the National Register. The Secretary shall consult with the appropriate State Historic Preservation Officer and notify the Agency Official in writing of his findings within 30 days of receipt of the request.

4. *Property not eligible.* If the Agency Official finds the property clearly not eligible for inclusion in the National Register, or upon receipt of the written opinion of the Secretary that the property is not eligible for inclusion in the National Register, the Agency Official may proceed with the undertaking.

5. *Property eligible.* Upon receipt of the written opinion of the Secretary that the property is eligible for inclusion in the National Register, the Agency Official shall reconsider the undertaking in light of national environmental and preservation policy.

6. *Decision to proceed.* If, after such reconsideration, the Agency Official proposes to proceed with the undertaking which will result in the transfer, sale, demolition, or substantial alteration of a property eligible for inclusion in the National Register, he shall: (a) Request, in writing, the comments of the Advisory Council; (b) notify the appropriate State Historic Preservation Officer; and (c) proceed with the consultation process set forth in Section C of these procedures.

III. Compliance with section 2(b)—Protection of federally-owned properties eligible for the National Register.

1. *Location and inventory.* As early as possible and in all cases prior to agency decision on an undertaking, the Agency Official shall locate and inventory federally owned properties possessing historical, architectural, archeological or cultural value located within the area of the undertaking's potential environmental impact. The Agency Official shall ensure that the inventory is of professional quality.

2. *Evaluation.* The Agency Official shall, in consultation with the appropriate State Historic Preservation Officer, apply the National Register Criteria, set forth in Appendix C, to each federally-owned property on the inventory to determine whether it is eligible for inclusion in the National Register. The Agency Official shall keep adequate documentation of his determination pursuant to this action.

3. *Eligibility for the National Register.* If the Agency Official determines that a federally-owned property appears to meet the National Register Criteria or if it is questionable whether the National Register Criteria are met, the Agency Official shall request, in writing, an opinion from the Secretary respecting the property's eligibility for inclusion in the National Register. The Secretary shall consult with the appropriate State Historic Preservation Officer and notify the Agency Official in writing of his findings

within 30 days of receipt of the request.

4. *Property not eligible.* If the Agency Official finds the property clearly not eligible for inclusion in the National Register, or upon receipt of the written opinion of the Secretary that the property is not eligible for inclusion in the National Register, the Agency Official may proceed with the undertaking.

5. *Property eligible.* Upon receipt of the written opinion of the Secretary that the property is eligible for inclusion in the National Register, the Agency Official shall reconsider the undertaking in light of national environmental and preservation policy.

6. *Decision to proceed.* If, after such reconsideration, the Agency Official proposes to proceed with the undertaking which will result in the transfer, sale, demolition, or substantial alteration of a property eligible for inclusion in the National Register, he shall: (a) Request, in writing, the comments of the Advisory Council; (b) notify the appropriate State Historic Preservation Officer; and (c) proceed with the consultation process set forth in Section C of these procedures.

C. *Consultation process—1. Response to request for comments.* Upon receipt of a request for Advisory Council comments pursuant to Section B-I(2), B-II(6) or B-III(6) of these procedures, the Executive Director shall acknowledge the request and shall initiate the consultation process.

2. *On-Site inspection.* Unless expressly waived by the Agency Official, the State Historic Preservation Officer and the Executive Director, the Agency Official shall conduct an on-site inspection for the Executive Director, the State Historic Preservation Officer and such other representatives of national, State, or local units of government and public and private organizations that the consulting parties deem appropriate. The Agency Official shall provide the Executive Director and the State Historic Preservation Officer with all relevant information concerning the undertaking and shall obtain such information and material from any applicant, grantee, or other beneficiary involved in the undertaking as may be required for the proper evaluation of the undertaking, its effects, and alternate courses of action.

3. *Public information meeting.* Unless expressly waived by the Agency Official the State Historic Preservation Officer and the Executive Director, the Executive Director shall, subject to the provisions of the Federal Advisory Committee Act (PL 92-463), conduct a meeting open to the public, wherein representatives of national, State, or local units of government and public and private organizations can receive information and express their views on the undertaking, its effects, and alternate courses of action. The Agency Official shall in accordance with the Federal Advisory Committee Act provide adequate facilities for the meeting and shall afford notice to the public in advance of the meeting.

4. *Evaluation of effect.* Subsequent to any on-site inspection and any public in-

formation meeting, the Executive Director shall consult with the State Historic Preservation Officer and the Agency Official to determine whether or not the effect shall be adverse by applying the "Criteria for Adverse Effect," set forth in Appendix B.

5. *Finding of no adversity.* Upon finding the effect not to be adverse, the Agency Official, the State Historic Preservation Officer and the Executive Director shall execute a Memorandum of Agreement acknowledging no adversity. This document shall be forwarded to the Chairman of the Advisory Council for review pursuant to section D(1).

6. *Finding of adversity.* If any of the consulting parties find the effect to be adverse, the Executive Director shall consult further with the State Historic Preservation Officer and Agency Official to determine whether there is a feasible and prudent alternative to remove or satisfactorily mitigate the adverse effect.

7. *Removal of adversity.* If the Agency Official, the State Historic Preservation Officer, and the Executive Director select and unanimously agree upon a feasible and prudent alternative to remove the adverse effect of the undertaking, they shall execute a Memorandum of Agreement acknowledging removal of adversity. This document shall be forwarded to the Chairman for review pursuant to section D(1).

8. *Mitigation of adversity.* If the consulting parties are unable to unanimously agree upon a feasible and prudent alternative to remove the adversity, the Executive Director shall consult with the State Historic Preservation Officer and the Agency Official to determine whether there is a feasible and prudent alternative to satisfactorily mitigate the adverse effect of the undertaking. Upon finding and unanimously agreeing to such an alternative they shall execute a Memorandum of Agreement acknowledging satisfactory mitigation of effect. This document shall be forwarded to the Chairman for review pursuant to section D(1).

9. *Memorandum of Agreement.* It shall be the responsibility of the Executive Director to prepare each Memorandum of Agreement required under these procedures. In preparation of such document, the Executive Director may request the Agency Official to prepare a proposal, for inclusion in the Memorandum, detailing actions resulting in no adverse effect or actions to be taken to remove or mitigate the adverse effect.

10. *Failure to remove or mitigate adversity.* Upon the failure of consulting parties to find and unanimously agree upon a feasible and prudent alternative to remove or satisfactorily mitigate the adverse effect, the Executive Director shall request the Chairman to schedule the undertaking for consideration at the next Council meeting and notify the Agency Official of the request. Upon notification of the request, the Agency Official shall delay further processing of the undertaking until the Council has transmitted its comments or the Chairman has given notice that the under-

taking will not be considered at a Council meeting.

11. *Change in status of property.* Should a property eligible for inclusion in the National Register be nominated and entered in the National Register during the course of the review process initiated under Sections B-II or B-III of these procedures, such change in status shall not affect the ongoing review process.

D. *Council procedures—1. Review of Memorandum of Agreement.* Upon receipt of a Memorandum of Agreement acknowledging no adversity, removal of adversity or satisfactory mitigation of the adverse effect, the Chairman shall institute a 30-day review period. Unless the Chairman shall notify the Agency Official that the matter has been placed on the agenda for consideration at a Council meeting, the memorandum shall become final: (a) Upon the expiration of the 30-day review period with no action taken; or (b) when signed by the Chairman. Memoranda duly executed in accordance with these procedures shall constitute the comments of the Advisory Council. Notice of executed Memoranda of Agreement shall be published in the *FEDERAL REGISTER* monthly.

2. *Response to request for consideration at Council meeting.* Upon receipt of a request from the Executive Director for consideration of the proposed undertaking at a Council meeting, the Chairman shall determine whether or not the undertaking will be considered and notify the Agency Official of his decision. To assist the Chairman in this determination, the Agency Official and the State Historic Preservation Officer shall provide such reports and information as may be required. If the Chairman decides against consideration at a Council meeting, he will submit a written summary of the undertaking and his decision to each member of the Council. If any member of the Council notes an objection to the decision within 15 days of the Chairman's decision, the undertaking will be scheduled for consideration at a Council meeting. If the Council members have no objection, the undertaking may proceed upon notification to the Agency Official by the Chairman.

4. *Decision to consider the undertaking.* Upon determination that the Council will consider an undertaking, the Chairman shall: (a) Schedule the matter for consideration at a regular meeting no less than 60 days from the date the request was received, or in exceptional cases, schedule the matter for consideration in an unassembled or special meeting; (b) notify the Agency Official and the State Historic Preservation Officer of the date on which comments will be considered; and (c) authorize the Executive Director to prepare a case report.

5. *Content of the case report.* For purposes of arriving at comments, the Advisory Council prescribes that certain reports be made available to it and accepts reports and statements from other interested parties. Specific informational requirements are enumerated below.

Generally, the requirements represent an explication or elaboration of principles contained in the appended "Criteria for Effect" and in the "Criteria for Adverse Effect." The Council notes, however, that the Act recognizes historical and cultural resources should be preserved "as a living part of our community life and development." Consequently, in arriving at final comments, the Council considers those elements in an undertaking that have relevance beyond historical and cultural concerns. To assist it in weighing the public interest, the Council welcomes information not only bearing upon physical, sensory, or esthetic effects but also information concerning economic, social, and other benefits or detriments that will result from the undertaking.

6. *Elements of the case report.* The report on which the Council relies for comment shall consist of:

(a) A report from the Executive Director to include a verification of the legal and historical status of the property; an assessment of the historical, architectural, archeological, or cultural significance of the property; a statement indicating the special value of features to be most affected by the undertaking; an evaluation of the total effect of the undertaking upon the property; a critical review of any known feasible and prudent alternatives and recommendations to remove or mitigate the adverse effect;

(b) A report from the Agency Official requesting comment to include a general discussion and chronology of the proposed undertaking; when appropriate, an account of the steps taken to comply with section 102(2)(A) of the National Environmental Policy Act of 1969 (83 Stat. 852, 42 U.S.C. 4332); an evaluation of the effect of the undertaking upon the property, with particular reference to the impact on the historic scene; steps taken or proposed by the agency to take into account or minimize the effect of the undertaking; a thorough discussion of alternatives; and, if applicable and available, a copy of the draft environmental statement prepared in compliance with section 102(2)(C) of the National Environmental Policy Act of 1969;

(c) A report from any other Federal Agency having under consideration a plan or undertaking that will concurrently or ultimately affect the property, including a general description and chronology of the plan or undertaking and discussion of the effect the undertaking under consideration by the Council will have upon such proposals;

(d) A report from the State Historic Preservation Officer to include an assessment of the significance of the property; an identification of features of special value; an evaluation of the effect of the undertaking upon the property and its specific components; an evaluation of known alternatives; a discussion of present or proposed participation of State and local agencies or organizations in preserving or assisting in preserving

the property; an indication of the support or opposition of units of government and public and private agencies and organizations within the State; and the recommendations of his office; and

(e) Other pertinent reports, statements, correspondence, transcripts, minutes, and documents, received by the Council from any and all parties, public or private. Reports submitted pursuant to this section should be received by the Council at least two weeks prior to a Council meeting.

7. *Report by recipient or potential recipient.* When the Council considers comments upon an application for a contract, grant, subsidy, loan, or other form of funding assistance or an application for a Federal lease, permit, license, certificate, or other entitlement for use, the Council will welcome the submission and presentation of reports by the applicant or potential recipient. Arrangements for the submission and presentation of reports by applicants or potential recipients shall be made through the Federal agency having jurisdiction in the matter.

8. *Coordination of case reports and statements.* In considerations involving either directly or indirectly more than one Federal department, the Agency Official requesting comment shall act as a coordinator in arranging for a full assessment and discussion of all interdepartmental facets of the problem and prepare a record of such coordination to be made available to the Council. The Council may request the State Historic Preservation Officer or State officials to accept the responsibility for notifying appropriate governmental units and public and private organizations within the State and the pending consideration of the undertaking by the Council, and to coordinate the presentation of written statements to the Council.

9. *Council meetings.* The Council will not hold formal hearings to consider comments under these procedures. Two weeks notice shall be given, by publication in the *FEDERAL REGISTER*, of all meetings involving Council review of Federal undertakings in accordance with these procedures. All such meetings will be open except as otherwise ordered by the Chairman in accordance with the Federal Advisory Committee Act. Reports and statements will be presented to the Council in open session in accordance with a pre-arranged agenda. Regular meetings of the Council generally occur on the first Wednesday and Thursday of February, May, August and November.

10. *Oral statements to the Council.* A schedule shall provide for oral statements from the Executive Director; the referring Agency Official presently or potentially involved; the recipient or potential recipient, when appropriate; the State Historic Preservation Officer; and representatives of national, State, or local units of government and public and private organizations. Parties wishing to make oral remarks shall submit written statements of position in advance to the Executive Director.

11. *Comments by the Council.* The comments of the Council, issued after consideration of an undertaking at a Council meeting, shall take the form of a three-part statement, including an introduction, findings, and a conclusion. The statement shall include notice to the Agency Official of the report required under section D(12) of these procedures. Comments shall be made to the head of the Federal Agency requesting comment or having responsibility in the matter. Immediately thereafter, the comments of the Council will be forwarded to the President and the Congress as a special report under authority of section 202(b) of the Act and published as soon as possible in the *FEDERAL REGISTER*. Comments shall be available to the public upon receipt of the comments by the head of the Federal agency.

12. *Report of agency action in response to Council comments.* When a final decision on the undertaking is reached by the Federal Agency, the Agency Official shall submit a written report to the Council containing: (a) Description of actions taken by the Federal Agency subsequent to the Council's comments; (b) a description of actions taken by other parties pursuant to the actions of the Federal Agency; and (c) the ultimate effect of such actions on the property involved. The Council may request supplementary reports if the nature of the undertaking requires them.

13. *Records of the Council.* The records of the Council shall consist of an oral transcript of the proceedings at each meeting, the case report prepared by the Executive Director, and all other reports, statements, transcripts, correspondence, and documents received.

14. *Continuing review jurisdiction.* When the Council has commented upon an undertaking pursuant to Section D, such as a master plan, which by its nature requires subsequent action by the Federal Agency, the Council will consider its comments or approval to extend only to the undertaking as reviewed. The Agency Official shall ensure that subsequent action related to the undertaking is submitted to the Council for review in accordance with these procedures when that action is found to have an effect on a National Register property or result in the transfer, sale, demolition, or substantial alteration of a property eligible for inclusion in the National Register.

E. *Other powers of the Council—1. Comment or report upon non-Federal undertaking.* The Council will exercise the broader advisory powers, vested by section 202(a)(1) of the Act, to recommend measures concerning a non-federal undertaking that will adversely affect a National Register property or any other property determined by the Secretary of the Interior to meet the National Register criteria: (1) Upon request from the President of the United States, the President of the U.S. Senate, or the Speaker of the House of Representatives, or (2) when agreed upon by a unanimous vote of the members of the Council.

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2. *Comment or report upon Federal undertaking in special circumstances.* The Council will exercise its authority to comment to Federal agencies in certain special situations even though written notice that an undertaking will have an effect has not been received. For example, the Council may choose to comment in situations where an objection is made to a Federal Agency finding of "no effect."

APPENDIX A—CRITERIA FOR EFFECT

A federally financed or licensed undertaking shall be considered to have an effect on a National Register property or property eligible for inclusion in the National Register (districts, sites, buildings, structures, and objects, including their settings) when any conditions of the undertaking causes or may cause any change, beneficial or adverse, in the quality of the historical, architectural, archeological or cultural character that qualified the property under the National Register Criteria.

APPENDIX B—CRITERIA FOR ADVERSE EFFECT

Generally, adverse effects occur under conditions which include but are not limited to:

- Destruction, alteration or deterioration of all or part of a property;
- Isolation from or alteration of its surrounding environment;
- Introduction of visual, audible, or atmospheric elements that are out of character with the property or alter its settings;
- Transfer or sale of a property without adequate conditions or restrictions regarding preservation, maintenance, or use;
- Deterioration or other effects constituting demolition by neglect.

APPENDIX C—NATIONAL REGISTER CRITERIA

"National Register criteria" means the following criteria established by the Secretary of the Interior for use in evaluating and determining the eligibility of properties for listing in the National Register: The quality of significance in American history, architecture, archeology, and culture, is present in districts, sites, buildings, structures, and objects of State and local importance that possess integrity of location, design, setting, materials, workmanship, feeling and association and:

- That are associated with events that have made a significant contribution to the broad patterns of our history; or
- That are associated with the lives of persons significant in our past; or
- That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- That have yielded, or may be likely to yield, information important in prehistory or history.

Criteria considerations. Ordinarily cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past 50 years shall not be considered eligible for the National Register. However, such properties will qualify if they are integral parts of districts that do meet the criteria or if they fall within the following categories:

- A religious property deriving primary significance from architectural or artistic distinction or historical importance.

(2) A building or structure removed from its original location but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event.

(3) A birthplace or grave of a historical figure of outstanding importance if there is no appropriate site or building directly associated with his productive life.

(4) A cemetery which derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events.

(5) A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived.

(6) A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own historical significance.

(7) A property achieving significance within the past 50 years if it is of exceptional importance.

[FR Doc.73-23500 Filed 11-2-73; 8:45 am]

ATOMIC ENERGY COMMISSION

[Docket No. 50-382A]

LOUISIANA POWER AND LIGHT CO.

Notice and Order for Second Prehearing Conference

Take notice, That pursuant to the Atomic Energy Commission's notice of February 23, 1973, published in the *FEDERAL REGISTER* (38 FR 5502) March 1, 1973, the Commission's Memorandum and Order of September 28, 1973, and in accordance with the Commission's rules of practice, a Second Prehearing Conference will be held in the subject proceedings on November 13 and 14, 1973, at 10 a.m. at Room 111, Veterans Administration, 811 Vermont Avenue, Washington, D.C. 20420.

Issued at Washington, D.C., this 30th day of October 1973.

By order of the Atomic Safety and Licensing Board.

HUGH K. CLARK,
Chairman.

[FR Doc.73-23429 Filed 11-2-73; 8:54 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 met at 9:30 a.m. on Monday, August 27, 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 was 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 would not be open to the public.

For the President's Agent.

RICHARD H. HALL,
Advisory Committee Management,
Officer for the President's Agent.

[FR Doc.73-23486 Filed 11-2-73; 8:45 am]

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 met at 2:00 p.m. on Wednesday, October 31, 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 was 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 would not be open to the public.

For the President's Agent.

RICHARD H. HALL,
Advisory Committee Management,
Officer for the President's Agent.

[FR Doc.73-23487 Filed 11-2-73; 8:45 am]

COMMITTEE FOR PURCHASE OF PRODUCTS AND SERVICES OF THE BLIND AND OTHER SEVERELY HANDICAPPED

PROCUREMENT LIST 1973

Notice of Proposed Addition

Notice is hereby given pursuant to section 2(a)(2) of Public Law 92-28; 85 Stat. 79, of the proposed addition of the following commodity to Procurement List 1973, March 12, 1973 (38 FR 6742).

COMMODITY

Class 7920:
Rag, Wiping
7920-205-1711
7920-205-3570
7920-205-3571

Comments and views regarding these proposed additions may be filed with the Committee not later than 30 days after the date of this Federal Register. Communications should be addressed to the Executive Director, Committee for Purchase of Products and Services of the Blind and Other Severely Handicapped, 2009 Fourteenth Street, North, Suite 610, Arlington, Virginia 22201.

By the Committee.

CHARLES W. FLETCHER,
Executive Director.

[FR Doc.73-23473 Filed 11-2-73; 8:45 am]

PROCUREMENT LIST 1973

Addition to Procurement List 1973

Notice of the proposed addition to the Initial Procurement List August 26, 1971 (36 FR 16982), was published in the *FEDERAL REGISTER* on December 14, 1972 (37 FR 26628).

Pursuant to the above notice the following commodity is added to Procurement List 1973, March 12, 1973 (38 FR 6742).

COMMODITY

Class 7430:	Commodity	Price/each
7430-823-8080	Cover, Typewriter (RF)	\$.5054
7430-823-8081		.5375
7430-823-8082		.5702
7430-823-8083		.6137
7430-823-8084		.6407
7430-823-8085		.6731
7430-823-8090		.7951
7430-823-8086		.7678
7430-823-8087		.8886

By the Committee.

CHARLES W. FLETCHER,
Executive Director.

[FR Doc.73-23474 Filed 11-2-73:8:45 am]

ENERGY RESEARCH AND DEVELOPMENT ADVISORY COUNCIL

NOTICE OF MEETING

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Public Law 92-463, 86 Stat. 770), the Energy Policy Office announces the following public advisory committee meeting.

The Energy Research and Development Advisory Council will hold its second meeting on November 14, 1973 at the Headquarters of the National Science Foundation, Room 540, 1800 G Street NW, Washington, D.C. The meeting will commence at 9 a.m. local time and last until 4:30 p.m., except for a one-hour break for lunch at 12:30 p.m.

The portion of the meeting from 9 a.m. to 10 a.m. will not be open to the public under authority of section 10(d) of Public Law 92-463. The information to be discussed falls within exemption (1) of 5 U.S.C. 552(b).

The portion of the meeting from 10:00 a.m. to 12:30 p.m. will consist of several meetings of subgroups of the Council and will address the following subjects:

- (1) Nuclear Fission R&D Strategy.
- (2) Role of Industry in Energy R&D.
- (3) Problems Related to Technical Manpower & Research Training.
- (4) Laser Fusion R&D.
- (5) Environmental Control and the Effects of Pollutants.
- (6) Coal R&D Strategy.
- (7) Conservation R&D.

The portion of the meeting from 1:30 p.m. until 4:30 p.m. will be primarily devoted to discussing the status and the preliminary results of the AEC study concerning the President's proposed 5-year, \$10 billion energy R&D program.

Practical considerations may dictate alternations in the above agenda or schedule.

The Council meeting will be for the purpose of discussing matters related to energy research and development policy and programs. A detailed agenda will be available the day of the meeting.

The Advisory Council was established by the President on June 29, 1973 and announced in his Energy Statement of the same date. The objective of the Council is to help ensure the development of comprehensive technological programs to meet the Nation's energy needs. It would do this by providing independent advice to the Energy Policy Office on matters relating to energy R&D.

Members of the public will be admitted on a first-come, first-serve basis up to the limits of the capacity of the meeting room. Members of the public who plan to attend the meeting are requested to so inform Dr. William T. McCormick, Executive Secretary of the Advisory Council no later than 5:00 p.m., November 13, 1973. Dr. McCormick can be contacted in Room 472, Old Executive Office Building, Washington, D.C. or on (202) 456-6575.

Persons wishing to submit written statements on those agenda items may do so by mailing 20 copies thereof, postmarked no later than November 10, to the Executive Secretary of the Energy Research and Development Advisory Council.

WILLIAM T. McCORMICK, JR.,
Executive Secretary, Energy Research and Development Advisory Council.

OCTOBER 31, 1973.

[FR Doc.73-23468 Filed 11-2-73:8:45 am]

FEDERAL MARITIME COMMISSION

AMERICAN PRESIDENT LINES, LTD.

Order of Revocation of Certificate

Certificate of Financial Responsibility for Indemnification of Passengers for Nonperformance of Transportation No. P-30 and Certificate of Financial Responsibility to Meet Liability Incurred for Death or Injury to Passengers or Other Persons on Voyages No. C-1,039.

American President Lines, Ltd.
601 California Street
San Francisco, California 94108

Whereas, American President Lines, Ltd. has ceased to operate the passenger vessels President Cleveland and President Wilson;

It is ordered, That Certificate (Performance) No. P-30 and Certificate (Casualty) No. C-1,039 covering the President Cleveland and President Wilson, be and are hereby revoked effective October 25, 1973.

It is further ordered, That a copy of this Order be published in the *FEDERAL REGISTER* and served on the Certificant.

By the Commission.

JOSEPH C. POLKING,
Assistant Secretary.

[FR Doc.73-23401 Filed 11-2-73:8:45 am]

FEDERAL POWER COMMISSION

NATIONAL POWER SURVEY; TECHNICAL ADVISORY COMMITTEE ON CONSERVATION OF ENERGY

Notice of Meeting and Agenda

Agenda for Meeting of the Technical Advisory Committee on Conservation of Energy to be held at the Federal Power Commission Offices, 825 North Capitol Street NE., Washington, D.C., 9 a.m., November 20, 1973, Room 5200.

1. Meeting called to order by FPC Staff Representative.
2. Objectives and purposes of meeting.
- A. Review of recommendations of Task Force of Technical Aspects.
- B. Review of recommendations of Task Force and Practices and Standards.
- C. Review of recommendations of Task Force on Technical Aspects.
- D. Other business.
3. Adjournment.

This meeting is open to the public. Any interested person may attend, appear before, or file statements with the committee—which statements, if in written form, may be filed before or after the meeting, or, if oral, at the time and in the manner permitted by the committee.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-23440 Filed 11-2-73: 8:45 am]

[Docket Nos. RI73-211, etc.]

RATES AND CHARGES FOR SALES OF NATURAL GAS

Order Providing for Hearing on and Suspension of Proposed Change in Rates, and Allowing Rate Changes To Become Effective Subject to Refund¹

OCTOBER 26, 1973.

Respondents have filed proposed changes in rates and charges for jurisdictional sales of natural gas, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds. It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders. (A) Under the Natural Gas Act, particularly Sections 4 and 15, the regulations pertaining thereto [18 CFR, Chapter I], and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until

¹ Does not consolidate for hearing or dispose of the several matters herein.

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date shown in the "Date Suspended Until" column. Each of these supplements shall become effective, subject to refund, as of the expiration of the suspension period without any further action by the Respondent or by the Commission. Each Respondent shall comply with the re-

funding procedure required by the Natural Gas Act and Section 154.102 of the Regulations thereunder.

(C) Unless otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until dis-

position of these proceedings or expiration of the suspension period, whichever is earlier.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until	Cents per Mcf*	Rate in effect	Proposed increased rate	Rate in effect subject to refund in docket No.
RI73-211..	Atlantic Richfield Co.	229	10	West Texas Gathering Co. (Emperor Field, Winkler County, Tex., Permian Basin).	(531,534)	9-28-73	8-7-73	* Accepted	28.105	1 1/2 23.0	28.105	RI73-211.
RI72-26..	do	232	11	do	31,534	9-28-73	8-7-73	* Accepted	1 1/2 23.0	28.105	27.3190	1 1/2 23.0 RI72-26.
RI72-26..	do	442	6	Transwestern Pipeline Co. (Kermit and South Kermit Fields, Winkler County Tex., Permian Basin).	(4,362)	9-28-73	8-7-73	* Accepted	27.3190	1 1/2 23.0	27.3190	RI72-26.
RI73-211..	do	452	7	do	4,362	9-28-73	8-7-73	* Accepted	27.3190	1 1/2 23.0	27.3190	RI72-26.
RI73-211..	do	452	9	Transwestern Pipeline Co. (Kermit Field, Winkler County, Tex., Permian Basin).	(22,981)	9-28-73	8-7-73	* Accepted	28.105	1 1/2 23.0	27.3190	RI73-211.
RI73-211..	do	457	10	do	22,981	9-28-73	8-7-73	* Accepted	28.105	1 1/2 23.0	27.3190	RI73-211.
RI73-211..	do	457	9	West Texas Gathering Co. (Emperor Field, Winkler County, Tex., Permian Basin).	(31,726)	9-28-73	8-7-73	* Accepted	28.105	1 1/2 23.0	28.105	RI73-211.
RI71-140..	do	511	10	do	31,726	9-28-73	8-7-73	* Accepted	28.105	1 1/2 23.0	28.105	RI73-211.
RI71-140..	do	511	19	El Paso Natural Gas Co. (Brown Bassett (Ellenburger) Field, Terrell County Tex.) (Permian Basin).	(148,360)	9-28-73	8-7-73	* Accepted	28.105	1 1/2 23.0	28.105	RI73-211.
RI71-140..	do	124	20	do	148,360	9-28-73	8-7-73	* Accepted	28.105	1 1/2 23.0	28.105	RI71-140.
			8	Transwestern Pipe Line Co. (Kermit Field, Winkler County, Tex.) (Permian Basin).	(2,146)	10-1-73	8-7-73	* Accepted	27.319	1 1/2 24.38	27.319	
			9	do	2,146	10-1-73			10-2-73	1 1/2 24.38	27.319	

* Unless otherwise stated, the pressure base is 14.65 p.s.i.a.

† Subject to quality adjustments and gathering allowance, if applicable, pursuant to Opinion No. 662.

‡ Rate reduction in compliance to Opinion No. 662.

§ Includes 1.5/Mcf gathering allowance and quality adjustments pursuant to Opinion No. 468.

* The proposed rate is accepted as of the date shown in the "Effective Date Unless Suspended" column, the date of issuance of Opinion No. 662. The proposed rate accepted herein shall not exceed the applicable area rate as adjusted for quality, and gathering allowance if applicable, pursuant to Opinion No. 62.

Prior to the issuance of Opinion No. 662 (Permian II), Atlantic and Sun were collecting increased rates subject to refund which are in excess of the just and reasonable rates established in that opinion. Atlantic and Sun have filed herein decreased rates down to the levels prescribed in that opinion, and concurrently have filed rate increases back up to their previous levels. The proposed decreases are accepted as of August 7, 1973, the effective date of Opinion No. 662. The proposed rate increases are suspended in the same suspension proceedings applicable to the previous increased rates for one day from the date of filing with waiver of the 30 day notice period granted.

[FPR Doc.73-23395 Filed 11-2-73;8:45 am]

[Docket Nos. RI74-56, RI74-57]
RATES AND CHARGES FOR SALES OF NATURAL GAS

Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund¹

OCTOBER 26, 1973.

Respondents have filed proposed changes in rates and charges for jurisdictional sales of natural gas, as set forth in Appendix A below.

¹ Does not consolidate for hearing or dispose of the several matters herein.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds. It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders.

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be

held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column. Each of these supplements shall become effective, subject to refund, as of the expiration of the sus-

pension period without any further action by the Respondent or by the Commission. Each Respondent shall comply with the refunding procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder.

(C) Unless otherwise ordered by the Commission, neither the suspended sup-

plements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period, whichever is earlier.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until	Cents per Mcf*	Rate in effect	Proposed increased rate	Rate in effect subject to refund in docket No.
RP73-36	Phillips Petroleum Co.	411	16	Michigan Wisconsin Pipe Line Co. (Hog Bayou Field, Cameron Parish, Offshore Louisiana).		9-26-73	10-27-73	2 Accepted				
	do		7	do	5,801	9-26-73	10-27-73	(*)	20.50	20.875		
RP73-37	Kerr-McGee Corp.	85	17	do		9-26-73	10-27-73	2 Accepted				
	do		8	do	4,654	9-27-73		(*)	20.50	20.875		

* Unless otherwise stated, the pressure base is 15.625 p.s.i.a.

1 Contract amendment dated Aug. 24, 1973.

2 Accepted to be effective on the date shown in the "Effective Date" column.

3 Accepted as of Dec. 1, 1973, insofar as proposed rate does not exceed the flowing gas ceiling in Opinion No. 598, and suspended until Dec. 2, 1973, insofar as proposed rate exceeds the flowing gas ceiling in Opinion No. 598.

* Accepted as of Dec. 2, 1973, insofar as proposed rate does not exceed the flowing gas ceiling in Opinion No. 598, and suspended until Dec. 3, 1973, insofar as proposed rate exceeds the flowing gas ceiling in Opinion No. 598.

The producers involved here have filed proposed increased rates to the ceiling provided in Opinion No. 598 for new gas sales with respect to the sale of flash vapor gas under the subject rate schedules. The other gas under these rate schedules is sold pursuant to contracts dated prior to October 1, 1968, and such gas clearly is entitled to no higher rate than the flowing gas ceiling rate established in Opinion No. 598. There is thus a question presented here as to whether the producers are entitled to the flowing or new gas ceiling under Opinion No. 598 for the sale of their flash vapor gas.

Consequently, we shall accept the proposed rates and allow them to become effective 65 days from the date of filing pursuant to Opinion No. 598, insofar as they do not exceed the flowing gas ceiling in Opinion No. 598. But, we shall suspend the proposed rates for one day insofar as they exceed the ceiling for flowing gas under Opinion No. 598, i.e. 23.5¢ per Mcf, pending determination of the applicable ceiling. In addition, the producers herein shall within 30 days of the issuance of this order, file briefs with the Commission explaining the basis for their proposed rates in terms either of (a) contractual justification for the proposed rates in accordance with the "vintage" policy set forth in Opinion Nos. 598 or 639, or (b) economic justification for the proposed rates pursuant to the special relief provisions of § 2.77 of the Commission's general policy and interpretations.

[PR Doc.73-23392 Filed 11-2-73;8:45 am]

[Docket No. RP73-98]

ALGONQUIN GAS TRANSMISSION CO.

Order Granting Intervention

OCTOBER 29, 1973.

By an order issued October 12, 1973, the Commission accepted for filing and suspended for five months, from the date of commencement of initial SNG Service, Algonquin Gas Transmission Company's (Algonquin) proposed rate increase in its initial Rate Schedule SNG-I (First Revised Sheet No. 11-C and Second Revised Sheet No. 11-D of Original Vol-

ume No. 1). The proposed revised rate consists of a monthly Demand Charge of \$22.389 per Mcf of SNG Contract Demand per month for each month, October through April and a Commodity Charge of \$1.7468 per Mcf.

In addition, the Commission order of October 12, 1973, rejected for filing Algonquin's proposed provision for its General Terms and Conditions, Original Sheet Nos. 30-H and 30-I to its FPC Gas Tariff Original Volume No. 1, providing for deferred cost accounting and amortization of that account by subsequent rate increment adjustments. Finally, the order of October 12, 1973, denied Algonquin's request for a one-day suspension period and Algonquin's motion of September 21, 1973, to consolidate Docket No. RP73-98 with Docket No. RP73-112.

On October 10, 1973, the Algonquin Customer Group (Customers)¹ filed a timely Petition to Intervene and Protest. In its petition, Customers state that Algonquin's present filing fails to include a demand charge adjustment provision that would obligate Algonquin to make reductions in its demand charge whenever it is unable to deliver to its customers the volumes of synthetic gas it is obligated to provide under their SNG Service agreements.

The Commission finds: Participation of the above-named petitioners for intervention in this proceeding may be in the public interest.

The Commission orders: (A) The above-named intervenors are hereby permitted to intervene in this proceeding, subject to the Rules and Regulations of the Commission: *Provided, however,* That the participation of such intervenors shall be limited to matters affecting the rights and interests specifically set forth in their petition to intervene; and

Provided, further, That the admission of such intervenors shall not be construed as recognitions that they or any of them might be aggrieved because of any order issued by the Commission in this proceeding.

(B) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

APPENDIX A

Boston Gas Company
Bristol and Warren Gas Company
Brockton Taunton Gas Company
Cape Cod Gas Company
Commonwealth Gas Company
The Connecticut Gas Company
Connecticut Natural Gas Corporation
Fall River Gas Company
The Hartford Electric Light Company
Town of Middleborough, Municipal Gas and Electric Department
New Bedford Gas and Edison Light Company
The Newport Gas Light Company
North Attleboro Gas Company
City of Norwich, Department of Public Utilities
Orange and Rockland Utilities, Inc.
Pequot Gas Company
Providence Gas Company
South County Gas Company
The Southern Connecticut Gas Company
Tiverton Gas Company

[PR Doc.73-23443 Filed 11-2-73;8:45 am]

[Docket No. CI73-621]

PERRY R. BASS

Order Granting Intervention, Setting Hearing Date and Prescribing Procedure Concerning Limited Time Certificates

OCTOBER 29, 1973.

On March 20, 1973, Perry R. Bass (Bass) filed in Docket No. CI73-621 an

¹ See Appendix A for listing.

NOTICES

application requesting issuance of a limited-term certificate of public convenience and necessity with pre-granted abandonment authority, pursuant to section 7(c) of the Natural Gas Act and the Commission's regulations thereunder, for the sale of gas to United Gas Pipeline Company (United) from acreage located in State Tract 390, Corpus Christi Bay, Texas District No. 4 (Texas Gulf Coast Area).

Specifically, Bass proposes to sell, to United approximately 150 Mcf per day times the number of sellers' oil wells in Tract 390. The contractually agreed rate is 50.0¢ per Mcf at 14.65 psia without Btu adjustment.

Bass made an emergency sixty-day sale to United pursuant to Order No. 418 from March 10, 1973, through May 4, 1973, at a rate of 50.0¢. By letter dated May 14, 1973, Bass was authorized to extend such sale until July 8, 1973. A further extension was authorized on July 11, 1973, for another sixty days or until such time as a limited-term certificate is issued in Docket No. CI73-621, whichever occurs earlier.

A petition to intervene in support of the application was filed by United on April 6, 1973.

The application in this proceeding represents a sizeable volume of gas potentially available to the interstate market. It is of critical importance that interstate pipelines procure emergency supplies of gas to avoid disruption of service to consumers, nevertheless, we must determine whether the rate to be paid serves the public convenience and necessity. It is therefore necessary that this application be set for public hearing and expeditious determination. The hearing will be held to allow presentation, cross-examination, and rebuttal of evidence by any participant. This evidence should be directed to the issue of whether the present or future public convenience and necessity requires issuance of a limited-term certificate on the terms proposed in that application.

We take further note, however, that the Commission in a number of recent orders has already held that an emergency exists on United's system. See *Sun Oil Co.* — FPC —, Docket No. CI73-912, issued September 12, 1973. We, therefore, conclude that there is an emergency on United's system which could warrant the issuance of a certificate if the price conforms to the public convenience and necessity.

The Commission finds: (1) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the issues in this proceeding be scheduled for hearing in accordance with the procedures set forth below.

(2) The intervention of United in this proceeding may be in the public interest.

The Commission orders: (A) The application for a limited-term certificate for the sale of natural gas filed in Docket No. CI73-621 is hereby set for hearing.

(B) United is hereby permitted to intervene in this proceeding, subject to the Rules and Regulations of the Commission: *Provided, however.* That the participation of such intervenor shall be limited to matters affecting asserted rights and interests as specifically set forth in said petition for leave to intervene; and *Provided, further.* That the admission of said intervenor shall not be construed as recognition by the Commission that it might be aggrieved by any order or orders of the Commission entered in this proceeding.

(C) Pursuant to the authority of the Natural Gas Act, particularly sections 7 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act, a public hearing will be held on November 26, 1973, at 10 a.m., e.s.t., in a hearing room of the Federal Power Commission, 825 North Capitol Street NE, Washington, D.C. 20426, concerning the issue of whether a certificate of public convenience and necessity should be granted as requested by the applicant.

(D) On or before November 14, 1973, Bass and any supporting party shall file with the Commission and serve upon all parties, including Commission Staff, their testimony and exhibits in support of their position.

(E) An Administrative Law Judge to be designated by the Chief Administrative Law Judge—See Delegation of Authority, 18 CFR 3.5(d)—shall preside at, and control this proceeding in accordance with the policies expressed in the Commission's rules of practice and procedure and the purposes expressed in this order.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.73-23445 Filed 11-2-73;8:45 am]

[Docket No. RP73-93]

COLORADO INTERSTATE GAS CO.

Notice of Further Extension of Time

OCTOBER 29, 1973.

On October 9, 1973, Colorado Interstate Gas Company filed a motion for further extension of the procedural dates fixed by notice issued September 24, 1973, in the above-designated matter. The motion states that the parties agreed at the prehearing conference that a request be made for an extension of the procedural dates.

Upon consideration, notice is hereby given that the procedural dates in the above matter are further modified as follows:

Intervenor service, November 1, 1973.
Company rebuttal, November 15, 1973.
Hearing (date unchanged) November 27, 1973 (10 a.m., e.s.t.).

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-23444 Filed 11-2-73;8:45 am]

[Docket Nos. E-8418, etc.]

CONNECTICUT LIGHT AND POWER CO.

**Order Accepting Proposed Rate Schedules
Subject to Modification Upon Final Resolution of Issues in Other Proceeding**

OCTOBER 29, 1973.

On September 27, 1973, in Docket Nos. E-8418, and on September 28, 1973, in Docket Nos. E-8421 and E-8422, the Connecticut Light and Power Company (CL&P) and CL&P, Hartford Electric Light Company (Hartford), and Western Massachusetts Electric Company (Western Mass) tendered for filing as proposed rate schedules, three separate purchase agreements (Agreements).

The Agreement in Docket No. E-8418 is between CL&P and the Public Service Company of New Hampshire (PSCNH) and provides for sales to PSCNH of specified percentages of capacity and energy from CL&P's Montville Unit No. 6 generating unit during the period from November 1, 1973, through April 30, 1974, together with related transmission service. The proposed effective date is November 1, 1973.

The Agreement in Docket No. E-8421 is between CL&P, Hartford, and Western Mass and PSCNH and provides for sales to PSCNH of specified percentages of capacity and related pondage of the Northfield Mountain Pumped Storage Hydro Electric Project during the period from October 29, 1973, to May 6, 1974, together with related transmission service. The proposed effective date is October 29, 1973.

The Agreement in Docket No. E-8422 is between CL&P, Hartford, and Western Mass and PSCNH and provides for sales to PSCNH of specified percentages of capacity and energy from eleven gas turbine generating units (at Cos Cob, South Meadow, and Silver Lake) during the period from November 1, 1973 to April 30, 1974, together with related transmission service. The proposed effective date is November 1, 1973.

These filings were notice separately on October 4, 1973, with petitions to intervene and comments due on or before October 19, 1973. No petitions or comments were received.

Our review of these proposed Agreements indicates that all of them utilize a formula for the determination of rates to be charged which is identical to that used in specified percentage of capacity sales agreements currently under investigation in *Connecticut Light and Power Company*, Docket No. E-8105, et al. The issues relating to the cost of capital which have been raised in the proceeding in Docket No. E-8105, et al. are the same issues which we believe are present in the instant docket. The proposed rates, therefore, may not be just and reasonable and may be unjust, unreasonable, unduly discriminatory or preferential or otherwise unlawful. Accordingly, we shall accept these proffered rate schedules to be effective as initial rates on their respective proposed effective dates, but

shall make them subject to such modification as may be consonant with the final resolution of the issues in the investigation in Docket No. E-8105.

The Commission finds:

The rate schedules proposed herein by CL&P and CL&P, Hartford, and Western Mass have not been shown to be just and reasonable and should therefore only be accepted for filing subject to modification, if necessary, upon final determination of the issues in the proceeding in Docket No. E-8105, *et al.*

The Commission orders:

(A) The rate schedules proposed herein by CL&P and CL&P, Hartford, and Western Mass are accepted for filing to be effective November 1, 1973 (for the rate schedules proposed in Docket Nos. E-8418 and E-8422) and October 29, 1973 (for the rate schedule proposed in Docket No. E-8421), and these schedules are to be placed in effect subject to such modification as may be necessary upon a final determination of the issues in Docket No. E-8105, *et al.*

(B) The Commission Secretary shall cause prompt publication of this order in the **FEDERAL REGISTER**.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[PR Doc.73-23446 Filed 11-2-73;8:45 am]

[Docket No. CP73-47, et. al.]

EASCOGAS LNG, INC.

Notice of Availability of Staff Draft Environmental Impact Statement

OCTOBER 31, 1973.

Notice is hereby given that on October 31, 1973, as required by §§ 2.82(b) of Commission regulations under Order No. 415-C a Draft Environmental Impact Statement prepared by the staff of the Federal Power Commission was made available for comments. This statement deals with the environmental impact in the proceeding under Docket No. CP73-47, *et al.*, Eascogas LNG, Inc., *et al.* for certificate of public convenience and necessity under section 7(c) of the Natural Gas Act for construction and operation of liquefied natural gas (LNG) and related facilities in Providence, Rhode Island. Facilities in these related dockets include construction of an unloading dock, two 600,000 barrel LNG storage tanks, vaporizer units 3.2 miles of 30-inch diameter on line pipeline, a dual 24-inch diameter 0.6 mile pipeline crossing the Providence River, a metering station, and other appurtenant facilities. Other facilities proposed include 1.2 miles of 30-inch-diameter loop and 2.0 miles of 16-inch-diameter pipeline loop.

This statement has been sent to the Council on Environmental Quality and to Federal, State and local agencies, and has been placed in the public files of the Commission, and is available for public inspection both in the Commission's Office of Public Information, Room 1000,

825 North Capitol Street NE, Washington, D.C. 20426 and at its New York Regional Office located at 26 Federal Plaza (22d Floor), New York, New York 10007. Copies may be ordered from the Commission's Office of Public Information, Washington, D.C. 20426 and from the National Technical Information Service, Department of Commerce, Springfield, Virginia 22151.

Any person who wishes to do so may file comments on the staff draft statement for the Commission's consideration. The Commission has found that it is necessary and appropriate in the public interest to dispense with the 45 day time period for review and comment and here-with shortens the period to 21 days to allow the Commission to make its decision in as expeditious a manner as possible as to if the merits of this application service the public convenience and necessity. Therefore all comments must be filed on or before November 21, 1973.

Any person who wishes to present evidence regarding environmental matters in this proceeding must file with the Commission a petition to intervene pursuant to § 1.8 of the Commission's rules for practice and procedure. Petitioners must also file timely comments on the draft statement in accordance with § 2.82(c) of Order No. 415-C.

All petitions to intervene must be filed on or before November 21, 1973.

Very truly yours,

KENNETH F. PLUMB,
Secretary.

[PR Doc.73-23441 Filed 11-2-73;8:45 am]

INDEPENDENT NATURAL GAS
ASSOCIATION OF AMERICA

Notice of Meeting

OCTOBER 30, 1973.

Take notice that the Independent Natural Gas Association of America (INGAA) on behalf of several member companies with Appalachian natural gas production has requested a meeting with the Bureau of Natural Gas, Federal Power Commission. Said meeting was requested by INGAA by letter dated October 24, 1973.

According to INGAA, the purpose of the requested meeting is to discuss the reporting requirements embodied in the newly revised FPC Form No. 15.

Pursuant to this request, a meeting will be held on November 5, 1973, at 2 p.m., e.s.t., in a conference room of the Federal Power Commission, 825 North Capitol Street NE, Washington, D.C. 20426.

KENNETH F. PLUMB,
Secretary.

[PR Doc.73-23566 Filed 11-2-73;8:45 am]

INDEPENDENT NATURAL GAS
ASSOCIATION OF AMERICA

Notice of Meeting

OCTOBER 30, 1973.

Take notice that the Independent Natural Gas Association of America (INGAA) on behalf of several member

companies with Appalachian natural gas production have requested a meeting with the Bureau of Natural Gas, Federal Power Commission. Said meeting was requested by INGAA by letter dated October 24, 1973.

According to INGAA, the purpose of the requested meeting is to discuss the reporting requirements embodied in the newly revised FPC Form No. 15.

Pursuant to this request, a meeting will be held on November 5, 1973, at 2 p.m., e.s.t., in a conference room of the Federal Power Commission, 825 North Capitol Street NE, Washington, D.C. 20426.

KENNETH F. PLUMB,
Secretary.

[PR Doc.73-23442 Filed 11-2-73;8:45 am]

[Docket No. RP73-115; Docket No. RP72-47]

CONSOLIDATED GAS SUPPLY CORP.

Order Consolidating Proceedings and
Permitting Intervention

OCTOBER 26, 1973.

On October 5, 1971, Consolidated Gas Supply Corporation (Consolidated) tendered for filing in Docket No. RP72-47 certain proposed tariff sheets embodying its curtailment plan pursuant to Order No. 431. On December 3, 1971, we suspended the effectiveness of these tariff sheets for one day. On June 21, 1972, Consolidated filed tariff sheets amending its curtailment plan as originally filed on October 5. Some of the tariff sheets filed on June 21 were rejected by the Commission and refiled by Consolidated on August 21, 1972. Thereafter, we issued our Policy Statement in Docket No. R-469 setting forth delivery priorities applicable for interstate pipeline companies during periods of curtailment. On March 15, 1973, Consolidated was granted time in which to submit tariff sheets conforming to priorities enunciated in Order No. 467-B, or, in the alternative, to proceed with its proposed plan. Response was made by Consolidated on June 14, 1973, in the form of revised tariff sheets and it was those tariff sheets to which we assigned the new docket number RP73-115. That new filing in effect initiated a new proceeding and pursuant to § 1.14(b) of the Commission's rules of practice and procedure, it was assigned an appropriate designation.¹

These two dockets, because they are interrelated and contain common issues of law and fact, should be consolidated for purposes of the hearing scheduled November 6, 1973.²

Petitions to intervene in Docket No. RP72-47 and RP73-115 have been filed as follows:

¹ Notice of the filing of the tariff sheets was published in the **FEDERAL REGISTER** on July 18, 1973, (38 FR 19156) and set July 23, 1973, as the deadline for filing protests or petitions to intervene.

² We note in reviewing our files that Docket No. RP71-127 was originally assigned to Consolidated's filing in response to Order No. 431. The two dockets herein consolidated will supplant that docket designation.

NOTICES

[Docket No. CP72-251]

NORTHERN NATURAL GAS CO.

Order Granting Intervention, Denying Motions and Setting Pre-Hearing Conference

OCTOBER 26, 1973.

On April 24, 1972, Northern Natural Gas Company (Northern) filed in Docket No. CP72-251 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing Northern to construct and operate certain natural gas facilities and to inject natural gas into a proposed storage field, all as more fully set forth in the application which is on file with the Commission. Notice published in the *FEDERAL REGISTER* on May 6, 1972 (37 FR 9263) resulted in numerous petitions to intervene, several alleging adverse environmental impacts including permanent loss of arable land, adverse effects on ground water, and various safety hazards. Analysis of the original application led to letters addressed to Northern dated August 9, 1972, and March 13, 1973, respectively, resulting in the first supplement to application, filed September 15, 1972, and second supplement to application, filed April 24, 1973.

In substance the Northern application proposed as part of a "testing" phase to inject up to 6,000,000 Mcf of gas into a storage field located in Dallas County, Iowa. The two geological formations involved in the original proposal were known as the Mt. Simon formation and the St. Peter formation, both of which appeared at the time of the original application to contain caprock suitable for underground storage of natural gas. Northern's application also seeks authorization to install two 1,000 horsepower compressor units, 6.7 miles of 8-inch lateral pipeline connecting the proposed Dallas Center Storage Field with Northern's transmission line, and 12.8 miles of various diameter pipeline. Northern states the facilities needed for the test phase are estimated to cost \$1,973,000, which would be financed from cash on hand.

By letter dated June 11, 1973, Northern informed the Commission that preliminary testing had disclosed that the Mt. Simon formation would not provide a suitable reservoir for the storage of natural gas, and that Northern presently intends to proceed only with the development of the St. Peter formation. In view of the change in scope of the project, the Commission requested by letter dated June 28, 1973, that the application be fully and completely amended or resubmitted to reflect the development of only the St. Peter formation. This request was predicated upon the requirement that, among other things, any draft environmental statement accurately reflect the exact scope of the project as it is presently envisioned, together with an up-to-date discussion of costs, feasibility, and alternatives to the proposed action.

Notices of intervention have been filed in both dockets by The Public Service Commission for the State of New York, The Public Service Commission of West Virginia, and The Public Utilities Commission of Ohio.

We find it appropriate in the public interest to allow the above-named petitioners to intervene in these two dockets.

The Commission finds: (1) Good cause exists for consolidating the proceedings in Docket Nos. RP72-47 and RP73-115.

(2) It is desirable and in the public interest to allow the above-named petitioners to intervene in this consolidated proceeding.

The Commission orders: (A) The above-named petitioners are hereby permitted to intervene in the proceeding in which they filed subject to the Rules and Regulations of the Commission: *Provided, however,* That the participation of such intervenors shall be limited to matters affecting asserted rights and interests specifically set forth in said petitions for leave to intervene; and, *provided, further,* That the admission of such intervenors shall not be construed as recognition by the Commission that they or any of them might be aggrieved because of any order or orders of the Commission entered in this proceeding.

(B) The proceedings in Docket Nos. RP72-47 and RP73-115 are consolidated for purposes of hearing and determination.

By the Commission.

[SEAL]

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-23447 Filed 11-2-73;8:45 am]

date environmental data filed in compliance with Commission Order No. 485. The total area affected by the proposed storage facility when completed will be approximately 26,500 acres, and the cost of the project when completed, assuming achievement of satisfactory results in the test phase herein sought to be certified, is estimated to be \$44,347,000, and encompasses seventy-five wells on thirty-eight sites.

The original application filed in this docket has been supplemented twice and amended once. In order that there be minimal difficulty in interpreting the issues presented by this application, the Commission directs that a pre-hearing conference be held, at which in addition to the matters specified in § 1.18 of the rules of practice and procedure, may be considered any requests for clarification of the facts presented by the amended application which may be necessary for preparation of an environmental impact statement. Northern is expected to make available at the prehearing conference persons familiar with the technical aspects of its application and who are prepared to discuss the relationship of the amendment to any data previously filed.

On September 21, 1973, Dallas County Gas Storage Association, an intervenor in these proceedings, filed a motion to require full disclosure and renunciation of an alleged expansion of the scope of the project beyond that set forth in Northern's amended application, which amended application is filed under oath. The motion alleges that additional wells are presently being drilled outside the area of the proposed storage field. In an answer to the motion, filed on October 5, 1973, Northern alleges that the activity alluded to in the motion consists of exploratory wells designed to verify the point of closure of the geological formation involved, and should not in any way be construed as an expansion of the scope of the project as described in the amended application. The Commission is of the opinion that implicit in an application for a certificate permitting testing is the understanding that usual and customary procedures in accordance with professional engineering judgment will be employed. An applicant engaged in exploratory and testing procedures will doubtless encounter data on a day to day basis which will, in the exercise of his best engineering judgment, require additional testing or modified procedures. The Commission cannot supervise every test and approve every procedure, and there is nothing in the motion before us that indicates that Northern has exceeded the bounds of testing described in its application. As a result, the motion of Dallas County Gas Storage Association is without merit and must be denied. However, Northern is directed to make available appropriate information and conclusions developed as a result of such testing at the prehearing conference established by this order, and, should facts be developed at the prehearing conference which indicate that a change in the project either must or has taken place, an appropriate motion may be entertained.

In another motion dated July 20, 1972, Dallas County Gas Storage Association requests that the hearing be convened in Dallas County, Iowa. The motion alleges that several residents of Dallas County are prepared to testify as to the effects of Northern's operation of the Redfield Storage Area. All intervenors who desire to present evidence may, of course, do so. However, to move the site of the hearing for the convenience of one intervenor would be prejudicial to others. Accordingly, the Commission declines to convene the hearing in Dallas County, Iowa.

In response to notice in the **FEDERAL REGISTER**, the following timely petitions to intervene were filed:

Iowa State Commerce Commission
Iowa Southern Utilities Company
Iowa Public Service Company
Minneapolis Gas Company
Iowa Electric Light & Power Company
Iowa-Illinois Gas & Electric Company
Lake Superior District Power Company
North Central Public Service Company
Iowa Power and Light Company
Central Telephone and Utilities Corporation
Wisconsin Gas Company
Michigan Public Service Commission
Nebraska Natural Gas Company
City of Duluth, Minnesota
Northwestern Public Service Company
Metropolitan Utilities District of Omaha
Northern States Power Company
Central Natural Gas Company
Municipal Gas Utility of Cedar Falls, Iowa
Minnesota Natural Gas Company
Dallas County Gas Storage Association
Northern Illinois Gas Company
Wisconsin Power and Light Company

In addition, the following late petitions to intervene were filed:

St. Croix Valley Natural Gas Company
Wisconsin Public Service Commission
Iowa Confederation of Environmental Organizations

In view of the fact that the hearing date has not been set, and no delay will result from the granting of these late petitions, the interventions should be permitted.

The Commission finds: (1) It is desirable and in the public interest to allow all of the above-named petitioners to intervene in order that they may establish the facts and the law from which the nature and validity of their alleged rights may be determined and show that further action may be appropriate under the circumstances in the administration of the Natural Gas Act.

(2) It is necessary and appropriate that the proceedings in Docket No. CP72-251 be set for hearing and decision.

(3) Nothing in the motion of Dallas County Gas Storage Association, filed September 21, 1973, indicates that Northern has exceeded the bounds of testing described in its amended application.

(4) Nothing in the motion of Dallas County Gas Storage Association filed July 20, 1972, establishes an overriding interest in conducting formal hearing in Dallas County, Iowa.

(5) A pre-hearing conference should be convened, to consider, among other

things, any requests for clarification of the facts presented by the amended application which may be necessary for preparation of an environmental impact statement.

The Commission orders: (A) The above-named petitioners as well as those named in the Commission's order of November 3, 1972, are hereby permitted to intervene in these proceedings subject to the rules and regulations of the Commission: *Provided, however*, That the participation of such intervenors shall be limited to matters affecting asserted rights and interests as specifically set forth in said petition for leave to intervene, and *provided, further*, That the admission of such intervenors shall not be construed as recognition by the Commission that they might be aggrieved because of any order or orders of the Commission entered in this proceeding.

(B) Northern Natural Gas Company, and all supporting intervenors, shall file testimony and exhibits comprising their cases-in-chief, on or before December 11, 1973.

(C) A pre-hearing conference is to be convened on November 1, 1973, in a hearing room of the Federal Power Commission, 825 North Capitol Street, Washington, D.C. 20426, to discuss procedural issues and clarifications as noted in this order.

(D) Pursuant to § 2.64(c) of the Commission's rules of practice and procedure, the applicants shall serve copies of their filings upon all intervenors promptly, unless such service has already been effected pursuant to Part 157 of the regulations of the Natural Gas Act.

(E) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held in a hearing room of the Federal Power Commission, 825 North Capitol Street NE, Washington, D.C. 20426, on January 7, 1974, concerning the matters involved in and the issues presented by this application.

(F) The record of these proceedings shall remain open until the submission of the Commission Staff's final environmental impact statement, and any comments received on the draft statement, and no initial decision shall be issued by the Administrative Law Judge until inclusion of the environmental impact statement in the record and appropriate consideration thereof.

(G) The motion of Dallas County Gas Storage Association for full disclosure and renunciation is denied.

(H) The motion of Dallas County Gas Storage Association requesting that the hearing be held in Dallas County, Iowa, is denied.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[F.R. Doc. 73-23448 Filed 11-2-73; 8:45 am]

[Docket No. E-7723]

POTOMAC EDISON COMPANY

Order Further Amending Prior Order

OCTOBER 29, 1973.

On September 14, 1973, the Commission issued an order in the above captioned docket which contains a typographical error. On mimeo page 3, line 22 the year "1973" appears while the correct year is "1972". We shall order this correction.

The Commission orders: (A) The year "1973" which appears on mimeo page 3, line 22 of our order issued September 14, 1973, in this proceeding is hereby changed to read "1972".

(B) The Secretary shall cause prompt publication of this order in the **FEDERAL REGISTER**.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[F.R. Doc. 73-23448 Filed 11-2-73; 8:45 am]

[Docket No. E-7645]

PUBLIC SERVICE COMPANY OF INDIANA

Notice of Filing of Petition To Terminate Investigation

OCTOBER 29, 1973.

Take notice that on October 24, 1973, Public Service Company of Indiana, Inc. (PSI) filed a Petition To Terminate Investigation As Merely Moot and To Stay All Further Proceedings. In its petition, PSI requests that the Commission terminate the section 206 investigation initiated by the Commission in ordering paragraph (E) of its order issued October 17, 1973.

In support of its petition, PSI states that in response to suggestion of the Commission Staff and with the consent of the parties to the Settlement Agreement, PSI will modify the clause in paragraph 1, entitled "Applicability", of Second Revised Sheet No. 13 of PSI's FPC Electric Tariff Original Volume No. 1 (Second Revision) and the first paragraph, entitled "Applicability", of Original Sheet No. 6 of PSI's FPC Electric Tariff Original Volume No. 2 so that they shall not "prevent further wholesaling of purchased power". PSI also requests that the termination be effective upon acceptance for filing of the tariff revisions to be tendered by PSI in compliance with the approved Settlement Agreement, with the modifications referred to above. Finally, PSI states that the Staff concurs in requesting such termination.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NW, Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before November 9, 1973. Protests will be

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considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-23450 Filed 11-2-73;8:45 am]

[Docket No. RP72-99]

TRANSCONTINENTAL GAS PIPE LINE CORP.

Notice of Filing of Revisions in Proposed Curtailment Plan

OCTOBER 29, 1973.

Take notice that on October 16, 1973, Transcontinental Gas Pipe Line Corporation (Transco) submitted for filing revised tariff sheets¹ to Transco's FPC Gas Tariff, First Revised Volume No. 1 and Original Volume No. 2. Transco states that these tariff sheets constitute further revisions in Transco's tariff which are necessary to implement the curtailment plan filed in this proceeding on June 29, 1973, as supplemented on July 6, 1973. Transco proposes to make the subject tariff sheets effective on November 16, 1973, in substitution for and in addition to those tariff sheets submitted in this proceeding on June 29, 1973.

Transco states that the subject tariff sheets accomplish the following changes:

(1) A new section to the General Terms and Conditions has been added to provide for penalties for unauthorized overruns of volumes established for specified periods of time during curtailment.

(2) There has been eliminated from the compensation feature of the curtailment plan the prerequisite that the Commission approve in advance the escrowing of the 25¢ collections from customers which have curtailed less than the system average. Transco proposes to implement this feature of its end-use plan commencing November 16, 1973.

(3) The boiler fuel curtailment and priority of deliveries provision in the CD, G, and OG rate schedules has been eliminated since such provision is inconsistent with the end-use curtailment plan.

(4) The method for reflecting in Transco's rates the demand charge credits and the 25¢ per Mcf debits and credits (Section 20 of the General Terms and Conditions) has been changed to

reflect a uniform recovery in the three Zones on Transco's system.

(5) The demand charge credit provision and the 25¢ per Mcf debit and credit provision (§ 13.2(e) and 13.2(f) of the General Terms and Conditions) have been redrafted to reflect the planned method of implementation of the end-use plan over as long a period as possible, as spelled out above.

(6) The definitions of terms have been revised to accord with the final definitions adopted by the Commission in its Order No. 493 issued September 21, 1973.

(7) The provision for relief from curtailment in emergency situations (§ 13.4 of the General Terms and Conditions) has been supplemented to require certain attestations from the customer seeking such relief.

Transco's revisions to its permanent curtailment plan are on file with the Commission and is available for public inspection.

Transco states that copies of its filing are available for public inspection during regular business hours in its office in Houston, Texas.

Any person desiring to be heard or to make any protest with reference to this filing who has not already petitioned to intervene in this proceeding should on or before November 7, 1973, file with the Federal Power Commission, 825 North Capitol Street, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to participate as parties in any hearing therein must file petitions to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-23451 Filed 11-2-73;8:45 am]

TEXAS EASTERN TRANSMISSION CORP.
Notice of Proposed Changes in FPC Gas Tariff

OCTOBER 30, 1973.

Take notice that Texas Eastern Transmission Corporation, on October 5, 1973, tendered for filing proposed changes in its FPC Gas Tariff, Original Volume No. 2. The proposed changes consist of a new exchange agreement with Mississippi River Transmission Corporation designated as X-66 and the supersession of an existing emergency exchange agreement, X-9, dated November 30, 1950, between the parties.

Rate Schedule X-66 provides for additional points of exchange and for exchanges by mutual dispatching arrangements. The proposed effective date of the filing is November 5, 1973.

A copy of this filing was served upon Mississippi River Transmission Corporation.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE, Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8 and 1.10). All such petitions or protests should be filed on or before November 5, 1973. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-23564 Filed 11-2-73;8:45 am]

FEDERAL RESERVE SYSTEM

ASB BANCSHARES, INC.

Formation of Bank Holding Company

ASB Bancshares, Inc., Kansas City, Missouri, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 81 percent or more of the voting shares of Archie State Bank, Archie, Missouri. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

ASB Bancshares, Inc., has also applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y, for permission to engage in insurance agency activities. Notice of the application was published on October 11, 1973 in the Archie News, a newspaper circulated in Bates County, Missouri.

Applicant states that it would engage in the activity of the sale of credit life, fire and casualty insurance in a community with a population of less than 5,000. 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.

¹ First Revised Volume No. 1: First Revised Sheet Nos. 7, 8, 9, 10, 11, 13, 14, 17, 18, 19, 21, 23, 24, 25, 32, 33, 81, 119, 145, 146, 150, 151, 152, 153, 154, 158, and 159; Second Revised Sheet Nos. 12, 20, 26, 136, and 155; Substitute Second Revised Sheet Nos. 138, 139, 141, and 142; Third Revised Sheet No. 140; Substitute First Revised Sheet No. 143 and Second Substitute First Revised Sheet No. 144. Original Volume No. 2: Second Revised Sheet No. 1-A.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Kansas City.

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 November 13, 1973.

Board of Governors of the Federal Reserve System, October 29, 1973.

THEODORE E. ALLISON,
Assistant Secretary of the Board.

[F.R. Doc. 73-23453 Filed 11-2-73; 8:45 am]

FIRST INTERNATIONAL BANCSHARES, INC.

Acquisition of Bank

First International Bancshares Inc., Dallas, Texas, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent of the voting shares (less directors' qualifying shares) of The First National Bank of Waco, Waco, Texas. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Dallas. Any person wishing to comment on the application should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than November 21, 1973.

Board of Governors of the Federal Reserve System, October 25, 1973.

[SEAL] THEODORE E. ALLISON,
Assistant Secretary of the Board.

[F.R. Doc. 73-23454 Filed 11-2-73; 8:45 am]

NORTHERN ILLINOIS BANCORP, INC.

Formation of Bank Holding Company

Northern Illinois Bancorp, Inc., Joliet, Illinois, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 100 percent of the voting shares (less directors' qualifying shares) of the successor by merger to Louis Joliet Bank, Joliet, Illinois. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Chicago. Any person wishing to comment on the application should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than November 22, 1973.

Board of Governors of the Federal Reserve System, October 26, 1973.

[SEAL] THEODORE E. ALLISON,
Assistant Secretary of the Board.

[F.R. Doc. 73-23455 Filed 11-2-73; 8:45 am]

WINTERS NATIONAL CORP.

Proposed Acquisition of Winters National Life Insurance Company

OCTOBER 26, 1973.

Winters National Corporation, Dayton, Ohio, has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y, for permission to acquire voting shares of Winters National Life Insurance Company, Phoenix, Arizona. Notice of the application was published on September 21, 1973, in the Dayton Daily News, a newspaper circulated in Dayton, Ohio, and on September 25, 1973, in The Arizona Republic, a newspaper circulated in Phoenix, Arizona.

Applicant states that the proposed subsidiary would engage in the activity of acting as a reinsurer of credit life accident and health insurance which is directly related to extensions of credit by applicant and its subsidiaries. Such activity has 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 interest, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Cleveland.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than November 22, 1973.

Board of Governors of the Federal Reserve System, October 26, 1973.

[SEAL] THEODORE E. ALLISON,
Assistant Secretary of the Board.

[F.R. Doc. 73-23456 Filed 11-2-73; 8:45 am]

NATIONAL ENDOWMENT FOR THE ARTS

VISUAL ARTS PROGRAM
Guidelines, Fiscal Year 1974

Following are guidelines for grants made under the Visual Arts Program of the National Endowment for the Arts, an independent agency of the Federal government which makes grants to organizations and individuals concerned with the arts throughout the United States.

Notice is hereby given that the deadlines for applications under the Visual Arts Program are: for Art Critics Fellowships, 1 November 1973 (passed); for the Workshop Program, 15 November 1973; for the Fellowship Program for Artists—Category 1, 30 November 1973; for Craftsmen Fellowships, 15 December 1973; for Works of Art in Public Places—Group II and Group III, 1 January 1974; for Photography: Exhibition Aid, 15 January 1974; for the Fellowship Program for Artists—Category 2, 1 February 1974; for Visual Arts in the Performing Arts, 15 February 1974; for Photographer Fellowships, 30 May 1974; and for Art Critics Fellowships, 1 July 1974.

Interested persons should contact the Visual Arts Program, National Endowment for the Arts, Washington, D.C. 20506, (202) 382-7068 for further information and application forms. Only the Visual Arts office may distribute application forms.

Signed at Washington, D.C., on 30 October 1973.

FANNIE TAYLOR,
Director, Program Information.

VISUAL ARTS PROGRAM

INTRODUCTION

The Visual Arts Program provides assistance for individual artists of exceptional talent, e.g., painters, sculptors, printmakers, photographers and craftsmen; for the commissioning and placement of art works in public places; for short-term residencies of artists, critics, photographers and craftsmen in educational and cultural institutions, and for a variety of flexible programs, including workshops, short-term activities and artists' services. Basically grants are of two kinds—fellowships are available to individuals and project grants are made to organizations. The following information provides some basic facts to keep in mind concerning both types of assistance.

APPLICATION DEADLINES

November 1	Art Critics Fellowships, FY 74
November 15	Workshop Program, FY 74
November 20	Fellowship Program for Artists—Category 1, FY 74
December 15	Craftsmen Fellowships, FY 74
January 1	Works of Art in Public Places—Group II and Group III, FY 74
January 15	Photography: Exhibi- tion Aid, FY 74
February 1	Fellowship Program for Artists—Category 2, FY 74

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February 15	Visual Arts in the Performing Arts, FY 74
May 30	Photographer Fellowships, FY 75
July 1	Art Critics Fellowships, FY 75
Applications are accepted and reviewed throughout the year:	Artists, Photographers, Critics, and Craftsmen in Residence program Works of Art in Public Places—Group 1 Artists Services

GENERAL INFORMATION

GRANTS TO ORGANIZATIONS

Eligibility. By statute, the National Endowment for the Arts is limited to the support of organizations which meet the following criteria:

(1) Only those organizations which meet the applicable requirements of Title VI of the Civil Rights Act of 1964 for the duration of any project supported in whole or in part by the National Endowment for the Arts.

(2) Only those organizations in which no part of net earnings inure to the benefit of a private stockholder or individual and to which donations are allowable as a charitable contribution under section 170(c) of the Internal Revenue Code of 1954, as amended. Copy of Internal Revenue Service Determination letter for tax-exempt status must be submitted with each application.

(3) Only those organizations which compensate all professional performers, related or supporting professional personnel, laborers, and mechanics at the equivalent of the prevailing minimum compensation level or on the basis of negotiated agreements which would satisfy the requirements of Parts 3, 5, and 505 of Title 29 of the Code of Federal Regulations for the duration of any project supported in whole or in part by the National Endowment for the Arts.

Method. Generally, project grants to institutions will be made on at least a dollar-for-dollar matching basis. Matching funds must be from non-federal sources.

Procedure for applying. (1) Institutions should use the forms entitled "Project Grant Application" (NEA-3, Rev.). Please follow closely the instruction sheet attached to your application and supply all information requested.

(2) **Project description.** The Project Description should be brief but specific. Spell out concrete details. All essential elements of the proposal must be included in a concise project summary in the space provided on the application. If applicants wish to supply additional information, they should submit no more than one side of one additional page (8½" by 11") with the application.

(3) **Budget.** Budget estimates should cover the total project costs. Project costs include total direct and indirect costs essential to the project and consistent with specific program guidelines that follow. Please provide all budget detail and supplemental material required by the Project Grant Application (NEA-3, Rev.) instruction and specific program guidelines.

FELLOWSHIP GRANTS TO INDIVIDUALS

Eligibility. (1) Generally, fellowships will only be made to U.S. citizens.

(2) Students are not eligible.

Method of funding. Grants to individuals are made on a non-matching basis.

Procedure for Applying. (1) Individuals applying to the Endowment should use the application forms entitled "Individual Grant Application," (NEA-2, Rev.). These forms

must be submitted in triplicate and in accordance with the instruction sheet which is attached.

(2) Projects you may wish to undertake should be described succinctly in the space provided under "Description of Proposed Activity." The description should not include elaborate statements of your aesthetics or philosophy.

(3) **Slide Submissions**—All slides should be 35 mm (suitable for carousel projection) and we ask that they be placed in clear plastic sheets for easy handling. Please indicate on each slide casing:

- (a) Your own name
- (b) Title of the work
- (c) Date
- (d) Medium
- (e) Dimension in inches (height preceding width preceding depth)
- (f) Top of the work

Unless stated in the guidelines, materials sent to the Endowment will be returned only if a suitable, self-addressed stamped envelope accompanies the application. The Endowment assumes no responsibility for lost or damaged prints or slides. Please comply with the limit set of the number of prints or slides which are sent to the Endowment. The advisory committees will only review up to the maximum number allowed.

Note.—The Internal Revenue Code and regulations provide that certain fellowships to individuals who are not candidates for degrees are, within certain limitations excludable from gross income, for tax purposes. If a fellowship qualifies for this exclusion, the amount is limited to \$300 times the number of months the fellowship is intended to cover, but not in excess of 36 months. In addition, amounts received to cover certain expenses for travel, research, clerical help or equipment incident to the fellowship are excludable to the extent of the recipient's actual expenses provided that these expenses are not claimed as a deduction. A pamphlet published by the Internal Revenue Service on this subject and entitled "Tax Information on Scholarships and Fellowships" is reprinted on page 18. This might be helpful in preparing an application for a proposed fellowship. The Endowment cannot advise you as to the deductibility of all or any portion of a fellowship, should one be awarded to you. Advice should be sought from your own tax counselor or local Internal Revenue Service Office.

Mailing address. Both individual and project application forms should be returned to the Grants Office, National Endowment for the Arts, Washington, D.C. 20506, postmarked no later than the deadline date. Additional information and application forms may be obtained from the Visual Arts Program National Endowment for the Arts, Washington, D.C. 20506.

Review procedure. Generally, selection will be made from recommendations of an advisory committee and the National Council on the Arts.

Reporting requirements. The Endowment requires a fiscal and narrative report on a project at the end of the grant period.

BICENTENNIAL PROGRAMS

The Endowment recognizes that the arts will play an important role in the next few years in the celebration of our country's bicentennial. The Endowment welcomes this involvement on the part of artists and cultural organizations. The Endowment has an active interest in participating in these efforts, within funds available to it, and insofar as they are directed to professional creation and presentation of new works, improvement of artistic standards, preservation of our cultural heritage, and increasing the

availability of the arts for all Americans. If funds under these guidelines are sought for projects deemed by the applicant to be related to the bicentennial, a brief description of this relationship should be made in the application.

RESOLUTION ON ACCESSIBILITY TO THE ARTS FOR THE HANDICAPPED

One of the main goals of the National Endowment for the Arts is to assist in making the arts available to all Americans. The arts are a right, not a privilege. They are central to what our society is and what it can be. The National Council on the Arts believes very strongly that no citizen should be deprived of the beauty and the insights into the human experience that only the arts can impart.

The National Council on the Arts believes that cultural institutions and individual artists could make a significant contribution to the lives of citizens who are physically handicapped. It therefore urges the National Endowment for the Arts to take a leadership role in advocating special provision for the handicapped in cultural facilities and programs.

The Council notes that the Congress of the United States passed in 1968 (Pub. L. 90-480) legislation that would require all public buildings constructed, leased or financed in whole or in part by the Federal Government to be accessible to handicapped persons. The Council strongly endorses the intent of this legislation and urges private interests and governments at the state and local levels to take the intent of this legislation into account when building or renovating cultural facilities.

The Council further requests that the National Endowment for the Arts and all of the program areas within the Endowment be mindful of the intent and purposes of this legislation as they formulate their own guidelines and as they review proposals from the field. The Council urges the Endowment to give consideration to all the ways in which the agency can further promote and implement the goal of making cultural facilities and activities accessible to Americans who are physically handicapped.

Adopted by the National Council on the Arts, September 15, 1973.

CATEGORIES OF FUNDING

ART CRITICS FELLOWSHIP PROGRAM FISCAL 1974

To enable art critics to pursue their profession, to study and/or write or, if they wish, to take on a specific project which in their present circumstances is not feasible.

Eligibility. Art critics of exceptional talent and accomplishment who are published regularly. For the purposes of this program, art criticism is defined as the investigation, evaluation and exposition of contemporary or recent art. (Art historians are not eligible; historians of art whose concerns are primarily scholarly should apply to either the Fellowship Division or the Research Grants Division of the National Endowment for the Humanities, Washington, D.C. 20506, for funding.)

Fellowship amount. \$3,000.

Deadline. All applications must be postmarked by November 1, 1973. The next deadline will be July 1, 1974.

Procedure. Please review the instructions given on page 4 and complete the forms entitled "Individual Grant Application" (NEA-2, Rev.). Please include not more than two samples (preferably a specific article or essay) showing your work in its best light. (Samples will not be returned.) Interviews should not be submitted as examples. Each article submitted should not exceed 5000 words.

Announcement date. Notices of awards or rejections will not be sent before April 1974. Your proposed activity should not have a beginning date before May 1974 and should generally be carried out during the succeeding twelve months.

CRAFTSMEN'S FELLOWSHIP PROGRAM FISCAL 1974

To enable craftsmen to set aside time, aid in purchasing materials and for other purposes that would enable them to advance their careers.

Eligibility. Professional craftsmen of exceptional talent—glass workers, metal workers, weavers, potters, and woodworkers—of any age, medium or aesthetic persuasion. Students are not eligible.

Fellowship amount. \$3,000.

Deadline. All applications must be postmarked by December 15, 1973.

Procedure. Please review the instructions given on page 4 and complete the forms entitled "Individual Grant Application" (NEA-2, Rev.). You should indicate under the proposed description the type of art activity you would undertake, type of medium you would work with and items/projects that you would initiate and/or plan to finish should a fellowship be awarded to you. Not more than five slides of your work should be submitted. Please read carefully Item 3, General Information, page 4 for accurate instructions for slide submission.

Announcement date. Notices of awards or rejections will not be sent before May 1974. (Slides will not be returned before July 1974.) Your proposed activity should not have a beginning date before June 1974 and generally should be carried out during the next succeeding 12 months.

FELLOWSHIP PROGRAM FOR ARTISTS: CATEGORY 1 FISCAL 1974

To enable artists to set aside time and/or purchase materials and, generally to enable them to advance their careers as they see fit.

Eligibility. Professional painters, sculptors, and printmakers of exceptional talent. Artists of any age (except students), school or aesthetic persuasion are eligible. A limited number of these grants will be set aside for artists over 50.

Fellowship amount. \$7,500.

Deadline. Applications must be postmarked by November 30, 1973.

Procedure. Please review the instructions given on page 4 and complete the forms entitled "Individual Grant Application" (NEA-2, Rev.). You should indicate under the proposed description the type of art activity you would undertake, type of medium you would work with and not more than five slides of your work. Please read carefully Item 3, General Information, page 4 for accurate instructions for slide submission.

Announcement date. Notices of awards or rejections will not be sent before July 1974. (Slides will not be returned before September 1, 1974.) Your proposed activity should not have a beginning date before August 1974 and generally should be carried out during the next succeeding 12 month period.

FELLOWSHIP PROGRAM FOR ARTISTS: CATEGORY 2 FISCAL 1974

To assist artists engaged in painting, sculpture, printmaking etcetera, but also includes artists engaged in conceptual, performance and video work in a visual art context. Funds are to enable artists to set aside time and/or purchase materials and generally to enable them to advance their careers as they see fit.

Eligibility. Artists of exceptional talent in any of the above areas. In general support will be for six months rather than for the twelve months in Category 1. The emphasis will be on younger artists.

Deadline. Applications must be postmarked by February 1, 1974.

Fellowship Amount. \$3,000.

Procedure. Please review the instructions given on page 4 and complete the forms entitled "Individual Grant Application" (NEA-2, Rev.). You should indicate under the proposed description the type of art activity you would undertake, type of medium you would work with and not more than five slides of your work. Where your work cannot be represented by slides (conceptual, performance, video) appropriate documentation or examples (e.g. videotapes) will be required. Please read carefully Item 3, General Information, page 4 for accurate instructions for slide submission.

Announcement date. Notices of awards or rejections will not be sent before July 1974. (Slides or other materials will not be returned before October 1974.) Your proposed activity should not have a beginning date before August 1974.

PHOTOGRAPHER'S FELLOWSHIP PROGRAM FISCAL 1975

The overall aim of the Photographer's Fellowship Program is to assist in the contribution made by photography to our culture. The specific aim is to allow photographers of exceptional talent to set aside time, to aid them in purchasing needed materials and for other purposes that would enable them to advance their careers.

Eligibility. Still photographers of exceptional talent.

Fellowship amounts. Fellowships ordinarily will not exceed and generally will be \$5,000.

Deadline. Applications must be postmarked by May 30, 1974. Applications should not be sent before January 15, 1974.

Procedure. Please review the instructions given on page 4 and complete the forms entitled "Individual Grant Application" (NEA-2, Rev.). You should indicate under "Description of Proposed Activity" what you will do with the funds if a fellowship is awarded to you. Up to ten prints should be submitted with your application.

Announcement date. Notices of awards or rejections will not be sent before October 1974. (Prints will not be returned before December 1974.) The proposed activity should not have a beginning date before November 1974 and should generally be carried out during the succeeding twelve months.

ARTISTS, CRITICS, PHOTOGRAPHERS AND CRAFTSMEN IN RESIDENCE FISCAL 1974

To make it possible for art schools, universities art departments and other institutions to invite artists, critics, photographers and craftsmen of national reputation for short-term stays to instruct, influence and stimulate students and faculty while practicing their professions. We believe that such circulation of exceptional talent benefits the students, the faculty and the visiting artists. Institutions select the artist(s), critic(s), photographer(s) or craftsman of their choosing and work out a mutually acceptable schedule of activities with emphasis on student contact. While new methods are not necessarily better, more inventive ways of bringing this contact about may be desirable; for instance, making the evolution of a work of art itself the teaching situation, or engaging the students as assistants in some project or process.

Eligibility. While aimed primarily at art schools and university art departments, other organizations such as museums, state art agencies, and community centers may qualify.

Grant amounts. Grants will usually not exceed \$1,500 and will be made on a matching basis. Larger grants are occasionally given for extraordinary projects. Projects budgets generally should include only artists' fees and transportation for the artists to the universi-

city, museum or community center at the start of the project and return to his home at the end of the project.

Deadline. Applications for this program are accepted and grants are made throughout the year. However, applications should be received six months before the planned residence will begin.

Procedure. Please review the instructions given on page 3 and complete the forms entitled "Project Grant Application" (NEA-3, Rev.). It is not necessary to have chosen the artist(s) at the time the application is filled out.

WORKS OF ART IN PUBLIC PLACES FISCAL 1974

The aim of the program is to give the public access to the best contemporary art in public situations outside museum walls.

The Endowment intends that the work of art will contribute to the public's enjoyment, education and enlightenment, that it will create a favorable climate for the reception of all the arts, and that a distinguished heritage of public art will be passed on to future generations.

The art works may be in any one of the following media: painting (murals), sculpture, prints, crafts (tapestries and weavings), photography (murals).

The art should be appropriate both for its immediate site and for the city and region.

Public places are defined as city spaces, outdoor and indoor; proposals for such public places as airports, subways, highways, etcetera, will also be considered.

Privately owned land may be used as a site, if such land is either under lease to local governments for public purposes, or is what may reasonably be considered as a "public area" i.e. an area to which the general public, or as in the case of a housing development or university complex, the local community has free and unimpeded access.

The program also aims to provide opportunities, challenges and employment for the nation's artists of exceptional talent.

A significant part of the program is the stimulation of an effective partnership between cities, states, private institutions, the private sector, and the Federal Government.

Eligibility. All cities, towns, and other non-federal governmental units; universities and non-profit tax-exempt private groups; state arts agencies.

Grant amounts. Matching from \$5,000 to \$50,000.

Procedure. Works of Art in Public Places is made up of a number of smaller programs each administered differently and each responding to different needs. Since each individual application tends to have its unique aspects, any application that does not fit easily into any of the following categories should be discussed—either by letter or telephone—with the Visual Arts Program, NEA, Washington, D.C. 20506.

In general the financial scale of the proposed project has a distinct bearing on its mode of administration.

Group I: Specially commissioned work. Grant amounts from \$20,000 to \$50,000 (matching) in sculpture; from \$10,000 to \$25,000 (matching) in murals (painting, prints, photography).

Applications. May be received from eligible groups for matching grants. The application should be signed by the mayor and/or the official with authority to legally bind the group. Where the applicant is not a governmental unit the nature of the site of public access to the work should be described.

It is the Endowment's experience that successful projects require strong local support—both financial and administrative—from an aesthetically sophisticated group.

Selection of artist. After approval of a grant, the applicants will appoint three individuals with knowledge of the local area of

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contemporary art to a selection committee. The Endowment will also appoint three nationally recognized experts to the selection committee. The six will meet and select the artist to be commissioned. The cost of the panel meeting will be borne locally. The local group will then approach the artist, who, if interested, will submit a model or maquette for the project, which the local representatives should approve. The National Council on the Arts will also have the opportunity to review the maquette. Contractual arrangements should be worked out between the local group and the artist directly.

While the selection panel is of course free to come to what they consider an appropriate decision, the National Council suggests that the selection panel keep in mind that opportunities for younger and mid-career artists in the public art area are limited, and should, if possible, be encouraged. At present, senior artists tend to be exclusively considered.

Deadline Group I. Applications will be accepted throughout the year. However, applications should be received six months before the project is scheduled to begin.

Group II: Purchased work. Grant amounts from \$10,000 to \$20,000 (matching) in sculpture; \$7,500 to \$15,000 (matching) in murals.

Applications. As before. In addition, artists or artists' groups may apply if a community or other governmental unit has indicated sufficient interest in a specific proposal.

(A) The applicants may propose to the Endowment a particular work they would like to purchase for an appropriate site. The application will be reviewed by an Endowment advisory committee and the National Council on the Arts who will make a recommendation to the Chairman. This recommendation will be based not only on the appropriateness of the art work for the particular site, but also on the concern of the National Council that the program reflect the diversity of contemporary art, and avoid repeated patronage of a few artists.

(B) Should the group require advice before coming to a decision on the art work they feel appropriate, the Endowment will make available a consultant to advise the group. This consultant will be a nationally recognized expert in contemporary public art. He will meet with the local group, inspect the site, discuss contemporary art with the applicants, make suggestions and generally provide professional assistance. The consultant's initial fee will be paid by the Endowment. Further consultations after the recommendation of the application by an Endowment panel, and approval of the grant will be paid by the local group.

Application material, Group II. Applications to be complete must, for both A and B, be accompanied by:

- (1) a photograph of the site in relation to surrounding buildings, interiors, et cetera
- (2) a photograph of the work(s)
- (3) a composite photograph or mock-up of the work, in proper scale, as it would look in the site.

The following details should also be included:

- (1) the cost of the work
- (2) whether it is unique or one of an edition
- (3) the sculptor's fee
- (4) the dealer's fee, if any.

Incomplete applications will not be submitted to the advisory committee for review. (Note: The National Council on the Arts, acting both on its own initiative and on the recommendation of a number of Visual Arts advisory committees, has recommended to the Chairman that dealer's fees not exceed ten per cent of the artist's fee, after manufacture or cost of the work was subtracted.) (The cost of site preparation is born by the applicant.)

Deadline Group II. Applications must be postmarked no later than January 1, 1974.

Group III: Pilot. Small projects, funding up to \$10,000 (matching). While guidelines and procedures apply generally as in Group II, Group III is intended to provide opportunities for younger artists, to enable communities and groups to test the idea of public art in their particular situations, and to encourage groups to test situations where public art is not normally considered but would be appropriate: i.e. subways, highways, paintings and prints and small sculpture for interior display in public buildings et cetera.

Deadline Group III. Applications must be postmarked no later than January 1, 1974.

Matching funds for all Works of Art in Public Places Projects, The Endowment recommends that the local funds be raised on as wide a base as is practical for each project. Community interest and involvement in raising matching funds usually helps each project considerably. Applicants should break down the sources of matching funds as much as possible. The Endowment requires a firm assurance that matching funds will be available for each project.

WORKSHOP PROGRAM FISCAL 1974

The aim of the Workshop Program is the production of new work by artists of exceptional talent, thus adding to our cultural resources. The program also encourages artists to test ideas and media, and to devise modes of working together, and, of course, give them a place to work.

Eligibility. For the purposes of this program, a "workshop" is defined as a place with facilities where a group of artists who share common esthetic and technical interests come together for the purpose of making or exhibiting works of art in a situation in which they derive stimulation from each other's presence and ideas. The workshop or organization holding the workshop must be tax-exempt.

Applicants are required to submit a copy of their Internal Revenue Service tax exemption status letter with every application. Workshops must have been in existence for at least one year. Workshops must be for the benefit of groups of practicing professional artists. Amateur or adult education groups are not eligible. Workshops may be independent or attached to museums, universities, art schools, etc. In the latter case, while students may benefit, the emphasis must be on work by practicing professional artists.

Grant Amounts. Grants will usually not exceed \$10,000 and will be made on a matching basis. (Total project at least \$20,000.)

Deadline. Applications must be postmarked no later than November 15, 1973.

Procedure. Please review the instructions given on page 3 and complete the forms entitled "Project Grant Application" (NEA-3, Rev.). Grant funds requested should be for the support of workshop activities for not more than one year starting May 1974 and may not extend or be deferred to another year, except under unusual circumstances.

Note. Your application will not be considered by the panel unless biographies of the artists involved in the workshop and 5 slides of each artist's work are included. (Please read carefully Item 3, General Information, page 4 for accurate instructions for slide submission.)

Announcement Date. Notices of awards or rejections will not be sent before April 1974. The proposed activity should not have a beginning date before May 1974.

ARTISTS' SERVICES, FISCAL 1974

A limited number of grants will be available to service organizations or artists' groups concerned with every aspect of the artists'

professional status. Grants will be made on a matching basis.

Organizations interested in applying should send a one-page project proposal with a one-page budget summary to the Director, Visual Arts Program, NEA, Washington, D.C. 20506. Included in this should be a brief general description of the organization's previous activities. If the preliminary inquiry indicates the proposed project is eligible for consideration, application forms will be sent. Applications are accepted throughout the year; however, applications should be received six months before the project is planned to begin.

PHOTOGRAPHY: EXHIBITION AID FISCAL 1974

The aim of this program is to bring photography exhibits of contemporary and/or historical importance to the public in a variety of appropriate situations.

Eligibility. Universities, museums, community centers, theaters, libraries, churches, prisons, cooperative non-profit photography galleries, state arts agencies, et cetera.

Grant amounts. In this pilot program matching grants will not normally exceed \$10,000 for major exhibitions and \$5,000 for other projects.

Deadline. Applications must be postmarked no later than January 15, 1974.

Procedure. Please review the instructions on page 3 and complete the forms entitled "Project Grant Application." (NEA-3, Rev.). Evidence of ability to carry through the planned exhibition must be supplied. More formal situations, museums and universities, should supply budgets of previous exhibitions, as a guideline to funding, and should indicate such matters as numbers of photographs, whether exhibition will travel, person responsible for exhibition, for catalogue introduction and preparation. For less formal situations, the Endowment may encourage the originators of an exhibition to avail themselves of the advice of a consultant they may select from a standing panel of nationally recognized photography experts.

Note. Since catalogues are a valuable photographic record, works of art in themselves, and often contain essays of importance to the field, special consideration will be given to funding catalogues of lasting value to the field. A breakdown of catalogue budgets should be included in your application: size, number of pages, reproductions, kind of paper, cover, number to be printed, details on texts, et cetera. Expected income should also be indicated.

Note. Cooperative non-profit galleries are mentioned above. Special consideration will be given to such galleries attempting to advance the knowledge and popularity of quality photography by contemporary photographers of exceptional talent.

Announcement date. Notices of awards or rejections will not be sent before April 1974. Your proposed activity should not have a beginning date before May 1974 and should generally be carried out during the succeeding twelve months.

VISUAL ARTS IN THE PERFORMING ARTS
FISCAL 1974

Funds will be available to performing arts groups who wish to encourage the participation of artists and designers of exceptional talent in three areas:

(1) Design of posters which advertise single productions or season's offerings and have limited signed editions.

(2) Design of sets for plays, operas and dance performances.

(3) Design of costumes for plays, operas and dance groups, with the emphasis on dance groups.

Numbers 2 and 3 for sets and costumes may be combined in applications. Isamu

Noguchi sets for Martha Graham and the Robert Rauschenberg and Jasper John sets and costumes for Merce Cunningham are cited as successful examples of numbers 2 and 3.)

Eligibility. Professional performing groups (dance companies, orchestras, opera companies, theatre companies, etc.). Individual artists and designers may not apply under this program.

Grant amounts. Grants will usually not exceed \$5,000 and generally must be matched by at least an equal amount from non-Federal sources.

Note.—These funds are mainly intended to be used for the artists' fee. They should not be used to replace funds already in company budgets for costumes, sets, or posters.

Deadline. Applications must be postmarked by February 15, 1974.

Procedure. Please review the instructions on page 3 and complete the forms entitled "Project Grant Application" (NEA-3, Rev.). The "Summary of Project Description" should include specific information concerning the production and the artists or designers you have in mind. The artists should be seriously interested and have time available to undertake the project. The intended artist's biography and slides of his work should be included with the application. (Please read carefully Item 3, General Information, page 4 for accurate instructions for slide submission.)

Announcement date. Notices of awards or rejections will not be sent before July 1974. Your proposed activity should not have a beginning date before August 1974.

TAX INFORMATION ON FELLOWSHIP GRANTS

FELLOWSHIPS

A fellowship grant generally means an amount paid or allowed to, or for the benefit of, an individual to aid him in the pursuit of study or research. The term also includes any amount received in the nature of a family allowance as a part of a fellowship grant.

A "research fellowship" grant awarded by the American Heart Association, Inc., to aid individuals in pursuing further training subject to the approval of the Association, qualifies as a fellowship grant.

However, "established investigatorship" awards given to individuals who have the ability to conduct independent research in the cardiovascular field are not fellowship grants since the primary purpose of the research activities is to benefit the grantor's program rather than to train the recipients.

Payments to National Teacher Corps teacher interns during training and in-service periods do not qualify as fellowships.

An award made by the National Foundation on the Arts and Humanities, an independent agency in the Executive Branch of the U.S. Government, to aid an individual in completion of his novel in progress, qualifies as a fellowship grant since it enables him to pursue a program of research, interpretation or original thought. Similarly, grants-in-aid by a tax-exempt foundation to creative writers to enable them to pursue their artistic talents without concern for making a living qualify as fellowship grants.

COMPENSATION FOR SERVICES

Payments that represent compensation for past, present, or future services performed by you are not excludable. Amounts received by students for services performed on a research project, which a university contracted to perform for a consideration, are compensation regardless of how such consideration is designated. Such amounts are not converted to scholarships or fellowship grants

merely because the research can be used for credits toward degrees or may be required to obtain a degree. Normally, if the services are required of all candidates for a particular degree (whether or not recipients of scholarships or fellowship grants) as a condition of receiving the degree, the compensation for the services may be excluded.

DOES YOUR GRANT QUALIFY

If there is some doubt as to the qualification of your grant, you first should consult the grantor. He may have received advice from the Internal Revenue Service about its appropriate tax treatment. You may also write to the District Director of the Internal Revenue Service for the district in which you reside or to the Commissioner of Internal Revenue, Washington, D.C. 20224. Attention: T:FI:1; for further information. Be sure to request the information as soon as possible, so that you can receive a timely answer for filing your return. If you request advice by mail be sure to include:

- (1) A copy of the application for the grant.
- (2) A copy of the grant itself.
- (3) A statement as to whether you are a candidate for a degree. If not, include a list of grants received since January 1, 1954, while you were not a candidate for a degree, showing amounts excluded as scholarships and fellowship grants and the number of months for which such amounts were excluded.
- (4) A statement as to whether any amounts are received specifically to cover expenses for travel, research, clerical help, or equipment incident to the scholarship or fellowship grant.

(5) A statement showing precisely what your duties and obligations are under the grant; for example, whether you have freedom of choice in your studies or research or they are performed subject to supervision and control; also, whether they are accomplished during the course of a specific project of the grantor.

(6) A copy of any published literature or pamphlets describing the grant.

If your grant qualifies as a scholarship or fellowship grant, then the extent of the amount excludable from income will be determined by whether or not you are a candidate for a degree.

CANDIDATE FOR DEGREE

A candidate for a degree is an individual, whether an undergraduate or a graduate, who is pursuing studies or conducting research to meet the requirements for an academic or professional degree conferred by a college or university. It is not essential that the study or research be pursued or conducted at an educational institution that confers these degrees if its purpose is to meet the requirements for a degree of a college or university that does confer them. A student who receives a scholarship for study at a secondary school or other educational institution is considered to be a candidate for a degree.

The scholarship or fellowship grant of a candidate for a degree is fully excludable from income for the following:

- (1) The basic scholarship or fellowship grant, which consists of the full amount of the grant and the value of any contributed services and accommodations (for example, room and board); plus
- (2) Any amount received incident to the grant that is specifically designated to cover expenses for travel (including meals and lodging while traveling and an allowance for travel of the individual's family), research, clerical help, and equipment. To be excludable from income these amounts must actually be spent for the purpose of the grant.

Amounts received under the grant that represent payments for teaching, research, or other part-time employment required as a condition for receiving the grant are taxable, unless required as a condition of receiving a degree. If the grant also includes amounts for travel, research, clerical help, and equipment, the portion of these amounts attributable to the compensation is also included in income.

Example 1. Mr. Albert is a candidate for a degree who received a scholarship grant of \$600 per month. As a condition of his grant he is required to work part-time as a laboratory instructor. This work is valued at \$200 per month. Each month, \$400 of Mr. Albert's grant is excluded from income and \$200 is taxable.

Example 2. Mr. Albert, in Example 1 above, also received \$40 a month under the grant for clerical help and \$20 a month for equipment, which he spent for those purposes. Of this total, Mr. Albert must include \$20 each month in gross income. This is based on the ratio of the taxable amount of the grant to the total basic grant. Assuming he commenced work under the grant in September 1971, the taxable portion of the amounts received in the year for clerical help and equipment is computed as follows: $(\text{Annual taxable income } (4 \text{ months} \times \$200) + \text{Annual basic fellowship } (4 \text{ months} \times \$600)) \times (\$40 + \$20) \times 4 \text{ mos.} = [\$800 + \$2,400] \times \$240 = \$80$.

Example 3. If, in the above examples, Mr. Albert worked as a laboratory instructor because all candidates for his particular degree were required to perform that duty, then his entire grant of \$600 would be excluded, so long as it was a scholarship or fellowship grant and did not represent payment for services rendered. Also, the entire amount of additional allowances for clerical help and equipment would be excluded, to the extent expended for these purposes.

Studies leading to certification to practice a profession do not qualify you as a candidate for a degree.

Example 1. Miss Harris, a registered nurse, received a grant from a charitable foundation to attend a local university to take training leading to certification as a psychiatric nurse. Her studies for certification are not equivalent to being a candidate for a degree.

Example 2. Mr. Smith, who possesses a Ph.D. degree in psychology, accepted a grant from an educational institution to pursue a 4-year study program leading to certification enabling him to practice psychoanalysis.

The study program does not qualify Mr. Smith as a candidate for a degree.

Graduate student teaching assistantships. Generally, such teaching assistantships are includable in income. To be excludable from income, the graduate student teaching assistantship must meet the general requirements of a scholarship or fellowship grant. (See "Scholarship and Fellowship Grants," on page 2.)

It is immaterial that the teaching requirement is imposed on all candidates for the graduate degree since the exclusion from income is inapplicable unless it is first established that a scholarship or fellowship grant exists.

If you received 2 or more grants during the year, all the amounts should be totaled to determine what portion may be excluded from income. If these amounts are received during the same month or months within the year, each month is counted only once in determining the number of months in which you received amounts under the grants.

NOT A CANDIDATE FOR DEGREE

Individuals who are not candidates for degrees treat their scholarship or fellowship

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grants for tax purposes, in the following manner:

(1) The basic grant, which consists of the amount of the scholarship or fellowship plus the value of contributed services and accommodations such as room and board received incident to the grant, is excluded from income in any tax year to the extent of \$300 times the number of months for which amounts under the grant were received during that year. There is a further limitation to the amount of this exclusion, discussed under the "36-month limit," below.

(2) Amounts received incident to the grant that are specifically designated to cover expenses for travel (including meals and lodging while traveling, and an allowance for travel of the individual's family), research, clerical help, and equipment are fully excluded if actually spent for the stated purposes, but see below.

For an individual who is not a candidate for a degree to receive the tax benefit described above, the grantor of the scholarship or fellowship grant must be one of the following:

(1) A nonprofit organization exempt from Federal income tax and operated exclusively for religious, charitable, scientific, testing for public safety, literary, or educational purposes, or the prevention of cruelty to children or animals;

(2) A foreign government;

(3) An international organization, or a binational or multinational educational and cultural foundation or commission created or continued pursuant to the Mutual Educational and Cultural Exchange Act of 1961 (the Fulbright-Hays Act); or

(4) The United States, or an instrumentality or agency thereof, a state, or a possession of the United States, or any political subdivision thereof, or the District of Columbia.

If the grantor is not one of these the grant is taxable income.

The limitation of \$300 per month applies only to the basic grant. It does not apply to amounts received pertaining to the grant that are specifically designated to cover expenses for travel, research, clerical help, or equipment. Such amounts are generally entirely excludable if they are actually spent for these purposes during the term of the scholarship or fellowship grant or within a reasonable time before and after that term. If the amounts are not spent for these purposes they must be included in gross income unless they are returned to the grantor. If the amounts received to cover these expenses are not specifically so designated in the grant they are taxable whether or not spent.

36-month limit. The \$300 per month exclusion may not be claimed for an aggregate of more than 36 months. These 36 months need not be consecutive. Each month for which such an individual receives (or has received) a grant counts, including those months during which he may have received less than \$300. The claiming of the exclusion for the maximum period of 36 months by an individual who is not a candidate for a degree will not prevent the individual from claiming a further exclusion, as explained earlier in this publication, should he or she become a candidate for a degree.

If the basic grant becomes taxable because of the expiration of the 36-month benefit period, amounts pertaining to the basic grant received for travel, research, clerical help, or equipment also become taxable. The computation of the amounts that become taxable because of the expiration of the 36 benefit

months is similar to the computation made in Example 2, above, relating to "Candidate for degree."

Example 1. Mr. Baker, who is not a candidate for a degree and has not exhausted his 36-month benefit period, was awarded a postdoctorate fellowship by a tax-exempt U.S. foundation to pursue specified studies at a university in State Y. Under the terms of the grant he is to receive \$500 per month for the nine-month period beginning September 1971. He is also to receive \$250 for research supplies. The State Y Educational Commission awarded him \$400 to cover travel expenses. The university is contributing room and board, which has a value of \$100 a month. He computes the amount of taxable income for the years 1971 and 1972 in the following manner:

1971	
Fellowship (4 months × \$500)	\$2,000
Contributed room and board (4 months × \$100)	400
Travel expenses \$400	0
Research supplies \$250	0
The last two items are excluded if they are spent for the designated purposes.	
Total	2,400
Exclusion (4 months × \$300)	1,200
Amount subject to tax	1,200

1972	
Fellowship (4 months × \$500)	\$2,500
Contributed room and board (5 months × \$100)	500
Total	3,000
Exclusion (5 months × \$300)	1,500
Amount subject to tax	1,500

Example 2. All the facts are the same as in Example 1, except that Mr. Baker received his entire fellowship of \$4,500 (9 months × \$500) in September of 1971.

1971	
Fellowship (9 months × \$500)	\$4,500
Contributed room and board (4 months × \$100)	400
Total	4,900
Exclusion (9 months × \$300)	2,700
Amount subject to tax	2,200

1972	
Contributed room and board (5 months × \$100)	500
Exclusion	0
Total	500

Mr. Baker has no exclusion in 1972 because his \$300 per month exclusion for the first five months of 1972 was applied in 1971. The grant must be considered for tax purposes in the year in which it is received. The amounts he received for travel and research supplies are not included in income if they are spent for the designated purposes.

Reprinted from Publication 520 (10-72), Department of the Treasury, Internal Revenue Service.

[FIR Doc.73-23389 Filed 11-2-73;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[70-5402]

AMERICAN NATURAL GAS CO. ET AL. Notice of Proposed Sale by Holding Company of All of the Outstanding Common Stock of Gas Subsidiary to Non-affiliated Gas Utility Company

OCTOBER 26, 1973.

Notice is hereby given that American Natural Gas Company, 30 Rockefeller Plaza, Suite 4545, New York, New York 10020 ("American Natural"), a registered holding company, and its subsidiary companies have filed a declaration and an amendment thereto with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 12(d) and 13 of the Act as Rules 44, 45(b)(6), 86, 87, 88, and 100 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the declaration, as amended, which is summarized below, for a complete statement of the proposed transactions.

American Natural proposes to sell, pursuant to a Stock Purchase Agreement ("Agreement") executed on September 11, 1973, with Indiana Gas Company, Inc. ("Indiana Gas"), a non-affiliated exempt holding company, all of the outstanding common stock (63,219 shares with a par value of \$100 per share) of Central Indiana Gas Company ("Central Indiana"), a wholly-owned gas utility subsidiary of American Natural, for a cash purchase price of \$20.5 million. If the foregoing transaction is approved, it is further proposed that American Natural Gas Service Company, the system service company subsidiary of American Natural, will, after the closing date and only for so long as necessary, provide Indiana Gas with certain customer computer billing and related programming services at cost. Indiana Gas has filed an application, and an amendment thereto, with the Commission concurrently with this declaration requesting the Commission's approval for its purchase of the Central Indiana common stock (File No. 70-5401).

Central Indiana, which was acquired by American Natural on January 1, 1967, (Holding Company Act Release No. 15820), supplies gas to approximately 100,000 retail customers in 62 communities and surrounding areas in east central Indiana. Indiana Gas serves approximately 180,000 customers in 126 communities and adjacent areas in north central, central and southern Indiana. Central Indiana's service area is contiguous to the north system service area of Indiana Gas. At July 31, 1973, Central Indiana's net utility plant amounted to \$47,556,000, and its gross revenues for the 12 month period ended on that date were approximately \$37 million. The comparable figures for Indiana Gas were approximately \$102 million and \$61 million, respectively.

Both Central Indiana and Indiana Gas are supplied by Panhandle Eastern Pipe Line Company ("Panhandle Eastern"). Michigan Wisconsin Pipe Line Company ("Michigan Wisconsin"), a gas pipe line subsidiary of American Natural, is connected to Central Indiana but supplies less than 1 percent of the gas requirements of that company. Michigan Wisconsin also provides gas storage service to Central Indiana under agreements approved by the Federal Power Commission.

Because of the limited assistance Michigan Wisconsin has been able to render Central Indiana through its storage and supply services, and because of the limited availability of additional natural gas for expansion of Michigan Wisconsin's pipe line system, American Natural has concluded that Central Indiana's gas supply situation can best be improved through its participation with Indiana Gas in the latter's effort to develop supplies through construction of a synthetic fuels plant to serve both companies. It is also expected that the proposed transaction will permit Central Indiana and Indiana Gas to coordinate purchases of gas from their common supplier, Panhandle Eastern, and coordinate the use of storage capabilities.

By Order dated July 2, 1973, the Commission granted American Natural an exception from the competitive bidding requirements of Rule 50 under the Act with respect to the sale of said 63,219 shares of common stock of Central Indiana (Holding Company Act Release No. 18019). Thereafter, American Natural commenced the following program for the sale of the common stock or assets of Central Indiana. In order to assure consideration of all proposals for the purchase of the stock or assets of Central Indiana, and to obtain the most advantageous purchase price possible, American Natural adopted a plan pursuant to which letters were mailed to six gas and electric utilities with net assets of \$20 million or more operating in the State of Indiana, inviting bids for said stock or assets. In addition, advertisements were published in various newspapers of general circulation. In response to its invitation for bids and to its advertisements, American Natural received inquiries from seven interested parties, of which Indiana Gas was the only utility company. Each of the interested parties was then supplied with information concerning the business and properties of Central Indiana; and thereafter, by letter dated July 16, 1973, all of the interested parties were requested to inform American Natural by July 27, 1973, of their desire to participate in competitive negotiations, of their ability to finance the acquisition and to direct the affairs of a regulated gas public utility, of their plans and proposals for employees of Central Indiana and of any other appropriate matters involving the acquisition of the stock or assets of Central Indiana. The only response was that of Indiana Gas, which, by letter dated July 24, 1973, expressed its desire to

participate in competitive negotiations for the purchase of the Central Indiana stock at a price in excess of \$19,043,000, the book value thereof as of May 31, 1973, which American Natural had established as the minimum acceptable price. At the same time, Indiana Gas submitted information establishing its ability to finance the acquisition, a statement of its ability to direct properly the affairs of a regulated gas public utility, a statement of its plans to retain the employees of Central Indiana, and a statement of its belief that the combined facilities of the two companies would improve their gas supply and storage service to the customers of the two companies.

Thus, as a result of the foregoing procedure, the only proposal received by American Natural was that of Indiana Gas—with whom negotiations for sale of the Central Indiana stock were thereupon commenced, culminating in the Agreement of September 11, 1973. The agreed sales price of \$20.5 million is 10.54 times Central Indiana's net income for the twelve months ended July 31, 1973; 10.4 times net income for the calendar year 1972; and 10.75 times average net income for the five year period 1968 through 1972. Further, the selling price is 108.3 percent and 115.2 percent, respectively, of the book value of the Central Indiana stock as of July 31, 1973, and December 31, 1972. American Natural states that its negotiations with the purchaser were conducted throughout at arms length; that based upon contemporaneous market evaluations of comparable criteria for American Natural's own common stock as well as for the common stocks of other gas companies, American Natural's management considers the agreed price to be fair and adequate—a judgment which American Natural states has been confirmed by its investment consultants.

The Agreement has been approved by Indiana Gas' Board of Directors and is to be submitted for approval by a majority vote of the holders of the Indiana Gas' common stock at a special meeting for that purpose to be held on December 14, 1973. The closing date of the Agreement is presently scheduled for December 31, 1973, but may be extended, by mutual consent of the parties, to a date not later than June 30, 1974. The Agreement stipulates that Indiana Gas is purchasing the Central Indiana stock for investment and not with a view to the sale or distribution thereof.

The tax basis of American Natural's investment in the common stock of Central Indiana is estimated to be approximately \$13,144,000 as of December 31, 1973; hence, American Natural will realize a pre-tax capital gain of approximately \$7,356,000 as a result of the proposed sale of the Central Indiana stock. American Natural, which joins annually with its subsidiary companies in the filing of a consolidated Federal income tax return, states that inclusion of said capital gain in the consolidated tax return would result in an inequitable allocation of the consolidated tax liability pur-

suant to the exceptive provisions of Rule 45(b)(6) under the Act. Such inequity is said to result from the fact that under the rule American Natural would be liable for a portion of the total consolidated tax liability, the bulk of which arises from the 48 percent tax rate applicable to the system's ordinary taxable income whereas American Natural's net "contribution" to the system's total taxable income would be derived from said capital gain which is taxable at the lower 30 percent rate. Accordingly, American Natural requests authorization, for the tax year 1973 (or for the tax year 1974, if the closing date for the sale of the Central Indiana stock should be later than December 31, 1973), to allocate the consolidated tax liability in a manner deviating from the literal procedure prescribed by Rule 45(b)(6), as follows:

(a) By apportioning the liability for the normal tax and surtax (48 percent) on ordinary income in accordance with the ratio which that portion of the consolidated ordinary taxable income attributable to each member of the consolidated group having ordinary taxable income bears to the consolidated ordinary taxable income (subject to other adjustments pursuant to prior authorizations by the Commission in File Nos. 70-3791, 70-4135, 70-4648, and 70-5349, Holding Company Act Release Nos. 14013, 14904, 16331, and 17984, respectively); and

(b) By apportioning the liability for tax (30 percent) on consolidated net long-term capital gain in accordance with the ratio which that portion of the consolidated net long-term capital gain attributable to each member of the group having net long-term capital gain bears to the consolidated net long-term capital gain.

Based on estimated consolidated financial results for the year 1973 (including consummation of the proposed sale of the Central Indiana stock), the tax liability allocable to American Natural would amount to \$2,206,800 under the proposed method of allocation as against \$2,581,101 under the procedure of Rule 45(b)(6). The total system consolidated tax liability for the year 1973, is estimated at \$48,000,000.

The proposed method of allocation would continue to be subject to the general proviso of the rule that in no event shall the tax liability allocated to any subsidiary company exceed the amount of tax of such company based upon a separate return computed as if such company had always filed its tax returns on a separate return basis.

American Natural's investment in the Central Indiana common stock is recorded on its books at \$15,949,536, as of July 31, 1973. After allowing for the above capital gains tax of \$2,206,800, American Natural's net profit from the proposed sale will be \$2,343,664, which will be credited to its income and retained earnings accounts. The after-tax cash receipt (\$18,293,200) from the sale will be used by American Natural initially to reduce its borrowings from banks which amounted to \$25,600,000 at August 31, 1973.

A statement of the fees and expenses to be incurred by American Natural in

NOTICES

connection with the proposed transaction will be filed by amendment. It is stated that no State commission and no Federal commission, other than this Commission has jurisdiction over the proposed sale of the Central Indiana stock by American Natural; and that the purchase thereof by Indiana Gas is subject to approval of the Public Service Commission of Indiana.

Notice Is Further Given that any interested person may, not later than November 20, 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 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 request 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 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 declaration, as amended or as it may be further amended, may be 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 Rule 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 Regulations, pursuant to delegated authority.

[SEAL] **SHIRLEY E. HOLLIS,**
Acting Secretary.
[PR Doc.73-23465 Filed 11-2-73; 8:45 am]

[70-5404]

**MIDDLE SOUTH UTILITIES, INC. AND
ARKANSAS POWER & LIGHT CO.**

Notice of Proposed Issue and Sale of First Mortgage Bonds and Preferred Stock at Competitive Bidding and Issue and Sale of Common Stock to Parent Holding Company

OCTOBER 26, 1973.

Notice is Herby Given that Middle South Utilities, Inc., 280 Park Avenue, New York, New York 10017 ("Middle South"), a registered holding company, and Arkansas Power & Light Company, Ninth and Louisiana Streets, Little Rock, Arkansas 72203 ("Arkansas"), an electric utility subsidiary, have filed an application-declaration with this Commission, pursuant to the Public Utility Holding Company Act of 1935 ("Act"),

designating sections 6(b), 9(a), 10, and 12(f) of the Act and Rules 43 and 50 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the application-declaration, which is summarized below, for a complete statement of the proposed transactions.

Arkansas proposes to issue and sell, subject to the competitive bidding requirements of Rule 50 promulgated under the Act, \$40,000,000 principal amount of its First Mortgage Bonds, _____ percent Series due 2003 ("Bonds"). The interest rate on the Bonds (which will be a multiple of $\frac{1}{16}$ of 1 percent) and the price, exclusive of accrued interest, to be paid to Arkansas (which will be not less than 100 percent nor more than 102 1/4 percent of the principal amount thereof) will be determined by the competitive bidding. The Bonds will be issued under Arkansas' Mortgage and Deed of Trust dated as of October 1, 1944, to Morgan Guaranty Trust Company of New York and John W. Flaherty, as successor Trustees, as heretofore supplemented and as to be further supplemented by a Twenty-fifth Supplemental Indenture to be dated as of December 1, 1973, which includes a prohibition until December 1, 1978, against refunding the Bonds with the proceeds of funds borrowed at a lower effective interest cost.

Arkansas also proposes to issue and sell 150,000 shares of a new series of cumulative preferred stock ("Preferred Stock"), \$100 par value, subject to the competitive bidding requirements of Rule 50 under the Act. The dividend rate of the Preferred Stock (which will be a multiple of 1/25 of 1 percent) and the price to be paid to Arkansas (which will be not less than \$100 nor more than \$102.75 per share) will be determined by the competitive bidding. The new series Preferred Stock will not be redeemable prior to December 1, 1978, through the use of borrowed funds, or funds derived from sale of additional preferred stock, at an effective cost to Arkansas lower than the cost of the proposed new series preferred.

Together with the issuance and sale by Arkansas of the Bonds and Preferred Stock, Arkansas further proposes to issue and sell to Middle South, and Middle South proposes to purchase from Arkansas 2,800,000 presently authorized but unissued shares of Arkansas common stock ("Common Stock"), at the par value of \$13.50 per share, or \$35,000,000 in the aggregate. A portion of the funds to be used by Middle South for the purchase of the Common Stock is proposed to be provided through the concurrent payment by Arkansas to Middle South (its sole common stockholder) of a special cash dividend of \$10,000,000. Middle South proposes to obtain the other funds needed to effectuate the acquisition of the Common Stock through borrowings from commercial banks.¹

Arkansas proposes to utilize the net proceeds from the issuance and sale of

the Bonds, Preferred Stock and Common Stock to retire short-term debt outstanding and to finance its construction program (estimated at \$160,200,000 for 1973). Fees and expenses incident to the proposed transactions are estimated at \$153,000, including counsel fees of \$46,000 and accountants' fees of \$8,000. The fees of counsel for the successful bidders are estimated at \$17,500, to be paid by the successful bidders.

The application states that the Arkansas Public Service Commission and the Tennessee Public Service Commission have jurisdiction over the proposed transactions and that the Arkansas Commission has authorized the issuance and sale of the Bonds, Preferred Stock and Common Stock; and that no other state commission and no federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than November 19, 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 which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request 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] **SHIRLEY E. HOLLIS,**
Acting Secretary.

¹ Middle South has filed with this Commission a pending post-effective amendment to its declaration, File No. 70-5366, in which it is proposed that Middle South borrow up to \$88,700,000 from a group of commercial banks, under terms of a \$135,000,000 revolving credit agreement dated as of July 1, 1973.

[PR Doc.73-23464 Filed 11-2-73; 8:45 am]

SMALL BUSINESS ADMINISTRATION

[Proposed License No. 02/02-0305]

J. H. FOSTER & CO.

Application for License as a Small Business Investment Company

An application for a license to operate as a Small Business Investment Company under the provisions of the Small Business Investment Act of 1958, as amended (Act) (15 U.S.C. 661 et seq.), has been filed by J. H. Foster & Company (the applicant), with the Small Business Administration (SBA) pursuant to 13 CFR 107.102 (1973).

The applicant with its principal place of business at One Battery Park Plaza, New York, New York 10004, will begin operations with \$1,950,000 of paid-in capital consisting of 195,000 shares of Class A Common Stock sold to 15 investors, and 65,000 shares of Class B Common Stock issued to Foster Management Company (Fomanco) of the same address as the Applicant. Foster & Co., a Connecticut limited partnership, will own 75,000 shares of Class A Common Stock, approximately 38.46 percent, and no other stockholder will own as much as 10 percent. The regular affairs of the Applicant will be conducted by Fomanco. All investment decisions will be approved by the Applicant's Board of Directors. Fomanco presently manages Foster & Co., a limited partnership which is engaged in the venture capital business.

The officers and directors of the Applicant are as follows:

Name	Title
John H. Foster, 140 East 81st Street, New York, N.Y. 10028.	President, and Director (a) (b).
Peter T. Pochna, 133 East 80th Street, New York, N.Y. 10028.	Vice President and Director (b) (c).
Thomas O. Hicks, 108 East 81st Street, New York, N.Y. 10028.	Vice President and Director (b).
Howard A. Knight, 71 Stony Brook Road, Darien, Conn. 06830.	Secretary-Treasurer and Director (b).
Foster (NMN) Bam, 51 Londonderry Drive, Greenwich, Conn. 06830.	Director (d).
Peter M. Detwiler, Larger Cross Road, Fladstone, N.J. 07934.	Director (e).
Frederick A. Eaton, 530 East 88th Street, New York, N.Y. 10028.	Director (f).
John W. Ferguson, 57 St. Nicholas Road, Darien, Conn. 06820.	Director (f).
Stephen E. O'Neill 1170 Fifth Avenue, New York, N.Y. 10029.	Director.
Donald B. Stott, 700 Park Avenue, New York, N.Y. 10021.	Director (f).
Robert P. Schwartz, 190 Upper Mountain Avenue, Montclair, N.J. 07042.	Director (g).

(a) (b) Mr. Foster is a General Partner of Foster & Co., a Connecticut Limited Partnership which owns 75,000 shares of Class A Common Stock, 38.46 percent of the number of shares of Class A Common Stock issued and outstanding.

(b) All of the Applicant's issued and outstanding Class B Common Stock, 65,000 shares, is owned, beneficially and of record, by Foster Management Company, a Connecticut corporation. The stockholders of Foster Management Company are John H. Foster, Howard A. Knight and Michael Haber. Their respective percentage ownerships of Foster Management Company are as follows: John H. Foster—90 percent; Howard A. Knight—5 percent; and Michael Haber—5 percent. It is contemplated that shares of Common Stock of Foster Management Company may be made available by Mr. Foster to Messrs. Pochna and Hicks.

(c) Mrs. Pochna is the owner of 15,000 shares of Class A Common Stock. In addition, Mrs. Pochna is a Limited Partner of Foster & Co., a Connecticut Limited Partnership which owns 75,000 shares of Class A Common Stock, representing 38.46 percent of the Class A shares issued and outstanding. Mr. Pochna disclaims any beneficial ownership in Mrs. Pochna's holdings.

(d) Mr. Bam is a General Partner of Foster & Foster which owns 10,000 shares of Class A Common Stock.

(e) Mr. Detwiler is Vice Chairman of E. F. Hutton & Company, Inc., which owns 10,000 shares of Class A Common Stock, representing 5.12 percent of the Class A shares issued and outstanding.

(f) Messrs. Eaton, Stott and Ferguson are Limited Partners of Foster & Co., a Connecticut Limited Partnership which owns 75,000 shares of Class A Common Stock, representing 38.46 percent of the Class A shares issued and outstanding.

(g) Mr. Schwartz' wife's estate is a Limited Partner of Foster & Co., a Connecticut Limited Partnership which owns 75,000 shares of Class A Common Stock, representing 38.46 percent of the Class A shares issued and outstanding.

The Applicant will not concentrate its investments in any particular industry. It does not intend to invest in start-up situations but concentrate on second and third stage financings. The Applicant proposes to make venture investments in participation with other professional venture capitalist each of whom will be able to lend support to the small business concern. Investments may take the form of debt, equity or any combination thereof, as the particular portfolio company's situation dictates.

Matters involved in SBA's consideration of the Applicant include the general business reputation and character of the proposed owners and management, and the probability of successful operations of the Applicant under their management, including adequate profitability and financial soundness, in accordance with the Act and the SBA rules and regulations promulgated thereunder.

Any person may, on or before November 15, 1973, submit to SBA written comments on the proposed Licensee. Any such communications should be addressed to the Deputy Associate Administrator for Investment, Small Business Administration, 1441 "L" Street NW, Washington, D.C. 20416.

A copy of this notice shall be published in a newspaper of general circulation in New York, New York.

Dated: October 26, 1973.

JAMES THOMAS PHELAN,
Deputy Associate Administrator
for Investment.

[FR Doc. 73-23458 Filed 11-2-73; 8:45 am]

INVESTCAL SMALL BUSINESS INVESTMENT CO.

Notice of Approval of Application for Transfer of Control of a Licensed Small Business Investment Company

Pursuant to the provisions of § 107.701 of the Small Business Administration's (SBA) rules and regulations (13 CFR 107.701 (1973)), a notice of filing of an application for transfer of control of Investcal Small Business Investment Company (Investcal), 1400 Fifth Avenue, Suite 201, San Diego, California 92101, was published in the *FEDERAL REGISTER* on September 20, 1973 (38 FR 26412).

Interested persons were invited to send their written comments to SBA on the proposed transfer of control. No comments were received.

Upon consideration of the application and other relevant information, SBA hereby approves the transfer of control of Investcal.

In conjunction with the above transfer of control, the office of the licensee will be moved to 315 South Beverly Drive, Suite 302, Beverly Hills, California 90212.

Dated: October 26, 1973.

JAMES THOMAS PHELAN,
Deputy Associate Administrator
for Investment.

[FR Doc. 73-23459 Filed 11-2-73; 8:45 am]

SELECTIVE SERVICE SYSTEM REGISTRANTS PROCESSING MANUAL

Publication of Certain Provisions

The Registrants Processing Manual is an internal manual of the Selective Service System. The following portions of that Manual are considered to be of sufficient interest to warrant publication in the *FEDERAL REGISTER*. Therefore these materials are set forth in full as follows:

CHAPTER 670

(Revised Oct. 22, 1973)

REGISTRANT INFORMATION BANK (RIB)

Index

Title	Sec.
670.1 Introduction.	
670.2 Input ("OCR form").	
670.3 Information.	
670.4 Output ("RIB reports").	
670.5 RIB report binders.	

CHAPTER 670

REGISTRANT INFORMATION BANK (RIB)

Section 670.1 *Introduction*. The Registrant Information Bank (RIB) is an automatic data processing system that compiles information submitted by the local boards to the Computer Service Center (CSC). From this information periodic output reports dealing with individual registrant processing are prepared for local board use. In addition, statistical reports are prepared for use of local boards, State headquarters, and National Headquarters.

Section 670.2 *Input ("OCR Forms")*. Input to the system is generally originated by the local board. Information is typed with an Optical Character Recognition (OCR) electric typewriter on an OCR Form, the original of which is mailed to the CSC, where it is scanned (read) by an OCR scanner. In this way, input into the RIB system is accomplished.

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Section 670.3 *Information*. The RIB system will contain information on all registrants born in 1953 and later years, and medical specialists, regardless of year of birth. When a registrant's period of accountability terminates, as set forth in Chapter 619, his record in RIB will be automatically deleted by the CSC without action by the local board.

Section 670.4 *Output ("RIB Reports")*. The RIB Reports will aid the local boards in the orderly processing of registrants. The RIB Reports will aid the State Headquarters and National Headquarters by providing current statistical information for use in determining available manpower and in planning.

The RIB system is not a control system, but does provide a monitoring capability, and all RIB Reports are prepared to aid in the processing of registrants and are not to be considered as directive in nature.

Section 670.5 *RIB Report Binders*. RIB Report Binders will be furnished to each State Headquarters in sufficient quantities to permit distribution to each local board as follows:

Color	Size (inches)	Quantity	Use
Black.....	15 $\frac{1}{4}$ x 13	1	RSN reports.
Light blue....	12 $\frac{1}{4}$ x 10 $\frac{1}{2}$	1	LOC and exception listings.
Brown.....	12 $\frac{1}{4}$ x 10 $\frac{1}{2}$	1	Public listing LOC tables I and III.
Light green....	12 $\frac{1}{4}$ x 10 $\frac{1}{2}$	1	Retain for possible future reports.
Gray.....	12 $\frac{1}{4}$ x 10 $\frac{1}{2}$	1	Retain for possible future reports.
Total.....		5	

TEMPORARY INSTRUCTION NO. APPENDIX 1-7

ISSUED: OCTOBER 17, 1973

Subject: Availability of Registrants (SSS Form 117)
 Availability of Extended Priority Selection Group—Classes 1-A and 1-A-O (SSS Form 117-A)
 Monthly Report of Availability of Class 1-O Registrants (SSS Form 157)
 Report of Manpower Inventory (SSS Form 116)

1. *SSS Form 117*. a. The SSS Form 117 reports for October, November, and December 1973, are to show the registrants in the 1973 First Priority Selection Group. The provisions of paragraph 4(c) of the procedural directive regarding reporting registrants in the following year's First Priority Selection Group are suspended for those months.

b. Following the submission of the December 1973 report, the preparation and submission of the SSS Form 117 report is suspended until further notice.

2. *SSS Form 117-A*. There is no requirement for the preparation and submission of the Availability of Extended Priority Selection Group—Classes 1-A and 1-A-O (SSS Form 117-A) report.

3. *SSS Form 157*. Following the submission of the December 1973 report, the preparation and submission of the Monthly Report of Availability of Class 1-O Registrants (SSS Form 157) is suspended until further notice.

4. *SSS Form 116*. When preparing the Report of Manpower Inventory (SSS Form 116) for the month of January 1974 and thereafter, the Class 1-A/1-A-O registrants appearing in Column K, line 1 of the SSS Form 116 will be broken down by year of birth and shown in the "Remarks" section of the completed SSS Form 116 report. For example:

1953 YOB—5504 1A/1AO
 1954 YOB—5797 1A/1AO

This Temporary Instruction is effective until amended or rescinded.

BYRON V. PEPTONE,
 Director.

OCTOBER 30, 1973.

[FR Doc.73-23485 Filed 11-2-73; 8:45 am]

DEPARTMENT OF LABOR

Occupational Safety and Health
 Administration

[V-73-34]

GAY-GEMS PRODUCTS CORP.

Notice of Application for Variance and
 Interim Order; Grant of Interim Order

I. *Notice of application*. Notice is hereby given that Gay-Gems Products Corporation, 10940-58 Dutton Road, Philadelphia, Pennsylvania 19154, has made application pursuant to section 6(d) of the Williams-Steiger Occupational Safety and Health Act of 1970 (84 Stat. 1596), and 29 CFR 1905.11 for a variance, and interim order pending a decision on the application for a variance, from the standards prescribed in 29 CFR 1910.212(a) (3) (ii) concerning point of operation guarding.

The address of the place of employment that will be affected by the application is as follows:

Gay-Gems Products Corporation
 10940-58 Dutton Road
 Philadelphia, Pennsylvania 19154

The applicant certifies that employees who would be affected by the variance have been notified of the application by giving a copy of it to their authorized employee representative, and by posting a copy at all places where notices to employees are normally posted. Employees have also been informed of their right to petition the Assistant Secretary for a hearing.

Regarding the merits of the application, the applicant contends that it is providing a place of employment as safe as that required by 29 CFR 1910.212(a) (3) (ii) which requires that the point of operation on machines which present a hazard shall be guarded to prevent contact by any part of the operator's body.

The applicant states that it uses 16 Doughboy 45 Sealer-Labeler machines for placing labels on polypropylene bags. Positioning the bag activates a switch which sets the machine in motion. When the bag is in position the operator's hands are below the folding bar, and no part of the operator's body is in contact with the machine. New employees are hired after they have demonstrated their ability to operate the machine. They are closely supervised for several days until they are proficient in the use of the machine.

The applicant also states that it has been in contact with the manufacturer of the machine who states that it is impossible to put additional guards on this machine.

The applicant contends that the training received by the operator, combined

with the design of the sealer-labeler, makes its present operation as safe as if it complied with the standard.

A copy of the application will be made available for inspection and copying upon request at the Office of Standards, U.S. Department of Labor, Railway Labor Building, 400 First Street NW, Room 508, Washington, D.C. 20210, and at the following Regional and Area Offices:

REGIONAL OFFICE

U.S. Department of Labor
 Occupational Safety and Health Adminis-
 tration
 15220 Gateway Center
 3535 Market Street
 Philadelphia, Pennsylvania 19104

AREA OFFICE

U.S. Department of Labor
 Occupational Safety and Health Adminis-
 tration
 William J. Green Federal Bldg.
 600 Arch Street
 Philadelphia, Pennsylvania 19106

All interested persons, including employers and employees, who believe they would be affected by the grant or denial of the application for a variance are invited to submit written data, views and arguments relating to the pertinent application no later than December 5, 1973. In addition, employers and employees who believe they would be affected by a grant or denial of the variance may request a hearing on the application no later than December 5, 1973, in conformity with the requirements of 29 CFR 1905.15. Submission of written comments and requests for a hearing should be in quadruplicate, and must be addressed to the Office of Standards at the above address.

II. *Interim Order*. It appears from the application for a variance and interim order, that an interim order is necessary to prevent undue hardship to the applicant pending a decision on the variance. Therefore, it is ordered, pursuant to authority in section 6(d) of the Williams-Steiger Occupational Safety and Health Act of 1970, and 29 CFR 1905.11(c) that Gay-Gems Products Corporation be, and it is hereby, authorized to continue operating its Doughboy 45 Sealer-Labeler machines in the manner described in its application in lieu of the guards required by 29 CFR 1910.212(a) (3) (ii).

Gay-Gems Products Corporation shall give notice of this interim order to employees affected thereby, by the same means required to be used to inform them of the application for a variance.

Effective date. This interim order shall be effective as of November 5, 1973, and shall remain in effect until a decision is rendered on the application for a variance.

Signed at Washington, D.C., this 29th day of October 1973.

JOHN H. STENDER,
 Assistant Secretary of Labor.
 [FR Doc.73-23495 Filed 11-2-73; 8:45 am]

**INTERSTATE COMMERCE
COMMISSION**

[Ex Parte 241; Rule 19, Rev. Exemption 43]

**ATCHISON, TOPEKA, AND SANTA FE
RAILWAY CO., ET AL.**

**Exemption From Mandatory Car Service
Rules**

The Atchison, Topeka and Santa Fe Railway Company, Burlington Northern Inc., Chicago and North Western Transportation Company, Chicago, Milwaukee, St. Paul and Pacific Railroad Company, Chicago, Rock Island and Pacific Railroad Company, Missouri-Kansas-Texas Railroad Company, Missouri Pacific Railroad Company, Norfolk and Western Railway Company, St. Louis-San Francisco Railway Company, St. Louis Southwestern Railway Company, Soo Line Railroad Company, and Union Pacific Railroad Company.

It appearing, that there are massive movements of grain, including rice and soybeans, in progress in the States of Arkansas, Iowa, Kansas, Minnesota, Mississippi, Missouri, Montana, Nebraska, North Dakota, Oklahoma, South Dakota, Texas, and Wyoming; and of cotton in certain of the aforementioned States; that present supplies of plain boxcars owned by the railroads serving these States are inadequate to move the newly harvested grain and cotton to terminal facilities for safe storage; that use of available plain boxcars owned by other carriers for movements of this grain and cotton will substantially augment the car supplies of the railroads named herein.

It is ordered, That pursuant to the authority vested in me by Car Service Rule 19, the railroads named herein, and their short line connections, are hereby authorized to use and to accept from shippers shipments of grain and cotton originating at stations located in Arkansas, Iowa, Kansas, Minnesota, Mississippi, Missouri, Montana, Nebraska, North Dakota, Oklahoma, South Dakota, Texas, and Wyoming, when loaded into plain 40-ft. narrow-door boxcars of various ownerships without regard to the requirements of Car Service Rule 2.

Exception. This exemption shall not apply to plain boxcars subject to Association of American Railroads' Car Relocation Directive No. 44.

Effective 11:59 p.m., October 26, 1973.

Expires 11:59 p.m., November 15, 1973.

Issued at Washington, D.C., October 26, 1973.

**INTERSTATE COMMERCE
COMMISSION,**
R. D. PFAHLER,
Agent.

[FR Doc. 73-23502 Filed 11-2-73; 8:45 am]

[Rev. S.O. 994; ICC Order 74; Amdt. 4]

PENN CENTRAL TRANSPORTATION CO.

Rerouting or Diversion of Traffic

Upon further consideration of I.C.C. Order No. 74 (Penn Central Transporta-

tion Company, George P. Baker, Richard C. Bond, and Jervis Langdon, Jr., Trustees) and good cause appearing thereof:

It is ordered, That:

I.C.C. Order No. 74 be, and it is hereby, amended by substituting the following paragraph (g) for paragraph (g) thereof:

(g) *Expiration date*. This order shall expire at 11:59 p.m., January 31, 1974, unless otherwise modified, changed, or suspended.

It is further ordered, That this amendment shall become effective at 11:59 p.m., October 31, 1973, and that this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C. October 29, 1973.

**INTERSTATE COMMERCE
COMMISSION,**
R. D. PFAHLER,
Agent.

[FR Doc. 73-23503 Filed 11-2-73; 8:45 am]

[Rev. S.O. 994; ICC Order 75; Amdt. 4]

WESTERN MARYLAND RAILWAY CO.

Rerouting or Diversion of Traffic

Upon further consideration of I.C.C. Order No. 75 (Western Maryland Railway Company) and good cause appearing thereof:

It is ordered, That:

I.C.C. Order No. 75 be, and it is hereby, amended by substituting the following paragraph (g) for paragraph (g) thereof:

(g) *Expiration date*. This order shall expire at 11:59 p.m., December 31, 1973, unless otherwise modified, changed, or suspended.

It is further ordered, That this amendment shall become effective at 11:59 p.m., October 31, 1973, and that this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., October 26, 1973.

**INTERSTATE COMMERCE
COMMISSION,**
R. D. PFAHLER,
Agent.

[FR Doc. 73-23504 Filed 11-2-73; 8:45 am]

[Notice No. 375]

ASSIGNMENT OF HEARINGS

OCTOBER 31, 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 124211 Sub 228, Hilt Truck Line, Inc., now assigned November 26, 1973, will be held in Room E-2222, 26 Federal Plaza, New York, N.Y.

MC-C-5460 Sub 2, Mayflower Transit Lines, Inc., Revocation of Certificate, now assigned November 27, 1973, will be held in Room E-2222, 26 Federal Plaza, New York, N.Y.

MC 101219 Sub 50, Merit Dress Delivery, Inc., now assigned November 28, 1973, will be held in Room 238, Court of Claims, 26 Federal Plaza, New York, N.Y.

MC-C-8074, Manhattan Transit Co.-V-Aro Coaches, Inc., MC-C-8074 Sub 1, Hudson Transit Lines, Inc., Et Al-V-Aro Coaches, Inc., now assigned November 29, 1973, hearing will be held in Room 238, Court of Claims, 26 Federal Plaza, New York, N.Y.

MC 114943 Sub 100, Monkem Company, Inc., application dismissed.

MC 114552 Sub 64, Senn Trucking Company Extension-Plastic Pipe, MC 114552 Sub 65, Senn Trucking Company, now assigned January 24, 1974, at Birmingham, Ala., is cancelled and applications dismissed.

MC 101186 Sub 13, Arledge Transfer, Inc., now assigned November 27, 1973, at Des Moines, Iowa, will be held in Room B, 7th Floor, Iowa State Commerce Commission, Valley Bank Bldg., 4th and Walnut Street.

MC-110563, Coalway Food Express, Inc., now being assigned hearing January 15, 1974 (1 day), at Omaha, Nebr., in a hearing room to be later designated.

MC-F-11835, Holmes Freight Lines, Inc.—Control—(1) Byers Transportation Company, Inc., and (2) Commercial Freight Lines, Inc., FD-27343, Holmes Freight Lines, Inc., and MC-F-11997, Lovelace Truck Service, Inc.—Purchase (Portion)—Holmes Freight Lines, Inc., now being assigned hearing January 16, 1974 (3 days), at Omaha, Nebr., in a hearing room to be later designated.

MC-F-11916, All-American, Inc.—Purchase (portion)—Russell Transportation, Inc., now being assigned hearing January 21, 1974 (1 week), at Omaha, Nebr., in a hearing room to be later designated.

MC 107295 Sub 583, Pre-Fab Transit Co., Extension-Homer City, Pa., application is dismissed.

No. 35735, Publication Corporation-V-The Baltimore & Annapolis Railroad Company, now assigned November 26, 1973, at Baltimore, Md., will be held in Court Room 707, Appraisers Building, Gay & Lombard Street.

No. 35869, Continental Bus System, Inc., Continental Southern Lines, Inc., and Ray A. Johnson, dba Universal Travel Service—Investigation of Operations and Practices, now assigned November 27, 1973, hearing will be held in Room 5A15-17, Federal Office Bldg., 1100 Commerce St., Dallas, Tex.

MC-C 8139, E. L. Farmer & Company—Investigation and Revocation of Certificates, now assigned November 29, 1973, hearing will be held in Room 5A15-17, Federal Office Bldg., 1100 Commerce St., Dallas, Tex.

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MC 116073 Sub 270, Barrett Mobile Home Transport, Inc., now assigned December 3, 1973, hearing will be held in Room 5A15-17, Federal Office Bldg., 1100 Commerce St., Dallas, Tex.

MC 57315 Sub 22, Tri-State Transport, Inc., Extension-Imported Meat, MC 96986 Sub 3, Feldman's Express, Inc., Conversion of Certificate of Registration, and MC 136971, Proctor Trans., Inc., Common Carrier Application, now being assigned hearing January 23, 1974 (3 days), at Boston, Mass., in a hearing room to be later designated.

MC-112963 Sub 40, Roy Bros., Inc., now assigned January 23, 1974, at Boston, Mass., is cancelled and the application is dismissed.

No. 35659, Miller Oil Purchasing Company v. Amerada-Hess Corporation, Et Al., is continued to December 18, 1973, at the Offices of the Interstate Commerce Commission, Washington, D.C.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc. 73-23501 Filed 11-2-73; 8:45 am]

[Notice No. 147]

**MOTOR CARRIER TEMPORARY
AUTHORITY APPLICATIONS**

OCTOBER 26, 1973.

The following are notices of filing of application, except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application, for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67, (49 CFR Part 1131) published in the *FEDERAL REGISTER*, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the *FEDERAL REGISTER* publication, within 15 calendar days after the date of notice of the filing of the application is published in the *FEDERAL REGISTER*. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (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 51146 (Sub-No. 338 TA), filed October 15, 1973. Applicant: SCHNEIDER TRANSPORT, INC., P.O. Box 2298, 2261 South Broadway, Green Bay, Wis. 54304. Applicant's representative: Neil DuJardin (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Plastic bottles, from Chicago, Ill., to Racine (Waxdale), Wis., for 180 days. SUPPORTING SHIPPER: Owens-Illinois, Inc., P.O. Box 1035, Toledo, Ohio 43666. 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 51824 (Sub-No. 5 TA), filed October 16, 1973. Applicant: VAN DERHULE MOVING AND STORAGE, INC., 10th & Broadway (P.O. Box 797), Yankton, South Dak. 57078. Applicant's representative: Milford C. Van Derhule (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Meats, meat products and other articles distributed by meat packinghouses, from Yankton, S. Dak., to Webster City, Iowa, for 180 days. SUPPORTING SHIPPER: Cimpl Packing Company, 1000 Cattle Drive, Yankton, S. Dak. 57078. SEND PROTESTS TO: J. L. Hammond, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 369, Federal Building, Pierre, S. Dak. 57501.

No. MC 58923 (Sub-No. 40 TA), filed October 5, 1973. Applicant: GEORGIA HIGHWAY EXPRESS, INC., 2090 Jonesboro Road SE, P.O. Box 6944, Atlanta, Ga. 30315. Applicant's representative: Robert C. Dryden (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: General commodities, with unusual exceptions, between points in that part of Florida on and east of a line beginning at the Georgia-Florida State line and extending along U.S. Highway 19 to New Port Richey, thence along the Gulf of Mexico, to Naples and points on and north of a line beginning at Naples and U.S. Highway 41, thence along U.S. Highway 41 to the junction of Florida Highway 27, and points on and east of a line extending South along Florida Highway 27 to the junction of SW. 34th Street (Palm Drive) and points on and north of a line extending eastward along Palm Drive (SW. 34th Street) to the Atlantic Ocean, for 180 days. RESTRICTION: The operations authorized immediately above are restricted to the transportation of traffic having an immediately prior or an immediately subsequent movement by rail between Atlanta, Ga., on the one hand, and, on the other, a point in the above-described area in Florida.

NOTE.—Applicant intends to join by taking only at Miami, Fla. with MC 58923, Sub. 33. SUPPORTING SHIPPERS: There are approximately 23 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. SEND PROTESTS TO: William L. Scroggs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 309, 1252 West Peachtree Street, NW, Atlanta, Ga. 30309.

No. MC 71460 (Sub-No. 10 TA), filed October 16, 1973. Applicant: SOUTHERN FORWARDING CO., 728 Alston Street, Memphis, Tenn. 38126. Applicant's representative: W. D. Kirkpatrick, 340 Kentucky Street, Bowling Green, Ky. 42101. Authority sought to operate as a

common carrier, by motor vehicle, over regular routes, transporting: Aluminum foil, aluminum foil products, and commodities used in the manufacture thereof (except commodities in bulk), between Louisville, Ky., on the one hand, and, on the other, the site of the Revere Foil Company plant at or near Shelbyville, Ky. and from Louisville over Interstate Highway 64, to the plantsite at or near Shelbyville and return over the same route.

NOTE.—Applicant intends to tack with present authority at Louisville, Ky. and interline with other carriers at Louisville, Ky., Memphis and Nashville, Tenn. SUPPORTING SHIPPER: Revere Copper & Brass, Incorporated, Highway 67 N., Newport, Ark. 72112. SEND PROTESTS TO: Floyd A. Johnson, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 435 Federal Office Building, 167 North Main Street, Memphis, Tenn. 38103.

No. MC 71883 (Sub-No. 7 TA), filed October 15, 1973. Applicant: JACKSON TRUCKING, INC., 89 River Street, P.O. Box 786, Jamestown, N.Y. 14701. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Meat, meat products, meat by-products, 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 for the account of John Morrell & Co., Sioux Falls, S. Dak., from Jamestown, N.Y., to points in Erie County, Pa., west of Pennsylvania Highway 8, Venango County and Crawford County, Pa., and returned shipments in the reverse direction, for 180 days. SUPPORTING SHIPPER: John Morrell & Co., 208 South LaSalle Street, Chicago, Ill. SEND PROTESTS TO: George M. Parker, District Supervisor, Interstate Commerce Commission, 612 Federal Building, 111 West Huron Street, Buffalo, N.Y. 14202.

No. MC 106398 (Sub-No. 687 TA), filed October 16, 1973. Applicant: NATIONAL TRAILER CONVOY, INC., Box 51096 Dawson Station, 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: Trailers, designed to be drawn by passenger automobiles, in initial movements, from Idabel, Okla., to points in the United States (except Alaska and Hawaii), for 180 days. SUPPORTING SHIPPER: C. L. Robinson, President and General Manager, Rapides Homes, Inc., P.O. Box 9, Idabel, Okla. 74745. SEND PROTESTS TO: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Rm. 240-Old P.O. Bldg., 215 NW. Third, Oklahoma City, Okla. 73102.

No. MC 107515 (Sub-No. 878 TA), filed October 5, 1973. Applicant: REFRIGERATED TRANSPORT CO., INC., 3901 Jonesboro Road, SE, P.O. Box 308, Forest Park, Ga. 30050. Applicant's representative: Bruce E. Mitchell, Suite 1600, First Federal Building, Atlanta, Ga. 30303. Authority sought to operate as a

common carrier, by motor vehicle, over irregular routes, transporting: Food-stuffs, from Boston, Mass. and points in the Boston commercial zone and New Haven, West Haven and Monroe, Conn., to points in Virginia, North Carolina, South Carolina, Georgia, Florida, Kentucky, Alabama, Tennessee, Mississippi, Arkansas, Louisiana, and Texas, for 180 days. SUPPORTING SHIPPERS: The Almar Packing Co., 225 Washington Avenue, New Haven, Conn. 06519; Irving Levitt Co., Inc., 34-36 Newmarket Square, Boston, Mass. 02118; Brillant Seafood, Inc., 315 Northern Avenue, Boston, Mass. 02210; Matthews Foods Products, Inc., 135 Front Street, West Haven, Conn. 06512; Herman Alpert & Co., Inc., 222 Forbes Avenue, New Haven, Conn.; Red-L Foods, Inc., 188 Main Street, Monroe, Conn. 06468; and Research Foods Corporation, 20 Water St., Somerville, Mass. 02143. SEND PROTESTS TO: William L. Scroggs, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 1252 W. Peachtree St., NW, Room 309, Atlanta, Ga. 30309.

No. MC 107934 (Sub-No. 23 TA), filed October 19, 1973. Applicant: BYRD MOTOR LINE, INCORPORATED, P.O. Box 828, Lexington, N.C. 27292. Applicant's representative: John R. Sims, Suite 600, 1707 H Street NW, Washington, D.C. 20006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Rejected, refused, defective, damaged, repossessed and samples of new furniture*, which originated from a point within 25 miles of High Point, N.C. (including High Point) and Mebane, Hillsboro, and Statesville, N.C. and from all points in the continental United States (except Maine, Massachusetts, New Hampshire, and Vermont), to points in North Carolina which are within 25 miles of High Point, N.C. (including High Point), Mebane, Hillsboro and Statesville, N.C., for 180 days. SUPPORTING SHIPPERS: Henry Link Corp., Lexington, N.C.; Link Taylor Corp., Lexington, N.C.; Burlington House Furniture, Globe Division, High Point, N.C.; Dixie Furniture (Asheboro Div.), Lexington, N.C.; Young Hinkle Corp., Lexington, N.C.; Dixie Furniture, Lexington, N.C.; and Burlington House Furniture, United Division, Lexington, N.C. SEND PROTESTS TO: District Supervisor Terrell Price, Bureau of Operations, Interstate Commerce Commission, 800 Briar Creek Rd., Charlotte, N.C. 28205.

No. MC 123099 (Sub-No. 5 TA), filed October 16, 1973. Applicant: HOWARD ANDERSON, doing business as ANDERSON's TRUCKING COMPANY, Tioga Street, Wellsboro, Pa. 16901. Applicant's representative: S. Michael Richards, 44 North Avenue, Webster, N.Y. 14580. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Malt beverages*, in containers, from Rochester, N.Y., to points in Pennsylvania (except as presently authorized), for 180 days. SUPPORTING SHIPPER: These Genesee Brewing Co., Inc., 445 St. Paul Street,

Rochester, N.Y. 15603. SEND PROTESTS TO: Paul J. Kenworthy, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 309 U.S. Post Office Building, Scranton, Pa. 18503.

No. MC 129350 (Sub-No. 31 TA), (CORRECTION), filed October 12, 1973, published in Notice No. 145, dated October 12, 1973, and republished as corrected this issue. Applicant: CHARLES E. WOLFE, doing business as EVERGREEN EXPRESS, 410 North 10th Street, P.O. Box 212, Billings, Mont. 59101. Applicant's representative: Clayton Brown (same address as above).

NOTE.—The purpose of this partial republication is to correct the MC number to No. MC 129350 (Sub-No. 31 TA) in lieu of No. MC 120350 (Sub-No. 31 TA), which was published in error. The rest of the application remains the same.

No. MC 129350 (Sub-No. 32 TA) (CORRECTION), filed October 12, 1973, published in Notice No. 145, dated October 12, 1973, and republished as corrected this issue. Applicant: CHARLES E. WOLFE, doing business as EVERGREEN EXPRESS, 410 North 10th Street, P.O. Box 212, Billings, Mont. 59101. Applicant's representative: Clayton Brown (same address as above).

NOTE.—The purpose of this partial republication is to correct the MC number to No. MC 129350 (Sub-No. 32 TA) in lieu of No. MC 120350 (Sub-No. 32 TA), which was published in error. The rest of the application remains the same.

No. MC 129350 (Sub-No. 33 TA) (CORRECTION), filed October 12, 1973, published in Notice No. 145, dated October 12, 1973, and republished as corrected this issue. Applicant: CHARLES E. WOLFE, doing business as EVERGREEN EXPRESS, 410 North 10th Street, P.O. Box 212, Billings, Mont. 59101. Applicant's representative: Clayton Brown (same address as above).

NOTE.—The purpose of this partial republication is to correct the MC number to No. MC 129350 (Sub-No. 33 TA) in lieu of No. MC 120350 (Sub-No. 33 TA), which was published in error. The rest of the application remains the same.

No. MC 135760 (Sub-No. 14 TA), filed October 17, 1973. Applicant: COAST REFRIGERATED TRUCKING CO. INC., P.O. Box 188, Holly Ridge, N.C. 28445. Applicant's representative: Herbert Alan Dubin, 1819 H Street, NW, Washington, D.C. 20006. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Pork products*, in vehicles equipped with mechanical refrigeration, from Grand Rapids, Mich., to points in Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Louisiana, Massachusetts, Minnesota, Missouri, New Jersey, New York, Ohio, and Pennsylvania, for 180 days. SUPPORTING SHIPPER: Frederick & Herrud, Inc., 1487 Farnsworth, Detroit, Mich. 48211. SEND PROTESTS TO: Archie W. Andrews, District Supervisor, Interstate Commerce Commission, Bureau of Operations, P.O. Box 26896, Raleigh, N.C. 27611.

No. MC 135797 (Sub-No. 13 TA), filed October 1, 1973. Applicant: J. B. HUNT TRANSPORT, INC., 833 Warner Street, SW, Atlanta, Ga. 30310. Applicant's representative: Virgil H. Smith, Suite 12, 1587 Phoenix Blvd., Atlanta, Ga. 30349. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Canned foods*, from the plantsites of Allen Canning Company, Inc. at Van Buren, Alma, Gentry, Siloam Springs and the plant-site of Allen Canning Company, Inc., located eight (8) miles northeast of Siloam Springs, Ark., to points in Alabama, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Louisiana, Mississippi, Missouri, North Carolina, Nebraska, Ohio, South Carolina, Texas, and Wisconsin, for 180 days. SUPPORTING SHIPPER: Allen Canning Company, Inc., 305 E. Main Street, P.O. Box 250, Siloam Springs, Ark. 72761. SEND PROTESTS TO: William L. Scroggs, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 309, 1252 West Peachtree Street, NW, Atlanta, Ga. 30309.

No. MC 135874 (Sub-No. 23 TA), filed October 16, 1973. Applicant: LTL PERISHABLES, INC., P.O. Box 37468 (Box zip 68152), 132nd & Q Streets, Omaha, Nebr. 68137. Applicant's representative: Bill White (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meat, 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), between Wagner, S. Dak. and points in Minnesota, Iowa, Nebraska, Kansas, Missouri, Illinois, and Wisconsin, for 180 days. RESTRICTION: Restricted to traffic originating at and destined to points and States named above. SUPPORTING SHIPPER: Yankton Sioux Industries, 301 North Fifth Street, Minneapolis, Minn. 55403. SEND PROTESTS TO: Carroll Russell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Suite 620, Union Pacific Plaza Building, 110 North 14th Street, Omaha, Nebr. 68102.

No. MC 136384 (Sub-No. 6 TA), filed October 17, 1973. Applicant: PALMER MOTOR EXPRESS, INC., P.O. Box 103, Savannah, Ga. 31402. 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 regular routes, transporting: *General commodities* (except commodities in bulk, those requiring special equipment because of size or weight, Classes A and B explosives, and household goods as defined by the Commission). (A) REGULAR ROUTES: (1) Between Savannah, Ga., and Savannah Beach, Ga.: from Savannah, Ga., over U.S. Highway 80 and Alternate U.S. Highway 80, to Savannah Beach and return over the same

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route, serving all intermediate points; (2) Between Savannah, Ga., and Vidalia, Ga.: from Savannah, Ga., over Interstate Highway 16 to its junction with U.S. Highway 280 at or near Blythe, Ga., thence over U.S. Highway 280 to its junction with Georgia State Highway 292 at or near Bellville, Ga., thence over Georgia State Highway 292 to Vidalia, Ga., and return over the same route, serving all intermediate points; (3) Between Lyons, Ga., and Wrightsville, Ga.: from Lyons, Ga., over Georgia State Highway 152 to its junction with Georgia State Highway 86.

Thence over Georgia State Highway 86 to its junction with U.S. Highway 1 at or near Oak Park, Ga., thence over U.S. Highway 1 to its junction with Georgia State Highway 46 near Oak Park, Ga., thence over Georgia State Highway 46 to its junction with Georgia State Highway 86 near Normantown, Ga., thence over Georgia State Highway 86 to its junction with Georgia State Highways 15 and 78 near Adrain, Ga., thence over Georgia State Highways 15 and 78 to Wrightsville, Ga., and return over the same route, serving all intermediate points; (4) Between Lyons, Ga., and Soperton, Ga.: from Lyons, Ga., over Georgia State Highway 292 to its junction with Georgia State Highway 86 at or near Ohopee, Ga., thence over Georgia State Highway 86 to Oak Park, Ga., thence over U.S. Highway 1 to its junction with Georgia State Highway 46, thence over Georgia State Highway 46 to its junction with U.S. Highway 221 at or near Soperton, Ga., and thence over U.S. Highway 221 to Soperton, Ga., and return over the same route, serving all intermediate points; (5) Between Soperton, Ga., and Adrain, Ga.: from Soperton, Ga., over Georgia State Highways 15 and 78 to Adrain, Ga., and return over the same route, serving all intermediate points; (6) Between Metter, Ga., and Oak Park, Ga.: from Metter, Ga., over Georgia State Highway 46 to its junction with U.S. Highway 1 near Oak Park, Ga., thence over U.S. Highway 1 to Oak Park, Ga., and return over the same route, serving all intermediate points; (7) Between Vidalia, Ga., and Dublin, Ga.: from Vidalia, Ga., over U.S. Highway 280 to its junction with Georgia State Highways 29 and 15, thence over Georgia State Highway 29 and U.S. Highway 80 to Dublin, Ga., and return over the same route, serving all intermediate points; (8) between Dublin, Ga., and Wrightsville, Ga.

From Dublin, Ga., over U.S. Highway 319 to Wrightsville, Ga., and return over the same route, serving all intermediate points; (9) Between Wrightsville, Ga., and Greensboro, Ga.: from Wrightsville, Ga., over Georgia State Highway 15 to Greensboro, Ga., and return over the same route, serving all intermediate points and serving Sparta, Ga., as an off-route point in connection with the above described route; (10) Between Greensboro, Ga., and Madison, Ga.: from Greensboro, Ga., over U.S. Highway 278 to Madison, Ga., and return over the

same route, serving all intermediate points; (11) Between Greensboro, Ga., and Watkinsville, Ga.: from Greensboro, Ga., over Georgia State Highway 15 to Watkinsville, Ga., and return over the same route, serving all intermediate points; (12) Between Madison, Ga., and Danielsville, Ga.: from Madison, Ga., over U.S. Highway 278 to its junction with U.S. Highways 129 and 441, thence over U.S. Highways 129 and 441 to Athens, Ga., thence over U.S. Highway 29 to Danielsville, Ga., and return over the same route, serving all intermediate points; (13) Between Claxton, Ga., and Statesboro, Ga.: from Claxton, Ga., over U.S. Highways 25 and 301 to Statesboro, Ga., and return over the same route, serving all intermediate points; (14) Between Statesboro, Ga., and Oliver, Ga.: from Statesboro, Ga., over Georgia State Highway 24 to Oliver, Ga., and return over the same route, serving all intermediate points; (15) Between Statesboro, Ga., and Sylvania, Ga.: from Statesboro, Ga., over U.S. Highway 301 to Sylvania, Ga., and return over the same route, serving all intermediate points; (16) Between Oliver, Ga., and Dover, Ga.: from Oliver, Ga., over Georgia State Highway 17 to its junction with U.S. Highway 301 near Dover, Ga., thence over U.S. Highway 301 to Dover, Ga., and return over the same route, serving all intermediate points; (17) Between Oliver, Ga., and Newington, Ga.

From Oliver, Ga., over Georgia State Highway 24 to Newington, Ga., and return over the same route, serving all intermediate points; (18) Between Savannah, Ga., and Oliver, Ga.: from Savannah, Ga., over U.S. Highway 80 to its junction with Georgia State Highway 17 near Eden, Ga., thence over Georgia State Highway 17 to Oliver, Ga., and return over the same route, serving all intermediate points; (19) Between Savannah, Ga., and Springfield, Ga.: from Savannah, Ga., over U.S. Highways 17 and 80 to their junction with Georgia State Highway 21, thence over Georgia State Highway 21 to Springfield, Ga., and return over the same route, serving all intermediate points; (20) Between Springfield, Ga., and Sylvania, Ga.: from Springfield, Ga., over Georgia State Highway 21 to Sylvania, Ga., and return over the same route, serving all intermediate points; (21) Between Springfield, Ga., and Fairfax, S.C.: from Springfield, Ga., over Georgia State Highway 119 to the Georgia-South Carolina State line, thence over Georgia State Highway 119 to its junction with U.S. Highway 321 at or near Garnett, S.C., thence over U.S. Highway 321 to Fairfax, S.C., and return over the same route, serving all intermediate points; (22) Between Sylvania, Ga., and Allendale, S.C.

From Sylvania, Ga., over U.S. Highway 301 to Allendale, S.C., and return over the same route, serving all intermediate points; (23) Between Fairfax, S.C., and Allendale, S.C.: from Fairfax, S.C., over U.S. Highway 278 to Allendale, S.C., and return over the same route, serving all intermediate points; and (24) Authority

is also sought to serve all points other than those described in the above routes in Bryan, Toombs, Montgomery, Screven, and Effingham Counties, Ga., as off-route points in connection with the above described regular routes.

NOTE.—(1) Applicant also intends to tack the authority sought where possible so as to provide service throughout the territory described in Paragraphs (1) through (24) above and (2) Applicant also seeks authority to tack or combine the above authority with authority held in MC 136384 and sub thereto and to interline with all carriers where interline operations are feasible in the states of Georgia and South Carolina.

(B) ALTERNATE ROUTES: (1) Between Sylvania, Ga., and Greensboro, Ga.: from Sylvania, Ga., over U.S. Highway 301 to its junction with Georgia State Highway 24, at or near Hiltonia, Ga., thence over Georgia State Highway 24 to Waynesboro, Ga., thence over Georgia State Highway 24 to its junction with Georgia State Highway 80, thence over Georgia State Highway 80 to Wrens, Ga., thence over Georgia State Highway 16 to its junction with U.S. Highway 278 at or near Warrenton, Ga., thence over U.S. Highway 278 to its junction with Interstate Highway 20, thence over Interstate Highway 20 to its junction with Georgia State Highway 15 at or near Siloam, Ga., thence over Georgia State Highway 15 to Greensboro, Ga., and return over the same route, as an alternate route for operating convenience only, serving no intermediate points and serving Greensboro and Sylvania, Ga., for the purpose of joinder only; (2) Between Sylvania, Ga., and Sandersville, Ga.: from Sylvania, Ga., over Georgia State Highway 21 to Millen, Ga., thence over Georgia State Highway 17 to its junction with Georgia State Highway 78 at or near Midville, Ga., thence over Georgia State Highway 78 to its junction with U.S. Highway 319 at or near Wadley, Ga., thence over U.S. Highway 319 to its junction with Georgia State Highway 242 at or near Bartow, Ga., thence over Georgia State Highway 242 to Sandersville, Ga., and return over the same route, as an alternate route for operating convenience only, serving no intermediate points and serving Sylvania and Sandersville, Ga., for purposes of joinder only; (3) Between Statesboro, Ga., and Waynesboro, Ga.

From Statesboro, Ga., over U.S. Highway 80 to its junction with U.S. Highway 25, thence over U.S. Highway 25 to Millen, Ga., thence over U.S. Highway 25 to Waynesboro, Ga., and return over the same route, as an alternate route for operating convenience only, serving no intermediate points and serving Statesboro and Waynesboro, Ga., for the purpose of joinder only; and (4) Between Statesboro, Ga., and Dublin, Ga.: from Statesboro, Ga., over U.S. Highway 80 to Dublin, Ga., and return over the same route, as an alternate route for operating convenience only, serving no intermediate points and serving Statesboro and Dublin, Ga., for the purpose of joinder

only. SUPPORTING SHIPPERS: There are approximately 114 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. SEND PROTESTS TO: District Supervisor G. H. Fauss, Jr., Interstate Commerce Commission, Bureau of Operations, Box 35008, 400 W. Bay Street, Jacksonville, Fla. 32202.

No. MC 136553 (Sub-No. 20 TA), filed October 18, 1973. Applicant: ART PAPE TRANSFER, INC., 1080 East 12th Street, Dubuque, Iowa 52001. Applicant's representative: William L. Fairbank, 900 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer and dry fertilizer materials*, from Minnesota City, Minn., to points in Iowa and Illinois, for 180 days. SUPPORTING

SHIPPER: Canton Mills, Inc., Box 465, Minnesota City, Minn. 55969. SEND PROTESTS TO: Herbert W. Allen, Transportation Specialist, Interstate Commerce Commission, Bureau of Operations, 875 Federal Building, Des Moines, Iowa 50309.

By the Commission.

[SEAL]

ROBERT L. OSWALD,
Secretary.

[FR Doc. 73-23505 Filed 11-2-73; 8:45 am]

CUMULATIVE LISTS OF PARTS Affected—NOVEMBER

The following numerical guide is a list of parts of each title of the Code of Federal Regulations affected by documents published to date during October.

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56	30431	95	30109	209	30438
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213	30251	378	30281	PROPOSED RULES:	
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PROPOSED RULES:		121	30276, 30454	73	30283
912	30278	128	30276	91	30282
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9 CFR		22 CFR		567	30107
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PROPOSED RULES:		24 CFR		1304	30275
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30	30203	1914	30440, 30441	1309	30275
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50	30203	1932	30443	571	30280
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**federal
certification
test results
for
1974 model year**

MONDAY, NOVEMBER 5, 1973

WASHINGTON, D.C.

Volume 38 ■ Number 212

PART II



ENVIRONMENTAL PROTECTION AGENCY

■
**CONTROL OF
AIR POLLUTION FROM
NEW MOTOR VEHICLES
AND ENGINES**

**Federal Certification
Test Results for
1974 Model Year**

ENVIRONMENTAL PROTECTION AGENCY

CONTROL OF AIR POLLUTION FROM NEW MOTOR VEHICLES AND ENGINES

Federal Certification Test Results for 1974 Model Year

Section 206(e) of the Clean Air Act, as amended (42 U.S.C. 1897f-5(e)), directs the Administrator of the Environmental Protection Agency to announce in the *FEDERAL REGISTER* the results of certification tests conducted on new motor vehicles and new motor vehicle engines to determine conformity with Federal standards for the control of air pollution caused by motor vehicles.

FEDERAL EMISSION STANDARDS

The regulations that apply to the control of emissions from 1974 model year vehicles, appearing at 40 CFR Part 85, set maximum allowable emission levels for new gasoline-fueled heavy duty engines (for use in trucks and buses), and gasoline-fueled light duty vehicles (automobiles and light trucks). Heavy duty gasoline-fueled and Diesel engines are required to meet emission standards of 16 grams per brake horsepower-hour (gms/BHP-hr.) for hydrocarbons (unburned gasoline) plus oxides of nitrogen (measured as NO_x) and 40 gms/BHP-hr. for carbon monoxide (a poisonous gas). In addition, heavy duty Diesel engines must meet Federal smoke emission standards of 20 percent opacity during acceleration, 15 percent opacity during lugging, and 50 percent opacity during the peaks in either the acceleration or lugging mode. These opacity standards limit the darkness of the exhaust smoke to a light gray haze.

The standards for automobiles prohibit all crankcase emissions, and limit allowable evaporative emissions from the fuel system and exhaust emissions from the tailpipe. The exhaust standards allow 1974 automobiles to emit no more than 3.5 grams per mile (gms/mi.) of hydrocarbons, 39 gms/mi. of carbon monoxide, and 3.0 gms/mi. for oxides of nitrogen from the tailpipe. The 1974 evaporative emission standard limits the loss of gasoline by evaporation from the carburetor and the fuel tank to no more than 2.0 grams per test.

FEDERAL CERTIFICATION PROCEDURES

Under the provisions of the Clean Air Act, it is unlawful to offer for sale new motor vehicles which are not in conformity with Federal regulations. Prior to the beginning of each model year, automobile manufacturers apply to the Administrator of the Environmental Protection Agency for a certificate of conformity for each model they wish to produce for that model year. The Federal regulations prescribe a number of requirements which a manufacturer must meet before the Administrator will grant certification.

In advance of production, the manufacturers are required to provide the Ad-

ministrator with extensive test data demonstrating the effectiveness of the vehicle's emission control and the ability of the emission control system to remain effective over the useful life of a vehicle (50,000 miles). In addition to the submission of test data on the prototype test vehicles, the manufacturers are required to deliver the test vehicles to the Federal Testing Laboratory at Ann Arbor, Michigan. At this facility, the vehicles are retested by Federal engineers to assure conformity with the regulations. The Federal emission test procedure for light duty vehicles is designed to simulate an average trip of 7.5 miles in an urban area and consists of cold-engine startup and vehicle operation on a chassis dynamometer through a specified driving schedule.

The regulations require a manufacturer to test a selection of prototype vehicles, as designated by the Administrator, which will represent the models to be sold to the public. These vehicles are grouped into two separate fleets. One fleet, known as the emission-data fleet, consists of new prototype vehicles which are driven for 4,000 miles and then tested. The purpose of the emission-data fleet is to determine the stabilized emission levels of new motor vehicles. The second fleet, known as the durability fleet, is made up of new prototype vehicles which are driven for 50,000 miles and tested every 4,000 miles. The durability fleet is used to establish "deterioration factors" which are adjustments that account for the decrease in an emission control system's efficiency over its expected useful life. The deterioration factors enable the Administrator to predict a motor vehicle's emission levels at 50,000 miles based upon its measured levels at 4,000 miles. The test data from the two fleets are then combined, in accordance with the procedures specified in the regulations, to determine whether the vehicle is in compliance with emission standards over the expected useful life of the vehicle. If all the motor vehicles in an engine family so tested are found to conform with the regulations, the manufacturer is granted a certificate of conformity.

The same procedure is applicable to heavy duty engines, except that emission-data engines accumulate 125 hours of service on an engine dynamometer before the emission test and gasoline-fueled durability engines and Diesel durability engines accumulate 1,500 and 1,000 hours of service, respectively. The heavy duty engine test is designed to simulate on an engine dynamometer a truck driving pattern in a metropolitan area.

FEDERAL CERTIFICATION DATA

Listed below are the emission levels of each light duty emission data vehicle and heavy duty emission data engine, as adjusted by the deterioration factors discussed above. The vehicles and engines listed represent all of the models and configurations certified as of September 21, 1973, for the 1974 model year. A sup-

plemental listing will be published when the manufacturers whose certification is presently pending complete their test programs.

The emission and fuel economy data listed below was obtained from the original emission data vehicles and engines. In some cases, manufacturers have submitted requests to perform "running changes" on already certified configurations. EPA has authorized manufacturers to make such running changes if the review of the test data and technological information has shown that the proposed modifications do not cause the vehicles or engines to exceed the standards. The data listed below does not indicate the effect of running changes on certified emission levels.

All of the vehicles and engines represented by the respective test vehicles and engines shown below conform to Federal emission standards for new motor vehicles and new motor vehicle engines for the 1974 model year. In addition, some of the light duty vehicles were designed to meet the more stringent standards (3.2 gms/mi. hydrocarbon and 2.0 gms/mi. oxides of nitrogen) of the State of California. These more stringent standards are authorized under Section 209 (b) of the Clean Air Act, as amended (42 U.S.C. 1857f-5(e)) and approved by the Administrator's April 19, 1972, decision to grant the State of California's application for waiver. Test vehicles that have been designated by the manufacturer as being designed to meet the more stringent standards are marked by an asterisk (*).

Included in the light duty vehicle section is a column labeled "Fuel economy." The values in this column represent the calculated fuel economy for each emission data vehicle as it was operated according to the Federal emission test procedure at the EPA laboratory. The expression used to calculate fuel economy based upon analysis of the exhaust gas is:

Fuel economy:

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(0.896) (HC) + (0.429) (CO) + (0.273) (CO₂)

Where:

Fuel economy = Fuel economy in miles per gallon.

HC = Hydrocarbon mass emissions expressed in grams per mile.

CO = Carbon monoxide mass emissions expressed in grams per mile.

CO₂ = Carbon dioxide mass emissions expressed in grams per mile.

Note that the HC, CO, and CO₂ emission values used in the relation are actual 4,000 mile emission test results and not the certification values which include the deterioration factor adjustment.

EPA must caution against attempting to compare these published fuel economy values with other values obtained under different conditions or by different techniques. Fuel economy is affected by a

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wide range of factors including the manner in which the vehicle is driven, type of route and terrain traveled, speeds at which the vehicle is driven, frequency of cold-starts, use of power-absorbing accessories, vehicle weight, axle ratio, ambient conditions, and many others. However, these published figures are valid and useful for comparing vehicle performance on the Federal emission test procedure. Description of this general method of calculating fuel economy and discussion of the many factors which

affect fuel economy are included in the Protection Agency's report "Fuel Economy and Emission Control," published in November 1972 and available from the EPA Office of Public Affairs.

This listing should not be construed as an endorsement by the Environmental

Protection Agency for any manufacturer's vehicles or engines. Dated October 26, 1973.

Robert L. Sansom,
Assistant Administrator
for Air and Water Programs.

1974 MODEL YEAR LIGHT DUTY VEHICLES

TEST VEHICLES				CERTIFICATION LEVELS							
MANUFACTURER (MODELS)	ENGINE FAMILY (CUBIC IN.)	DISP. CARR. VENTURIS	MODEL	EXHAUST EMISSIONS				EVAPORATIVE EMISSIONS			
				FUEL DISP.	INERTIA WEIGHT	CLASS	AXLE TRANS. (LBS.)	FUEL ECON. RATIO (MPG)	HYDRO- CARBONS	CARBON MONOXIDE	OXIDES OF NITROGEN
AMERICAN MOTORS	232.0	I	GREMLIN	232.0-1	A3	3000	2.73	15.9	1.3	15.	2.8
			WAGONEER	258.0-1	H3	4000	4.09	10.1	1.9	16.	2.3
			GREMLIN	258.0-1	H3	3000	2.73	15.6	1.6	14.	2.1
			HORNET	256.0-1	A3	3500	3.06	14.3	2.3	35.	2.6
			UNIVERSAL	258.0-1	H4	3000	4.27	9.8	1.8	21.	3.0
			* HORNET	258.0-1	A3	3500	3.31	12.5	2.5	31.	2.0
			JAVELIN	258.0-1	H3	3500	3.08	13.2	2.5	21.	2.7
			* HORNET	258.0-1	H3	3500	3.31	11.7	2.6	22.	1.8
AMERICAN MOTORS	232.0, 258.0	I-A	GREMLIN	256.0-1	H3	3000	3.08	13.2	2.1	25.	1.2
			* SPORTABOUT	232.0-1	A3	3500	3.31	15.5	2.4	35.	1.5
			HORNET	256.0-1	A3	3500	2.73	13.8	1.7	22.	2.3
			HORNET	232.0-1	A3	3500	2.73	14.7	2.1	25.	2.1
			UNIVERSAL	232.0-1	H3	3000	4.27	11.1	1.7	13.	1.9
			UNIVERSAL	256.0-1	H3	3000	4.27	12.1	2.0	10.	2.0
AMERICAN MOTORS	304.0	II	MATADOR	304.0-2	A3	4000	3.15	12.4	2.7	22.	2.3
			JAVELIN	304.0-2	A3	3500	3.15	12.1	3.3	24.	2.4
			MATADOR SW	304.0-2	A3	4500	3.54	12.3	2.6	21.	2.5
			UNIVERSAL	304.0-2	H3	3000	3.73	11.5	3.0	26.	2.3
			MATADOR	304.0-2	A3	4000	3.15	11.6	3.2	26.	2.6
			* JAVELIN	304.0-2	A3	3500	2.87	11.1	2.9	25.	1.2
AMERICAN MOTORS	304.0	II	Cougar	304.0-2	A3	4000	3.15	12.4	2.7	22.	2.3
			Hornet	304.0-2	A3	3500	3.15	12.1	3.3	24.	2.4
			Hornet Hatchback	304.0-2	A3	4500	3.54	12.3	2.6	21.	2.5
			Hornet Sportabout	304.0-2	A3	4000	3.73	11.5	3.0	26.	2.3
			Javelin	304.0-2	A3	4000	3.15	11.6	3.2	26.	2.6
			AMBASSADOR Brougham	304.0-2	A3	3500	2.87	11.1	2.9	25.	1.2
			Universal CJ-5/6	304.0-2	A3	4000	3.15	12.4	2.7	22.	2.3

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1974 MODEL YEAR LIGHT DUTY VEHICLES

MANUFACTURER (MODELS)	ENGINE FAMILY DISP. (CUBIC IN.)	FAMILY DESIGNATION	TEST VEHICLES MODEL	CERTIFICATION LEVELS						
				INERTIA DISP. 6. CARB. VENTURIS TRANS.	WEIGHT CLASS TRANS. (LBS.)	FUEL ECON. RATIO (MPG)	HYDRO- CARBONS MONOXIDE	CARBON OXIDES OF NITROGEN (GRAMS/MILE)	EVAPORAT- E EMISSIONS HIGH-O C2-HIGH	
AMERICAN MOTORS	AMBASSADOR Brougham 360.0	III	WAGONEER HORNET MATADOR TRUCK JAVELIN AMBASSADOR	360.0- 2 360.0- 2 360.0- 2 360.0- 2 360.0- 2 360.0- 2	A3 A3 A3 H3 A3 A3	4500 3500 4500 4500 4000 4500	3.07 3.15 3.15 4.09 3.54 3.15	10.6 11.0 11.0 8.5 11.6 10.8	2.1 2.6 3.2 2.9 2.9 2.8	2.0 1.8 2.3 2.6 2.0 1.8
	AMBASSADOR J-10		CHIEFTAIN WAGONEER							0.5
	Hornet									0.2
	Hornet Hatchback									0.2
	Hornet Sportabout									0.2
	Javelin									0.0
	Javelin ANX									0.0
	Matador									0.0
	Cherokee									0.0
	Truck J-10									0.0
	Wagoneer									0.0
AMERICAN MOTORS	AMBASSADOR Brougham 360.0	IV	MATADOR JAVELIN TRUCK WAGONEER AMBASSADOR MATADOR	360.0- 4 360.0- 4 360.0- 4 360.0- 4 360.0- 4 401.0- 4	A3 H4 A3 A3 A3 A3	4500 4000 4500 4500 3150 4500	3.15 3.54 4.09 3.07 10.6 3.15	10.0 10.8 10.3 10.6 2.9 10.4	2.2 3.0 2.6 2.9 3.0 3.1	1.7 2.2 2.3 1.3 2.1 2.1
	Hornet									0.2
	Hornet Hatchback									0.2
	Hornet Sportabout									0.2
	Javelin									0.0
	Javelin ANX									0.0
	Matador									0.0
	Cherokee									0.0
	Truck J-10									0.0
	Wagoneer									0.0
BRITISH LEYLAND	(STANDARD TRIUMPH)	152.0	TC	TC-TR-6 TC-TR-6	H4 H4	2750 2750	3.70 3.70	16.0 16.9	2.5 2.9	1.3 1.3
BRITISH LEYLAND	(STANDARD TRIUMPH)	91.0	TC	TC-SPITFIRE TC-SPITFIRE	H4 H4	2000 2000	3.89 3.89	23.1 22.3	3.2 2.9	1.5 1.3
BRITISH LEYLAND	(ROVER)	88	Land Rover	88	H4	3500	4.70	10.9	1.8	1.8
	88	Land Rover	88	Land Rover	H4	3500	4.70	17.7	1.7	0.9

1974 MODEL YEAR LIGHT DUTY VEHICLES

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MANUFACTURER (MODELS)	ENGINE FAMILY DISP. (CUBIC IN.)	FAMILY DESIGNATION	TEST VEHICLES MODEL	TEST VEHICLES				CERTIFICATION LEVELS			
				INERTIA WEIGHT & CARGO, VENTURI TRANS.	FUEL CLASS AXLE RATIO (LBS.)	EXHAUST EMISSIONS (GRAMS/MILE)	FUEL ECON. CARBON MONOXIDE	EXHAUST EMISSIONS (GRAMS/MILE)	FUEL ECON. CARBON MONOXIDE	EXHAUST EMISSIONS (GRAMS/MILE)	FUEL ECON. CARBON MONOXIDE
CHRYSLER	198.0-225.0	RG	PLYMOUTH COMP	225.0-1	A3	3500	2.76	16.7	2.3	31.	2.9
	Duster		PLYMOUTH COMP	225.0-1	A3	3500	2.76	15.7	2.2	23.	2.8
	Valiant Scamp		DODGE COMP	198.0-1	A3	3500	3.55	16.0	2.6	21.	3.0
	Valiant Scamp Special		DODGE TRUCK	225.0-1	H3	4000	3.91	12.1	2.9	37.	2.0
	Valiant Brougham		* DODGE SP WAG	225.0-1	H3	4000	3.90	11.5	2.8	35.	1.6
	Dart Swinger Special		DODGE COMP	196.0-1	A3	3500	2.76	N/A	2.2	23.	2.8
	Dart										
	Dart Sport										
	Dart Custom										
	Dart Swinger										
	Dart Special Edition										
	Satellite Police										
	Satellite Taxi										
	Satellite										
	Satellite Sebring										
	Satellite Quasar										
	Coronet Police										
	Coronet Taxi										
	Dodge Taxi										
	Coronet										
	Charger Coupe										
	Charger										
	Coronet Custom										
	Trademan Van										
	Sportman										
	Custom Sportsman										
	Royal Sportsman										
	Trademan Maxivan										
	Royal Sportsman SE										
	Sportman Maxivan										
	Custom Sportsman Maxivan										
	Royal Sportsman Maxivan										
	Custom										
	Adventurer										
	Adventurer Sport										
	Adventurer SE										
	Club Cab Cutted										
	Club Cab Adventurer										
	Club Cab Adventurer Sport										
	Club Cab Adventurer SE										
	AW100 Truck										

1/ Due to analyzer malfunction, no CO₂ data was available and, hence, no fuel economy data were calculated for vehicles designated "N.A.", or "not available."

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1974 MODEL YEAR LIGHT DUTY VEHICLES

MANUFACTURER (MODELS)	DISP. (CUBIC IN.)	FAMILY DESIGNATION	MODEL	TEST VEHICLES				CERTIFICATION LEVELS			
				ENGINE DISP. & CHAB.	INERTIA VENTURIS TRANS.	WEIGHT CLASS (LBS.)	FUEL ECON. AXLE RATIO (MPG)	EXHAUST EMISSIONS (GRAMS/MILE)	EVAPORATI- ON EMISSIONS (GRAMS/MILE)	EXHAUST EMISSIONS (GRAMS/MILE)	EVAPORATI- ON EMISSIONS (GRAMS/MILE)
CURYSUR	318.0	360.0 LA-2V	PLYMOUTH FS	360.0- 2	A3	5000	2.71	10.4	3.0	18.	2.2
Valiant			PLYMOUTH INTER	318.0- 2	A3	4000	2.71	11.6	3.1	18.	2.8
Duster			DODGE SP WAG	318.0- 2	M3	4500	3.55	11.4	2.6	30.	2.6
Valiant Sedan			PLYMOUTH INTER	318.0- 2	M4	4500	3.55	11.6	2.6	20.	2.2
Valiant Brougham			* PLYMOUTH COMP	318.0- 2	M3	4000	2.94	12.5	2.8	33.	0.6
Valiant Scamp Special			DODGE SP WAG	360.0- 2	M3	4500	3.55	9.6	2.9	32.	0.2
Dart Swinger Special											
Dart											
Dart Sport											
Dart Custom											
Dart Swinger											
Dart Special Edition											
Barroca											
Cougar											
Challenger											
Satellite Police											
Satellite Taxi											
Satellite											
Satellite Sebring											
Satellite Custom											
Satellite Custom											
Satellite Custom											
Satellite Sebring Plus											
Satellite Regent											
Bond Runner											
Coronet Police											
Coronet Custom											
Coronet Crestwood											
Charger SE											
B-1 Tradesman Van											
B-1 Sportman											
B-1 Custom Sportman											
B-1 Royal Sportman											
B-2 Tradesman Van											
B-2 Sportman											
B-2 Custom Sportman											
B-2 Royal Sportman											
B-2 Sportman Maxivan											
B-2 Custom Sportman Maxivan											
B-2 Royal Sportman Maxivan											
B-3 Sportman											
B-3 Custom Sportman											
Monaco											
Monaco Custom											
Monaco Special											
Monaco Station Wagon											
Monaco Custom Station Wagon											
Monaco Brougham											

TEST VEHICLES

MANUFACTURER (MODEL)	ENGINE FAMILY DISP. (CUBIC IN.)	FAMILY DESIGNATION	MODEL	INERTIA		FUEL ECON. (MPG)	(GRAMS/MILE)	EVAPOR. EMISSIONS	EMISSIONS
				WEIGHT CLASS	AXLE VENTHIS TRANS. (LBS.)	CARB.	CARBONS MONOXIDE NITROGEN		
CHRYSLER	360.0	LA-4V	PLYMOUTH COMP	360.0-4	A3	4000	2.94	10.9	2.6
Satellite Police			PLYMOUTH FS	360.0-4	A3	5000	2.71	9.9	2.8
Satellite Taxi			PLYMOUTH COMP	360.0-4	H3	4000	3.55	11.8	2.1
Satellite			DODGE SP WAG	360.0-4	A3	5000	3.73	8.5	2.5
Satellite Sebring			PLYMOUTH INTER	360.0-4	A3	5000	2.76	10.2	2.1
Satellite Custom			PLYMOUTH INTER	360.0-4	H4	4500	3.55	9.1	2.0
Satellite Sebring Plus								2.5	2.0
Satellite Regent								34.	0.4
Road Runner									
Coronet Police									
Coronet Taxi									
Dodge Taxi									
Coronet									
Charger Coupe									
Charger									
Coronet Custom									
Coronet Crestwood									
Charger SE									
Fury Police									
Fury Taxi									
Fury I									
Fury II									
Fury III									
Fury II-2 Door Hard Top									
Suburban									
Custom Suburban									
Fury Gran Coupe									
Fury Gran Sedan									
Sport Suburban									
Monaco Police									
Monaco Taxi									
Monaco Custom									
Monaco Special									
Monaco Custom Station Wagon									
Monaco Brougham									
B-1 Tradesman Van									
B-1 Sportman									
B-1 Custom Sportman									
B-1 Royal Sportman									
B-1 Royal Sportman SE									
B-2 Tradesman Van									
B-2 Sportman									
B-2 Custom Sportman									
B-2 Royal Sportman									
B-2 Sportman Maxivan									
B-2 Custom Sportman Maxivan									
B-2 Royal Sportman Maxivan									

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1974 MODEL YEAR LIGHT DUTY VEHICLES

MANUFACTURER (MODELS)	DISP. (CUBIC IN.)	FAMILY DESIGNATION	MODEL	TEST VEHICLES				CERTIFICATION LEVELS			
				ENGINE DISP. & CARB.	INERTIA WEIGHT CLASS	FUEL AXLE VENTURIS TRANS. (LBS.)	FUEL ECON. RATIO (MPG)	EXHAUST EMISSIONS (GRAMS/MILE)	EVAPORATIVE EMISSIONS (GMHS/TC)		
CHRYSLER	440.0	RB	CHRYSLER	440.0-4	A3	5000	2.71	9.1	2.2	27	3.0
Fury Police			CHRYSLER	440.0-4	A3	5000	2.71	8.4	1.6	23	2.4
Fury I			CHRYSLER SW	440.0-4	A3	5500	3.23	8.9	2.2	30	0.7
Fury II			DODGE FS	440.0-4	A3	5000	3.23	8.9	1.7	15	1.4
Suburban			DODGE TRUCK	440.0-4	A3	5000	3.23	6.1	1.7	15	0.7
Fury III			PLYMOUTH INTER	440.0-4	A3	4500	3.23	7.3	1.1	16	0.2
Custom Suburbus						4500	3.55	8.5	3.2	20	3.0
Fury Gran Coupe											0.7
Fury Gran Sedan											0.7
Sport Suburban											0.7
Monaco Police											0.7
Monaco											0.7
Monaco Custom											0.7
Monaco Brougham											0.7
Monaco Special											0.7
Newport											0.7
Newport Custom											0.7
New Yorker											0.7
Town and Country											0.7
New Yorker Brougham											0.7
Imperial Le Baron											0.7
Custom											0.7
Adventurer											0.7
Adventurer Sport											0.7
Adventurer SE											0.7
Club Cab Custom											0.7
Club Cab Adventurer											0.7
Club Cab Adventurer Sport											0.7
Club Cab Adventurer SE											0.7
AV100 Truck											0.7
Satellite Police											0.7
Road Runner											0.7
Satellite Sebring											0.7
Satellite Custom											0.7
Coronet Police											0.7
Coronet											0.7
Charger Coupe											0.7
Charger Custom											0.7
Charger SE											0.7

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1974 M0001 EARTH DUTY VEHICLES

TEST VEHICLES

ENGINE FAMILY		ENGINE DISP. & CARB.	INERTIA WEIGHT CLASS	FUEL ECON.	CARBON OXIDES OF CARBONS	OXYGEN CARBONS	Emissions
MANUFACTURER (MODELS)	DISP. (CUBIC IN.)	VENTURIS TRANS.	(LBS.)	RATIO (MPG)	MONOXIDE NITROGEN	EMISSIONS	
CITROEN SM	181.0	S	181.0- 6 181.0- 6 2.5H 2.5M	MS A4 3500 3500	4.37 4.37 11.2 11.9	2.6 2.1 19. 32.	2.9 1.9 0.6 0.2

FORD								
Pinto Sedan	122.0	2.0L		PINTO	122.0-2	H4	2750	3.40
Pinto Station Wagon				* CAPRI	122.0-2	A3	2750	3.44
Capri Sedan				* CAPRI	122.0-2	A3	2750	3.44
				% PINTO WAGON	122.0-2	H4	3000	3.55
				* CAPRI	122.0-2	H4	2750	3.44
				PINTO WAGON	122.0-2	H4	3000	3.55

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TEST VEHICLES										CERTIFICATION LEVELS			
MANUFACTURER (MODELS)	ENGINE FAMILY		DISP. (CUBIC IN.)	FAMILY DESIGNATION	MODEL	INERTIA WEIGHT & CARB. VENTURIS	CLASS	AXLE TRANS. (LBS.)	FUEL ECON. (MPG)	EXHAUST EMISSIONS (GRAMS/MILE)	EVAPORATIVE EMISSIONS (GRAMS/MILE)	CARBON MONOXIDE MONOGEN	NITROGEN CARBONS
	DISP.	VENTURIS											
JRI	240.0	240	E-200	240.0-1	A3	4500	3.25	12.3	2.8	24*	2.3	0.3	
	-100 Van		F-100	240.0-1	A3	4000	3.50	11.3	2.7	17*	3.0	0.4	
	-100 Club Wagon		E-300	240.0-1	A3	4500	4.10	11.5	2.8	32*	2.4	0.0	
	-200 Van		E-200	240.0-1	A3	4000	4.11	12.4	2.8	23*	2.9	0.4	
	-200 Club Wagon		E-100	240.0-1	A3	4000	3.70	18.9	2.8	33*	2.5	0.0	
	-300 Club Wagon		F-100	240.0-1	H3	4000	3.70	16.4	2.6	23*	2.3	0.0	
	-100 Styleside Pick-up												
	-100 Flairside Pick-up												
ODO	250.0	250		MAVERICK	250.0-1	A3	3500	2.79	15.6	2.2	27*	2.2	1.2
	Maverick Sedan			TORINO	250.0-1	A3	4000	3.00	NA	2.0	31*	3.0	0.3
	Maverick Grabber			COMET	250.0-1	H3	3500	3.00	17.2	2.6	24*	2.7	0.0
	Comet Sedan			TORINO	250.0-1	A3	4000	3.25	14.0	2.5	37*	2.7	1.0
	Comet "GT" Sedan												
	Torino												
	Gran Torino												
	Ranchero												
	Ranchero Squire												
	Montego												
ODO	250.0	250 RED		MAVERICK	250.0-1	A3	3500	3.00	13.1	1.9	21*	1.4	0.1
	Maverick Sedan			* MAVERICK	250.0-1	A3	3500	3.00	14.5	2.0	21*	1.6	0.0
	Maverick Grabber			* COMET 4DR	250.0-1	H3	3500	3.00	15.1	3.4	35*	1.7	0.0
	Comet Sedan			* MAVERICK	250.0-1	H3	3500	3.00	16.7	3.1	17*	1.8	0.2
	Comet "GT"												
ODO	300.0	300		E-100	300.0-1	H3	4000	3.70	12.0	2.4	32*	1.6	0.2
	* E-100			* E-100	300.0-1	H3	3500	3.70	NA	2.5	20*	1.4	0.0
	E-200			* E-200	300.0-1	H3	4000	3.70	13.0	2.6	32*	1.8	0.0
	F-100			* F-100	300.0-1	H3	4000	3.50	14.1	2.0	21*	1.6	0.5
	F-100			* F-100	300.0-1	H3	4000	3.70	13.4	2.0	21*	1.3	0.4
	-100 Styleside Pick-up												
	-100 Flairside Pick-up												

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1974 MODEL YEAR LIGHT DUTY VEHICLES

CERTIFICATION LEVELS

TEST VEHICLES

F-100 Styleside Pick-up
 F-100 Flareside Pick-up
 Gran Torino Station Wagon
 Gran Torino Squire Station Wagon
 Monte Carlo Station Wagon
 Monte Carlo Station Wagon
 Bronco Wagon

1974 MODEL YEAR LIGHT DUTY VEHICLES

TEST VEHICLES										CERTIFICATION LEVELS			
MANUFACTURER (MODELS)	DISP. (CUBIC IN.)	FAMILY DESIGNATION	MODEL	INERTIA WEIGHT		EXHAUST EMISSIONS		EVAPORATIVE EMISSIONS		(GPHS/MILE)	CARBON OXIDES OF NITROGEN	HYDRO- CARBONS	
				ENGINE DISP.	% CARB. VENTURIS	CLASS TRANS.	AXLE RATIO (LBS.)	FUEL ECON. (MPG)	HYDRO- CARBONS				
IRD	351.0	351C (A)	TORINO WAGON	351.0- 2	A3	5000	3.25	8.3	2.3	35.	3.0	0.2	
Custom 500		# COUGAR		351.0- 2	A3	4500	3.00	9.5	2.9	31.	2.1	0.3	
Galaxie 500		MONTEGO		351.0- 2	A3	5000	3.25	9.1	2.2	28.	2.7	0.7	
LTD		MONTEGO		351.0- 2	A3	4500	2.75	9.1	2.5	36.	2.7	0.9	
LTD Brougham		FORD		351.0- 2	A3	5000	3.07	9.3	2.8	31.	2.9	0.3	
Bruch Wagon		TORINO WAGON		351.0- 2	A3	5000	3.00	10.3	3.1	36.	2.2	0.2	
Country Sedan Station Wagon													
Torino													
Gran Torino													
Gran Torino GT													
Gran Torino Brougham													
Gran Torino X													
Torino Station Wagon													
Gran Torino Station Wagon													
Gran Torino Squire Station Wagon													
Banchero 500													
Banchero Squire													
Ranchero GT													
Montego MX													
Montego MX Brougham													
Montego MX Station Wagon													
Montego Villager Station Wagon													
Cougar XR-7													
Mercury Monterey													
IRD	351.0	351CJ	* PANTERA COUGAR *RANCHERO MONTEGO TORINO TORINO	351.0- 4	H5	3500	4.22	10.4	1.7	18.	2.0	0.0	
Gran Torino				351.0- 4	A3	5000	3.25	9.3	2.6	24.	2.9	1.2	
Gran Torino GT				351.0- 4	H4	4500	3.50	9.0	2.4	23.	2.6	0.4	
Gran Torino Brougham				351.0- 4	A3	5000	3.25	9.5	2.8	21.	3.0	0.9	
Banchero 500				351.0- 4	A3	4500	3.25	9.9	2.2	13.	2.9	0.1	
Banchero Squire				351.0- 4	H4	4500	3.50	9.8	2.0	20.	3.0	0.6	
Ranchero													
Montego MX													
Montego MX Brougham													
Cougar XR-7													
Pantera L													

1974 MODEL YEAR LIGHT DUTY VEHICLES										CERTIFICATION LEVELS			
TEST VEHICLES										EVAPORATIVE EMISSIONS (GM/TEST)			
MANUFACTURER (MODELS)	ENGINE FAMILY			MODEL	INERTIA DISP. 6. CARB. VENTURIS TRANS.	WEIGHT CLASS (LBS.)	FUEL ECON. MPG)	HYDRO- CARBONS CARBON MONOXIDE NITROGEN	EXHAUST EMISSIONS		HYDRO- CARBONS CARBON MONOXIDE NITROGEN		
	DISP. (CUBIC IN.)	FAMILY	DESIGNATION						CARBON MONOXIDE	NITROGEN			
FORD	351.0	351W	MONTEGO	351.0-2-A3	5000	3.25	9.9	2.7	34*	2.5	1.0		
			TORINO	351.0-2-A3	4500	2.75	10.8	2.6	30*	3.0	0.4		
			MONTEGO	351.0-2-A3	5000	3.25	9.9	2.3	35*	2.4	1.2		
			LTD	351.0-2-A3	5000	2.75	10.7	2.7	30*	2.6	0.2		
			LTD Brougham	351.0-2-A3	4500	3.25	10.7	2.7	27*	3.0	1.0		
			Custon Ranch Wagon	351.0-2-A3	5000	2.75	10.4	2.2	28*	2.7	0.6		
			Country Sedan Wagon	351.0-2-A3	5000	2.75	10.4	2.2					
			Country Squire Wagon	351.0-2-A3	5000	2.75	10.4	2.2					
			Torino										
			Gran Torino										
			Gran Torino GT										
			Gran Torino X										
			Torino Brougham										
			Cougar XR-7										
			Montego										
			Montego MX										
			Montego Brougham										
FORD	360/390	F-100	360.0-2-N3	4500	3.25	10.0					3.0	0.1	
		F-100	360.0-2-A3	4500	3.00	8.7	3.1				2.7	0.3	
		* F-100	360.0-2-A3	4500	3.00	NA	1.2				1.6	0.5	
		F-100	390.0-2-A3	4500	3.50	11.1	2.6				2.3	0.2	
		* F-100	360.0-2-A3	4500	4.11	8.7	2.4				2.0	0.4	
		* F-100	360.0-2-N3	4500	3.50	10.2	2.4				1.7	0.7	

1974 MODEL YEAR LIGHT DUTY VEHICLES

MANUFACTURER (MODELS)	ENGINE FAMILY DISP. (CUBIC IN.)	FAMILY DESIGNATION MODEL	TEST VEHICLES			CERTIFICATION LEVELS							
			INERTIA DISP. 6. CARB. VENTURI'S. TRANS.	INERTIA WEIGHT CLASS	AXLE WEIGHT (LBS.)	FUEL ECON. RATIO (MPG)	HYDRO- CARBONS (GRAMS/MILE)	CARBON MONOXIDE (GRAMS/MILE)	EVAPORATIVE EMISSIONS HYDRO- CARBONS				
FORD	Custom 500	400.0	400	MERCURY S.W.	400.0-2	A3	5500	3.00	7.9	3.4	36.	2.0	0.0
	Galaxie 500			TORINO	400.0-2	A3	4500	3.25	6.8	2.4	20.	2.5	0.1
	LTD			FORD S.W.	400.0-2	A3	5500	2.75	9.5	2.6	24.	3.0	0.6
	LTD Brougham			*FORD	400.0-2	A3	5000	3.00	9.6	3.0	36.	1.5	0.0
	Ranch Wagon			FORD S.W.	400.0-2	A3	5500	3.25	8.7	2.6	30.	2.7	0.0
	Country Sedan			FORD	400.0-2	A3	5000	2.75	10.0	2.3	19.	2.3	0.2
	Country Squire												
	Monterey												
	Monterey Custom												
	Marquis												
	Marquis Brougham												
	Monterey Wagon												
	Marquis Wagon												
	Colony Park												
	Torino												
	Gran Torino												
	Gran Torino GT												
	Gran Torino X												
	Torino Station Wagon												
	Gran Torino Station Wagon												
	Torino Squire Station Wagon												
	Ranchero 500												
	Ranchero Squire												
	Ranchero GT												
	Montego												
	Montego MX												
	Montego MX Brougham												
	Montego MX Station Wagon												
	Montego Villager												
	Conquer XR-7												

1974 MODEL YEAR LIGHT DUTY VEHICLES

TEST VEHICLES				CERTIFICATION LEVELS					
MANUFACTURER (MODELS)	DISP. (CUBIC IN.)	FAMILY DESIGNATION	MODEL	EXHAUST EMISSIONS			EVAPORATIVE EMISSIONS		
				ENGINE DISP.	INERTIA & CARB. VENTURIS TRANS.	FUEL CLASS AXLE ECON. RATIO (LBS.)	(GRAMS/MILE) CARBON MONOXIDE NITROGEN CARBONS	(GRAMS/MILE) HYDRO- CARBONS	(GRAMS/MILE) HYDRO- CARBONS
FORD	460.0	4600(A)	F-100	460.0-4	A3	4500	3.00	9.3	2.7
Custom 500			MERCURY	460.0-4	A3	5500	2.75	8.1	2.9
Galaxy 500			FORD	460.0-4	A3	5000	3.00	NA	2.3
LTD			COUGAR	460.0-4	A3	5000	3.00	8.6	3.1
LTD Brougham			Cougar	460.0-4	A3	5000	3.00	3.1	3.7
Ranch Wagon			Montego S.W.	460.0-4	A3	5000	3.25	8.6	2.0
Country Sedan Wagon								2.9	2.3
Country Squire Station Wagon								2.2	2.3
Monterey								2.2	2.2
Monterey Quatca								2.2	2.2
Marquis								2.2	2.2
Marquis Brougham								2.2	2.2
Colony Park Station Wagon								2.2	2.2
Monterey Station Wagon								2.2	2.2
Marquis Station Wagon								2.2	2.2
Torino								2.2	2.2
Gran Torino								2.2	2.2
Gran Torino GT								2.2	2.2
Gran Torino X								2.2	2.2
Gran Torino Brougham								2.2	2.2
Torino Station Wagon								2.2	2.2
Gran Torino Station Wagon								2.2	2.2
Gran Torino Squire Station Wagon								2.2	2.2
Ranchero 500								2.2	2.2
Ranchero Squire								2.2	2.2
Ranchero GT								2.2	2.2
Montego								2.2	2.2
Montego MX								2.2	2.2
Montego MX Brougham								2.2	2.2
Montego MX Station Wagon								2.2	2.2
Montego Villager Station Wagon								2.2	2.2
Cougar XR-7								2.2	2.2
Styleside Pick-up								2.2	2.2
Flareside Pick-up								2.2	2.2
Continental Mark IV								2.2	2.2
Thunderbird								2.2	2.2

1974 MODEL YEAR LIGHT DUTY VEHICLES

MANUFACTURER (MODELS)	DISP. (CUBIC IN.)	FAMILY (CUBIC IN.)	DESIGNATION	MODEL	TEST VEHICLES						CERTIFICATION LEVELS						
					ENGINE DISP.	INERTIA WEIGHT	FUEL ECON.	FUEL ECON.	EXHAUST EMISSIONS	EVAPORATIVE EMISSIONS	IGMS/IES	IGMS/IES	HYDRO- CARBONS	CARBON OXIDES	NOXIDE	NITROGEN	
										VENTURIS	TRANS.	(LBS.)	1 (MPG)	CARBONS	MONOXIDE	NITROGEN	
FORD	460.0	460 (B)			460.0- *MERCURY	460.0- *FORD	460.0- *LINCOLN	460.0- A3	4500	3.00	NA	2.6	21.	1.9	31.	1.9	0.2
	Custom 500								5500	3.00	NA	3.0	3.0	2.5	2.5	2.5	0.1
	Galaxy 500								5000	3.00	NA	9.1	2.5	17.	2.5	2.5	0.9
	LTD								5500	3.00	NA	7.9	2.5	23.	2.5	2.5	0.8
	LTD Brougham																
	Panoramic Wagon																
	Country Sedan																
	Country Squire																
	Monterey																
	Monterey Custom																
	Marquis																
	Marquis Brougham																
	Monterey Wagon																
	Marquis Wagon																
	Colony Park																
	Torino																
	Gran Torino																
	Gran Torino GT																
	Gran Torino X																
	Torino Station Wagon																
	Gran Torino Station Wagon																
	Torino Squire Station Wagon																
	Bravado 500																
	Bravado Squire																
	Bravado GT																
	Montego MX																
	Montego MX Brougham																
	Montego MX Station Wagon																
	Montego Villager																
	Cougar XR-7																
	Continental																
	Continental Mark IV																
	Thunderbird																

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1974 MODEL YEAR LIGHT DUTY VEHICLES

TEST VEHICLES				EXHAUST EMISSIONS				CERTIFICATION LEVELS			
ENGINE FAMILY	DISP.	FAMILY	MODEL	INERTIA WEIGHT	FUEL CLASS	AXLE RATIO	(GRAMS/MILE)	EXHAUST EMISSIONS	EVAPOR. EMISS.	IGN/S/ HYD.	CARB.
MANUFACTURER (MODELS)											
FUJI HEAVY IND	63.0	A6	SUBARU COUPE	63.0-2	H4	2250	3.89	21.7	1.8	1.5	0*
Subaru 1400			* SUBARU COUPE	63.0-2	H4	2250	3.89	20.8	2.9	1.2	0*
			SUBARU SW	63.0-2	H4	2500	3.89	22.7	2.1	1.6	0*
			* SUBARU SW	63.0-2	H4	2500	3.89	21.5	3.2	1.3	0*

CERTIFICATION LEVELS	EXHAUST EMISSIONS		EVAPORATIVE EMISSIONS	LOGS OF HYDROCARBONS	LOGS OF CARBON MONOXIDE	LOGS OF CARBON MONOXIDE AND NITROGEN OXIDES	LOGS OF CARBON MONOXIDE AND NITROGEN OXIDES
	(GRAMS/MILE)	(GRAMS/MILE)					
1	8	17*	1.5	0	0	0	0
2	9	18*	1.2	0	0	0	0
3	1	23*	1.6	0	0	0	0
4	2	24*	1.3	0	0	0	0
				2.2	2.2	2.2	2.2
				1.3	1.3	1.3	1.3
				1.8	1.8	1.8	1.8
				1.8	1.8	1.8	1.8
				2.1	2.1	2.1	2.1
				1.5	1.5	1.5	1.5
				2.7	2.7	2.7	2.7
				3.0	3.0	3.0	3.0
				2.9	2.9	2.9	2.9
				2.5	2.5	2.5	2.5
				2.4	2.4	2.4	2.4
				3.0	3.0	3.0	3.0

(GH) CHEVROLET		101-1	VEGA HATCHBACK 140.0-1	A3	2750	2.92	19.6	1.8
VEGA Hatchback Coupe 140.0			VEGA PANEL EXP 140.0-1	H4	2750	3.36	15.1	2.6
VEGA Hatchback Sedan			VEGA HATCHBACK 140.0-1	H3	2750	2.53	24.6	2.1
VEGA Hatchback Wagon			VEGA KAMMBACK 140.0-1	A3	3000	3.36	20.0	1.6
Vega Panel Express			VEGA PANEL EXP 140.0-1	H3	2750	2.92	20.0	2.8
			VEGA KAMMBACK 140.0-1	A3	3000	3.36	18.9	1.6

C-10 Chevy Van	C-15 Van Dura
C-10 Sport Van	C-15 Rally Wagon
C-10 Beauville Sport Van	C-15 Rally STX
C-10 Blazer	C-15 Jimmy
C-10 Stepside Pick-Up	C-15 Fenderside Pick-up
C-10 Fleetside Pick-Up	C-15 WideSide Pick-up
Y-10 Blazer	Y-15 Jimmy
Sprint	
Centurion Classic	

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* 1974 MODEL YEAR LIGHT DUTY VEHICLES

ENGINE FAMILY		TEST VEHICLES		CERTIFICATION LEVELS						
MANUFACTURER (MODELS)	DISP. (CUBIC IN.)	DISP. (CUBIC IN.)	DESIGNATION	MODEL	INERTIA WEIGHT	FUEL ECON.	HYDRO- CARBON CARBONS	OXIDES OF NITROGEN	EMISSIONS (GRAMS/MILE)	EMISSIONS TEST
				6 CARS, VENTURIS TRANS.	AXLE RATIO (LBS.)	CARBONS MONOXIDE				
(GM) CHEVROLET	350.0,400.0	104-4		#C-10 PICKUP	350.0-4	A3	4500	3.07	10.0	2.9
Camaro "LT"				C-10 PICKUP	350.0-4	A3	4500	3.07	11.6	3.4
Corvette				G-20 SPORTVAN	350.0-4	A3	5500	3.73	NA	3.3
Nova				#CAPRICE WAGON	400.0-4	A3	5500	3.42	9.6	1.4
Nova Custom				G-30 SPORTVAN	350.0-4	M3	5000	4.10	10.1	2.8
Bel Air Wagon				CAPRICE WAGON	400.0-4	A3	5500	3.42	8.0	2.6
Impala Wagon										2.5
Caprice Classic Wagon										2.5
Malibu										
Malibu Sport										
Malibu Classic Sport										
Malibu Classic										
LuSigma Type S3 Sport										
Malibu Wagon										
Malibu Classic Wagon										
Malibu Classic Estate Wagon										
El Camino										
Sprint										
El Camino Classic										
Sprint Custom										
Monte Carlo										
Del Air										
Impala Sport										
Impala Custom										
Impala										
Caprice Classic										
Caprice Classic Sport										
C-10 Blazer										
C-10 Jimmy										
C-10 Stepside Pick-up										
C-10 FenderSide Pick-up										
C-10 FleetSide Pick-up										
C-10 Wideside Pick-up										
C-10 Chevy Van										
C-10 Van Dura										
C-20 Suburban										
C-10 CtenSide Pick-up										
C-10 FenderSide Pick-up										
C-10 FleetSide Pick-up										
C-10 Wideside Pick-up										
C-10 Chevy Van										
C-10 Sport Van										
C-10 Rally Wagon										
C-10 Beauville Sport Van										
C-10 Rally STX										
C-10 Sport Van										
C-10 Rally Wagon										
C-20 Sport Van										
C-20 Rally Wagon										

1974 MODEL YEAR LIGHT DUTY VEHICLES

CERTIFICATION LEVELS

MANUFACTURER (MODELS)	ENGINE FAMILY DISP. (CUBIC IN.)	FAMILY DESIGNATION	MODEL	TEST VEHICLES		EXHAUST EMISSIONS			
				INERTIA WEIGHT 6 CARB. VENTURIS TRANS.	FUEL ECON. LBS.)	FUEL ECON. LBS.)	HYDRO- CARBONS CARBONS	HYDRO- CARBON OXIDES MONOXIDE NITROGEN	
(GM) CHEVROLET	454.0	105B	■ LAGUNA ■ C-20 SUBURBAN ■ C-10 SUBURBAN ■ C-20 SUBURBAN CAPRICE CLASSIC ■ MALIBU CLASSIC ■ MALIBU CLASSIC	454.0-4 454.0-4 454.0-4 454.0-4 454.0-4 454.0-4 454.0-4	4500 5500 5000 5500 5000 5000 5500	3.42 3.73 3.07 4.10 2.73 6.6 3.42	7.6 7.2 8.8 7.1 7.1 2.3 10.0	1.8 2.1 2.8 3.0 2.3 2.3 1.7	
■ Lsuna Sport			A3						
■ Malibu Sport			A3						
■ Malibu			A3						
■ Malibu Classic Sport			A3						
■ Malibu Classic			A3						
■ Malibu Classic			A3						

El Camino
Malibu Classic Estate Wagon
Malibu Classic Wagon
Malibu Wagon
Monte Carlo Coupe
Caprice Classic
Caprice Classic Sport
Impala Sport
Impala
Impala Custom
Bel Air
Caprice Estate Wagon
Impala Wagon
Bel Air Wagon
C-10 Stepside Pick-up
C-10 Suburban
C-10 Fleetside Pick-up
C-20 Suburban
Corvette
Sprint Custom
Sprint
C-15 Fenderside Pick-up
C-15 Suburban
C-15 Wideside Pick-up
C-25 Suburban

TEST VEHICLES				CERTIFICATION LEVELS					
MANUFACTURER (MODELS)	ENGINE FAMILY DISP. (CUBIC IN.)	FAMILY DESIGNATION	MODEL	EXHAUST EMISSIONS			EVAPORATIVE EMISSIONS		
				INERTIA WEIGHT & CARB. VENTURIS TRANS.	ENGINE DISP. & CARB. VENTURIS TRANS.	FUEL CLASS AXLE RATIO (LBS.)	FUEL HYDRO- CARBONS (MPG)	CARBON OXIDES MONOXIDE	HYDRO- CARBONS NITROGEN
(GM) PONTIAC	350.0	201-4	GTO	350.0-4	H4	4000	3.08	8.9	2.0
LeMans			LEMANS SPORT	350.0-4	A3	4500	3.08	9.2	2.3
Lemans Sport			* GTO	350.0-4	A3	4000	3.08	8.9	2.3
Luxury LeMans			LEMANS	350.0-4	A3	4500	3.08	9.0	2.0
Venture			VENTURA	350.0-4	A3	4000	3.08	9.0	2.0
Venture Custom			VENTURA	350.0-4	A3	4500	3.08	9.9	2.4
GTO			LEMANS SPORT	350.0-4	H4	4500	3.23	9.4	2.4
								30.0	0.3
(GM) PONTIAC	400.0	202	CATALINA 4DSED	400.0-4	A3	5000	3.08	9.2	2.5
Formula			TRANS AM	400.0-4	H4	5000	3.42	8.6	2.0
Trans AM			GRAND SAFARI	455.0-4	A3	5500	3.23	8.4	2.6
LeMans			* GRAND PRIX SJ	455.0-4	A3	4500	3.23	8.4	2.7
LeMans Sport			GRAND VILLE	455.0-4	A3	5000	2.93	8.1	2.2
LeMans Safari			STAGENAVY COACH	455.0-4	A3	5500	3.23	8.5	2.9
Luxury LeMans			Luxury LeMans Safari					2.9	0.1
Grand AM			Grand AM						
Grand Prix			Catalina						
Grand Prix SJ			Grand Prix SJ						
Catalina			Booneville						
Booneville			Grand Ville						
Grand Ville			Catalina Safari						
Catalina Safari			Grand Safari						
Grand Safari			Stagecoach						
Stagecoach									

TEST VEHICLES				CERTIFICATION LEVELS					
MANUFACTURER (MODELS)	ENGINE FAMILY DISP. (CUBIC IN.)	FAMILY DESIGNATION	MODEL	EXHAUST EMISSIONS			EVAPORATIVE EMISSIONS		
				INERTIA WEIGHT & CARB. VENTURIS TRANS.	ENGINE DISP. & CARB. VENTURIS TRANS.	FUEL CLASS AXLE RATIO (LBS.)	FUEL HYDRO- CARBONS (MPG)	CARBON OXIDES MONOXIDE	HYDRO- CARBONS NITROGEN
(GM) OLDSMOBILE	350.0	301-4	OMEGA	350.0-4	A3	4000	3.08	NA	2.5
Omega			DELTA 88 ROYAL	350.0-4	A3	5000	3.08	9.0	2.8
Cutlass			CUTLASS S	350.0-4	A3	4500	2.73	9.5	3.4
Cutlass S			VISTA CRUISER	350.0-4	A3	5000	3.23	8.7	15.0
Cutlass Supreme			CUTLASS SALON	350.0-4	A3	4500	3.08	10.3	2.9
Cutlass Salon			* CUTLASS SUPREME	350.0-4	A3	4500	2.73	9.4	16.0
Cutlass Supreme Station Wagon			Cutlass Supreme Vista Cruiser						
Cutlass Supreme Vista Cruiser									
Delta 88			Delta 88 Royale						
Delta 88 Royale									

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1974 MODEL YEAR LIGHT DUTY VEHICLES

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				CERTIFICATION LEVELS					
				TEST VEHICLES			EXHAUST EMISSIONS		
MANUFACTURER (MODELS)	DISP. (CUBIC IN.)	ENGINE FAMILY DESIGNATION	MODEL	INERTIA WEIGHT (LBS.)	FUEL CLASS AXLE RATIO (LBS.)	FUEL ECON. CARBONS MONOXIDE	HYDRO- CARBONS MONOXIDE	CARBON NITROGEN	(GHS/TEST HYDRO- CARBONS
(GM) OLDSMOBILE	455.0	302-4	TORONADO	455.0-4	A3	5500	2.73	8.3	1.7
Cutlass S			CUTLASS S	455.0-4	A3	4500	3.23	7.3	1.7
Cutlass Supreme			* DELTA 88 WAGON	455.0-4	A3	5500	3.23	7.0	1.9
Cutlass Salon			DELTA 88 WAGON	455.0-4	A3	5500	3.23	7.6	1.6
Cutlass Supreme Station Wagon			* TORONADO	455.0-4	A3	5500	3.07	6.8	2.2
Cutlass Supreme Vista Cruiser			96 REGENCY	455.0-4	A3	5500	2.73	7.6	1.7
Delta 88									0.1
Delta 88 Royale									0.1
Delta 88 Custom Cruiser									0.1
Ninety Eight									0.1
Ninety Eight Luxury Sedan									0.1
Ninety Eight Regency									0.1
Toronado									0.1
(GM) BUICK			* CENTURY	350.0-2	A3	4500	2.73	10.1	1.9
Apollo Hatchback	350.0	401-2	* CENTURY LUXWAG	350.0-2	A3	5000	3.23	9.7	2.0
Apollo Coupe			REGAL	350.0-2	A3	4500	2.73	8.8	2.5
Apollo Sedan			LESAIRE	350.0-2	A3	5000	2.73	9.0	3.3
Century 350 Coupe			LESAIRE	350.0-2	A3	5000	3.23	10.0	2.3
Century 350 Scion									0.6
Century 350/Gran Sport									0.6
Century Luxus Coupe									0.2
Century Luxus Sedan									0.2
Regal Formal Coupe									0.3
Fossil Sedan									0.3
Century 350 2 Seat Wagon									0.2
Century 350 3 Seat Wagon									0.2
Century Luxus 2 Seat Wagon									0.2
Century Luxus 3 Seat Wagon									0.2
LeSabre Coupe Hardtop									0.2
LeSabre Sedan									0.2
LeSabre Luxus Coupe Hardtop									0.2
LeSabre Luxus Convertible									0.2
LeSabre Luxus Hardtop									0.2
LeSabre Luxus Sedan									0.2
LeSabre Hardtop									0.2

1974 MODEL YEAR LIGHT DUTY VEHICLES

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CERTIFICATION LEVELS									
TEST VEHICLES					EXHAUST EMISSIONS				
MANUFACTURER (MODELS)	ENGINE FAMILY DISP. (CUBIC IN.)	FAMILY DESIGNATION	MODEL	INERTIA WEIGHT & CARB. VENTURIS TRANS.	ENGINE DISP. & CARB.	FUEL CLASS	AXLE ECON. RATIO (MPG)	HYDRO- CARBONS MONOXIDE	EVAPORATI- ON EMISSION (GONS/TE HRO-CARBONS
(GM) BUICK	350.0	401-4A	CENTURY 350 *LESABRE *CENTURY WAGON LESABRE	350.0-4 350.0-4 350.0-4	A3 A3 A3	4500 5000 5000	2.73 3.08 3.23	10.4 9.0 16.7	2.6 2.9 2.0
Apollo									2.0
Century 350									0.3
Century 350/Gran Sport									0.0
Century Luxus									0.0
Regal Formal									0.3
Regal									0.3
Century 350 Wagon									
Century Luxus Wagon									
Lesabre									
Lesabre Luxus									

(GM) BUICK	455.0	402-2	CENTURY 350 LESABRE LESABRE LESABRE	455.0-2 455.0-2 455.0-2 455.0-2	A3 A3 A3 A3	4500 5000 5000 5000	3.42 2.73 3.23 2.73	8.8 8.1 8.7 7.6	2.4 2.6 3.1 1.9
Century 350									0.5
Century Luxus									0.6
Regal Formal									0.8
Regal									0.3
Lesabre									
Lesabre Luxus									

(GM) BUICK	455.0	402-4	*GRAN SPORT *ESTATE WAGON ESTATE WAGON *ELECTRA 225 ELECTRA 225 ESTATE WAGON	455.0-4 455.0-4 455.0-4 455.0-4 455.0-4 455.0-4	A3 A3 A3 A3 A3 A3	4500 5500 5500 5500 5500 5500	3.42 3.23 3.23 2.73 2.73 3.23	9.1 8.1 9.6 7.6 8.3 9.3	24 17 16 27 27 13
Century 350									0.0
Century Luxus									0.0
Regal Formal									0.0
Regal									0.0
Century 350 Gran Sport									0.0
Lesabre									
Lesabre Luxus									
Electra 225									
Electra Limited									
Riviera									
Riviera GS									
Riviera GS Stage I									
Century 350 Wagon									
Century Luxus Wagon									

1974 MODEL YEAR LIGHT DUTY VEHICLES

TEST VEHICLES				CERTIFICATION LEVELS							
ENGINE FAMILY		DISP. (CUBIC IN.)		FAMILY DESIGNATION		INERTIA WEIGHT LBS.)		EXHAUST EMISSIONS (GRAMS/MILE)		EVAPORATIVE EMISSIONS (GRAMS/TEST)	
MANUFACTURER (MODELS)	DISP. (CUBIC IN.)	MODEL	6. CARB.	VENTURIS	CLASS	AXLE RATIO (LBS.)	FUEL ECON. (MPG)	HYDRO- CARBON CARBONS	OXIDES OF NITROGEN	HYDRO- CARBON CARBONS	OXIDES OF NITROGEN
(GM) CADILLAC	472.0	501	FLEETWOOD 75L1	472.0- 4	A3	5500	3.15	8.2	1.7	20.	1.9
Calais			DEVILLE	472.0- 4	A3	5500	2.93	8.9	2.6	22.	2.6
DeVille			* FLEETWOOD 75L1	472.0- 4	A3	5500	3.15	8.7	2.8	30.	1.6
Fleetwood 60 Brougham			ELDORADO	500.0- 4	A3	5500	3.07	8.0	1.8	37.	2.4
Fleetwood 75 Sedan			* ELDORADO	500.0- 4	A3	5500	3.07	10.4	1.7	23.	1.2
Fleetwood 75 Limousine											
Eldorado											

IHC	258.0	6-258	100PICKUP 2WD	258.0- 1	H3	4000	3.73	12.7	1.3	21.	2.5
			SCOUT 4WD	258.0- 1	H3	4000	3.73	12.3	1.0	23.	2.1
			* SCOUT 2WD	258.0- 1	A3	4000	4.27	11.3	1.3	24.	1.9
			* 100PICKUP 2WD	258.0- 1	H4	4000	4.09	11.1	1.4	27.	2.3
IHC	304.0	V-304	100PICKUP 2WD	304.0- 2	H3	4500	3.54	NA	3.0	33.	1.9
			SCOUT 4WD	304.0- 2	H3	4000	3.73	9.6	2.4	31.	1.9
			100PICKUP 2WD	304.0- 2	A3	4500	4.09	9.0	2.8	34.	3.0
			100PICKUP 2WD	304.0- 2	H5	4000	4.09	NA	3.1	26.	2.6
IHC	345.0	V-345-2	100T ALL 2WD	345.0- 2	H5	5000	4.09	7.2	3.0	28.	2.3
			100PICKUP 2WD	345.0- 2	A3	4500	3.54	9.9	2.6	25.	2.4
			400T ALL 2WD	345.0- 2	H4	5000	3.07	NA	3.0	34.	2.4
			SCOUT 4WD	345.0- 2	A3	4500	3.73	9.6	2.4	24.	1.8
IHC	345.0	V-345-4	100 PICKUP 2WD	345.0- 4	A3	4500	3.54	9.0	2.9	32.	1.8
			* SCOUT 2WD	345.0- 4	H4	4500	3.73	7.4	2.6	20.	1.6
			* 100PICKUP 2WD	345.0- 4	H5	4500	4.09	8.7	2.7	28.	1.5
			* SCOUT 4WD	345.0- 4	A3	4500	3.73	8.5	1.8	27.	1.6

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1974 MODEL YEAR LIGHT DUTY VEHICLES

TEST VEHICLES				CERTIFICATION LEVELS									
MANUFACTURER (MODELS)	DISP. (CUBIC IN.)	FAMILY (CUBIC IN.)	DESIGNATION	MODEL	ENGINE	INERTIA WEIGHT	FUEL	EXHAUST EMISSIONS (GRAMS/MILE)	EVAPORATIVE EMISSIONS				
					DISP. CARB.	CLASS VENTURIS TRANS.	AXLE RATIO (LBS.)	ECON. CARBONS (MPG)	(GMS/TEST) CARBON OXIDES OF HYDRO- CARBONS				
NISSAN	78.7	5		• DATSUN 8210	78.7-2	A3	2250	3.90	22.2	2.7	37.	1.2	0.5
				• DATSUN 8210	78.7-2	H4	2250	3.90	24.9	1.9	18.	1.1	0.6
				• DATSUN 8210	78.7-2	H4	2250	3.90	21.9	2.0	25.	1.3	0.4
NISSAN	119.1	6		• DATSUN 610	119.1-2	H4	2750	3.70	20.6	2.3	21.	1.2	0.8
				• DATSUN 610	119.1-2	H4	2750	3.69	19.5	3.2	26.	1.2	0.9
				• DATSUN 610	119.1-2	A3	2750	3.69	19.8	1.7	23.	1.3	0.3
NISSAN	156.6	7		• DATSUN 2602	156.6-1	A3	3000	3.54	15.8	3.0	20.	1.6	0.9
				• DATSUN 2602	156.6-1	H4	3000	3.36	16.2	2.8	14.	1.2	0.9
				• DATSUN 2602	156.6-1	H4	3000	3.36	15.0	2.7	22.	1.3	0.2
OPEL	115.8	601		MANTA	115.8-2	H4	2500	3.44	18.2	3.4	28.	2.2	0.1
				MANTA	115.8-2	A3	2500	3.44	17.9	2.7	30.	2.4	0.1
				• MANTA RALLYE	115.8-2	H4	2500	3.67	19.8	3.1	24.	1.6	0.2
				• MANTA RALLYE	115.8-2	H4	2500	3.67	16.7	2.6	23.	2.0	0.2
				• OPEL 1900	115.8-2	A3	2500	3.44	18.2	2.8	34.	1.8	0.5
PEUGEOT	120.3	504	XN-1	• 504 SEDAN	120.3-2	H4	3000	3.78	16.8	1.3	14.	1.0	0.9
		504	SEDAN	• 504 SEDAN	120.3-2	A3	3000	3.78	17.0	0.6	25.	1.3	0.2
POSCHE	163.9	1		911 S	163.9-FI	SA	2750	3.86	16.9	2.0	19.	2.5	0.0
				911 T	163.9-FI	H5	2750	4.45	16.1	1.6	19.	1.6	0.0
				911 T	163.9-FI	H4	2750	4.45	19.1	1.5	20.	1.8	0.0
				911 S	163.9-FI	H5	2750	4.45	17.2	1.3	13.	1.6	0.0

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ENGINE FAMILY		INERTIA	FUEL	(GRAMS/MILE)	LOGS/T	EXHAUST EMISSIONS
MANUFACTURER	DISP.	WEIGHT	ECON.	CARBON	HYDRO-	HYDRO-
(CUBIC IN.)	(MODELS)	G. CARB.	AXLE	OXIDES OF	CARBON	CARBON
		VENTURIS TRANS.	(LBS.)	CARBONS	NITROGEN	CARBON
RENAULT	95.5	807	#17 SPORT CPE	95.5-F1	45	2750
RENAULT	95.5	807	#17 SPORT CPE	95.5-F1	45	2750
RENAULT 17 Gordini Coupe						
RENAULT 17 Gordini Coupe Convertible						

RENAULT	100.5	841
		12 SDN
		100.5+ 2
		H4
		2500 3.77
		18.8
		1.9
		32*
		1.5
		15 CPE
		100.5- 2
		M4
		2500 3.77
		17.9
		1.9
		29*
		2.3
		12 SDN
		100.5- 2
		A3
		2500 3.55
		19.1
		1.7
		2.5
		12 SDN
		100.5- 2
		H4
		2500 3.77
		17.9
		2.1
		31*
		1.3
		117 TL CPE
		100.5- 2
		H4
		2750 3.77
		17.5
		1.7
		27*
		1.4
		12 ST WAG
		100.5- 2
		A3
		2750 3.55
		22.2
		2.0
		29*
		1.8
		RENAULT 17TL Coupe
		RENAULT 17TL Coupe Convertible

1974 MODEL YEAR LIGHT DUTY VEHICLES

MANUFACTURER (MODEL(S))	ENGINE FAMILY	DISP. (CUBIC IN.)	FAMILY DESIGNATION	MODEL	TEST VEHICLES			CERTIFICATION LEVELS					
					INERTIA WEIGHT	ENGINE DISP. & CARB.	VENTURIS TRANS.	FUEL CLASS	AXLE (LBS.)	ECON. (MPG)	HYDRO- CARBONS	CARBON OXIDES OF NITROGEN	
TOYOTA Corolla-L	71.2	3KC	* COROLLA-1 * COROLLA-1	COOP SED	71.2- 71.2- 2	H4 H4	2000 2000	4.22 4.22	27.1 24.8	2.0 2.0	17. 21.	1.4 1.4	0. 0.
TOYOTA Corolla-2	96.9	2TC	COROLLA-2 COROLLA-2 COROLLA-2 * COROLLA-2 * COROLLA-2 * COROLLA-2	SED SED STWN SED SED STWN	96.9- 96.9- 96.9- 96.9- 96.9- 96.9- 2	H4 A2 A3 A2 H4 A3	2250 2250 2500 2500 2250 2500	4.11 3.90 4.10 4.10 3.91 4.10	22.6 20.8 19.0 19.6 18.8 18.8	2.5 2.3 1.3 1.2 1.6 2.1	26. 28. 24. 21. 20. 16.	1.4 1.6 1.6 1.7 1.5 1.5	0. 0. 0. 0. 0. 0.
TOYOTA Celica Corona Hilux 1/2-Ton Pick-up Hilux Camper	120.0	18R-C	* CORONA-2D CORONA-2D CORONA-2D * HILUX CAMPER * CORONA HRD TOP HILUX PICKUP	SED SED SED CAMPER TOP PICKUP	120.0- 120.0- 120.0- 120.0- 120.0- 120.0- 2	A3 A3 A3 H4 H4 H4	2500 2500 2500 3000 2750 2750	4.10 4.10 3.91 4.11 3.91 4.11	16.4 16.9 16.4 17.1 16.9 16.3	2.4 1.7 2.1 2.7 2.5 2.0	29. 27. 27. 21. 24. 21.	1.5 2.3 2.1 1.6 1.4 2.3	0. 0. 0. 0. 0. 0.
TOYOTA Corona Mark II	156.4	4A	* MARK II * MARK II * MARK II * MARK II * MARK II	STWN STWN SEDAN SEDAN SEDAN	156.4- 156.4- 156.4- 156.4- 156.4- 2	A3 A3 H4 A3 H4	3000 3000 3000 3000 3000	4.11 4.11 3.90 3.90 3.90	15.2 19.4 15.0 15.4 15.1	2.1 1.4 2.0 1.6 2.0	22. 14. 21. 21. 20.	1.6 2.2 1.6 2.1 1.9	0. 0. 0. 0. 0.
TOYOTA Land Cruiser	236.7	F	* LAND CRUISER LAND CRUISER LAND CRUISER	SW HT SW	236.7- 236.7- 236.7- 2	H4 H3 H3	4500 4000 4500	4.11 4.11 4.11	8.3 12.6 9.7	1.9 2.1 1.9	23. 24. 26.	1.4 1.7 2.6	0. 0. 0.

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1974 MODEL YEAR LIGHT DUTY VEHICLES

MANUFACTURER (MODELS)	ENGINE FAMILY DISP. (CUBIC IN.)	FAMILY DESIGNATION	TEST VEHICLES			CERTIFICATION LEVELS					
			MODEL	ENGINE DISP. 6 CARB.	VENTURI'S TRANS.	INERTIA WEIGHT	FUEL CLASS	ECON. AXLE (LBS.)	FUEL RATIO (MPG)	EXHAUST EMISSIONS (G/MILE)	CARBON MONOXIDE OXIDES OF NITROGEN
VOLKSWAGEN	97.0	1	* DELUXE SEDAN 11 VW 181	97.0-1	H4	2250	3.68	20.9	2.5	25.	2.0
			* CONVERTIBLE 15	97.0-1	H4	2250	4.12	21.0	2.6	24.	1.8
			* KARMAN GHIA 14	97.0-1	SA	2500	4.12	22.6	3.4	32.	1.8
			* DELUXE SEDAN 11	97.0-1	H4	2250	3.88	21.7	2.1	25.	1.8
			* KARMAN GHIA 14	97.0-1	SA	2250	3.88	NA	3.4	23.	2.5
						2250	4.12	NA	3.1	39.	1.3
						3000					
VOLKSWAGEN	120.0	3	* ROADSTER 914-4 Roadster 914/4 2.1 litre	120.0-F1 120.0-F1	HS	2500	4.43	17.5	2.3	20.	1.9
						2500	4.43	17.0	2.3	20.	1.9

1974 MODEL YEAR HEAVY DUTY GASOLINE ENGINES

NOTICES

Manufacturer	Engine Family (Displacement (Cubic Inches))	Family Designation	Test Engine Displacement (Cubic Inches)	Certification Levels		
				Hydrocarbons + NO _x GN/BHP-HR	Exhaust Emissions GM/BHP-HR	Carbon Monoxide GM/BHP-HR
AMC-I H.D.G.	360 401	III	360 401	9 11	9 11	19 38
Chrysler Corporation	198-225	RG	225	14	14	20
	318	LA	318 318 318	13 15 16	13 15 16	28 38 28
	360	LA-1	360	13	13	30
	361	LB	361 361	13 15	13 15	24 23
	400	B	400	16	16	15
	413	RB	413 413	15 14	15 14	17 20
	440	REB	440 440 440	16 14 13	16 14 13	23 25 20
Ford Motor Company	300	300	300	8	8	16
	302	302	302	14	14	14
	330	330-361-391	330	12	12	35
	361		361	11	11	17
	391		361 391	15 12	15 12	19 16
	360	360-390	360 390	15 16	15 16	17 14

1974 MODEL YEAR HEAVY DUTY DIESEL ENGINES

Engine Family Air Aspiration	Family Designation	Test Engines Model	Certification Levels				Smoke Emissions Accel. (%)	Lug (%)	Peak (%)
			Hydrocarbons + NO _x GM/BHP-HR	Carbon Monoxide GM/BHP-HR					
Hino	N.A.	EB	EB300	8			4	9	11
	N.A.		EB300	6			5	11	13
White	TC	LDT-465	LDT-465-1C	10			3	16	19
			LDT-465-1C	9			3	14	9
				20				21	20

1974 MODEL YEAR HEAVY DUTY GASOLINE ENGINES

NOTICES

Manufacturer	Engine Family Displacement (Cubic Inches)	Family Designation	Test Engine Displacement (Cubic Inches)	Certification Levels		
				Hydrocarbons + NO _x GM/BHP-HR	Exhaust Emissions GM/BHP-HR	Carbon Monoxide GM/BHP-HR
Ford Motor Company	401	401-477-534	401	16	30	28
	477		477	12		
	534		534	15	27	
General Motors Corp. H.D.G.	460	460	460	14	34	
	250	GM-111	250	12	25	
			250	12	26	
	292	GM-112	292	13	25	
			292	9	15	
	350	GM-113	350	12	17	
			350	13	19	
			350	15	29	
	366	GM-114	366	13	32	
	427	427	427	14	26	
			366	12	37	
	454	GM-115	454	12	27	
	455	GM-512	455	12	15	
	379	GM-811	379	14	23	
	432		432	15	26	
			478	13	25	
	305	GM-813	305	13	24	

[FPR Doc.73-23230 Filed 11-2-73; 8:45 am]