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

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Airspace Docket No. 73-EA-78]

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

Delay of Effective Date

On page 34112 of the FEDERAL REGISTER for December 11, 1973, the Federal Aviation Administration promulgated the subject docket as a rule to be effective February 28, 1974. In view of a delay in commissioning the non-Federal navaid for runway 15 at Sullivan County International Airport, Monticello, N.Y., delay in the effective date is required. Since this amendment delays the effective date of the rule, notice and public procedure hereon are unnecessary and the amendment may be made effective March 8, 1974.

In view of the foregoing, amend Docket 73-EA-78 effective March 8, 1974 as follows:

Delete the effective date of February 28, 1974 and insert in lieu thereof the date July 18, 1974.

(Section 307(a) of the Federal Aviation Act of 1958 [72 Stat. 749; 49 U.S.C. 1348], and section 6(c) of the Department of Transportation Act [49 U.S.C. 1655(c)]).

Issued in Jamaica, N.Y., on February 25, 1974.

JAMES BISPO,
Deputy Director,
Eastern Region.

[FR Doc. 74-5367 Filed 3-7-74;8:45 am]

CHAPTER II—CIVIL AERONAUTICS BOARD

SUBCHAPTER A—ECONOMIC REGULATIONS

[Reg. ER-838, Amdt. 21]

PART 298—CLASSIFICATION AND EXEMPTION OF AIR TAXI OPERATORS

Registration of Air Taxi Operators on Less Than 30 Days' Notice and Other Miscellaneous Technical and Interpretative Amendments

By ER-792, the Board amended § 298.50 of Part 298 to require, among other things, that any person who intends to begin air taxi operations subject to this part must register with the Board at least 30 days prior to the commencement of such operations, but we did not expressly provide for waiver of the 30-day requirement. Experience has demonstrated the desirability of expressly authorizing waivers to be granted in appropriate circumstances, since applicants sometimes do not become aware of the 30-day rule until after they have already made contractual obligations for personnel equipment, space, or services, and a rigid insistence on no less than 30 days' notice would consequently cause economic hardship. We have therefore determined to allow a registration to be filed on less than 30 days' notice, upon a showing of good cause as to why the registration was not timely filed. The substantive requirements as to the information and evidence of insurance coverage which must accompany the registration will not be affected by this amendment.

We are also taking this occasion to make other technical and interpretative amendments to Part 298 and Form 298-A.[1]

1. In order to clarify the determination of the effective date of a registration we are deleting paragraph (d) of § 298.50 and revising § 298.51 to indicate that the effective date of registration will be set by the Board, upon processing the filed registration form, but that in no case will the registration become effective prior to the effective date of the registrant's insurance coverage. Form 298-A[1] is also being amended to reflect this change.

2. By ER-832, the Board amended Part 298 to increase the filing for registrations and re-registrations from $10 to $15, effective December 1, 1973. Accordingly, we are revising Form 298-A, to recite the increased amount of the filing fee.

3. The manner in which operating information is currently being disclosed on Form 298 A[1] does not afford us a sufficiently particularized disclosure of an air taxi operator's intended or actual operations. We have, therefore, determined to require operators to provide us with more accurate information as to their operations by specifying in their registrations and re-registrations, as to whether the passenger and/or cargo service which they intend to perform, or have performed, is on a scheduled or on an on-demand basis. Form 298-A[1] and the related text of § 298.50 is accordingly being amended to reflect these changed reporting requirements.

4. We are also making minor clarifying revisions to parts "d" of both sections I and II of Form 298-A.[1]

Since the within amendments are of a technical, interpretative, or procedural nature, and do not impose a significant burden on anyone, the Board finds that notice and public procedure hereon are unnecessary, and that these amendments should be made effective immediately.

In consideration of the foregoing, the Board hereby amends Part 298 of the Economic Regulations, adopted December 21, 1973, and effective March 8, 1974 as follows:

§ 298.50 [Amended]

1. Amend § 298.50(a) to read as follows:

(a) Every air taxi operator (whether or not he is also a commuter air carrier as defined in this part) who plans to commence operations under this part shall register with the Board not later than 30 days prior to the commencement of such operations, unless, upon a showing of good cause satisfactory to the Director of the Bureau of Operating Rights, registration within a lesser period of time is allowed.

* * * * *

2. Delete §§ 298.50(c)(1)(x) and 298.-50(c)(1a)(ix).

3. Amend § 298.50(c)(1)(vi) to read as follows:

(vi) Whether the carrier proposes to engage in scheduled passenger or cargo, on-demand passenger or cargo, and/or mail service;

4. Amend § 298.50(c)(1a)(v) to read as follows:

(v) Whether the carrier is currently performing scheduled passenger or cargo, on-demand passenger or cargo, and/or mail service;

5. Delete § 298.50(d).

6. Amend § 298.51 to read:

§ 298.51 Processing by the Board.

After examination of an operator's filing under § 298.50, a date will be stamped by the Board on the Form 298-A[1] submitted by the carrier indicating the effective date of registration or the due date of the next registration, or both. The Board will then return to the carrier the duplicate copy of Form 298-A which will serve to confirm that the carrier has registered or re-registered with the Board in compliance with § 298.50.

NOTE: The effective date of an initial registration shall not be earlier than the effective date of the insurance policy or policies named in the certificate of insurance filed by the carrier.

7. Substitute the amended Form 298-A attached hereto,[1] and made a part hereof, in lieu of the Form 298-A heretofore[1] appended to this Part 298.

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

---

[1] Form 298-A filed as part of the original document.

NOTE: The reporting requirements herein have been approved by the General Accounting Office in accordance with the Federal Reports Act of 1942, as amended.

By the Civil Aeronautics Board:

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.74-5421 Filed 3-7-74;8:45 am]

Title 16—Commercial Practices

CHAPTER I—FEDERAL TRADE COMMISSION

SUBCHAPTER A—PROCEDURES AND RULES OF PRACTICE

PART 1—GENERAL PROCEDURES

Subpart B—Rules and Rulemaking

REISSUANCE OF MODIFIED RULES WITHOUT NOTICE OF HEARING

The Commission announces the following amendment to Part 1 of Chapter I of Title 16 of the Code of Federal Regulations which will (1) allow reissuance of modified rules without the necessity of a notice of hearing, and (2) conform with the abbreviated procedures for minor rule changes specified in the Administrative Procedure Act (5 U.S.C. 553(b)(B).

Section 1.16(b) is revised to read as follows:

§ 1.16 Procedure.

* * * * *

(b) *Notice.* General notice of proposed rulemaking will be published in the FEDERAL REGISTER and, to the extent practicable, otherwise made available to interested persons except when the Commission for good cause finds that notice and public procedure relating to the rule are impractical, unnecessary or contrary to the public interest and incorporates such finding and a brief statement of the reasons therefor in the rule. If the rulemaking proceeding was instituted pursuant to petition, a copy of the notice will be served on the petitioner. Such notice will include: (1) A statement of the time, place, and nature of the public proceedings; (2) reference to the authority under which the rule is proposed; (3) either the terms or substance of the proposed rule or a description of the subjects and issues involved; and (4) an opportunity for interested persons to participate in the proceeding through the submission of written data, views, or arguments.

* * * * *

This amendment is effective on March 8, 1974.

(Sec. 6, 38 Stat. 721; (15 U.S.C. 46; 5 U.S.C. 552))

By direction of the Commission dated March 4, 1974.

[SEAL] CHARLES A. TOBIN,
Secretary.

[FR Doc.74-5409 Filed 3-7-74;8:45 am]

[Docket No. 8885]

PART 13—PROHIBITED TRADE PRACTICES

Gimbel Brothers, Inc.

Correction

In FR Doc. 74-4329 appearing at page 7164 in the issue of Monday, February 25, 1974, the last word in the last line of the first paragraph on page 7164 now reading "outsets", should read "outlets".

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-210]

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
*	*	*	*	*	*	*
Georgia	Clarke	Unincorporated areas.				Mar. 5, 1974, Emergency.
Do.	Coffee	Douglas, city of				Do.
Do.	Fulton	Alpharetta, city of.				Do.
North Carolina	Polk	Tryon, town of				Do.
North Dakota	Stark	Dickinson, city of				Do.
Ohio	Trumbull	Niles, city of				Do.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended (secs. 408-410, Pub. L. 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: February 26, 1974.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.74-5275 Filed 3-7-74;8:45 am]

[Docket No. FI-211]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

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

§ 1914.4 **Status of participating communities.**

* * * * * * *

State	County	Location	Map No.	State map repository	Local map repository	Effective date of authorization of sale of flood insurance for area
*	*	*	*	*	*	*
Illinois	Madison	Wood River, city of.				Mar. 4, 1974, Emergency.
Louisiana	St. Landry Parish.	Arnaudville, town of.				Do.
Minnesota	Dakota	Unincorporated areas.				Do.
Do.	McLeod	do				Do.
Mississippi	Quitman	do				Do.
Do.	do	Marks, city of				Do.
Do.	Panola	Unincorporated areas.				Do.
Do.	Lee	Tupelo, city of				Do.
Do.	Tate	Senatobia, city of				Do.
North Carolina	Currituck	Unincorporated areas.				Do.
Pennsylvania	Cameron	Cove, township of				Do.
South Carolina	Marion	Marion, city of				Do.
Do.	Pickens	Easley, city of				Do.
Virginia	Accomack	Chincoteague, town 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, Pub. L. 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: February 25, 1974.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.74-5276 Filed 3-7-74;8:45 am]

[Docket No. FI-212]

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
*	*	*	*	*	*	*
New Jersey	Ocean	Lavallette, Borough of.				Sept. 11, 1970, Emergency. June 11, 1971-Regular. Apr. 15, 1973-Suspension. Feb. 22, 1974-Reinstated.
Louisiana	St. Landry	Port Barre, town of.				Feb. 28, 1974, 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, Pub. L. 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: February 25, 1974.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.74-5277 Filed 3-7-74;8:45 am]

[Docket No. FI-213]

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Status of Participating Communities

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§ 1914.4 **Status of participating communities.**

* * * * * * *

State	County	Location	Map No.	State map repository	Local map repository	Effective date of authorization of sale of flood insurance for area
*	*	*	*	*	*	*
Illinois	Jersey	Elsah, village of				Mar. 3, 1974, Emergency
Do	Henderson	Unincorporated areas.				Do.
Massachusetts	Barnstable	Eastham, town of				Do.
Mississippi	Leflore	Morgan City, town of.				Do.
Do	Tallahatchie	Unincorporated areas.				Do.
New York	Orange	New Windsor, town of.				Do.
Virginia	Amherst	Unincorporated areas.				Do.
Do	Louisa	do				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, Pub. L. 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: February 25, 1974.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.74-5278 Filed 3-7-74;8:45 am]

Title 33—Navigation and Navigable Waters

CHAPTER I—COAST GUARD, DEPARTMENT OF TRANSPORTATION

[CGD 73-256]

PART 1—GENERAL PROVISIONS

PART 26—VESSEL BRIDGE-TO-BRIDGE RADIOTELEPHONE REGULATIONS

Redelegation of Authority To Grant Exemptions, Procedure To Obtain Exemptions

The Commandant, U.S. Coast Guard has delegated to the Chief, Office of Marine Environment and Systems his authority to issue exemptions under the Vessel Bridge-to-Bridge Radiotelephone Act. This document by amending 33 CFR 1.05-1(c) reflects this redelegation of authority.

This document also amends 33 CFR 26.08(b) by changing the address to which a petition for exemption is sent, from the Chief, Office of Merchant Marine Safety to the Chief, Office of Marine Environment and Systems.

Since these amendments are matters of agency organization and procedure, a notice of proposed rule making in the FEDERAL REGISTER is not required.

In consideration of the foregoing, Chapter 1 of Title 33 of the Code of Federal Regulations is amended as follows:

1. A new § 105-1(c)(5) is added and reads as follows:

§ 1.05-1 **General.**

* * * * *

(c) * * *

(5) Exemptions from provisions of the Vessel Bridge-to-Bridge Radiotelephone Act and Part 26 of this chapter.

2. Section 26.08(b) is changed by striking out "U.S. Coast Guard (M)" and inserting therefor "U.S. Coast Guard (G-W)."

(5 U.S.C. 552(a)(1); (14 U.S.C. 622); Sec. 6 Pub. L. 89-670, as amended, 80 Stat. 937, as amended, (49 U.S.C. 1655(b)); Pub. L. 92-63, 85 Stat. 165, (33 U.S.C. 1201-1208); 49 CFR 1.46, 36 FR 19593)

Dated: March 4, 1974.

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

[FR Doc.74-5399 Filed 3-7-74;8:45 am]

Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

SUBCHAPTER C—AIR PROGRAMS

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Approval and Promulgation of Compliance Schedules

On June 20, 1973 (38 FR 16144), pursuant to section 110 of the Clean Air Act and 40 CFR Part 51, the Administrator promulgated regulations approving and disapproving compliance schedules which were to be submitted by February 15, 1973 (40 CFR 51.15(a)(2)). The Michigan implementation plan was disapproved because compliance schedules with adequate increments of progress had not been submitted for all sources subject to Michigan Air Pollution Control Commission (MAPCC) Rule 336.49 in Priority III Air Quality Control Regions (AQCRs).

On August 23, 1973 (38 FR 22736), the Administrator promulgated a substitute regulation to remedy this deficiency in the Michigan implementation plan by establishing a categorical compliance schedule applicable to all sources subject to MAPCC Rule 336.49 in Priority III AQCRs. This regulation specifically stated in subparagraph (3)(i) that the requirements of subparagraphs (1) and (2) would not apply to any source presently in compliance with Table 3 or Table 4 of MAPCC Rule 336.49.

On September 7, 1973 (38 FR 24341), the exemption clauses of the August 23, 1973 promulgation were revised by the Administrator. The revision, applicable to 15 States (including Michigan), provided in part that the Federal compliance schedules would not apply to a source presently in compliance "with applicable regulations" and which had certified compliance or had submitted an approvable alternative schedule to the Administrator by October 1, 1973. The Administrator considered the revision necessary to correct an oversight in the August 23, 1973 regulations which would have permitted sources to file compliance schedules as late as October 23, 1973, which would have been subsequent to October 1, 1973—the date of the first increment of progress. With respect to sources located within the State of Michigan, the revision was not intended to

alter the only circumstance—i.e., present compliance with either Table 3 or Table 4 of MAPCC Rule 336.49—in which a source which had not filed an approvable alternative compliance schedule would be excused from filing a Federal compliance schedule. However, as written, it is possible that some sources may view the words "with applicable regulations" as referring to emission limitations other than those set forth in Tables 3 and 4 of MAPCC Rule 336.49. Accordingly, to avoid confusion and/or possible litigation as to the applicability of the Federal compliance schedule for Michigan, the regulation is clarified below to specify that compliance is required with the approved emission limitations specified in Table 3 or Table 4 of MAPCC Rule 336.49. Furthermore, although not reflected in the clarification which follows, the Agency wishes to make it clear that the changed language is not, in any way, intended to deny a source subject to MAPCC Rule 336.49 the opportunity of obtaining an exemption from the State (until January 1, 1980) pursuant to the provisions of Rule 336.49(1). However, as required by 40 CFR 51.4, 51.6 and 51.8, if such an exemption is obtained from the State it will not be given any Federal force or effect unless first approved by the Agency as a plan revision.

Since the clarification described above imposes no additional regulatory burden on sources subject to the August 23, 1973 Federal compliance schedule, the Agency finds that good cause exists for not issuing a notice of proposed rulemaking and for making the regulation, as clarified, effective upon publication.

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

Dated: March 4, 1974.

JOHN QUARLES,
Acting Administrator.

Part 52 of chapter I, title 40 of the Code of Federal Regulations is amended as follows:

Subpart X—Michigan

1. Section 52.1175(d)(3)(i) is revised as follows:

§ 52.1175 Compliance schedules.

* * * * *

(d) *Federal compliance schedules.* * * *

(3)(i) Subparagraphs (1) and (2) of this paragraph shall not apply to a source which is presently in compliance with Table 3 or Table 4 of Rule 336.49 and which has certified such compliance to the Administrator by October 1, 1973. The Administrator may request whatever supporting information he considers necessary for proper certification.

* * * * *

[FR Doc.74-5442 Filed 3-7-74;8:45 am]

SUBCHAPTER E—PESTICIDE PROGRAMS

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

Dalapon

A petition (PP 3F1313) was filed by Dow Chemical U.S.A., Post Office Box 1706, Midland, MI 48640, in accordance with provisions of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a), proposing establishment of tolerances for residues of the herbicide dalapon (2,2-dichloropropionic acid) in or on almond hulls at 50 parts per million; almonds, pasture and range grasses at 10 parts per million; lemons, plums, and walnuts at 5 parts per million; and pecans at 0.1 part per million from application of dalapon sodium salt or dalapon sodium-magnesium salt mixtures.

Subsequently, the petitioner amended the petition by deleting the proposed tolerance for residues of dalapon in or on plums at 5 parts per million.

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

1. The herbicide is useful for the purpose for which the tolerances are being established.

2. The established tolerances for residues in eggs, meat, milk, or poultry are adequate to cover residues resulting from the proposed and established uses, and § 180.6(a)(1) applies.

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

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2)), the authority transferred to the Administrator of the Environmental Protection Agency (35 FR 15623), and the authority delegated by the Administrator to the Deputy Assistant Administrator for Pesticide Programs (36 FR 9038), § 180.150 is amended by revising the paragraphs "10 parts per million * * *", "5 parts per million * * *", and "0.1 part per million (negligible residue) in or on sugarcane" and by inserting the new paragraph "50 parts per million ***" after the paragraph "75 parts per million * * *", as follows:

§ 180.150 Dalapon; tolerances for residues.

* * * * *

50 parts per million in or on almond hulls.

* * * * *

10 parts per million in or on almonds, corn grain, dried ear corn (kernels and cobs), pasture grass, potatoes, range grass.

* * * * *

5 parts per million in or on bananas, corn fodder and forage, cranberries, fresh corn including sweet corn (kernels plus cob with husk removed), grapefruit, lemons, limes, oranges, sorghum forage, sugar beets (roots and tops), tangerines, walnuts.

* * * * *

0.1 part per million (negligible residue) in or on pecans and sugarcane.

* * * * *

Any person who will be adversely affected by the foregoing order may on or before April 8, 1974 file with the Hearing Clerk, Environmental Protection Agency, Room 1019E, 4th & M Streets SW., Waterside Mall, Washington, D.C. 20460, written objections thereto in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective March 8, 1974.

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

Dated: March 4, 1974.

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

[FR Doc.74-5359 Filed 3-7-74;8:45 am]

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

Oxadiazon

A petition (PP 2F1269) was filed by Rhodia Inc., New Brunswick, NJ 08903, in accordance with provisions of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a), proposing establishment of tolerances for combined negligible residues of the herbicide oxadiazon (2-*tert*-butyl-4-(2,4-dichloro-5-isopropoxyphenyl)-Δ^2-1,3,4-oxadiazolin-5-one) and its metabolites (2-*tert*-butyl-4-(2,4-dichloro-5-hydroxyphenyl)-Δ^2-1,3,4-oxadiazolin-5-one and 2-carboxyisopropyl-4-(2,4-dichloro-5-isopropoxyphenyl)-Δ^2-1,3,4-oxadiazolin-5-one) in or on the raw agricultural commodities rice straw at 0.2 part per million; rice grain at 0.05 part per million; the meat, fat, and meat byproducts of cattle, goats, hogs, horses, and sheep at 0.01 part per million; and in milk fat at 0.1 part per million reflecting negligible residues in milk.

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

1. The herbicide is useful for the purpose for which the tolerances are being established.

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

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

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512 (21 U.S.C. 346a(d)(2))), the authority transferred to the Administrator of the Environmental Protection Agency (35 FR 15623), and the authority delegated by the Administrator to the Deputy Assistant Administrator for Pesticide Programs (36 FR 9038), Part 180 is amended by adding the following new section to Subpart C:

§ 180.346 Oxadiazon; tolerances for residues.

Tolerances are established for combined residues of the herbicide oxadiazon (2 - *tert*-butyl-4-(2,4-dichloro-5-isopropoxyphenyl)-Δ^2-1,3,4-oxadiazolin-5-one)

and its metabolites (2-*tert*-butyl-4-(2,4-dichloro - 5 - hydroxyphenyl)-Δ^2-1,3,4-oxadiazolin-5-one and 2-carboxyisopropyl-4-(2,4-dichloro - 5 - isopropoxyphenyl)-Δ^2-1,3,4-oxadiazolin-5-one) in or on raw agricultural commodities as follows:

0.2 part per million (negligible residue) in or on rice straw.

0.1 part per million in milk fat (reflecting negligible residues in milk).

0.05 part per million (negligible residue) in or on rice grain.

0.01 part per million (negligible residue) in the meat, fat, and meat byproducts of cattle, goats, hogs, horses, and sheep.

Any person who will be adversely affected by the foregoing order may on or before April 8, 1974 file with the Hearing Clerk, Environmental Protection Agency, Room 1019E, 4th & M Streets, SW, Waterside Mall, Washington, D.C. 20460, written objections thereto in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective March 8, 1974.

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

Dated: March 4, 1974.

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

[FR Doc.74-5360 Filed 3-7-74;8:45 am]

Title 41—Public Contracts and Property Management

CHAPTER 5A—FEDERAL SUPPLY SERVICE, GENERAL SERVICES ADMINISTRATION

PART 5A-2—PROCUREMENT BY FORMAL ADVERTISING

Subpart 5A-2.2—Solicitation of Bids

REVISION OF GSA FORM 1246, GSA SUPPLEMENTAL PROVISIONS (AID PROCUREMENT)

The following change prescribes the use of a revised GSA Form 1246, GSA Supplemental Provisions (AID Procurement).

Section 5A-2.201-70(e)(2) is revised as follows:

§ 5A-2.201-70(e)(2) Forms to be used.

* * * * *

(e) * * *

(2) GSA Form 1246, December 1973, GSA Supplemental Provisions (AID Procurement), shall be incorporated by reference in each solicitation for offers under the AID buying program by using the following provision:

GSA Form 1246, December 1973, GSA Supplemental Provisions (AID Procurement), receipt of which is acknowledged by the bidder, is hereby incorporated by reference. A copy of GSA Form 1246, if not enclosed, is available upon request.

NOTE: Revised GSA Form 1246, December 1973, GSA Supplemental Provisions (AID Procurement), illustrated in § 5A-16.950-1246, is filed as a part of the original document.

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))

Effective date. These regulations are effective April 15, 1974, but may be observed earlier.

Dated: February 28, 1974.

L. E. SPANGLER,
Acting Commissioner, Federal Supply Service.

[FR Doc.74-5400 Filed 3-7-74;8:45 am]

Title 42—Public Health

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

PART 5—POLICIES OF GENERAL APPLICABILITY

Second Deferral of Effective Date of Regulations

This notice defers for an additional 10 days the effective date of regulations published and effective on February 6, 1974 on sterilization restrictions in Federally funded programs and projects (39 FR 4730, 4733).

The effective date of the regulations has previously been delayed for 30 days (39 FR 5315) to permit resolution by the United States District Court for the District of Columbia of legal issues raised in Relf v. Weinberger, Civil Action No. 1557-73, and in National Welfare Rights Organization v. Weinberger, Civil Action No. 74-243.

On March 4, 1974 the United States District Court heard cross motions for summary judgment in each of the two pending lawsuits and requested counsel on each side to submit to the Court by March 11, 1974, proposed findings of fact and conclusions of law. Because the present effective date of March 8, 1974 for the regulations will not permit submission of the proposed findings and conclusions and the entry of final orders in the two cases before the regulations go into effect, I have determined that their effect should be delayed an additional 10 days. Accordingly, notice is hereby given that the effective date of the regulations is delayed for an additional 10 days until March 18, 1974, and the previous notice of the Department on Sterilization Guidelines—Departmental Policy, 38 FR 20903, is continued in effect until that date.

Dated: March 5, 1974.

CASPAR W. WEINBERGER,
Secretary.

[FR Doc.74-5504 Filed 3-7-74;8:45 am]

Title 45—Public Welfare

CHAPTER II—SOCIAL AND REHABILITATION SERVICE (ASSISTANCE PROGRAMS), DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 205—GENERAL ADMINISTRATION—PUBLIC ASSISTANCE PROGRAMS

Second Deferral of Effective Date of Regulations

CROSS REFERENCE: For a document issued jointly by the Public Health Service and the Social and Rehabilitation Service concerning restrictions applicable to sterilization procedures in federally assisted family planning projects, deferral of effective date. see FR Doc. 74-5504, infra.

Title 46—Shipping

CHAPTER I—COAST GUARD, DEPARTMENT OF TRANSPORTATION

SUBCHAPTER F—MARINE ENGINEERING

[CGD 73-133R]

PART 54—PRESSURE VESSEL

Allowable Stress Values

On October 12, 1973, a notice of proposed amendments to Coast Guard regulations for allowable stress values for certain pressure vessels was published in the FEDERAL REGISTER (38 FR 28300).

Nobody requested a hearing, and there was only one comment. The comment was in favor of the amendments, as proposed.

Accordingly, the proposed regulations are hereby adopted without any changes, as set forth below.

Effective date. These amendments are effective March 7, 1974.

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

1. By revising § 54.25-10(c) to read as follows:

§ 54.25-10 Low temperature operation—ferritic steels (replaces UCS-65 through UCS-67).

* * * * *

(c) *Design.* Pressure vessels must meet the requirements for Class I-L and II-L construction. (See Table 54.01-5(b) for applicable requirements). Except as permitted by § 54.05-30, the allowable stress values used in the design of low temperature pressure vessels may not exceed those given in Table UCS-23 of the ASME Code for temperatures of 0° F. to 650° F. For materials not listed in this Table allowable stress values are determined in accordance with Appendix P of Section VIII of the ASME Code.

2. By revising § 54.25-15(c) to read as follows:

§ 54.25-15 Low temperature operation—high alloy steels (modifies UHA-23(b) and UHA-51).

* * * * *

(c) Except as permitted by § 54.05-30, the allowable stress values used in the

design of low temperature pressure vessels may not exceed those given in Table UHA–23 of the ASME Code for temperatures of −20° F. to 100° F.

3. By revising § 54.25–20(e) to read as follows:

§ 54.25–20 Low temperature operation—ferritic steels with properties enhanced by heat treatment (modifies UHT–5(c), UHT–6, UHT–23, and UHT–82).

* * * * *

(e) Except as permitted by § 54.05–30, the allowable stress values may not exceed those given in Table UHT–23 of the ASME Code for temperatures of 150° F. and below.

4. By adding a new § 54.05–30 as follows:

§ 54.05–30 Allowable stress values at low temperatures.

(a) The Coast Guard will give consideration to the enhanced yield and tensile strength properties of ferrous and nonferrous materials at low temperature for the purpose of establishing allowable stress values for service temperature below 0° F.

(b) The use of such allowable stress values must be specially approved by the Coast Guard for each application. Further information may be obtained by writing to the Coast Guard (G–MMT).

(c) Submittals must include information and calculations specified by the Coast Guard (G–MMT) to demonstrate that the allowable stress for the material cannot be exceeded under any possible combination of vessel loads and metal temperature.

(46 USC 375, 392, 406, 407, 416; 49 USC 1655(b); 49 CFR 1.4(b) and 1.46(b).)

[FR Doc.74–5239 Filed 3–7–74;8:45 am]

Title 49—Transportation

CHAPTER II—FEDERAL RAILROAD ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[FRA Economic Docket No. 1]

PART 253—PAYMENTS TO TRUSTEES OF RAILROADS IN REORGANIZATION FOR THE CONTINUED PROVISION OF ESSENTIAL TRANSPORTATION SERVICES PURSUANT TO SECTION 213(a) OF THE REGIONAL RAIL REORGANIZATION ACT OF 1973

The purpose of this amendment is to establish a new Part 253 setting forth the procedures and requirements of the Federal Railroad Administration with respect to applications to the Administrator for payments to trustees of railroads in reorganization such sums as are necessary for the continued provision of essential transportation services pursuant to section 213(a) of the Regional Rail Reorganization Act of 1973 (Pub. L. 93–236) (the "Act").

Section 213(a) provides that the Secretary of Transportation is authorized, pending the implementation of the final system plan, to pay to the trustees of railroads in reorganization, upon terms and conditions he establishes, such sums as are necessary for the continued provision of essential transportation services by such railroads. Section 213(a) also authorizes the Secretary to establish reasonable terms and conditions for such payments, and requires that recipients agree to maintain and provide service at a level no less than that in effect on the date of enactment of the Act, which was January 2, 1974.

By delegation of authority dated March 4, 1974, the Secretary has delegated to the Federal Railroad Administrator certain of his authority under the Act, including the authority to provide assistance to railroads in reorganization under section 213(a) of the Act.

Since this new Part 253 establishes agency procedures, and in view of the emergency nature of the underlying statutory authorization for the payments, notice and public procedure thereon are not required by the Administrative Procedure Act and are impracticable, and the procedures can be made effective immediately.

REGULATIONS GOVERNING APPLICATIONS

Sec.
253.1 Applicability.
253.3 Definitions.
253.5 Eligibility.
253.7 Contents of application.
253.9 Required exhibits.
253.11 Execution and filing of application.
253.13 Waivers and modifications.
Appendix A Certificates.

AUTHORITY: Regional Rail Reorganization Act of 1973, Pub. L. 93–236; § 1.49(q), Regulations of the Office of the Secretary of Transportation, 49 CFR 1.49(q).

§ 253.1 Applicability.

This part prescribes the procedures governing applications by trustees of railroads in reorganization for assistance under section 213(a) of the Regional Rail Reorganization Act of 1973 (the "Act"). Section 213(a) authorizes the Secretary of Transportation, pending the implementation of the final system plan authorized under Title II of the Act, to pay to the trustees of railroads in reorganization such sums as are necessary for the continued provision of essential transportation services by such railroads. Such payments shall be made by the Secretary upon such reasonable terms and conditions as he establishes, except that recipients must agree to maintain and provide service at a level no less than that in effect on January 2, 1974.

§ 253.3 Definitions.

As used in this part—

(a) "Act" means the Regional Rail Reorganization Act of 1973 (Public Law 93–236, January 2, 1974).

(b) "Administrator" means the Federal Railroad Administrator, or his delegate.

(c) "Railroad" means a common carrier by railroad as defined in section 1(3) of part I of the Interstate Commerce Act (49 U.S.C. 1(3)).

(d) "Railroad in reorganization" means a railroad which is subject to a bankruptcy proceeding and which has not been determined by a court to be reorganizable or not subject to reorganization pursuant to the Act as prescribed in section 207(b) of the Act. A "bankruptcy proceeding" includes a proceeding pursuant to section 77(b) of the Bankruptcy Act (11 U.S.C. § 205) and an equity receivership or equivalent proceeding.

(e) "Trustee" means all trustees of a railroad in reorganization if more than one trustee hasb een appointed.

(f) "Applicant" means the trustee of a railroad in reorganization.

§ 253.5 Eligibility.

Any railroad in reorganization is eligible to apply for assistance under this part prior to implementation of the final system plan. For purposes of this part, the final system plan will be implemented with respect to each such railroad when all or substantially all transfers or conveyances of such railroad's rail properties designated for such conveyance in the final system plan have been made.

§ 253.7 Contents of Application.

Each application shall include, in the order indicated and identified by applicable section numbers and letters corresponding to those used in this part, the following information:

(a) Full and correct name and principal business address of the applicant;

(b) Name, title and address of the person to whom correspondence regarding the application should be addressed;

(c) The name and address of the reorganization court under the direction of which the applicant is acting and the docket number of the reorganization proceeding;

(d) The total amount of funds being requested, and the date or dates on which the applicant desires the funds to be made available, together with a full and complete justification, with supporting evidence satisfactory to the Administrator, of the railroad's need for cash assistance on a monthly basis for each of the succeeding 12 months, and thereafter on a quarterly basis for the next 12 months;

(e) A full and complete statement, together with supporting evidence satisfactory to the Administrator, that cash assistance is not available from any other source;

(f) A statement, together with supporting justification, (1) describing the essential services being performed by the railroad as of January 2, 1974, including data on volume of freight handled, in net or gross ton miles per mile per year, (2) listing the principal commodities carried, (3) identifying by location and SIC code the ten most important shippers served, and (4) describing those essential services for which reasonable alternative service (rail or non-rail) does not exist;

(g) With the original application, but not with the copies thereof, copies of the applicant's two most recent annual reports fied wtitheh

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ports filed with the Interstate Commerce Commission;

(h) Full and complete statements of the railroad's (1) actual financial results of operations, including total expenditures for ordinary and extraordinary maintenance of (i) roadway and structures, and (ii) equipment, and (2) source and application of funds, for the current year through a calendar month ending not earlier than 45 days prior to the date the application is filed, certified by the chief financial officer of the railroad;

(i) Statements of the railroad's estimated or projected (1) financial results of operations, including total expenditures for ordinary and extraordinary maintenance of (i) roadway and structures, and (ii) equipment, and (2) source and application of funds, for each of the 12 months succeeding the month in (h) above, and for each of the four quarter-years next succeeding such 12 months, together with a statement setting forth the bases for such estimates or projections; and

(j) A full and complete schedule of (1) equipment obligations, including principal and interest and (2) equipment lease payments, for each of the twenty-four months succeeding the month in (h) above.

§ 253.9 Required exhibits.

There shall be filed with and made a part of each application, and with each copy thereof (except where otherwise indicated), the following:

(a) As Exhibit A, with the original application, but not with the copies thereof, a copy of duly certified order of the court or instrument of appointment, appointing the applicant as trustee of the railroad.

(b) As Exhibit B, certified copy of the order(s) of the reorganization court having jurisdiction of applicant authorizing the filings of the application with the Administrator for funds under section 213(a) of the Act;

(c) As Exhibit C, opinion of counsel for the applicant that he is familiar with the corporate or other organizational powers of the applicant, including the orders of the reorganization court, and that the applicant is authorized to make the application;

(d) As Exhibit D, a map of the railroad's existing lines, identifying in particular leased lines, connections with other lines and trackage rights;

(e) As Exhibit E, current statement showing miles of line owned; miles operated; number of units of locomotives, freight cars, and passenger cars owned and leased;

(f) As Exhibit F, a copy of the general balance sheet as of most recent available date, but as of a date not earlier than the end of the third month preceding date of filing of the application, in form and detail as required in schedules 200(A) and 200(L) of the Interstate Commerce Commission's annual report Form A, together with the following supporting schedules:

(1) Particulars of loans and notes receivable in form and detail as required in schedule 201 of annual report Form A for the Class I railroads;

(2) Particulars of investments in other companies in form and detail similar to that required in schedules 205 and 206 of annual report Form A;

(3) Particulars of balance in accounts 741, Other Assets, and 743, Deferred Charges, in form and detail as required in annual report Form A, schedule 216;

(4) Particulars of loans and notes payable in form and detail required in schedule 223 of annual report Form A, as well as information as to bank loans, including the name of the bank, date and amount of the original loan, current balance, maturities, rate of interest, and security if any, therefor;

(5) Particulars of long-term debt in form and detail similar to that required in schedules 218 and 219 of annual report Form A, including a brief statement concerning each mortgage, and indicating the property or securities encumbered;

(6) Particulars of balance in account 784, Other Deferred Credits, in form and detail as required in schedule 225 of annual report Form A;

(7) Particulars as to contingent assets and liabilities in form and detail as required in schedule 233 of annual report Form A for the Class I railroads;

NOTE: The information required as Exhibit F shall give effect to any modification of the Commission's Uniform System of Accounts for Railroad Companies in effect on the date of filing the loan application.

(g) As Exhibit G, to be filed only with the original of the application, a copy of the most recent report of the applicant to the reorganization court, or, if no such report has been filed, a copy of the most recent report to the stockholders of the railroad.

§ 253.11 Execution and filing of application.

(a) Each original application shall bear the date of execution and be signed by the applicant or, where one or more trustees are authorized by the reorganization court to act on behalf of the remaining trustees, by such trustee or trustees. Each trustee signing the application shall also sign a certificate in the form as set forth in Appendix A to this part, except that any trustee signing the application may state in the certificate his reliance on a certificate or certificates of an officer or officers of the railroad on matters contained in Exhibits D and E and the schedules to Exhibit F if such officer certificates are filed with the application and are certified substantially in the form set forth in Appendix A.

(b) Each original application shall include a certificate by the Chief Accounting Officer of the railroad in the form set forth in Appendix A to this part.

(c) Each original application and required exhibits, and six copies thereof (unless otherwise indicated above), shall be filed with the Federal Railroad Administrator, Department of Transportation, 400 7th St. SW., Washington, D.C. 20590. Each copy shall show the dates and signatures that appear in the original and shall be complete in itself.

(d) If unusual difficulties arise in the furnishing of any matter required by this part, or if the information has previously been submitted to the Federal Railroad Administration in satisfactory form, or, if such requirements are unduly burdensome in relation to the nature and amount of the funds being requested, the applicant may, upon appropriate showing and with the consent of the Administrator, omit filing those exhibits.

§ 253.13 Waivers and modifications.

The Administrator may, upon good cause shown, waive or modify any requirement of this part not required by the Act, or make any additional requirements he deems necessary.

APPENDIX A—CERTIFICATES

I. The following is the form of the certificate to be made by each trustee signing an application:

_____ certifies that he is a trus-
(Name of Trustee)
tee of the _____ pursuant
(Name of Railroad)
to appointment on _____, 19__, by the
_____ that he
(Name of Reorganization Court)
is authorized by orders of said court dated _____, 19__, to sign and file with the Administrator this application and the attached exhibits; that he has carefully examined all of the statements contained in the application and the attached exhibits relating to _____; that he
(Name of Railroad)
has knowledge of the matters set forth therein and that all statements made and matters set forth therein are true and correct to the best of his knowledge, information, and belief.

_____ _____
(Date) (Signature)

Subscribed and sworn to before me the _____ day of _____, 19__.

_____
(SEAL) NOTARY PUBLIC

Commission expires _____.

II. The following is the form of the certificate to be made by the Chief Accounting Officer of Applicant:

_____ certifies that he is
(Name of Officer)
_____ of _____;
(Title of Officer) (Name of Railroad)
that he has supervision over the books of account and other financial records of _____ and has control over the
(Name of Railroad)
manner in which they are kept; that the accounts are maintained in good faith in accordance with the orders of the Interstate Commerce Commission or with generally accepted accounting principles and practices; that he has examined the financial statements and supporting schedules included in this application and to the best of his knowledge and belief those statements accurately reflect the accounts as stated in the books of account, and that, other than the matters set forth in the attached exceptions those financial statements and supporting schedules represent a true and complete statement of the financial position of the railroad; and that there are no undisclosed assets, liabilities, commitments to purchase property or securities, other commitments, litigation in the courts, contingency rental agreements, or other contingent transactions which might

materially affect the financial position of the Railroad.

(Date)

(Signature)

Subscribed and sworn to before me the ____ day of _____, 19__.

[SEAL] _____
NOTARY PUBLIC

Commission expires _____.

Effective date. This amendment is effective March 4, 1974.

Issued in Washington, D.C. on March 4, 1974.

JOHN W. INGRAM,
Administrator.

[FR Doc.74-5486 Filed 3-6-74;11:36 am]

CHAPTER III—FEDERAL HIGHWAY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

PART 310—BRIDGE TOLL PROCEDURAL RULES

Redesignation of Hearing Examiners as Administrative Law Judges

The Federal Highway Administrator is amending the Bridge Toll Procedural Rules, under which he conducts proceedings to determine whether tolls on certain bridges are just and reasonable, to reflect the fact that the position titles of persons who were hearing examiners when the rules were originally issued have been changed so that they are now designated as administrative law judges.

This is a nonsubstantive change which relates solely to internal agency procedural rules. Accordingly, notice and public procedure thereon are unnecessary, and the amendment becomes effective on the date of issuance set forth below.

In consideration of the foregoing, Part 310 in Subchapter A of Chapter III of Title 49 is amended as follows:

A. Section 310.7 is amended by striking out the words "a hearing examiner" and inserting the words "an administrative law judge" in lieu thereof.

B. Sections 310.8, 310.9, 310.10, 310.11, 310.12, and 310.13 are amended by striking out the words "hearing examiner" wherever they appear and inserting the words "administrative law judge" in lieu thereof.

C. Section 310.9 is amended by striking out the word "examiner" and inserting the words "administrative law judge" in lieu thereof.

D. Section 310.11(b) and 310.12 are amended by striking out the words "hearing examiner's" wherever they appear and inserting the words "administrative law judge's" in lieu thereof.

(Sec. 4, Bridge Act of 1906, as amended, 33 U.S.C. 494, sec. 503, General Bridge Act of 1946, as amended, 33 U.S.C. 526, sec. 6, Department of Transportation Act, 49 U.S.C. 1655, delegation of authority at 49 CFR 1.48)

Issued on February 27, 1974.

NORBERT T. FREEMAN,
Federal Highway Administrator.

[FR Doc.74-5403 Filed 3-7-74;8:45 am]

CHAPTER X—INTERSTATE COMMERCE COMMISSION

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[Corrected 3rd Rev. SO No. 1124]

PART 1033—CAR SERVICE

Demurrage and Free Time on Freight Cars

At a session of the Interstate Commerce Commission, Division 3, held in Washington, D.C., on the 19th day of February 1974.

It appearing that an acute shortage of freight cars exists throughout the country; that certain carriers are unable to furnish adequate supplies of freight cars to shippers located on their lines; that these shortages of freight cars are impeding the movement of many commodities; that many freight cars are held by shippers for excessive periods awaiting loading, unloading, or disposition instructions; that such practices immobilize large numbers of freight cars needed by shippers for the transportation of other freight; and that the existing demurrage and detention rules, regulations, and practices of the railroads are ineffective to control such use of freight cars. It is the opinion of the Commission that an emergency exists requiring immediate action to promote car service in the interest of the public and the commerce of the people. Accordingly, the Commission finds that notice and public procedure are impracticable and contrary to the public interest, and that good cause exists for making this order effective upon less than thirty days' notice.

It is ordered, That:

§ 1033.1124 Service Order No. 1124.

(a) *Demurrage and free time on freight cars.* Each common carrier by railroad subject to the Interstate Commerce Act shall observe, enforce, and obey the following rules, regulations, and practices with respect to its car service:

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

(ii) This order shall apply to all freight cars which are listed in the Official Railway Equipment Register, I.C.C. R.E.R. No. 390, issued by W. J. Trezise, or successive issues thereof, as having one of the mechanical designations shown on pages 1119 through 1121 under the heading: "General Service Freight Cars." (See subdivisions (iii), (iv), (v), (vi), (vii), (viii), and (ix) of this subparagraph.)

(iii) *Exception.* This order shall not apply to cars with mechanical designations FA, FL, NE, SC, SM, or ST.

[1](iv) *Exception.* This order shall not apply to cars held at or outside of ocean, Great Lakes, or river ports, for loading or unloading with freight requiring transfer between rail and water carriers.

(v) *Exception.* This order shall not apply to freight cars of Mexican ownership while held by or for shippers at Mexican border crossings, viz:

Brownsville, Texas	Douglas, Arizona
Larado, Texas	Naco, Arizona
Eagle Pass, Texas	Nogales, Arizona
Presidio, Texas	Calexico, California
El Paso, Texas	

(vi) *Exception.* This order shall not apply to cars subject to Freight Tariff 8-0, I.C.C. H-30, issued by B. B. Maurer, supplements thereto, or reissues thereof, Car Demurrage Rules on Cars Used in Handling Coal or Coke Products at Coal Mines, etc.

(vii) *Exception.* This order shall not apply to cars made exempt from demurrage by the provisions of section B, rule 1, Item 900, of General Car Demurrage Tariff 4-J, I.C.C. H-59, issued by B. B. Maurer, supplements thereto, or reissues thereof.

(viii) *Exception.* The provisions of Rule 8, Item 935 of General Car Demurrage Tariff 4-J, I.C.C. H-59, issued by B. B. Maurer, supplements thereto, or re-issues thereof, or similar provisions of other applicable demurrage, detention, or storage tariffs shall govern the adjustment, cancellation, or refund of demurrage assessed as a result of the causes described in such rules.

(ix) *Exception.* Exceptions to this order may be authorized to carriers by the Railroad Service Board. Request for exceptions must be submitted in writing to R. D. Pfahler, Chairman, Railroad Service Board, Interstate Commerce Commission, Washington, D.C. 20423. Each such request must specifically identify the type of cars for which an exemption is desired and must clearly state the reasons why such cars cannot be utilized in other services.

(x) The terms "loading", "unloading", "constructive placement", and "forwarding directions" as defined in General Car Demurrage Tariff 4-J, I.C.C. H-59, issued by B. B. Maurer, supplements thereto, or re-issues thereof, shall apply to cars subject to this order.

(xi) The term "holidays" means holidays as listed in Item 25 of General Car Demurrage Tariff 4-J, I.C.C. H-59, issued by B. B. Maurer, supplements thereto, or re-issues thereof.

(2) *Free time.* (i) Not more than a total of 48 hours' free time, computed in accordance with the provisions of the applicable tariffs naming demurrage or detention rules and charges, shall be allowed for loading, unloading, or furnishing or forwarding or disposition instructions on cars held for others.

(ii) If the maximum free time authorized in applicable tariffs is less than the 48-hour period described in subdivision (i) of this subparagraph, the free-time periods, if any, provided in such tariffs shall apply.

(3) *Demurrage, detention, or storage charges—cars not subject to average demurrage basis.* (i) After the expiration of the free-time period described

[1] Corrections.

in paragraph (a)(2) of this section, or without free-time allowance when none is provided, demurrage charges shall be assessed at the following rates, until car is released:

$10.00 per car per day, or fraction of a day, for each of the first two days.
$20.00 per car per day, or fraction of a day, for each of the next two days.
$30.00 per car per day, or fraction of a day, for each of the next two days.
$50.00 per car per day, or fraction of a day, for each subsequent day.

(ii) Except as provided in demurrage Rule 6, section B of General Car Demurrage Tariff 4–J, I.C.C. H–59, the applicable demurrage charges provided herein will accrue on all Saturdays, Sundays, and holidays subsequent to the free time, or without free time when none is provided, including a Saturday, Sunday, or holiday immediately following the day on which the last day of free time begins, provided such last day of free time begins to run at or before 7 a.m. or expires at or before 11:59 p.m. of the day immediately prior to the Saturday, Sunday, or holiday.

(4) *Cars subject to average demurrage basis.* (i) One credit will be allowed for each car released before the expiration free time. After the expiration of forty-eight (48) hours free time (or the adjusted free time if provided in applicable taribs), one debit per car per day, or fraction of a day, will be charged for each of the first two days. In no case shall more than one credit be allowed on any one car, and in no case shall more than four credits be applied in cancellation of debits accruing on any one year. When a car has accrued two debits, a charge of $20.00 per car per day, or fraction of a day, will be made for each day and $30,00 per car, per day, or fraction of a day, for each of the next two days, and $50,00 per car per day, or fraction of a day, will be made for all subsequent detention. In computing time under this rule, all Saturdays Sundays, and holidays will be counted after the free time, including a Saturday, Sunday, or holiday immediately following the day on which the last day of free time begins.

(ii) Credits earned on cars held for loading shall not be used in offsetting debits accruing on cars held for unloading, nor shall credits earned on cars held for unloading be used in offsetting debits accruing on cars held for loading. Credits earned on cars loaded and unloaded in intraplant switching service shall not be used to offset debits accruing on cars handled in other services; nor shall credits earned on cars handled in other services be used to offset debits accruing on cars loaded and unloaded in intraplant switching service.

NOTE: The term "intraplant switching service" will be applied as defined in the applicable tariffs, and will include cars of grains, seeds, or soybeans, handled in "setback service."

(iii) Credits cannot be earned by private cars subject to Rule 1, section B, Paragraph 4(a) of General Car Demurrage Tariff 4–J, I.C.C. H–59, issued by B. B. Maurer, supplements thereto, or reissues thereof, or subject to similar rules in other tariffs, but debits charged on such cars while under constructive placement may be offset by credits earned on other cars.

(iv) At end of the calendar month the total number of applicable credits will be deducted from the total number of debits at the ratio of two credits for one debit, and $10.00 per debit will be charged for the remainder. (See Note.) If the total number of debits are offset by credits through deduction at the above ratio of two credits for one debit, no charge will be made for the detention of the cars except as otherwise provided herein for detention beyond the second debit day, and no payment will be made by the railroad on account of such excess of credits; nor shall the credits in excess of the debits of any one month be considered in computing the average detention for another month.

NOTE: For the purpose of applying subdivision (iv) of this subparagraph, when an odd number of credits is earned, one of such credits will be disregarded in the computation.

(v) Credits earned on cars subject to this order shall not be used in offsetting debits accruing on cars not subject to this order; nor shall debits accruing on cars subject to this order be offset by credits earned on cars not subject to this order.

(5) Existing tariff rules requiring the placement or release, as a unit, of all cars in a multiple-car shipment shall remain in effect.

(6) The demurrage, detention, or storage rates provided herein shall supersede all published storage charges expressed in cents per hundred-weight, per bushel, or other unit of measure, for all freight held in cars in excess of the free-time periods provided in paragraph (a)(2) of this section.

(7) If the demurrage, detention, or storage rates authorized in the applicable tariffs are greater than those described herein, such higher rates shall apply.

(8) *Notices of arrival, constructive placement, etc.* (i) Existing tariff provisions defining constructive placement and establishing the requirements for the placement, the giving of arrival or constructive placement notice of freight destined for unloading or trans-shipment, shall apply.

(ii) If no such rules with respect to arrival, or regarding constructive placement are published in the applicable tariffs, the rules published in General Car Demurrage Tariff 4–J, I.C.C. H–59, issued by B. B. Maurer, supplements thereto, or re-issues thereof, shall apply.

(b) *Rules and regulations suspended.* The operation of all rules and regulations, including rates, rules, and free-time periods granted by authority of Part 1, section 22 of the Interstate Commerce Act, insofar as they conflict with the provisions of this order, is hereby suspended.

(c) *Notification of shipper required.* (1) Carriers shall send or deliver a written notice to shippers or consignees of the requirements of this order at or prior to the time of actual or constructive placement of cars for loading or unloading or at the time notice of arrival or of constructive placement is given. On cars held for instructions from the shipper or qualified owner of the freight, such notices must accompany or precede the arrival notice.

(2) If a notice described in subparagraph (1) of this paragraph has been given to a shipper or receiver at origin, destination, or hold point, no further notices of the requirements of this order need be given.

(3) Carriers are required to maintain a copy of all notices of the requirements of this order sent to shippers, receivers, or qualified owners of freight, at the station or point from which sent.

(4) Failure of a carrier to send and preserve copies of the notices required by subparagraph (1) of this paragraph shall not be deemed as nullifying the requirements of sections (2) or (3) of this order.

(d) *Effective date.* This order shall become effective at 7:00 a.m., March 1, 1974.

(e) *Expiration date.* This order shall expire at 6:59 a.m., July 1, 1974, unless otherwise modified, changed, or suspended by order of this Commission.

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

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

By the Commission, Division 3.

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

[FR Doc.74–5436 Filed 3–7–74;8:45 am]

[Rev. S.O. No. 1173]

PART 1033—CAR SERVICE

Distribution of Refrigerator Cars

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 4th day of March 1974.

It appearing that an acute shortage of mechanical refrigerator cars exists in the primary fruit and vegetable growing and shipping areas of the country; that shippers of these and other products requiring protection from heat or cold are being deprived of adequate supplies of such cars, creating great economic loss; that mechanical refrigerator cars are being diverted to the handling of other types of freight not requiring such protection and are not being returned

promptly to such fruit and vegetable growing areas; that present rules, regulations, and practices with respect to the use, supply, control, movement, exchange, interchange, and return of such mechanical refrigerator cars to such growing and shipping areas are ineffective; that it is the opinion of the Commission that an emergency exists requiring immediate action to promote car service in the interest of the public and the commerce of the people. Accordingly, the Commission finds that notice and public procedure are impracticable and contrary to the public interest, and that good cause exists for making this order effective upon less than thirty days' notice.

It is ordered, That:

§ 1033.1173 Service Order No. 1173.

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

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

(ii) This order shall apply to all mechanical refrigerator cars listed in the Official Railway Equipment Register, I.C.C. R.E.R. No. 390, issued by W. J. Trezize, or reissues thereof as having mechanical designation "RP", "RPB", "RPL" or "RPM", except cars listed as bearing reporting marks assigned to the Atchison, Topeka and Santa Fe Railway Company.

(2) *Distribution.* (i) Withdraw from distribution and return to owners empty all mechanical refrigerator cars described in subparagraph (1)(ii) of this paragraph. (See subdivisions (ii), (iii), and (iv) of this subparagraph).

(ii) *Exception.* Mechanical refrigerator cars bearing reporting marks ARMN will be returned to the Chicago, Milwaukee, St. Paul and Pacific Railroad Company, the Missouri Pacific Railroad Company, or the Norfolk and Western Railway Company in accordance with instructions issued by the American Refrigerator Transit Company.

[1](iii) *Exception.* Mechanical refrigerator cars owned by the Bangor and Aroostook Railroad Company and bearing reporting marks BAR will be returned to the car owner or will be handled in common with Burlington Northern (BNFE), PFE, SPFE, or UPFE cars as directed by the car owner.

(iv) *Exception.* Empty mechanical refrigerator cars bearing reporting marks PFE, UPFE, or SPFE and empty mechanical refrigerator cars bearing reporting marks BAR which are assigned by the car owner to use by the Pacific Fruit Express Company shall be returned to either the Southern Pacific Transportation Company or to the Union Pacific Railroad Company in accordance with instructions issued by their jointly-owned subsidiary, the Pacific Fruit Express Company.

[1] Change.

(3) *Restriction on loading.* (i) Mechanical refrigerator cars described in paragraph (1)(ii) of this section, located on the lines of the car owner, may be loaded only with freight requiring protection from heat or cold and subject to the provisions of Perishable Protective Tariff 18, I.C.C. No. 37, issued by H. R. Brandl, supplements thereto or reissues thereof. (See Note (iii).)

(ii) Mechanical refrigerator cars described in subparagraph (1)(ii) of this paragraph, located on lines other than the car owner, may be loaded with freight requiring protection from heat or cold and subject to the provisions of Perishable Protective Tariff 18, I.C.C. No. 87, issued by H. R. Brandl, supplements thereto or reissues thereof, only if destined to a station on the lines of the car owner. (See Note (iii) and subdivision (v) of this subparagraph.)

(iii) *Note.* In the application of paragraph (a)(2) (i) and (ii) of this section, the SP and the UP shall each be deemed to be the owners of cars marked PFE, SPFE, and UPFE and of those BAR cars assigned by the owner to the PFE Company for distribution; and the Milw., the MP, and the Norfolk and Western shall each be deemed to be the owner of cars marked ARMN.

(iv) [Reserved][2]

(v) *Exception.* Cars with defective mechanical refrigerator units which the car owner certifies cannot be placed in operating condition within thirty days. Such certifications must be furnished by the car owner to the railroad at the point at which the bill of lading and the waybill covering the loaded movement of the car is to be prepared and shall be endorsed on the waybill accompanying the car to destination. The engine compartment door on such cars must be sealed before the cars are forwarded from the point of origin.

(vi) Mechanical refrigerator cars described in this order must not be backhauled or held empty more than twenty-four (24) hours awaiting placement for loading authorized in paragraph (a)(2)(ii) of this section.

(4) *General exception.* Exceptions to this order may be authorized to carriers by R. D. Pfahler, Chairman, Railroad Service Board, Interstate Commerce Commission, Washington, D.C. 20423, upon receipt of written or telegraphic request from the car owner. All such requests must state the origin, destination, commodity, and full route of the proposed traffic and the reason for the requested exception.

(b) *Effective date.* This order shall become effective at 11:59 p.m., March 6, 1974.

(c) *Expiration date.* This order shall expire at 11:59 p.m., July 31, 1974, unless otherwise modified, changed, or suspended by order of this Commission.

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

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

By the Commission, Railroad Service Board.

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

[FR Doc.74-5435 Filed 3-7-74;8:45 am]

[2] Former subdivision (iv) prohibiting top or body ice eliminated.

Title 50—Wildlife and Fisheries

CHAPTER II—NATIONAL MARINE FISHERIES SERVICE, NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, DEPARTMENT OF COMMERCE

PART 240—REGULATED COMMERCIAL FISHERIES

1974 Catch Quota—Herring and Mackerel

At the annual meeting held in Copenhagen, June 5–16, 1973, and at the mid-year meeting held in Rome, Italy, January 22–30, 1974, the International Commission for the Northwest Atlantic Fisheries (ICNAF) recommended that member governments adopt and implement revised catch quotas for herring and mackerel for 1974 in the areas presently regulated by the Commission.

The recommendations change the following species quotas for persons under the jurisdiction of the United States.—Herring, Division 5Y, from 19,750 metric tons in 1973 to 16,750 metric tons in 1974; Division 5Z and Statistical Area 6, from 5,250 metric tons in 1973 to 6,955 metric tons in 1974, and Divisions 4X and 4W of Subarea 4, the incidental catch of 600 tons of herring permitted to all countries that did not have an allocation is changed to a 1,000 metric ton quota for the United States. The quota on mackerel in Subarea 5 and Statistical Area 6 was changed from 26,200 metric tons in 1973 to 5,000 metric tons in 1974. Therefore, Section 240.41 is amended as follows:

§ 240.41 Catch quota.

(a) An annual catch limitation is placed upon the quantity of herring permitted to be taken in Division 5Z of Subarea 5 and in the adjacent waters to the west and south and also in Division 5Y of Subarea 5 and from that portion of Division 4W south of 44°52′N. latitude and in Division 4X of Subarea 4. The catch of herring during 1974, by persons or fishing vessels under the jurisdiction of the United States, in each area, is as follows:

(1) The annual catch of herring in Division 5Z of Subarea 5 and in the ad-

jacent waters to the west and south shall not exceed 6,955 metric tons.

(2) The annual catch of herring in Division 5Y of Subarea 5 shall not exceed 16,750 metric tons.

(3) The annual catch of herring in that portion of Division 4W south of 44°52′ N. latitude and in Division 4X of Subarea 4 shall not exceed 1,000 metric tons.

(b) An annual catch limitation is placed upon the quantity of mackerel permitted to be taken in Subarea 5 and in the adjacent waters to the west and south. The catch of mackerel in the above area during 1974 by persons under the jurisdiction of the United States, shall not exceed 5,000 metric tons.

Effective date. These regulations are classified as a Foreign Affairs function of the United States under (5 U.S.C. 553 (a)(1)), since they implement conservation measures adopted by ICNAF. Therefore, they are exempted from the notice and public hearing procedures established in (5 U.S.C. 553) and, accordingly, will be effective on March 8, 1974.

Issued at Washington, D.C., and dated March 4, 1974.

JACK W. GEHRINGER,
Acting Director, National Marine Fisheries Service.

[FR Doc.74-5419 Filed 3-7-74;8:45 am]

Title 21—Food and Drugs

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

SUBCHAPTER A—GENERAL

PART 2—ADMINISTRATIVE FUNCTIONS, PRACTICES, AND PROCEDURES

Subpart M—Organization

ORGANIZATIONAL CHANGES; WASHINGTON HEADQUARTERS

The Commissioner of Food and Drugs is amending Part 2 (21 CFR Part 2) as required by organizational changes transferring environmental functions to the Environmental Protection Agency and the reassignment of the Administrative Law Judge and the Hearing Clerk functions to the Office of the Associate Commissioner for Compliance in the Office of the Commissioner. In addition, the Bureau of Medical Devices and Diagnostic Products, established by notice in the FEDERAL REGISTER of February 15, 1974 (39 FR 5812), is being added to Washington Headquarters.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 701(a), 52 Stat. 1055; (21 U.S.C. 371(a))) and under authority delegated to the Commissioner (21 CFR 2.120), Part 2 is amended in § 2.171 by revising the organizational listing for the Office of the Commissioner and by adding the listing for the Bureau of Medical Devices and Diagnostic Products immediately following the listing for the Bureau of Drugs, and by revising § 2.172 as follows:

§ 2.171 **Washington headquarters.**

The central organization of the Food and Drug Administration consists of the following:

OFFICE OF THE COMMISSIONER

Commissioner of Food and Drugs.
Deputy Commissioner.
Associate Commissioner for Compliance.
Administrative Law Judge.
Hearing Clerk.
Associate Commissioner for Medical Affairs.
Associate Commissioner for Science.
Associate Commissioner for Administration.
Assistant Commissioner for Public Affairs.
Assistant Commissioner for Planning and Evaluation.

* * * * *

BUREAU OF MEDICAL DEVICES AND DIAGNOSTIC PRODUCTS

Director.
Division of Diagnostic Product Standards and Research.
Division of Medical Device Standards and Research.
Division of Compliance.
Division of Classification and Scientific Evaluation.

* * * * *

§ 2.172 **Assistant General Counsel for Food and Drugs, Office of General Counsel, Department of Health, Education, and Welfare.**

Assistant General Counsel for Food and Drugs, Room 6-57, 5600 Fishers Lane, Rockville, MD 20852.

Effective date. This order shall be effective March 8, 1974.

(Sec. 701(a), 52 Stat. 1055; (21 U.S.C. 371(a)).)

Dated: March 1, 1974.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner for Compliance.

[FR Doc.74-5891 Filed 3-7-74;8:45 am]

SUBCHAPTER C—DRUGS

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

PART 135g—TOLERANCES FOR NEW ANIMAL DRUGS IN FOOD

Racephenicol; Revocation

On the basis of withdrawal of new animal drug application No. 14-806V covering the new animal drug racephenicol for use in chicken feed, held by Sterwin Laboratories, Inc., Subsidiary of Sterling Drug, Inc., 90 Park Ave., New York, NY 10016, published elsewhere in this issue of the FEDERAL REGISTER, the Commissioner of Food and Drugs concludes that § 135e.53 covering use of the subject drug and § 135g.74 which covers tolerances for residues of such drug in food should be revoked.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347; (21 U.S.C. 360(i))) and under authority delegated to the Commissioner (21 CFR 2.120), Parts 135e and 135g are amended as follows:

§ 135e.53 [Revoked]

1. Section 135e.53 is revoked.

§ 135g.74 [Revoked]

2. Section 135g.74 is revoked.

Effective date. This order shall be effective March 8, 1974.

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

Dated: March 1, 1974.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner for Compliance.

[FR Doc.74-5388 Filed 3-7-74;8:45 am]

SUBCHAPTER C—DRUGS

PART 130—NEW DRUGS

Conditions for Marketing of Digoxin Products; Stay of Time for Submission of Abbreviated New Drug Applications

In the FEDERAL REGISTER of January 22, 1974 (39 FR 2471) the Commissioner of Food and Drugs published a final order establishing a new § 130.51 (21 CFR 130.51) setting forth conditions for marketing digoxin products for oral use. Under this order any person marketing a digoxin product for oral use is required to submit an abbreviated new drug application for the product to the Food and Drug Administration or before February 21, 1974.

The National Association of Pharmaceutical Manufacturers has requested the Commissioner to extend the time for the filing of abbreviated new drug applications for digoxin products for an additional 30 days, i.e., 60 days instead of 30 days from January 22, 1974. Several individual manufacturers have also requested an extension of the time for submission of these applications. These requests have stated that the time provided for submission of applications is insufficient to meet all of the requirements of the order and that additional time is needed to compile the information required for the filing of these applications.

In addtion, comments received in response to the final order indicate that it may be necessary to revise those parts of the product labeling set forth in § 130.51(e) regarding dosage. These comments were presented to the Food and Drug Administration's Cardio-Renal Advisory Committee for discussion at its meeting on February 28, 1974.

In order to provide for maximum public participation in the development of revised product labeling for digoxin products for oral use, the Commissioner has published elsewhere in this issue of the FEDERAL REGISTER, a notice of a public meeting between members of the Cardio-Renal Advisory Committee, digoxin manufacturers, and any other interested persons to discuss revision of § 130.51(e).

The Commissioner concludes that, good reasons having been presented, the final order shall be amended to stay the time for the submission of abbreviated new drug applications for digoxin products for oral use until 30 days after such time as a decision is reached regarding revision of the product labeling. This decision, along with the Commissioner's response to other comments received regarding the order of January 22, 1974, will be published in the FEDERAL REGISTER in the near future.

All known manufacturers of digoxin products for oral use have already been

notified of the stay of the time for submission of abbreviated new drug applications.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 201(p), 501(b), 502, 505, 701(a); 52 Stat. 1041–1042, 1049–1053, 1055; 21 U.S.C. 321(p), 351(b), 352, 355, 371(a)) and under authority delegated to the Commissioner (21 CFR 2.120), the provisions of 21 CFR 130.51(a)(1) as they apply to the submission of abbreviated new drug applications are hereby stayed until 30 days after such time as a decision is reached regarding revision of the product labeling set forth in § 130.51(e).

Dated: March 7, 1974.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner for Compliance.

[FR Doc.74-5619 Filed 3-7-74;11:27 am]

SUBCHAPTER D—COSMETICS

PART 174—VOLUNTARY FILING OF COSMETIC PRODUCT EXPERIENCES

Revision of Effective Date for Initial Reporting Period

In the FEDERAL REGISTER of October 17, 1973 (38 FR 28194) the Commissioner of Food and Drugs issued an order establishing Part 174—Voluntary Filing of Cosmetic Product Experiences. The effective date provisions of the order stated that the initial reporting period for the program would be July 1 to December 31, 1973, based on anticipated availability of the reporting forms (Forms FD–2704, FD–2705, and FD–2706) in November 1973, or shortly thereafter.

Unfortunately, because of delays in design and production, the reporting forms are still not available and the projected availability date for the forms has been revised to May 1974. Accordingly, it is necessary to postpone the first reporting period.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 601, 602, 701(a), 52 Stat. 1054, as amended, 1055; (21 U.S.C. 361, 362, 371(a))) and under authority delegated to the Commissioner (21 CFR 2.120) the effective date for Part 174 is revised to read as follows:

Effective date. It is anticipated that Form FD–2704, Form FD–2705, and Form FD–2706 will be available in May 1974. Accordingly, the initial reporting period for this program is established as beginning January 1, 1974 and ending June 30, 1974. The reports for this period should be received by the Food and Drug Administration not later than September 1, 1974. In the meantime, persons desiring these forms may submit requests to the Food and Drug Administration as set forth in § 174.4. Persons wishing to voluntarily submit information as requested on the forms pertaining to the period beginning July 1, 1973 and ending December 31, 1973 are invited to do so by filing completed forms for this period with the Food and Drug Administration as soon as possible after the forms become available. When the reporting forms become available, a notice to this effect will be published in the FEDERAL REGISTER.

Effective date. This order shall be effective March 8, 1974.

(Secs. 601, 602, 701(a), 52 Stat. 1054, as amended, 1055; (21 U.S.C. 361, 362, 371(a)).)

Dated: March 5, 1974.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.74-5389 Filed 3-7-74;8:45 am]

Title 6—Economic Stabilization

CHAPTER I—COST OF LIVING COUNCIL

PART 150—COST OF LIVING COUNCIL PHASE IV PRICE REGULATIONS

PART 152—COST OF LIVING COUNCIL PHASE IV PAY REGULATIONS

Exemption of Millwork and Other Wood Products

The purpose of these amendments is to extend the exemption of lumber and wood products under the Phase IV price regulations to the entire SIC Group No. 24 and to add a parallel exemption under the Phase IV pay regulations.

Sales of basic lumber materials are already exempt under § 150.54(o)—i.e., the sales of products listed in SIC Industry Nos. 2411, 2421, 2426, 2429, 2435, 2436, 2439 and 2492 and hardboard, tempered or untempered. That exemption was explained in Question 2 of Q's and A's No. 10 (August 29, 1973) as applying to sales of the listed products by wholesalers and retailers as well as by manufacturers. As amended, the exemption will apply to prices charged for all lumber and wood products in SIC Group No. 24, including cabinets, containers and other finished products, at all sales levels.

The products exempted by these amendments are listed in the following Industry Nos.:

2431—Millwork.
2434—Wood Kitchen Cabinets.
2441—Nailed and Lock Corner Wood Boxes and Shook.
2448—Wood Pallets and Skids.
2449—Wood Containers, Not Elsewhere Classified.
2451—Mobile Homes.
2452—Prefabricated Wood Buildings and Components.
2491—Wood Preserving.
2499—Wood Products, Not Elsewhere Classified.

The sales of mobile homes by manufacturers and retailers are exempt under §§ 150.54(aa) and 150.54(ff). Inclusion of mobile homes in this amendment is necessary to provide an additional exemption for the wholesale sales of those products.

The manufacturing firms in the lumber industry are generally small, with an estimated 95 percent of them exempt under the small business exemption. Price category I manufacturers account for approximately 17 percent of the industry's sales. There is little concentration in the industry on a national basis and where concentration exists it is generally within a local market.

The expansion of the exemption for lumber and wood products is necessary to relieve certain distortions in the industry. The full exemption will put all firms in the industry on an equal footing and end the disadvantages faced by controlled firms in purchasing certain raw materials. Certain firms have begun to shift production from products subject to price controls to exempt items. The full exemption provided by these amendments will reduce the need for those shifts and return control of product mix to normal market forces. Products exempted by these amendments are generally either components of items already exempt from Phase IV controls or are substitutes for certain exempt items.

Under §§ 150.11(e) and 150.161(b), a firm remains subject to the profit margin constraints and reporting provisions of the Phase IV program unless in its most recent fiscal year it derived both less than $50 million in annual sales or revenues from the sale or lease of nonexempt items and 90 percent or more of its sales and revenues from the sale of exempt items or exempt sales.

As with all exemptions from Phase IV controls, firms subject to this amendment remain subject to review for compliance with appropriate regulations in effect prior to this exemption. A firm affected by this amendment will be held responsible for its pre-exemption compliance under all phases of the Economic Stabilization Program. A firm affected by this exemption alleged to be in violation of stabilization rules in effect prior to this exemption is subject to the same compliance actions as a non-exempt firm. These compliance actions include investigations, issuance of notices of probable violation, issuance of remedial orders requiring rollbacks or refunds and possible penalty of $2,500 for each stabilization violation.

As a complementary action to the exemption from price controls, the Council has also exempted pay adjustments affecting employees engaged on a regular and continuing basis in the operation of an establishment in the lumber industry, in addition to those already exempted by § 152.35 which was issued December 10, 1973. The exemption is set forth in new § 152.40f. This exemption also covers those employees who would otherwise have been exempt under § 152.35 but for an historical relationship to employees covered by this exemption. The exemption is inapplicable to any such employee who receives an item of incentive compensation, or who is a member of an executive control group. The exemption is also inapplicable to any such employee whose duties and responsibilities are not of a type exclusively performed in or related to the lumber industry and whose pay adjustments are historically related to the pay adjustments of employees performing such duties outside the industry and are not related to the pay adjustments of other employees that are within the exemption. In cases of uncertainty of

application, inquiries concerning the scope or coverage of the pay exemption should be addressed to the Administrator, Office of Wage Stabilization, P.O. Box 672, Washington, D.C. 20044.

The Council retains the authority to reestablish price and wage controls over any of the industries exempted by these amendments if price or wage behavior is inconsistent with the policies of the Economic Stabilization Program. The Council also has the power, under §§ 150.162 and 152.6, to require firms to file special or separate reports setting forth information relating to the Economic Stabilization Program in addition to any other reports which may be required under the Phase IV controls program.

Because the purpose of these amendments is to grant an immediate exemption from the Phase IV price and pay regulations, the Council finds that publication in accordance with normal rulemaking procedure is impracticable and that good cause exists for making this amendment effective in less than 30 days. Interested persons may submit written comments regarding this amendment. Communications should be addressed to the Office of the General Counsel, Cost of Living Council, 2000 M Street, NW., Washington, D.C. 20508.

(Economic Stabilization Act of 1970, as amended, Pub. L. 92-210, 85 Stat. 743; Pub. L. 93-28, 87 Stat. 27; E.O. 11695, 38 FR 1473; E.O. 11730, 38 FR 19345; Cost of Living Council Order No. 14, 38 FR 1489.)

In consideration of the foregoing, Parts 150 and 152 of Title 6 of the Code of Federal Regulations are amended as set forth herein, effective March 6, 1974.

Issued in Washington, D.C., on March 6, 1974.

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

1. In 6 CFR Part 150 § 150.54(o) is amended to read as follows:

§ 150.54 Certain price adjustments.

* * * * *

(o) *Lumber and wood products.* Prices charged for lumber or wood products described in the Standard Industrial Classification Manual, 1972 edition, under Major Group No. 24 are exempt.

* * * * *

2. In 6 CFR Part 152, Subpart D is amended by adding thereto a new § 152.40f to read as follows:

§ 152.40f Additional lumber industry.

(a) *Exemption.* Pay adjustments affecting employees engaged on a regular and continuing basis in the operation of an establishment in the lumber industry or in support of such operation are exempt from and not limited by the provisions of this title.

(b) *Establishment in the lumber industry.* For purposes of this section, "Establishment in the lumber industry" means, in addition to the establishments referred to in § 152.35, an establishment classified in the Standard Industrial Classification Manual, 1972 edition, under Industrial Code 2431 (Millwork); 2434 (Wood Kitchen Cabinets); 2452 (Prefabricated Wood Buildings and Components); 2491 (Wood Preserving); 2499 (Wood Products, Not Elsewhere Classified); or under Group Number 244 (Wood Containers); and primarily engaged in the manufacture of any such product described therein.

(c) *Covered employees.* For purposes of this section, an employee is considered to be enagaged on a regular and continuing basis in the operation of an establishment in the lumber industry or in support of such operation only if such employee is employed at an establishment in the lumber industry and only if such employee is employed by the firm which operates such establishment. In addition, employees who would have been exempt under § 152.35, but were excluded by operation of § 152.35(d)(3) because their pay adjustments are historically related to the pay adjustments of employees at establishments specifically listed in paragraph (b) of this section, are considered to be covered employees under this section.

(d) *Limitation.* The exemption provided in paragraph (a) of this section shall not be applicable to—

(1) An employee who receives an item of incentive compensation subject to the provisions of §§ 152.124, 152.125, or § 152.126.

(2) An employee who is a member of an executive control group (determined pursuant to § 152.130).

(3) Employees whose occupational duties and responsibilities are of a type not exclusively performed in or related to the lumber industry and whose pay adjustments are—

(i) Historically related to the pay adjustments of employees performing such duties outside the lumber industry; and

(ii) Not related to pay adjustments of another unit of employees enagaged on a regular and continuing basis in the operation of an establishment in the lumber industry or in support of such operation within the meaning of paragraph (c) of this section.

(e) *Effective date.* The exemption provided in this section shall be applicable to pay adjustments with respect to work performed on and after March 6, 1974.

[FR Doc.74-5530 Filed 3-6-74;3:30 p.m.]

Title 7—Agriculture

CHAPTER VII—AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE (AGRICULTURAL ADJUSTMENT), DEPARTMENT OF AGRICULTURE

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

PART 730—RICE

Subpart—Regulations for Determination of Acreage Allotments for 1974 and Subsequent Crops of Rice

Basis and purpose. The regulations herein are issued and in accordance with provisions of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1301, 1353, 1363, 1375, 1377, 1378), and will be used as the regulations for determination of acreage allotments for 1974 and subsequent crops of rice. The provisions of the proposed regulations are essentially the same as those currently in effect for 1969 and subsequent crops of rice (33 FR 14520) except for minor editorial changes and deleting all references to the conservation reserve program because the program is no longer in effect. In addition to these editorial changes a change has been made in the definition of "engaged in the production of rice". In addition, a producer can allocate a "producer" allotment to a farm only when he furnishes land or water sufficient to produce an acreage of rice, or the labor or equipment sufficient to produce and harvest such acreage, which is not less than the smaller of his producer allotment or a percentage of the current year rice acreage equal to the percentage his producer allotment is to the farm acreage allotment. It is proposed that these regulations will supersede the regulations currently in effect for 1969 and subsequent crops of rice.

Since farmers are now planning their 1974 rice operations and, because it is essential that they know about these changes before completing their plans, it is hereby found that compliance with the notice of proposed rulemaking requirements and the 30-day effective date requirements of (5 U.S.C. 553) impracticable and contrary to the public interest and these regulations shall become effective as provided herein.

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FARM ALLOTMENTS BASED ON PAST PRODUCTION OF RICE BY PRODUCERS

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Sec.

730.81 Mailing of farm allotment notices.
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730.84 Release and reapportionment of farm rice allotments.

MISCELLANEOUS

730.85 Right to appeal farm allotment.
730.86 Applicability of regulations.
730.87 Approval of reporting and recordkeeping requirements.

AUTHORITY: Secs. 301, 353, 363, 375, 377, 378, 52 Stat. 33, as amended, 61, as amended, 63, as amended, 66, as amended, 70 Stat. 206, as amended, 72 Stat. 995, as amended; (7 U.S.C. 1301, 1353, 1363, 1375, 1377, 1378).

GENERAL

§ 730.61 Basis and purpose.

The regulations contained in this subpart are issued pursuant to and in accordance with the Agricultural Adjustment Act of 1938, as amended, and govern the establishment of producer and farm allotments for the 1974 and subsequent crops of rice. The purpose of the regulations in this subpart is to provide the procedure for the apportioning in the States of Arizona, California, Florida, South Carolina, Tennessee, Texas, and the "producer administrative area" within the State of Louisiana, of the State rice allotments among rice producers in the State or Administrative area and, for the apportioning in the States of Arkansas, Illinois, Mississippi, Missouri, North Carolina, Oklahoma, and the "farm administrative area" within the State of Louisiana, of county rice allotments among the farms in the county.

§ 730.62 Definitions.

(a) *General terms.* In determining the meaning of the provisions in this subpart, unless the context indicates otherwise, words imparting the singular include the plural, words imparting the plural include the singular, words imparting the masculine gender include the feminine as well, and words used in the present tense include the future as well as the present. The definitions in Part 719 of this chapter shall apply to this subpart. The provisions of Part 720 of this chapter concerning the explanation of time limitations shall apply to this subpart.

(b) *Rice program terms.* The following terms shall have the following meanings:

(1) "Act" means the Agricultural Adjustment Act of 1938, and any amendments or supplements thereto.

(2) "Administrative area" means a group of one or more counties or parishes within a State specifically designated as such for the purpose of establishing rice allotments in the State. In any State in which administrative areas are designated, there shall be two such administrative areas, one designated "producer administrative area" in which farm rice allotments shall be established on the basis of past production of rice by producers on the farm and the other designated "farm administrative area" in which farm rice allotments shall be established on the basis of past production of rice on the farm. For purposes of the regulations contained in this subpart in the States which have been divided into administrative areas, the term "State allotment" shall be deemed to mean the part of the State allotment apportioned to each administrative area and the word "State" shall be deemed to mean "administrative area," where applicable.

(3) "Engaged in the production of rice" means to actively participate in the farming operations necessary to produce and harvest a crop of rice on the farm and share in a predetermined and fixed portion of the rice crop, or the proceeds therefrom, by virtue of (i) furnishing all or part of the land on which the rice is being produced or the labor, water, or equipment necessary to produce and harvest the crop or (ii) furnishing a "Producer" allotment which has been approved as all or a part of the "farm" allotment determined for the farm.

Any producer who the county or State committee finds, after allocation of his producer allotment to be a farm, is not or was not engaged in the production of rice on the farm as provided in accordance with this subparagraph, shall not be deemed to be engaged in the production of rice on the farm for the purpose of determinations made in accordance with § 730.72(e). A producer whose allotment has been allocated to the farm must furnish or pay for land or water sufficient to produce an acreage of rice, or the labor or equipment sufficient to produce and harvest such acreage, which is not less than the smaller of the producer allotment or a percentage of the current year rice acreage equal to the percentage the producer allotment is to the farm acreage allotment. Any contribution of land, labor, water, or equipment must be bona fide. A producer who furnishes land must satisfy the COC that he has control of the land throughout the crop year, either through ownership or a valid lease.

(4) "Farm rice history acreage" means the acreage determined in accordance with § 730.1516(b) or § 730.67(c) and § 730.1527(b) or § 730.78(c), as applicable.

(5) "Farm State" means the States of Arkansas, Illinois, Mississippi, Missouri, North Carolina, Oklahoma, and the "farm administrative area" within the State of Louisiana consisting of the counties or parishes of Union, Lincoln, Jackson, Winn, Grant, Rapides, Avoyelles, St. Landry, St. Martin, Iberia, and St. Mary, and all counties or parishes within the State west of such counties or parishes, in which farm rice allotments are determined on the basis of past production of rice on the farm and the rice allotments previously established for the farm, in lieu of past production of rice by the producer and the allotments previously established for the producer.

(6) "New farm" means any farm other than one defined under subparagraph (8) of this paragraph and for which an allotment is established for the production of rice in the current year.

(7) "New producer" means any producer other than one defined under paragraph (b) (9) of this section for whom a producer allotment is established for the production of rice in the current year.

(8) "Old farm" means any farm which has rice history acreage other than zero for any one or more of the 5 years immediately preceding the current year.

(9) "Old producer" means any person who has rice history acreage other than zero for any one or more of the 5 years immediately preceding the current year.

(10) "Producer rice history acreage" means the producer's share(s) of the farm rice history acreage determined in accordance with § 730.67(c) and apportioned among the producers who were engaged in the production of rice on farms as provided under § 730.67(d).

(11) "Producer State" means the States of Arizona, California, Florida, South Carolina, Tennessee, Texas, and the "producer administrative area" within the State of Louisiana consisting of the counties or parishes of Morehouse, Ouachita, Caldwell, La Salle, Catahoula, Concordia, West Feliciana, Pointe Coupe, Iberville, Assumption, and Terrebonne, and all counties or parishes within the State east of such counties or parishes in which farm allotments are determined on the basis of past production of rice in the State by the producer on the farm and the rice acreage allotments previously established in the State for the producer.

(12) "Rice acreage" means the acreage planted to rice and the acreage of volunteer rice which reaches maturity, excluding (i) any acreage of nonirrigated rice produced on any farm on which such acreage is 3 acres or less, (ii) any acreage of sweet, glutenous, or candy rice commonly known as Mochi Gomi, (iii) any acreage of rice grown for experimental purposes only by or under contract to a publicly owned agricultural experiment station, (iv) any acreage of rice grown for the purpose of experiments on mosquito control by or under contract to a Federal, State, or local public health service: *Provided*, That (*a*) The rice is planted in small plots which are designated by the producer and approved by the county committee with the concurrence of the State committee for such purpose before planting, and (*b*) evidence of destruction of the rice produced on such plots satisfactory to the county committee is furnished within 60 calendar days after the date on which the harvesting of rice is normally substantially completed in the county as provided in § 730.10(a), (v) any acreage of rice in excess of the allotment on a wildlife refuge farm consisting solely of Federal- or State-owned land, if such acreage is not harvested, but is left on the land for wildlife feed, (vi) any acreage planted to rice in excess of the farm allotment, or when applicable, the permitted acreage of rice under the crop-

land conversion and cropland adjustment programs, which is destroyed or otherwise handled or treated (by the producer or from some cause beyond his control) not later than the final date for disposal of excess acreage as provided in Part 718 of this chapter, Determination of Acreage and Compliance so that rice cannot be harvested therefrom, (vii) any acreage seeded to rice outside of the field border levee where such levee is bounded by a fence or other barrier which would make it impossible to harvest or destroy the rice from such acreage by mechanical means, and any acreage seeded to rice inside of drainage ditch banks where the topography would make it impossible to harvest or destroy the rice from such acreage by mechanical means: *Provided*, That the seeding operations have been performed with an end gate seeder or by airplane, and (viii) any acreage planted to rice for wildlife food plots or for establishing wildlife habitat which meets eligible conserving use requirements in Part 792 of this chapter. A second planting and maturing of rice on a farm on which one crop has been planted and matured in the same crop year shall be considered additional acreage when determining the farm rice acreage.

(13) "Farm planted and considered planted acreage" means the acreage determined in accordance with §§ 730.67(b) and 730.78(b), as applicable.

(14) "Producer rice history acreage" means the acreage determined in accordance with § 730.67(d).

(15) "State office" means the office of the Agricultural Stabilization and Conservation State Committee.

§ 730.63 Extent of calculation and rule of fractions.

All rice allotments and other computations shall be rounded to tenths of acres in accordance with the provisions of Part 793 of this chapter.

§ 730.64 Forms and instructions.

The Deputy Administrator shall cause to be prepared and issued such instructions with respect to internal management and such forms as are necessary for carrying out the regulations in this part.

§ 730.65 Supervision, review, and approval by State committee and additional authority for determination of allotment.

(a) *Supervision, review, and approval by State committee.* State committees shall have overall responsibility for the administration of the regulations in this subpart in their respective States. All producer allotments in producer States and all farm allotments in farm States shall be reviewed by a representative of the State committee and shall be approved before official allotment notices are mailed. The State committee may revise or require revisions of any determination made under the regulations in this subpart. Notices of farm allotments in producer States may be mailed without the approval of a representative of the State committee following the allocation of producer rice allotments to farms unless the State committee determines that such approval of the allotments is necessary to facilitate the effective administration of the program in the State. The State committee may take any action required to be taken by the county committee under this subpart which the county committee fails to take or require the county committee to withhold taking any action which is not in accordance with this subpart.

(b) *Additional authority for determination of allotments.* In addition to the authority established in this subpart for determination of allotments for both old and new producers and farms, including revised allotments to correct errors, such determinations may be made by the Secretary, Under Secretary, Administrator of Agricultural Stabilization and Conservation Service, or Deputy Administrator. A notice conforming to the requirements of § 730.70, § 730.74, or § 730.81 executed by any of the foregoing officials and mailed to the operator of the farm shall be deemed to meet the requirements of such section. A copy of each notice shall be kept among the records of the appropriate county committee and copies thereof shall be made available in accordance with the provisions of the applicable section.

Farm Allotments Based on Past Production of Rice by Producers

§ 730.66 Report of producer data.

In a producer State, each producer, to the extent that such information is found necessary and is not already available to the county committee, shall furnish the county committee of the county in which such producer is or will be engaged in the production of rice in the current year, the names, addresses, and acreage shares of all persons having an interest in each rice crop in which such producer shared during the 5 years immediately preceding the current year. Information not so furnished shall be determined or appraised by the county committee on the basis of records in the county offices, available production and sales records and other available information.

§ 730.67 Establishment of preliminary allotments for old producers.

(a) *Basic factors.* In a producer State, the past production of rice in the State by the producer engaged in the production of rice on farms and the allotments previously established in the State for such producer; abnormal conditions affecting acreage, land, labor, and equipment available for the production of rice; crop-rotation practices; and the soil and other physical factors affecting the production of rice, are the factors for apportioning the State allotment, less appropriate reserves, to producers who shared in the history acreage determined for a farm in any one or more of the 5 calendar years immediately preceding the year for which the allotment is determined. Taking these factors into consideration, the county committee shall, with approval of the State committee or its representative, establish a rice allotment for the current year for each old producer in the county in accordance with § 730.68. Prior to establishing such allotments the county committee shall determine:

(1) For each old farm the planted and considered planted acreage of rice and the rice history acreage for the year immediately preceding the year for which the producer allotment is to be established.

(2) For each producer engaged in the production of rice on the farm for which such planted and considered planted and history acreages are being established, his share of such acreages.

(b) *Farm planted and considered planted acreage.* The farm planted and considered planted acreage is the farm rice acreage determined in accordance with Part 718 of this chapter, including any prevented planting credit determined thereunder, plus any allotment acreage:

(1) Preserved under the provisions of Part 719 of this chapter.

(2) Underplanted in the current year to deplete stored excess produced in a prior year as provided in this Part 730.

(c) *Farm rice history acreage.* The farm rice history acreage is:

(1) For a farm consisting of federally-owned land, the allotment determined under § 730.73.

(2) For a farm other than one consisting of federally-owned land, the allotment determined under § 730.73: *Provided*, That in the current year or either of the 2 preceding years the planted and considered planted acreage for the farm is 75 percent or more of the allotment determined under § 730.73 minus acreage temporarily released.

(3) For a farm other than one consisting of federally-owned land and when the provisions of paragraph (c)(2) of this section are not applicable, the planted and considered planted acreage as determined for the farm under paragraph (b) of this section plus any acreage released.

(4) Notwithstanding any other provisions of this paragraph, the rice history acreage determined for any farm shall not exceed the allotment determined under the provisions of § 730.73.

(d) *Producer rice history acreage.* (1) The producer rice history acreage for a producer engaged in the production of rice as defined in § 730.62(b)(3) is determined by:

(i) Apportioning the farm rice history acreage determined under paragraph (c) of this section among the producers who were engaged in the production of rice on the farm in the same proportion that each producer's allotment minus any reapportioned acreage he received and allocated to the farm for such year bears to the farm allotment established under § 730.73, and

(ii) Adding any allotment released by the producer under the provision of § 730.75.

(2) The producer rice history acreage for a producer who (i) was not engaged in the production of rice because he failed to allocate his producer allotment to a

farm, or (ii) was determined not to have been engaged in the production of rice in accordance with the provisions of § 730.72 (e), or (iii) did not release his allotment to the county committee, shall be zero: *Provided*, That if the producer allocated his producer allotment to a farm in either of the 2 preceding years and the rice acreage planted or considered planted is as much as 75 percent of his allotment minus acreage temporarily released in such year, his history acreage shall be his producer allotment.

(e) *Recommended producer preliminary allotment.* If the producer's rice history acreage as determined under paragraph (d) of this section is:

(1) 75 percent or more of the allotment determined under § 730.68, such allotment will become the preliminary allotment for the following year.

(2) Less than 75 percent of the allotment determined under § 730.68, the preliminary allotment for the following year will be the average of the allotment determined under § 730.68 and the producer's rice history acreage for the year for which the allotment was determined.

(3) If a definitely established crop-rotation system is being carried out on a farm on which the producer is engaged in the production of rice and the preliminary allotment does not represent anticipated plantings for the current year because of a definitely established crop-rotation system, the preliminary allotment may be adjusted by the county committee taking into consideration annual State apportionment factors during the base period.

(i) For a farm due for an increase under the rotation system, the adjusted preliminary allotment for the producer shall not be greater than the largest allotment established for the producer during the 5-year base period.

(ii) For a farm due for decrease under the rotation system, the adjusted preliminary allotment for the producer shall not be less than the smallest allotment established for the producer during the 5-year base period.

§ 730.68 Determination of allotments for old producers.

(a) *Apportioning allotments.* The preliminary allotments of rice determined for producers under § 730.67 adjusted pro rata to equal the State or area allotment minus (1) a reserve of not to exceed 3 per centum of the State or area allotment for new producers, and (2) the reserve of not to exceed 5 per centum of the State or area allotment for appeals and corrections, missed producers and adjustments under paragraph (b) of this section, except as may be adjusted under paragraphs (b) and (c) of this section, shall be the allotments for old producers. If, as a result of corrections, the total acreage allotted to producers in any State for which corrections are made is less than the total acreage originally allotted to such producers, such difference in acreage shall be added to such State reserve without regard to the limitation thereon.

(b) *Adjustment for small allotments.* The allotment determined for any old producer under paragraph (a) of this section may be increased if the State committee, with the assistance of the county committee, determines that the allotment is small in relation to allotments established for other old producers in the county on the basis of crop-rotation practices; land, labor, water, and equipment available for the production of rice; and the soil and other physical factors affecting the production of rice during the 5 years immediately preceding the current year: *Provided*, That such increased allotments shall not exceed the allotments determined for other producers in the county which are similar with respect to these factors. The acreage used in any State for increasing producer allotments under this paragraph shall not exceed the reserve acreage referred to in paragraph (a) of this section.

(c) *Adjustment for inadequate allotments.* The allotment determined for any producer under paragraph (a) or (b) of this section may be increased if the State committee, with the assistance of the county committee, determines that such allotment for the producer is inadequate because of an insufficient State or area allotment or because rice was not planted by the producer during all the preceding 5 years, taking into consideration the producer's investment in equipment and other facilities for the production of rice and the acreage required to make such allotment for the producer an economic unit: *Provided*, That the total of such increases in allotments under this paragraph shall not exceed the acreage, if any, made available to the State from the national reserve provided for by section 353(a) of the act.

§ 730.69 Determination of allotments for new producers.

(a) *Written application.* In a producer State in which a new producer reserve is held the State committee with the assistance of the county committee shall establish a rice allotment for the current year for each eligible new producer whose application is timely filed in writing on or before February 15 of the year for which the new producer allotment is requested.

(b) *Eligibility requirements.* To be eligible for an allotment as a new producer, the applicant shall timely file his application for an allotment and shall establish to the satisfaction of the county committee that:

(1) *Interest in another farm.* He does not own or operate any other farm in the United States for which a rice allotment is established for the current crop year.

(2) *Availability of equipment and facilities.* He owns, or otherwise has readily available, adequate equipment and irrigation water necessary for the production of rice on the farm.

(3) *Purpose for filing.* He has not filed his application for the purpose of obtaining an allotment as a new producer which would be used, if obtained, as a device to offset a reduction in the rice acreage of an old producer with whom he was formerly, or will be, associated in financing, producing, or marketing rice.

(4) *Income requirement.* The producer expects to obtain during the current year more than 50 percent of his income from the production of agricultural commodities or products from farming.

(i) *Income determination.* The following shall be considered in computing producer's income:

(A) *Income from farming.* Income from farming shall include the estimated return from home gardens, livestock and livestock products, poultry, or other agricultural products produced for home consumption or other use on the farms. Do not include estimated return from the production of the requested rice allotment.

(B) *Income from nonfarming.* Nonfarming income shall include but shall not be limited to salaries, commissions, pensions, social security payments, and unemployment compensations.

(C) *Spouse's income.* Spouse's farm nonfarm income shall be included in the computation.

(ii) *Applicant a partnership.* If the applicant is a partnership, each partner must expect to obtain more than 50 percent of his current year income from farming.

(iii) *Applicant a corporation.* If the applicant is a corporation, it must have no major corporate purpose other than ownership or operation of the farm. Farming must provide its officers and general manager with more than 50 percent of their expected income. Salaries and dividends from the corporation shall be considered as income from farming.

(iv) *Special provisions for low-income farmers.* The county committee may waive the income provisions in this section provided the county committee determines the applicant's income, from both farm and nonfarm sources, will not provide a reasonable standard of living for the applicant and his family and a State committee representative approves such action. In waiving the income provisions the county committee must exercise good judgment to see that its determination is reasonable in the light of all pertinent factors, and that this special provision is made only to those who qualify. In making such determination, the county committee shall consider such factors as size and type of farming operations, estimated net worth, estimated gross family farm income, estimated family farm and off-farm income, number of dependents, and other factors affecting the individual's ability to provide a reasonable standard of living for himself and his family.

(c) *Farm eligibility requirements.* The land on the farm to which the requested allotment will be allocated must be suitable for the production of rice.

(d) *Individual farm allotment limitations.* The allotment determined for any new producer shall not exceed the smallest of (1) the preliminary allotment established under § 730.67 for old rice

producers in the county producing rice under similar conditions except for the acreage planted to rice during the base period, (2) the allotment requested by the applicant, or (3) the acreage of rice intended to be planted by the applicant, on the farm to which the allotment is to be allocated in the current year; *Provided*, That, if the acreage planted to rice by the applicant in the current year is less than 75 percent of the allotment established under this section, the allotment for the producer shall be reduced to the acreage actually planted to rice by the producer. The acreage resulting from any such allotment reduction in each county shall be transferred for accounting purposes to the reserve for appeals and corrections, missed farms, and adjustments as provided for under § 730.68.

(e) *Total new producer allotments limited to reserve.* The sum of all new producer allotments established in any State or area, in accordance with the provisions of this section shall not exceed the reserve made available by the State committee for new producers in the State or area, and such reserve shall not exceed 3 percent of the applicable State or area allotment. Any part of such reserve that is not used for the establishment of new producer allotments shall remain in the new producer reserve for the current year and may not be used for any other purpose.

(f) *No State or area reserve.* Requests for new producer allotments shall not be accepted for any year for a State or area for which no new producer reserve has been held by the State committee.

(g) *Cancellation of new producer rice allotment for misrepresentation.* If a new producer rice allotment is established and it is later determined by the county committee that the applicant unknowingly furnished incomplete or inaccurate information the allotment shall be cancelled effective for the next crop year. If it is determined that the applicant knowingly furnished incomplete or inaccurate information and the State committee concurs in the county committee determination, the allotment shall be cancelled as of the date issued. The applicant shall be notified of the action taken in either case.

§ 730.70 Notice of producer allotment.

The allotment as determined under § 730.68 or § 730.69 as applicable, for each producer, when approved by a representative of the State committee, shall be the official producer allotment for the producer. The county committee shall officially notify each producer, at his last known address, of the producer allotment established for him. The notice shall bear the actual or facsimile signature of a county committeeman. The facsimile signature may be affixed by a county committeeman or by an employee of the county office. Insofar as practicable, all producer allotment notices in a county shall be mailed on the same date and in time to be received prior to the date on which the referendum to determine whether farmers favor or oppose rice marketing quotas will be held. A copy of each notice approved shall be kept freely available in the county office for a period of not less than 30 calendar days. At the end of such period, the copies of the notices shall remain readily available for further public inspection.

§ 730.71 Right to appeal producer allotment.

Any producer in a producer State or area who is dissatisfied with his producer allotment may request reconsideration of such producer allotment in accordance with Part 780 of this chapter, Appeal Regulations, and any amendments thereto. When a producer has been officially notified of the rice allotment for the farm on which he will be engaged in the production of rice in the current year, he may request a review of such farm allotment in accordance with provisions of § 730.85.

§ 730.72 Allocation of producer allotments to farms.

(a) *Request for allocation.* Each producer who desires to have all or any part of his producer allotment taken into consideration in the establishment of the farm allotment for any farm on which he will be engaged in the production of rice in the current year shall, not later than the final date set forth herein, file a request with the county committee for allocating his producer allotment as determined under §§ 730.68 and 730.69 or § 730.71, as applicable, to such farm or farms, if his allotment acreage is to be considered when establishing the farm allotment. Each request shall be in writing and insofar as the producer has personal knowledge contain the name (or code number) of the State and county in which the farm is located and the farm number; the total acres in the farm; the cropland acres; the name and address of the farm operator and the name and address of the farm owner where different from the farm operator; the name and address of the applicant; the location of the farm; the applicant's producer allotment; the allotment to be allocated to the farm; the applicant's interest in the rice crop to be produced on the allotment allocated to the farm by virtue of furnishing the land, labor, water, or equipment, and the applicant's percentage share in the production from such acreage.

(b) *Filing date.* The final date for the filing of an application or the correction of any application previously filed under paragraph (a) of this section shall, except as provided herein, be May 1 of the current year. If a producer is unable to file his application on or before this date because of (1) an error on the part of an employee of the county or State committee or (2) physical reasons beyond his control, including inability to plant his intended acreage on the farm indicated, an application accompanied by his written certification giving his reasons for failure to file previously or for correcting a previously filed application may be accepted for further consideration. If the county committee, with the approval of the State executive director, determines from the facts and circumstances that the producer's failure to file previously or his reason for changing an application is because of an error on the part of an employee of the county or State committee, or because of physical reasons beyond his control, the application may be accepted as being timely filed. Any application for the allocation of producer allotment to a farm that is not timely filed in accordance with the provisions of this section shall be disapproved and such allotment cannot be considered when the allotment for the farm is established.

(c) *Conditions of allocation.* The State committee, with the assistance of county committees, shall allocate the allotment determined under § 730.68, § 730.69 or § 730.71, as applicable, for a producer to the farm or farms on which it has been determined that the producer will be engaged in the production of rice in the current year if an application for the allocation of his producer allotment, or any part thereof, was timely filed. The sum of the producer allotments allocated to any farm, adjusted where necessary to establish an allotment for the farm within its capabilities for producing rice consistent with practical farming operations, taking into consideration crop-rotation practices; the land, labor, water, and equipment available for the production of rice; the sizes of fields; the arrangement of levees and drainage facilities; the soil and other physical factors affecting the production of rice on the farm in the current year; and the acreage available for such adjustments, shall be the official farm allotment for the farm: *Provided*, That the total acreage allocated to all farms for any producer shall not exceed such producer's allotment determined under § 730.68, § 730.69 or § 730.71, as applicable, by more than 5 per centum or 5 acres, whichever is larger. The sum of the upward adjustments in allocated acreages under this paragraph shall be limited to the sum of the downward adjustments that are not released by the producer for reapportionment to other farms under § 730.75. If the farm history acreage on any farm in which a new producer has an interest in such acreage is less than 75 percent of the farm allotment, the new producer's allotment shall be reduced to the extent of his share in the underplanted allotment for the farm. The acreage resulting from the reduction of new producer allotments under this section shall be transferred to the reserve available to the State committee for appeals, corrections, missed farms, and adjustments under § 730.68.

(d) *Determination of county committee.* Before approving a producer's request for the allocation of allotment to a farm, the county committee shall satisfy itself that the applicant will be engaged in the production of rice on such farm or, if not, that he is requesting the allocation of his producer allotment to the farm for the purpose of participating in the cropland conversion and cropland adjustment programs. To be considered engaged in the production of rice,

the applicant shall meet the definition of the term "engaged in the production of rice" as stated in § 730.62(b)(3).

(e) *Hearing to determine if a producer was engaged in the production of rice.* If the county or State committee has reason to believe, after the establishment of any farm allotment in accordance with this section, that a producer whose allotment was allocated to such farm is not, or was not, in fact engaged in the production of the rice crop produced on the farm in the year in question, a hearing shall be scheduled by the county committee and the producer shall be invited to be present, or to be represented, at which time he shall be given an opportunity to substantiate his claim that he is, or was, engaged in the production of rice on the farm as indicated at the time of filing his request for the allocation of this producer allotment to the farm. A summary of the evidence presented at the hearing shall be furnished the State committee. If the county committee, with State committee approval, or the State committee finds that the producer is not, or was not, engaged in the production of the crop on the farm, except where allocation was made for the purpose of participating in the cropland conversion and cropland adjustment programs, the county committee or the State committee shall recall the producer's allotment previously allocated to the farm and adjust the farm allotment accordingly. The county committee shall notify the farm operator of the revised farm allotment. The notice shall be on an official form and shall be accompanied by a letter of explanation as to the reason such action was taken to reduce the farm allotment. A copy of the notice and letter shall be forwarded to all persons engaged in the production of rice on the farm. Any allotment recalled under this section will not be available for apportionment or reallocation to any other farm.

(f) *Allocation limitations.* Notwithstanding any other provisions of this section, approval shall not be given to a producer's request for allocation of his allotment to:

(1) Federally owned land on which a restricted lease prohibiting the planting of rice is in effect; or

(2) In the case of a producer who has a contract in effect under a land use adjustment program, any farm other than the farm on which the producer has such a contract in effect unless he allocates in the current year to the farm on which the contract in effect, smaller of (i) his producer allotment or (ii) an acreage equal to the average of his producer allotment contribution to the farm allotment which was planted during the years used to establish the farm's land use adjustment program allotment or base, or unless such contract or agreement is modified or terminated as provided under regulations applicable to the land use adjustment programs.

(g) *Allocation across county lines.* A producer who desires to allocate all or any part of his producer allotment to a farm located in a county within the same State or administrative area of a State other than the county in which his producer allotment was established shall file a request with the county committee of the county in which his producer allotment was established to transfer such producer allotment to the county in which the farm to which he desires to allocate his producer allotment is located. The final date for the filing of an application for the transfer of producer allotment from one county to another or the correction of an application previously filed under this paragraph shall, except as provided in this paragraph, be April 15 of the current year for all producer States except the producer administrative area of Louisiana for which such final date shall, except as provided in this paragraph, be April 1 of the current year. If a producer who desires to transfer his producer allotment to another county is unable to file an application for such transfer on or before such date because of (1) an error on the part of an employee of the county or State committee or (2) physical reasons beyond his control, an application accompanied by his written certification giving his reasons for failure to file previously or for correcting a previously filed application may be accepted for further consideration. If the county committee, with approval of the State executive director, determines from the facts and circumstances that the producer's failure to file previously or his reason for changing an application is because of an error on the part of an employee of the county or State committee, or because of physical reasons beyond his control, the application may be accepted as being timely filed. Any application for the transfer of producer allotment from one county to another that is not timely filed in accordance with the provisions of this paragraph shall be disapproved.

(h) *Hearing to determine status of a producer requesting allocation across county lines.* In any case where an application for transfer of a producer allotment to another county has been approved under paragraph (g) of this section, and an application to allocate such transferred producer allotment to a farm has been timely filed, the county committee shall schedule a hearing and the operator of the farm to which allocation is requested shall be invited to be present. Such operator shall satisfy the county committee and the representative of the State committee that the producer requesting the allocation will be engaged in the production of rice on the farm to the extent shown on the application for allocation. If the application for allocation is approved by the county committee and the representative of the State committee, the provisions of paragraph (c) of this section shall apply. If the application for allocation is disapproved by the county committee or the representative of the State committee, the applicant shall be notified in writing giving reasons for disapproval. Notwithstanding the foregoing provisions of this paragraph, if the county committee otherwise has specific knowledge of the applicant's intended participation in the production of rice on the farm to the extent indicated on the application, the county committee may request the farm operator to submit a listing of the producers who are transferring out-of-county allotment to his farm. The list shall state each such producer's allotment contribution to the farm allotment and his interest in the rice crop to be produced on the farm. If the listing is acceptable to the county committee, no hearing will be required under this paragraph.

§ 730.73 Determination of allotments for farm to which producer allotments have been allocated.

The sum of the allotments determined for both old and new producers that are allocated to any farm under § 730.72, including the adjustments, if any, as provided for under paragraph (c) of such section shall be the allotment for the farm for the current year. The sum of the farm allotments so determined in any producer State or area shall not exceed the State allotment for such State or area and the acreage, if any, made available from the national reserve provided for by section 353(a) of the Act, minus any balance which is held in reserve for new producers, appeals, corrections, and missed producers.

§ 730.74 Mailing of notices of allotments for farms to which producer allotments have been allocated.

An official notice of the farm allotment established for a farm in accordance with § 730.73 shall be mailed by the county committee to the operator of the farm and to all other persons who will be engaged in the production of rice on such farm in the current year. A copy of each notice approved shall be kept freely available in the county office for a period of not less than 30 calendar days. At the end of this period, the copies of the notices shall remain readily available for further public inspection.

§ 730.75 Release and reapportionment of producer rice allotments.

(a) *Release.* In a producer State or area, a producer may, not later than the applicable closing date, voluntarily release to the county committee all or any part of his producer allotment that will not be allocated to a farm in the current year, except that the following producer allotments shall not be released:

(1) Producer allotment covered by a contract or agreement under the cropland conversion and cropland adjustment program; and

(2) The allotment established for any new producer. Any allotment released shall be deducted from the allotment established for the producer, but will be regarded as having been planted in the current year by the producer releasing the allotment if the producer is otherwise eligible for an old producer allotment. Any part of a producer's allotment which the producer does not allocate to his farm by reason of a field-size adjustment under § 730.72(c) shall, upon request of the producer be considered as released allotment under this paragraph. The closing

date for releasing producer rice allotment shall be the dates set forth in Part 731 of this subchapter (37 FR 28124).

(b) *Request for increase.* To be eligible for an increase in farm allotment from released allotment a written request must be filed by the applicant on or before the applicable release date: *Provided,* That a verbal request submitted on or before such date may be accepted where the county committee determines that the applicant was prevented from making a written request by conditions beyond his control. In either event, only those farms for which a request is timely made shall be given consideration when reapportioning released allotment to farms in the State or area.

(c) *Reapportionment.* Producer allotment released to the county committee in accordance with paragraph (a) of this section may be reapportioned by the county committee to other producers (old or new) in the same county by whom a request for increase in allotment has been timely made. Apportionments shall be made in amounts determined to be fair and reasonable on the basis of the production of rice by the producer during the 5 years immediately preceding the current year; previous allotments established for the producer; abnormal conditions affecting acreage; labor, water, and equipment available for the production of rice; crop-rotation practices; and the soil and other physical factors affecting the production of rice. The closing date for reapportionment of allotment released in each producer State or area shall be the date set forth in Part 731 of this subchapter (37 FR 28124).

(d) *Approval for State committee.* The release and reapportionment of allotments under this section shall be effective upon approval of a representative of the State committee.

§ 730.76 Succession of interest in producer allotments.

(a) *Conditions for withdrawal from the production of rice.*

(1) If a producer dies or withdraws from the production of rice, his allotment and related history acreages during the applicable base period may be transferred under the provisions of this section to another person or persons: *Provided,* That if a producer has a contract or agreement under a land use adjustment program in effect on a farm to which he allocated rice allotment that was planted during the 2 years prior to entering into such contract or agreement and he is currently receiving a payment under such program, his producer rice allotment and related history shall not be available for transfer under the provisions of this section for the duration of such contract or agreement unless such contract or agreement is modified or terminated as provided under regulations applicable to the land use adjustment programs: *Provided further,* That a person for whom a new producer allotment is approved shall be engaged in the production of rice in at least four out of the next 5 years following approval before his allotment for the current year becomes available for transfer under the provisions of paragraph (b)(2), (3), or (4) of this section.

(2) Each such transfer under this section shall be contingent upon furnishing in writing on or before April 1 of the current year all pertinent information requested by the county committee. Each such transfer will be subject to the approval of the county committee and a representative of the State committee. The transferor's signature date shown on the notice of withdrawal shall be the effective date of the transfer: *Provided,* That the county committee and a representative of the State committee find that the conditions applicable to the transfer of allotment under this section have been met. If it is found that any of the required conditions has not been met, the notice of withdrawal shall be canceled and the interested producers shall be so notified in writing showing reasons for cancellation of the transfer of allotment.

(3) If a producer failed to file an application for transfer of allotment and related history acreage on or before April 1 because of (i) physical reasons beyond his control, (ii) an error on the part of an employee of the county or State committee, or (iii) failure of an employee of the county or State committee to furnish, upon request, full information relating to transfers, an application accompanied by his written certification giving his reasons for failure to file previously may be accepted for further consideration. Any application filed after April 1 of the current year shall be considered for approval in the same manner as applications for the allocation of producer allotment to farms filed under the provisions of paragraph (b) of 730.72.

(b) *Withdrawal provisions.* (1) If a producer dies, his current allotment and related rice history acreage during the applicable base period shall be apportioned in whole or in part among his heirs or devisees according to the extent to which they may continue or have continued, his farming operations. The heirs or devisees, or their representatives, shall furnish the county committee in writing at the earliest possible date the names and addresses of the heirs or devisees and the extent each will continue the farming operations of the deceased. The percentage of the total allotment of the deceased that each will receive shall be determined on the basis of the information furnished by the heirs or advisees and any other pertinent information. The rice history acreages credited to the deceased during the applicable base period shall be divided among the heirs or devisees in the same proportion that the allotment is divided.

(2) If a producer withdraws in whole or in part from the production of rice in favor of a member or members of his family who will succeed to his farming operations, that portion of his current allotment and related rice history acreage during the applicable base period as may be ascribed to such withdrawal, may be transferred to such family member or members. For the purpose of paragraph (b)(2) of this section, a member of the transferor's family shall be limited to the transferor's spouse (including a divorced spouse if the transfer is made in connection with the divorce proceedings), father, mother, brother, sister, son, daughter, brother-in-law, son-in-law, grandson, granddaughter, nephew, niece, or any other relative who would be entitled to succeed to the transferor's estate upon death, intestate, according to the laws of the State in which the transferor resides. The transferor shall furnish the county committee in writing at the earliest practicable date, the names and addresses of the transferees, their relationship to him and the extent to which he is to be succeeded in his farming operations by them. The current allotment and related rice history acreages credited to the transferor during the applicable base period shall be divided among the transferor, when applicable, and the transferees in accordance with the transferor's request.

(3)(i) If a producer permanently withdraws from the production of rice as provided in this subparagraph (3), his allotment current at the time of such withdrawal and related rice history acreage during the applicable base period may be transferred to another producer or producers who have had previous rice producing experience, provided the transferee or transferees acquire, except for land, the transferor's entire rice farming operation, including rice production and harvesting equipment and irrigation equipment not permanently attached to the land, except such equipment which will be used by the transferor for farming operations other than rice production, as determined by the county committee with the concurrence of the State committee. The transferor at the earliest practicable date shall inform the county committee in writing of his intention to withdraw from the production of rice and the crop year for which the withdrawal is to become effective. He shall also furnish the names and addresses of the persons who will succeed him in his rice farming operations and the percentage of his current allotment that each person is to receive. The related rice history acreages credited to the transferor during the applicable base period shall be divided among the transferees in the same proportions that the allotment is divided. To qualify as having had previous rice producing experience as referred to in this subparagraph (3), the transferee must have actually participated in producing, harvesting, and marketing one or more crops of rice as a producer.

(ii) In order for the transfer to remain effective, the transferee must actually plant or cause to be planted at least 90 percent of his producer allotment (after release and before reapportionment), including the allotment determined on the basis of the rice history acreage acquired from the transferor, for at least three out of the next 4 years following the transfer. If the transferee fails to comply with this minimum planting provision, the transfer shall become invalid and the

county committee shall reduce the transferee's allotment, for the crop year immediately following the year of such failure, by the percentage that the acquired acreage is of the allotment, including the acquired acreage for which there is failure to comply, established for the producer for the year of acquisition. The rice history acreages credited to the transferee for each year of the period the transfer was in effect shall be reduced by the same percentage that the allotment is reduced.

For the purpose of paragraph (b)(2)(ii) of this section, the term transferee shall include the person or persons who are the successor(s) in interest to the transferee's producer allotment under paragraphs (b)(1), (2), and (4) of this section, and the successor corporation where a corporate transferee is merged or consolidated with another corporation.

(4) If a partnership is dissolved, the partnership's current allotment and related history of rice production shall be divided among the partners in such proportion as agreed upon in writing by the partners or if the partners are unable to agree, among the partners in the same proportion that each partner had an interest in the partnership: *Provided*, That if a partnership was formed in a year in which allotments were in effect and is dissolved in less than three consecutive crop years after the partnership became effective, the allotment established for the partnership and rice history acreage credited to the partnership for each of the years during its existence shall be divided among the partners in the same proportion that each partner contributed to the allotment established for the partnership at the time such partnership was formed and the rice history acreage credited to the partnership for the remaining years of the applicable base period shall revert to the person to whom it was originally credited.

(c) *Conditions for reentry into the production of rice.* A producer who withdraws in whole from the production of rice under the provisions of paragraph (b)(2) and (b)(3) of this section, or who transfers his entire interest in the production of rice to the remaining partner(s) under the provisions of paragraph (b)(4) of this section when the partnership is dissolved, shall not be eligible for a producer allotment for any years subsequent to such transfer, except to the extent that he may become eligible for an allotment on the basis of rice history acquired in a year (subsequent to the transfer) for which rice allotments are not in effect: *Provided*, That a producer who has withdrawn from the production of rice as provided in paragraph (b)(2) or (4) of this section may become a rice producer and reenter the production of rice as provided in paragraph (b)(1) or (2) of this section: *Provided, further*, That a producer who has withdrawn from the production of rice under the provisions of paragraph (b)(3) of this section may acquire allotment and related history acreage from a partnership in which he is a partner when such partnership is dissolved as provided in paragraph (b)(4) of this section.

Farm Allotments Based on Past Production of Rice on Farms

§ 730.77 Report of farm data.

In a farm State, each producer, to the extent that such information is found necessary and is not already available to the county committee, shall furnish the county committee of the county in which such farm is located, information requested by the county committee relative to changes in operations or control of the farm, size of the farm, or changes in the acreage of cropland on the farm. Information not so furnished shall be determined or appraised by the county committees on the basis of records in the county offices, available production and sales records, and other available information.

§ 730.78 Establishment of preliminary allotments for old farms.

(a) *Basic factors.* In a farm State, the past production of rice on farms and the allotments previously established for such farms; abnormal conditions affecting acreage; land, labor, and equipment available for the production of rice; crop-ratation practices; and the soil and other physical factors affecting the production of rice are the factors for apportioning the State allotment among counties and less appropriate reserves, to farms on which history acreage has been determined for the farm in any one or more of the 5 calendar years immediately preceding the year for which the allotment is determined. Taking these factors into consideration, the county committee shall, with the approval of the State committee or its representatives, establish a rice allotment for the current year for each old farm in the county in accordance with § 730.79. Prior to establishing such allotments the county committee shall determine for each old farm the planted and considered planted acreage of rice and the rice history acreage for the year immediately preceding the year for which the allotment is to be established. *Provided*, That no preliminary allotment will be established for a farm when the county committee determines that the cropland on the farm has been retired from agricultural production and was not and could not have been acquired under the right of eminent domain by the person or agency, if any, that acquired it.

(b) *Farm planted and considered planted acreage.* The farm planted and considered planted acreage is the farm rice acreage determined in accordance with Part 718 of this chapter, including any prevented planting credit determined thereunder, plus any allotment acreage:

(1) Preserved under the provisions of Part 719 of this chapter.

(2) Underplanted in the current year to deplete stored excess produced in a prior year as provided in this Part 730.

(c) *Farm rice history acreage.* The farm rice history acreage is:

(1) For a farm consisting of federally owned land, the allotment determined under § 730.79.

(2) For a farm other than one consisting of federally owned land, the allotment determined under § 730.79: *Provided*, That in the current year or either of the 2 preceding years the planted and considered planted acreage for the farm is 75 percent or more of the allotment determined under § 730.79 minus any released acreage for such year.

(3) For a farm other than one consisting of federally owned land and when the provisions of paragraph (c)(2) of this section are not applicable, the planted and considered planted acreage as determined for the farm under paragraph (b) of this section plus any released acreage.

(4) Notwithstanding any other provisions of this paragraph (c), the rice history acreage determined for any farm shall not exceed the allotment determined under § 730.79.

(d) *Recommended farm preliminary allotment.* If the farm rice history acreage as determined under paragraph (c) of this section is:

(1) 75 percent or more of the allotment determined under § 730.79, such allotment will become the preliminary allotment for the following year.

(2) Less than 75 percent of the allotment determined under § 730.79, the preliminary allotment for the following year will be the average of the allotment determined under § 730.79 and the farm rice history acreage for the year for which the allotment is determined.

(3) If a definitely established crop-rotation system is being carried out on a farm and the preliminary allotment does not represent anticipated plantings for the current year because of a definitely established crop-rotation system, the preliminary allotment may be adjusted by the county committee taking into consideration annual county apportionment factors.

(i) For a farm due for an increase under the rotation system, the adjusted preliminary allotment for the farm shall not be greater than the largest allotment established for the farm during the 5-year base period.

(ii) For a farm due for a decrease under the rotation system, the adjusted preliminary allotment for the farm shall not be less than the smallest allotment established for the farm during the 5-year base period.

§ 730.79 Determination of allotments for old farms.

(a) *Apportioning allotment.* The preliminary allotments of rice determined under § 730.78, adjusted pro rata to the county allotment minus the reserve of not to exceed 5 per centum of the county allotment for appeals and corrections, missed farms, and adjustments, shall be the allotments for old farms. If, as a result of corrections, the total acreage allotted to farms in any county for which corrections are made is less than the total acreage originally allotted to such

farms, such difference in acreage shall be added to such county reserve without regard to the limitation thereon.

(b) *Adjustment for small allotments.* The allotment determined for any farm under paragraph (a) of this section may be increased if the county committee determines that the allotment is small in relation to allotments for other old farms in the county on the basis of the crop-rotation practices; the land, labor, water, and equipment available for the production of rice and the soil and other physical factors affecting the production of rice; taking into consideration the acreage required for the economic operation of the farm and the acreage available for such increases: *Provided,* That such increased allotments shall not exceed the allotments determined for other farms which are similar with respect to the factors set forth above. The acreage used in any county for increasing allotments under this paragraph shall not exceed the reserve acreage referred to in paragraph (a) of this section.

(c) *Adjustment for inadequate allotments.* The allotment determined for any farm under paragraph (a) or (b) of this section may be increased if the county committee determines that such allotment is inadequate for the farm because of an insufficient county allotment or because rice was not planted on the farm during all of the preceding 5 years, taking into consideration the land, labor, water, and equipment available for the production of rice and the acreage required for the economic operation of the farm: *Provided,* That the total of such increases in allotments under this paragraph shall not exceed the acreage made available to the county from the national reserve provided for by section 353(a) of the Act.

§ 730.80 Determination of allotments for new farms.

(a) *Written application.* In a farm State in which a new farm reserve is held the State committee with the assistance of the county committee shall establish a rice allotment for the current year for each eligible new farm application timely filed in writing by the owner or operator on or before February 15 of the year for which the new farm allotment is requested.

(b) *Eligibility requirements for owner or operator.* To be eligible for an allotment as a new farm, the operator or owner shall timely file his application for an allotment and shall establish to the satisfaction of the county committee that:

(1) *Interest in another farm.* Neither the owner nor the operator of the farm covered by the application owns or operates any other farm in the United States for which a rice allotment is established for the current crop year.

(2) *Availability of equipment and facilities.* The operator owns, or otherwise has readily available, adequate equipment and irrigation water necessary for the production of rice on the farm.

(3) *Income requirement.* The operator must expect to obtain during the current year more than 50 percent of his income from the production of agricultural commodities or products from farming.

(i) *Computing operator's income.* The following shall be considered in computing operator's income:

(A) *Income from farming.* Income from farming shall include the estimated return from home gardens, livestock and livestock products, poultry, or other agricultural products produced for home consumption or other use on the farm. Do not include estimated return from the production of any requested new rice farm base acreage allotment.

(B) *Income from nonfarming.* Nonfarming income shall include but shall not be limited to salaries, commissions, pensions, social security payments, and unemployment compensations.

(C) *Spouse's income.* The spouse's farm and nonfarm income shall be used in the computation.

(ii) *Operator a partnership.* If the operator is a partnership, each partner must expect to obtain more than 50 percent of his current year income from farming.

(iii) *Operator a corporation.* If the operator is a corporation, it must have no major corporate purpose other than ownership or operation of the farm. Farming must provide its officers and general manager with more than 50 percent of their expected income. Salaries and dividends from the corporation shall be considered as income from farming.

(iv) *Special provision for low-income farmers.* The county committee may waive the income provisions in this section provided the county committee determines that the farm operator's income, from both farm and nonfarm sources, will not provide a reasonable standard of living for the operator and his family, and a State committee representative approves such action. In waiving the income provisions the county committee must exercise good judgment to see that such determination is reasonable in the light of all pertinent factors, and that this special provision is made applicable only to those who qualify. In making such determination, the county committee shall consider such factors as size and type of farming operations, estimated net worth, estimated gross family farm income, estimated family off-farm income, number of dependents, and other factors affecting the individual's ability to provide a reasonable standard of living for himself and his family.

(c) *Eligibility requirements for the farm.* The eligibility requirements for the farm are as follows:

(1) *Available land, type of soil, and topography.* The available land, type of soil, and topography of the land on the farm must be suitable for rice production.

(2) *Entire allotment designated by owner for a reconstitution.* A farm which includes land which has no rice acreage allotment because the owner did not designate an allotment for such land when the parent farm was reconstituted pursuant to Part 719 of this chapter shall not be eligible for a new rice acreage allotment for a period of 5 years beginning with the year in which the reconstitution became effective.

(3) *Eminent domain.* A farm which includes land acquired by an agency having the right of eminent domain for which the entire rice acreage allotment was pooled pursuant to Part 719 of this chapter, which is subsequently returned to agricultural production shall not be eligible for a new rice acreage allotment for a period of 5 years from the date the former owner was displaced.

(d) *Individual farm allotment limitations.* The allotment determined for any new farm shall not exceed the smallest of (1) the preliminary allotment establishment § 730.78 for old rice farms in the county which are similar except for the acreage planted to rice on such farms during the base period, (2) the allotment requested by the applicant, or (3) the acreage of rice intended to be planted on the farm in the current year; *Provided,* That if the acreage planted to rice on the farm in the current year is less than 75 percent of the allotment established under this section, the allotment for the farm shall be reduced to the acreage actually planted to rice on the farm. The acreage resulting from any such allotment reduction in each county shall be transferred for accounting purposes to the reserve for appeals and corrections, missed farms, and adjustments as provided for under § 730.79.

(e) *Total new farm allotments limited to reserve.* The sum of all new farm allotments established in any State or area, as applicable, in accordance with the provisions of this section shall not exceed the reserve made available by the State committee for new farms in the State or area, as applicable, and such reserve shall not exceed 3 percent of the applicable State or area allotment. Any part of such reserve that is not used for the establishment of new farm allotments shall remain in the new farm reserve for the current year and may not be used for any other other purpose.

(f) *No State or area reserve.* Requests for new farm allotments shall not accepted for any year for a State or area for which no new farm reserve has been held by the State committee.

(g) *Cancellation of new rice farm allotment for misrepresentation.* If a new farm allotment is established and it is later determined by the county committee that the applicant unknowingly furnished incomplete or inaccurate information the allotment shall be canceled, effective for the next crop year. If it is determined that the applicant knowingly furnished incomplete or inaccurate information and the State committee concurs in the county committee determination, the allotment shall be canceled as of the date issued. The applicant shall be notified of the action taken in either case.

§ 730.81 Mailing of farm allotment notices.

Notice of the farm allotment shall be mailed to the operator of the farm and to each other producer on the farm who will have an interest in the rice crop on the farm in the current year. Such notice shall bear the actual or facsimile signature of a member of the county committee. The facsimile signature may be affixed by a county committeeman or by an employee of the county office. Insofar as practicable, all allotment notices in the county shall be mailed on the same date and in time to be received prior to the date on which the referendum to determine whether farmers favor or oppose farm marketing quotas will be held. A copy of each such notice approved shall be kept freely available in the county office for a period of not less than 30 calendar days. At the end of such period, the copies of the notices shall remain readily available for further public inspection.

§ 730.82 Allotment for farms divided or combined.

The allotment determined for a farm shall, if there is a division or combination, be apportioned in accordance with Part 719 of this chapter, Reconstitution of Farms, Allotments, and Bases.

§ 730.83 Farms removed from agricultural production because of acquisition by Federal, State, or other agency having right of eminent domain.

The allotment determined for a farm shall, if the farm is acquired for any purpose other than for the continued production of allotted crops by any Federal, State, or other agency having the right of eminent domain, become available for use in providing allotments for other farms owned by the owner so displaced, and such apportionment shall be made in accordance with Part 719 of this chapter, Reconstitution of Farms, Allotments, and Bases.

§ 730.84 Release and reapportionment of farm rice allotments.

(a) *Release.* In a farm State or area, the operator of the farm, may not later than the applicable closing date, voluntarily release to the county committee all or any part of the farm allotment that will not be planted in the current year, except that the following farm allotments shall not be released:

(1) Farm allotment covered by a contract or agreement under the cropland conversion and cropland adjustment programs;

(2) The allotment established for any new farm;

(3) The allotment established for any farm consisting solely of federally owned land with a restrictive lease prohibiting the planting of rice; and

(4) The allotment for any farm for which the farmowner has filed a written objection to the release at the office of the county committee prior to the release closing date.

In the case of a pooled allotment established for a farm acquired under the right of eminent domain, the displaced owner may release such allotment. Any allotment released shall be deducted from the allotment established for the farm, but will be regarded as having been planted in the current year if the farm is otherwise eligible for an old farm allotment. The closing date in each farm State or area for releasing farm rice allotment shall be the date set forth in Part 731 of this subchapter (37 FR 28125).

(b) *Request for increase.* To be eligible for an increase in farm allotment from released allotment a written request must be filed by the applicant on or before the applicable release date: *Provided,* That a verbal request submitted on or before such date may be accepted where the county committee determines that the applicant was prevented from making a written request by conditions beyond his control. In either event, only those farms for which a request is timely made shall be given consideration when reapportioning released allotment to farms in the State or area.

(c) *Reapportionment.* Farm allotment released to the county committee in accordance with paragraph (a) of this section may be reapportioned by the county committee to other farms (old or new) in the same county for which requests for increases in allotments have been timely made. Reapportionments shall be made in amounts determined to be fair and reasonable on the basis of the production of rice on the farm during the 5 years immediately preceding the current year; previous allotments established for the farm; abnormal conditions affecting acreage; land, labor, water, and equipment available for the production of rice; crop-rotation practices; and the soil and other physical factors affecting the production of rice. The closing date for reapportionment to farms of allotment released in each farm State or area shall be the dates set forth in Part 731 of this subchapter (37 FR 28124).

(d) *Approval.* The release and reapportionment of allotments under this section shall be effective upon approval of a representative of the State committee.

MISCELLANEOUS

§ 730.85 Right to appeal farm allotment.

(a) *Marketing quotas in effect.* If marketing quotas are in effect for the current year, any producer who is dissatisfied with the farm rice allotment established for the farm on which he will be engaged in the production of rice in the current year may appeal such farm allotment in accordance with Part 711 of this chapter, Marketing Quota Review Regulations, and any amendments thereto.

(b) *Marketing quotas not in effect.* If marketing quotas are not in effect for the current year, any producer who is dissatisfied with the farm rice allotment established for the farm on which he will be engaged in the production of rice in the current year may request reconsideration of such farm allotment in accordance with Part 780 of this chapter, Appeal Regulations, and any amendments thereto.

§ 730.86 Applicability of regulations.

(a) *Coverage.* The regulations in this subpart shall govern the establishment of farm and producer rice allotments in connection with the marketing quota and price support programs for the current year.

(b) *Contingency.* The regulations in this subpart are contingent upon the annual proclamation of a national acreage allotment of rice for the current year by the Secretary pursuant to section 353 of the Act.

§ 730.87 Approval of reporting and recordkeeping requirements.

The reporting and recordkeeping requirements contained herein have been approved by, and subsequent reporting and recordkeeping requirements will be subject to the approval of the Office of Management and Budget in accordance with the Federal Reports Act of 1942.

Effective date: March 8, 1974.

Signed at Washington, D.C. on February 27, 1974.

GLENN A. WEIR,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[FR Doc.74-5382 Filed 3-7-74;8:45 am]

[Lemon Reg. 629]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

This regulation fixes the quantity of California-Arizona lemons that may be shipped to fresh market during the weekly regulation period March 10–16, 1974. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 910. The quantity of lemons so fixed was arrived at after consideration of the total available supply of lemons, the quantity of lemons currently available for market, the fresh market demand for lemons, lemon prices, and the relationship of season average returns to the parity price for lemons.

§ 910.929 Lemon Regulation 629.

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

hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act.

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

(i) The committe has submitted its recommendation with respect to the quantity of lemons it deems advisable to be handled during the ensuing week. Such recommendation resulted from consideration of the factors enumerated in the order. The committee further reports the demand for lemons continues about unchanged from last week—strong on 200's and smaller lemons, with continued improvement on 140's and larger sizes. Average f.o.b. price was $5.51 per carton the week ended March 2, 1974 compared to $5.38 per carton the previous week. Track and rolling supplies at 120 cars were unchanged from last week.

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

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on March 5, 1974.

(b) *Order.* (1) The quantity of lemons grown in California and Arizona which may be handled during the period March 10, 1974, through March 16, 1974, is hereby fixed at 230,000 cartons.

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

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

Dated: March 6, 1974.

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

[FR Doc.74–5556 Filed 3–7–74;8:45 am]

[Navel Orange Reg. 315]

PART 907—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

This regulation fixes the quantity of California-Arizona Navel oranges that may be shipped to fresh market during the weekly regulation period March 8–14, 1974. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 907. The quantity of Navel oranges so fixed was arrived at after consideration of the total available supply of Navel oranges, the quantity currently available for market, the fresh market demand for Navel oranges, Navel orange prices, and the relationship of season average returns to the parity price for Navel oranges.

§ 907.615 Navel Orange Regulation 315.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 907, as amended (7 CFR Part 907), regulating the handling of Navel oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Navel Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Navel oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

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

(i) The committee has submitted its recommendation with respect to the quantities of Navel oranges that should be marketed during the next succeeding week. Such recommendation, designed to provide equity of marketing opportunity to handlers in all districts, resulted from consideration of the factors enumerated in the order. The committee further reports that the fresh market demand for Navel oranges is unsettled. Prices f.o.b. averaged $3.67 a carton on a reported sales volume of 1,505 carlots last week, compared with an average f.o.b. price of $3.77 per carton and sales of 1,381 carlots a week earlier. Track and rolling supplies at 712 cars were down 50 cars from last week.

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

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Navel oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation for regulation together with its supporting information has been submitted by the committee, however, the Secretary has modified the recommendation to provide for the shipment of a greater quantity of Navel oranges, retaining the same effective date, and such information is being disseminated among handlers of such Navel oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on March 5, 1974.

(b) *Order.* (1) The respective quantities of Navel oranges grown in Arizona and designated part of California which may be handled during the period March 8, 1974, through March 14, 1974, are hereby fixed as follows:

(i) District 1: 1,575,000 cartons;

(ii) District 2: 175,000 cartons;

(iii) District 3: Unlimited movement.

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

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

Dated: March 7, 1974.

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

[FR Doc.74–5625 Filed 3–7–74;11:36 am]

Proposed Rules

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rulemaking prior to the adoption of the final rules.

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[25 CFR Part 162]

CERTAIN INDIAN RESERVATION ROADS AND BRIDGES

Proposed Construction and Maintenance

This notice is published in exercise of authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs by 230 DM 2 (32 FR 13938).

Notice is hereby given that it is proposed to revise §§ 162.1 through 162.9 of Part 162, Subchapter O, Chapter I, of Title 25 of the Code of Federal Regulations. This revision is proposed pursuant to the authority contained in the Act of May 26, 1928 (45 Stat. 750, 25 U.S.C. 318a).

The purpose of the revision is to update the regulations for constructing roads by the Bureau of Indian Affairs. Significant items are as follows:

1. Section 162.2 is revised to include the new definition of "Indian Reservation Roads and Bridges" as set forth in the 1973 Federal-Aid Highway Act. Also included is the new title of the Indian Road System which is the "Federal-Aid Indian Road System" as agreed to by a Memorandum of Agreement between the Bureau of Indian Affairs and the Federal Highway Administration.

2. Section 162.4a is added to describe the procedure for selecting road projects to be constructed under the regulations of this part.

3. Section 162.5 is revised to clarify the procedures for obtaining the necessary right-of-way for roads constructed under the regulations in this part.

4. Section 162.5a is added to clarify the authority for performing road construction and road maintenance work by the force account method.

5. The material in § 162.6 is added to set forth the Bureau's policy for maintaining roads on Indian lands.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments, suggestions, or objections regarding the proposed revision to the Commissioner, Bureau of Indian Affairs, Washington, D.C. 20245, on or before April 8, 1974.

A proposal to revise § 162.2 was published on page 3958 of the January 31, 1974, FEDERAL REGISTER (39 FR 3958). The purpose of this proposed revision was to provide a definition of the term "Superintendent" as used in the regulations. The public was given until March 4, 1974, to submit written comments, suggestions, or objections regarding the proposed revision to the Commissioner, Bureau of Indian Affairs. The proposed revision of adding the definition of the term "Superintendent" § 162.2 has been included in the proposed revision of § 162.2 given below. Therefore, the deadline for the public to submit written comments, suggestions, or objections regarding the proposed revision to add the definition of the term "Superintendent" to § 162.2 is extended to on before April 8, 1974.

It is proposed to add a new subheading "Construction and Maintenance of Roads" and to revise §§ 162.1–162.9 of Part 162, Chapter I of Title 25 of the Code of Federal Regulations to read as follows:

PART 162—ROADS OF THE BUREAU OF INDIAN AFFAIRS

CONSTRUCTION AND MAINTENANCE OF ROADS

Sec.

162.1 Purpose.
162.2 Definitions.
162.3 Construction and improvement.
162.4 Approval of road construction activities.
162.4a Selection of road construction projects.
162.5 Right-of-way.
162.5a Employment of Indians.
162.6 Maintenance of Indian roads.
162.6a Contributions from tribes.
162.7 Cooperation with States.
162.8 Use of roads.
162.9 Roadless and wild areas.

AUTHORITY: Act of May 26, 1928 (45 Stat. 750, 25 U.S.C. 318a)

CONSTRUCTION AND MAINTENANCE OF ROADS

§ 162.1 Purpose.

The regulations in this part govern the planning, design, construction, maintenance and general administration of certain Indian reservation roads and bridges.

§ 162.2 Definitions.

As used in this part:

(a) "Secretary" means the Secretary of the Interior or his authorized representative.

(b) "Superintendent" means the Agency Superintendent at all locations with the exception that at the Navajo Reservation this term shall mean the Area Director or his designated representative.

(c) "State" means a state or territory or political subdivision thereof.

(d) "Indian Reservation Roads and Bridges" means roads and bridges that are located within or provide access to an Indian reservation or Indian trust land or restricted Indian land which is not subject to fee title alienation without the approval of the Federal Government, or Indian and Alaska Native villages, groups or communities in which Indians and Alaskan Natives reside, whom the Secretary of the Interior has determined are eligible for services generally available to Indians under Federal laws specifically applicable to Indians.

(23 U.S.C. 101)

(e) "Indian and Alaskan Native villages, groups or communities in which Indian or Alaska Natives reside" means villages, groups or communities or portions of villages, groups or communities in which the majority of the residents are Indians or Alaska Natives.

(f) "Federal-Aid Indian Road System" means those Indian reservation roads and bridges for which no other Federal-aid funds are available and that are jointly designated by the Bureau of Indian Affairs and the Federal Highway Administration.

§ 162.3 Construction and improvement.

Subject to the availability of appropriations therefor and any other contribution of State or Indian tribal funds, the Secretary shall plan, survey, design and construct roads on the Federal-Aid Indian Road System to provide an adequate system of road facilities on Indian lands.

§ 162.4 Approval of road construction activities.

The Secretary of Transportation or his authorized representative shall approve the location, type, and design of all projects for Indian reservation roads and bridges before any construction expenditures are made. All such construction shall be under the general supervision of the Secretary of Transportation or his authorized representative.

(23 U.S.C. 208)

§ 162.4a Selection of road construction projects.

Bureau of Indian Affairs road engineers responsible for the planning, surveys and design shall keep tribal roads officials informed of all technical information relating to the project alternatives of proposed road developments. The Secretary shall recommend to the tribe those proposed road projects having the greatest need as determined by the comprehensive transportation analysis. Subject to the approval of the Secretary, the annual selection of road projects for construction shall be performed by tribes.

Roads serving private homes, private sectarian schools, or any other similar nonpublic roads are not eligible for construction under this part.

§ 162.5 Right-of-way.

(a) The procedures for obtaining permission to survey and for granting any necessary right-of-way are governed by Part 161 of this chapter. Tribal consent as required under § 161.3(a) of this chapter may be by public dedication where proper tribal authority exists. Before any work is undertaken for the construction of road projects, the Secretary shall obtain the written consent of the Indian landowners. Where an Indian has an interest in tribal land by virtue of being an authorized user of tribal lands, such consent shall be obtained from both the authorized user and the Indian tribe. The right-of-way easements are to be on a form approved by the Secretary.

(b) If it appears that the road might be transferred to the tribe, the county or the state within 10 years, then before such construction is undertaken, right-of-way easements for the project shall be obtained in favor of the United States, its successors and assigns, with the right to construct, maintain, and repair improvements, thereon and thereover, for such purposes and with the further right in the United States, its successors and assigns, to transfer the right-of-way easements by assignment, grant or otherwise.

§ 162.5a Employment of Indians.

The Indian road program shall be administered in such a way as to provide training and employment of Indians. The Secretary may contract with tribes and Indian-owned construction companies, or the Secretary may purchase materials, obtain equipment and employ Indian labor in the construction and maintenance of roads.

(36 Stat. 861; 78 Stat. 241, 253; 78 Stat. 257)

§ 162.6 Maintenance of Indian roads.

The administration and maintenance of Indian roads is basically a function of the local Government. Subject to the availability of funds, the Secretary shall administer and maintain, or may contract with the local tribal government for the administration and maintenance of, approved roads on the Federal-Aid Indian Road System. Road maintenance funds may also be used to maintain roads not on the Federal-Aid Indian Road System: *Provided*, That such roads meet the definition of "Indian reservation roads and bridges" and are approved by the Secretary.

§ 162.6a Contributions from tribes.

The Secretary may enter into agreements with an Indian tribe for a contribution from its tribal funds for the construction or maintenance of roads governed by regulations of this part. However, the tribe must be able to make such contributions without undue impairment of the necessary tribal functions.

§ 162.7 Cooperation with States.

As the construction and maintenance of roads by a State is normally financed from revenues collected from gasoline taxes to which Indians are subject, the Secretary may enter into an agreement with the state of jurisdiction for cooperation in the construction of roads and for participating in the maintenance of roads, especially so at those locations where road projects serve non-Indian land as well as Indian land.

(23 U.S.C. 203d; 23 U.S.C. 308a)

§ 162.8 Use of roads.

Roads subject to the regulations in this part shall be open for free public use. When required for public safety, fire prevention or suppression, or fish or game protection, or to prevent damage to unstable roadbed, the Secretary may close them to public use.

§ 162.9 Roadless and wild areas.

Roads passable to motor transportation shall not be constructed under the regulations in this part within the boundaries of the roadless and wild areas established in Part 163 of this chapter.

MORRIS THOMPSON,
Commissioner of Indian Affairs.

MARCH 4, 1974.

[FR Doc.74-5395 Filed 3-7-74;8:45 am]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 1030]

MILK IN THE CHICAGO REGIONAL MARKETING AREA

Notice of Proposed Temporary Revision of Shipping Percentage

Notice is hereby given that, pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the provisions of § 1030.11(b)(6) of the order, the temporary revision of certain provisions of the order regulating the handling of milk in the Chicago Regional marketing area is being considered for the month of March 1974.

All persons who desire to submit written data, views, or arguments in connection with the proposed revision should file the same with the Hearing Clerk, Room 112-A, Administration Building, United States Department of Agriculture, Washington, D.C. 20250, on or before March 13, 1974. All documents filed should be in quadruplicate.

All written submisions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

The provisions proposed to be revised are the supply plant shipping percentage of 20 percent set forth in § 1030.11(b)(4) that is applicable during the months of January, February and March to a plant that was a pool plant during each of the preceding months of August through December; and in § 1030.11(b)(7)(iii), the shipping requirement of 10 percent applicable to each plant in a unit of two or more plants (as defined in § 1030.11(b)(7)) during the months of January, February and March. Pursuant to the provisions of § 1030.11(b)(6) the supply plant shipping percentages set forth in § 1030.11(b)(4) and § 1030.11(b)(7)(iii) shall be increased or decreased by up to 10 percentage points during the months of August-March, if necessary to obtain needed shipments or to prevent uneconomic shipments.

Central Milk Sales Agency (CMSA), a group of cooperative associations representing over 75 percent of the producers supplying the Chicago Regional market, requested that the Director of the Dairy Division investigate the need to reduce the supply plant shipping percentage for the month of March 1974. CMSA states that a downward revision of 10 percentage points in the supply plant shipping percentage and in the shipping percentage applicable to individual plants within a unit is necessary to prevent uneconomic shipments of milk during the month of March 1974.

To fulfill their fluid milk requirements, distributing plants obtain a major portion of their milk supplies from supply plants, since about 80 percent of the market's milk supply is assembled at supply plants. In recent months, however, Class I sales have been significantly below a year ago. In January, for instance, producer milk pooled as Class I was more than 4 percent below January 1973. Thus, there is a reduced demand for such supply plant milk in Class I use and a reduction in required shipments may, accordingly, be appropriate.

CMSA estimates that shipments of milk from supply plants to distributing plants in February are 16.9 percent below such shipments in January, and are more than 26 percent below such shipments in February 1973. It is expected, therefore, that the percentage of supply plant milk needed to be shipped to distributing plants from many supply plants during March 1974 will be less than the required 20 percent.

A reduction in the required shipments of supply plant milk during the month of March would allow greater flexibility in obtaining milk as among supply plants in the market and may prevent uneconomic movements of milk merely for purposes of pool plant qualification.

Therefore, it may be appropriate to reduce the aforementioned pool supply plant shipping percentages for the month of March 1974 to prevent uneconomic shipments.

Signed at Washington, D.C., on: March 6, 1974.

H. L. FOREST,
Director, Dairy Division.

[FR Doc.74-5563 Filed 3-7-74;9:34 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Parts 146, 164]

CERTIFICATION OF ANTIBIOTICS AND INSULIN; FINANCIAL RESPONSIBILITY OF AGENTS

Notice of Proposed Rule Making

The Federal Food, Drug, and Cosmetic Act provides for the collection of fees necessary to provide, equip, and maintain an adequate certification service with respect to insulin (21 U.S.C. 356) and antibiotic drugs (21 U.S.C. 357). Regulations promulgated under this act specify the manner in which such fees shall be collected and establish fees for the various services necessary for certification of insulin (21 CFR 164.10) and antibiotics (21 CFR 146.8). Occasionally the amount of advance fee payment estimated for certification services is insufficient to cover the actual services required for the certification procedures. With respect to requests for certification from foreign manufacturers, the Food and Drug Administration has on rare occasions found it difficult to collect certification fees where the firm goes out of business or otherwise discontinues certification services. Since regulations pertaining to the certification of insulin and antibiotics (21 CFR 164.2(a) and 146.2(a), respectively) specify that requests for certification from a foreign manufacturer be signed by such manufacturer and by an agent of such manufacturer who resides in the United States, Commissioner of Food and Drugs proposes that such an agent be financially responsible for certification services debts of the firm he represents.

In order to serve notice to foreign manufacturers and their agents regarding financial responsibility, the Commissioner proposes to amend Parts 146 and 164 (21 CFR 146 and 164) to specify that authorized agents of foreign manufacturers will be held accountable for all outstanding certification fees incurred by the foreign manufacturer.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 506, 507, 55 Stat. 851, as amended, 59 Stat. 463, as amended; (21 U.S.C. 356, 357)) and under authority delegated to the Commissioner (21 CFR 2.120), it is proposed that Parts 146 and 164 be amended as follows:

1. In § 146.2(a) by adding thereto a new sentence as follows:

§ 146.2 Requests for certification, check tests and assays, and working standards; information and samples required.

(a) * * * The agent will be held accountable for all outstanding certification fees incurred by the foreign manufacturer he represents, and, in signing the request for certification, the agent agrees to be financially responsible for any certification debts so incurred.

* * * * *

2. In § 164.2(a) by adding thereto a new sentence as follows:

§ 164.2 Requests for certification; samples; storage; approvals preliminary to certification.

(a) * * * The agent will be held accountable for all outstanding certification fees incurred by the foreign manufacturer he represents, and, in signing the request for certification, the agent agrees to be financially responsible for any certification debts so incurred.

* * * * *

Interested persons may on or before May 7, 1974, file with the Hearing Clerk, Food and Drug Administration, Room 6–86, 5600 Fishers Lane, Rockville, MD 20852, written comments (preferably in quintuplicate) regarding this proposal. Comments may be accompanied by a memorandum or brief in support thereof. Received comments may be seen in the above office during working hours, Monday through Friday.

Dated: March 1, 1974.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner for Compliance.

[FR Doc.74–5390 Filed 3–7–74;8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 74–NW–03]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the description of the Burley, Idaho Transition Area.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Operations, Procedures and Airspace Branch, Northwest Region, Federal Aviation Administration, FAA Building, Boeing Field, Seattle, Washington, 98108. All communications received on or before April 8, 1974 will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the office of the Regional Counsel, Northwest Region, Federal Aviation Administration, FAA Building, Boeing Field, Seattle, Washington 98108.

The holding pattern at Kinzie, Idaho Intersection has been changed to left turns in lieu of right turns. This change provides separation between the holding pattern and aircraft operating between Burley VORTAC and Richfield Intersection.

Additional 700 foot Transition Area is required to provide controlled airspace protection for aircraft in the Kinzie Intersection holding pattern.

In consideration of the foregoing, the FAA proposes the following airspace action:

In § 71.181 (39 FR 440) the description of the Burley, Idaho Transition Area is amended as follows:

BURLEY, IDAHO

"That airspace extending upward from 700 feet above the surface within 5.5 miles each side of the Burley VORTAC 121° radial extending from the VORTAC to 27 miles southeast of the VORTAC; within 5.5 miles each side of the Burley VORTAC 292° radial, extending from the VORTAC to 17 miles west of the VORTAC; within that airspace bounded on the southwest by a line parallel to and 9.5 miles southwest of the Burley VORTAC 323° radial, on the northwest by an arc of a 53-mile radius circle centered on Burley VORTAC, on the north by the north edge of V–500, on the east by a line parallel to and 4.5 miles east of Burley VORTAC 344° radial; and within 2.5 miles southeast and 6 miles northwest of the 036° bearing from Burley Municipal Airport, extending 9.5 miles northeast of the Burley Municipal Airport . . ." the remainder of the description remains as published.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1348(a)), and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Seattle, Washington on February 22, 1974.

J. H. TANNER,
Acting Director, Northwest Region.

[FR Doc.74–5365 Filed 3–7–74;8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 74–SO–17]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Hazlehurst, Ga., transition area.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Federal Aviation Administration, Southern Region, Air Traffic Division, P.O. Box 20636, Atlanta, Ga. 30320. All communications received on or before April 8, 1974 will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Airspace and Procedures Branch. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the

record for consideration. The proposal contained in this notice may be changed in light of comments received.

The official docket will be available for examination by interested persons at the Federal Aviation Administration, Southern Region, Room 645, 3400 Whipple Street, East Point, Ga.

The Hazlehurst transition area described in § 71.181 (39 FR 440) would be amended as follows:

"* * * north of the VORTAC * * *" would be deleted and "* * * north of the VORTAC; within 3 miles each side of the 318° bearing from Hazlehurst RBN (latitude 31°52'51" N, longitude 82°38'53" W), extending from the 6-mile radius area to 8.5 miles northwest of the RBN * * *" would be substituted therefor.

The proposed alteration is required to provide controlled airspace protection for the new NDB instrument approach procedure to Hazlehurst Airport, utilizing the Hazlehurst (private) Nondirectional Radio Beacon.

This amendment is proposed under the authority of sec. 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a)) and of sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in East Point, Ga., on February 28, 1974.

PHILLIP M. SWATEK,
Director, Southern Region.

[FR Doc.74-5366 Filed 3-7-74;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 210]

PRIOR NOTICE OF CITIZEN SUITS

Proposed Procedures for Giving Notice of Civil Actions

Section 12 of the Noise Control Act of 1972 (Pub. L. 92-574) authorizes any person to commence a civil action against (1) any person alleged to be in violation of any noise control requirement (as defined in section 12(f) of the Noise Control Act) or (2) the Administrator of the Environmental Protection Agency, where there is alleged a failure of the Administrator to perform any nondiscretionary act or duty under the Act, or, (3) the Administrator of the Federal Aviation Administration where there is alleged a failure of the Administrator to perform any nondiscretionary act or duty under section 611 of the Federal Aviation Act of 1958 (49 U.S.C. 1431).

No action may be commenced pursuant to section 12 prior to 60 days after the plaintiff has given notice of the action to the Administrator of the Environmental Protection Agency, to any alleged violator, and to the Administrator of the Federal Aviation Administration in the case of a violation of section 611 of the Federal Aviation Act. Section 12(b) directs the Administrator of EPA to prescribe by regulation the manner in which such notices shall be given.

Part 210, as proposed below, prescribes the manner in which such notices shall be given. Interested persons may submit written comments on the proposed regulations, in triplicate, to the Administrator, Environmental Protection Agency, 401 M Street SW., Washington, D.C. 20460. All relevant comments received on or before April 8, 1974 will be considered. The regulations, modified as the Administrator deems appropriate after consideration of the comments, will be effective upon the date of their republication in the FEDERAL REGISTER. Pending final promulgation of the regulations, the giving of notice of citizen suits in compliance with the requirements set forth in this proposal shall be deemed to satisfy the notice requirements of section 12 of the Act.

This notice of proposed rule making is issued under section 12 of the Noise Control Act (Pub. L. 92-574, 86 Stat. 1234).

Dated: March 4, 1974.

JOHN QUARLES,
Acting Administrator.

A new Part 210 would be added to Chapter I, Title 40, Code of Federal Regulations as follows:

Sec.
210.1 Purpose.
210.2 Service of notices.
210.3 Contents of notice.

AUTHORITY: Sec. 12 of the Noise Control Act (Pub. L. 92-574, 86 Stat. 1234).

§ 210.1 Purpose.

Section 12 of the Noise Control Act authorizes any person to commence a civil action on his own behalf to enforce the Act or to enforce certain requirements promulgated pursuant to the Act. The purpose of this part is to prescribe procedures governing the manner of giving notices as required by subsection 12(b) of the Act (Pub. L. 92-574, 86 Stat. 1234) as a prerequisite to the commencement of such actions.

§ 210.2 Service of notice.

(a) Notice of intent to file suit pursuant to section 12(a)(1) of the Act shall be served upon an alleged violator of a noise control requirement issued under the Act in the following manner:

(1) If the alleged violator is an individual or a corporation, service of notice shall be accomplished by certified mail addressed to, or by personal service upon, the owner or managing agent of the equipment, plant, facility, vehicle, or activity alleged to be in violation. A copy of the notice shall be mailed to the Administrator of the Environmental Protection Agency, the Regional Administrator of the Environmental Protection Agency for the region in which such violation is alleged to have occurred, and the Administrator of the Federal Aviation Administration in the case of a violation of a noise control requirement under section 611 of the Federal Aviation Act. If the alleged violator is a corporation, a copy of such notice also shall be mailed to the registered agent, if any, of such corporation in the State in which such violation is alleged to have occurred.

(2) If the alleged violator is a State or local government entity, service of notice shall be accomplished by certified mail addressed to, or by personal service upon, the head of such agency. A copy of such notice shall be mailed to the Administrator of the Environmental Protection Agency, the Regional Administrator of the Environmental Protection Agency for the region in which such violation is alleged to have occurred, and the Administrator of the Federal Aviation Administration in the case of a violation of a noise control requirement under section 611 of the Federal Aviation Act.

(3) If the alleged violator is a Federal agency, service of notice shall be accomplished by certified mail addressed to, or by personal service upon, the head of such agency. A copy of such notice shall be mailed to the Administrator of the Environmental Protection Agency, the Regional Administrator of the Environmental Protection Agency for the region in which such violation is alleged to have occurred, the Attorney General of the United States, and the Administrator of the Federal Aviation Agency in the case of a violation of a noise control requirement under section 611 of the Federal Aviation Act.

(b) Service of notice of intent to file suit pursuant to section 12(a)(2)(A) of the Act shall be accomplished by certified mail addressed to, or by personal service upon, the Administrator, Environmental Protection Agency, Washington, D.C. 20460. A copy of such notice shall be mailed to the Attorney General of the United States.

(c) Service of notice of intent to file suit pursuant to section 12(a)(2)(B) of the Act shall be accomplished by certified mail addressed to, or by personal service upon, the Administrator, Federal Aviation Administration, Washington, D.C. A copy of such notice shall be mailed to the Attorney General of the United States, and to the Administrator of the Environmental Protection Agency.

(d) Notice given in accordance with the provisions of this part shall be deemed to have been served on the postmark date if mailed or on the date of receipt if served personally.

§ 210.3 Contents of notice.

(a) *Violation of noise control requirement.* Notice regarding an alleged violation of a noise control requirement shall include sufficient information to permit the recipient to identify the specific standard or regulation alleged to have been violated, the activity alleged to constitute a violation, the person or persons responsible for the alleged violation, the location of the alleged violation, the date or dates of such violation and the full name, address, and telephone number of the person giving notice.

(b) *Failure to Act.* Notice regarding an alleged failure of the Administrator of the Environmental Protection Agency to perform any act or duty under the Noise Control Act which is not discretionary with such Administrator or notice re-

garding an alleged failure of the Administrator of the Federal Aviation Administration to perform any act or duty under section 611 of the Federal Aviation Act which is not discretionary with such Administrator shall identify the statutory provision which requires such act or creates such duty, shall describe with reasonable specificity the action taken or not taken by such Administrator which is alleged to constitute a failure to perform such act or duty, and shall state the full name, address, and telephone number of the person giving the notice.

(c) *Identification of Counsel.* The notice shall state the name, address, and telephone number of the legal counsel, if any, representing the person giving the notice.

[FR Doc.74-5444 Filed 3-7-74;8:45 am]

FEDERAL TRADE COMMISSION

[16 CFR Part 435]

UNDELIVERED MAIL ORDER MERCHANDISE AND SERVICES

Opportunity To Submit Data, Views or Arguments

NOTE: For a document concerning this matter issued by the Postal Service, see FR Doc. 74-5428, infra.

Notice is hereby given that the Federal Trade Commission, pursuant to the Federal Trade Commission Act, as amended, (15 U.S.C. 41, et seq.), and the provisions of Part 1, Subpart B of the Commission's procedures and rules of practice, 16 CFR 1.11, having previously initiated proceedings for the promulgation of a trade regulation rule concerning undelivered mail order merchandise and services (36 FR 19092), received written comments and information; conducted public hearings in Washington, D.C. (March 27-29, 1972), and considered the record thereby produced, now provides opportunity to interested persons to submit data, views and arguments regarding the following as a revision of the proposed rule on the subject:

Sec.
435.1 The rule.
435.2 Definitions.

AUTHORITY: The provisions of this Part 435 issued under 38 Stat. 717, as amended; (15 U.S.C. 41-58).

§ 435.1 The rule.

In connection with mail order sales in commerce, as "commerce" is defined in the Federal Trade Commission Act, it constitutes an unfair method of competition, and an unfair or deceptive act or practice for a seller:

(a) To solicit orders for sales of merchandise or services connected with merchandise to be ordered by the buyer through the mail on a pre-paid basis, unless such merchandise will be shipped, or such services will be furnished, within that time clearly and conspicuously stated in such solicitation or, if no time is stated, within thirty (30) days after receipt of payment and a properly completed order from the buyer, unless the provisions of paragraph (b)(2) are complied with.

(b) To fail to make, without prior demand, a prompt refund to the buyer of all moneys received for merchandise or services connected with merchandise solicited on a pre-paid basis and ordered through the mails when the merchandise is not shipped or the services are not furnished:

(1) Within that time clearly and conspicuously stated in the solicitation to which the buyer responded, or

(2) If no time is stated, within thirty (30) days of receipt of the buyer's payment by the seller.

Provided, however, That where the seller, due to circumstances beyond his control, is unable to make shipment as required by paragraph (a), paragraph (b) shall not apply if the seller furnishes a definite shipping date for the merchandise or services and if the seller sends to the buyer a notice of delayed shipment providing the buyer with the opportunity to express his choice whether to cancel his order and receive a refund or be shipped the merchandise or the furnished the services by a specified later date. The notice shall be sent by first class mail and accompanied by a self-addressed, postage paid device upon which the buyer may indicate his choice, and mailed sufficiently in advance of the expiration of the thirty (30) day period, or that time stated in the solicitation, to permit the buyer to respond within such time period. The notice shall expressly advise the buyer that the order will be immediately cancelled and a refund forwarded where the buyer does not respond thereto within the appropriate period. If, prior to shipment, the seller receives a response from the buyer requesting refund, such refund shall be promptly made. If no response is received prior to the expiration of the time stated in the solicitation or if no time is stated, within the 30-day period after payment, the seller shall make a prompt refund.

(c) To fail:

(1) To maintain a record of each complaint alleging failure to ship merchandise or furnish services connected with merchandise solicited and ordered on a pre-paid basis, or of failure to make refund within the applicable period of time specified in paragraph (b)(1) and (2) above, and the disposition of each such complaint. Such record shall be kept for a period of at least eighteen (18) months following the disposition of such complaint.

(2) To maintain records showing the employment of systems and procedures designed to comply with paragraphs (a) and (b).

§ 435.2 Definitions.

For purposes of this part:

(a) "Shipment" shall mean the act by which the merchandise is physically placed in the possession of the carrier.

(b) "Receipt of payment" shall be deemed to be, (1) at the time the seller receives the order with payment enclosed either in cash or by check or (2) at the time the seller charges a buyer's account for a credit order.

(c) "Prompt refund" shall mean a return of the full amount remitted by the buyer or the crediting of the buyer's account for the full indebtedness incurred for the unshipped merchandise within 7 working days of the date on which the buyer's right to refund vests under the provisions of this part. Refunds shall be deemed made when one of the following is received by the buyer by first class mail:

(1) Cash, money order or check; or

(2) If the seller is the creditor, the credit memorandum which removes the charge from the buyer's account; or

(3) The actual charge or sales document which would create an obligation by the buyer to a third party creditor; or

(4) Appropriate credit memorandum to the third party creditor which will remove the charge from the buyer's account.

The original proposed rule assumed that if goods are not shipped in 21 days, the buyer prefers an immediate refund. Industry testimony asserted that such an assumption misconstrues consumer preference which is, in most cases, for delivery of the goods ordered rather than for an automatic refund. Statements in the record suggesting that mail order goods are often unique, offered at a lower cost and often are more conveniently obtained by consumers living in remote rural areas supported that interpretation of preference.

While the public record of this proceeding is replete with complaint letters regarding failure to deliver, in some cases buyers have requested a refund only as a last resort and after many attempts to secure the ordered merchandise have failed. That there may be, in some instances, consumer preference for the merchandise ordered is recognized in the revised proposed rule which provides for a refund at the buyer's option.

The Commission believes that the revised proposed rule, which assumes that the buyer wants his merchandise delivered within a reasonable time, i.e., 30 days, or an immediate refund, is equitable. If the seller could not ship within 30 days, the automatic refund would be triggered, absent a specific time stated in the solicitation. The seller can delay shipment provided he notifies the buyer of the delay and receives the buyer's consent to an extension prior to the expiration of the 30-day period.

Thus, the burden would rest entirely on the seller who has solicited the buyer's money on the implied promise that he will ship the merchandise within a reasonable time. The buyer's freedom of choice would also be preserved. Since the revised proposal envisions only one definite extension, there would be no need for further limitations on extensions.

(3) The affirmative disclosure provision was deleted on the theory that it is (1) impractical for small, classified type ads, and (2) unnecessary because of the negative option provision, which requires a "notice" if the seller anticipates delay beyond the required 30 days.

(4) The seller must maintain records of each complaint of failure to deliver for 18 months. A general record keeping requirement of maintenance of systems and procedures designed to show compliance with the provisions of the rule is also included.

(NOTE 1: *Subscriptions.* This part shall not apply to pre-paid subscriptions, such as magazine sales, ordered for serial delivery, after the initial shipment is made in compliance with this part.)

(NOTE 2: *Effect on State Laws and Municipal Ordinances.* This part wil not be construed to annul, or exempt any seller from complying with, the laws of any State, or of the ordinances of political subdivisions thereof, regulating delayed shipment of prepaid mail order merchandise except to the extent that such laws or ordinances are inconsistent with the provisions of this part. Such laws or ordinances which do not accord the buyer, with respect to the particular transaction, the same or greater degree of protection than that provided by this part, are among those which will be considered directly inconsistent.)

REASONS FOR REVISIONS OF ORIGINAL PROPOSAL

The original proposal required sellers to make refunds on orders not shipped within 21 days of payment unless: (1) the seller had clearly informed consumers of the time required for shipment in advertising, catalogs, etc.; or (2) the seller had obtained the written consent of the buyer to a delay.

The original proposal also required the following affirmative disclosure in all materials:

NOTICE: Federal Regulation Requires That Merchandise Must be Shipped Within 21 Days or all Money Must be Refunded.

In addition, mail order sellers would have been required to maintain for one year history files on every transaction between the seller and its customers. This record was to include name and address of the customer, the merchandise ordered, the date of its receipt, and the date of shipment.

The following significant revisions have been proposed by the Commission:

(1) The time period is extended from 21 to 30 days because the record does not support the 21-day rule.

The staff notes that the 21-day choice was an arbitrary one. Thirty days is equally arbitrary. Thirty days is certainly a long enough period to allow for mail delays and ordinary delays in processing. The staff would like to solicit written comment as to whether a 30-day period is too long, and if so, what an appropriate time period should be.

(2) Where the seller, due to circumstances beyond his control is unable to ship within the time period, he can delay shipment provided he notifies the buyer of the delay and receives the buyer's consent before the 30-day period expires. If the buyer does not respond to the notice within the 30-day period, the seller must refund.

The original requirement would, according to record testimony, have been very expensive to establish and maintain. Those costs would have been passed along to consumers.

The Commission believes that the revision serves the purpose of record keeping which, in this context, is to facilitate enforcement of the rule, *i.e.*, to reduce the burden of discovering a pattern of non-compliance, while at the same time reducing the costs.

Interested persons, including consumers and other members of the public, are hereby invited to file written data, views and arguments concerning the above proposed revised rule, addressed to: Assistant Director for Marketing Practices, Bureau of Consumer Protection, Federal Trade Commission, Pennsylvania Avenue and Sixth Street, NW., Washington, D.C. 20580, on or before April 15, 1974. Such persons are urged to express approval or disapproval of the revised proposed rule or to recommend further modification, and to make statements as complete as they wish. When practicable, twenty copies should be submitted of all statements exceeding two pages.

Statements received as provided above will be available for examination during regular business hours in the Commission's Division of Legal and Public Records, Room 130. All such statements will be considered by the Commission before final action is taken in this matter.

Issued: March 8, 1974.

By the Commission.

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

[FR Doc.74-5411 Filed 3-7-74;8:45 am]

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

[29 CFR Part 2200]

PETITIONS FOR DISCRETIONARY REVIEW; REPORTS OF JUDGES

Proposed Changes in Rules

The Occupational Safety and Health Review Commission is considering amendments to its procedural rules relating to the filing of petitions to the Commission for the review of decisions of Administrative Law Judges and the submissions of the reports of Administrative Law Judges with the full Commission.

The proposed amendments would provide generally that a petition by any party for review of an Administrative Law Judge's decision is to be submitted to the Administrative Law Judge within twenty (20) days after his decision is rendered and mailed to the parties. The Judge would then include any petitions for review in his report to be filed with the Commission. The proposed amendments would give the Commission Members an opportunity to examine the Judge's decision in light of any petition for review during the full thirty-day period allowed the Commission Members under section 12(j) in deciding whether or not to direct review of the Judge's decision by the full Commission. The present rule in 29 CFR 2200.91(b) allows the Commission Members only five days to examine a petition for review before the Judge's decision becomes final by operation of law. Our experience suggests that this is too short a period to permit careful consideration of the points raised by the parties.

The proposal would not foreclose more expeditious filing of petitions for discretionary review and filing of reports by the Judges when the parties have no objection, such as when the parties submit a proposed settlement or otherwise seek to determine the controversy by consent, or when expedited proceedings have been ordered to deal with the exigencies of a particular case. In the latter situation, expedition in the submission would be expected. Also, the proposal would not foreclose the filing of petitions for discretionary review directly with the Commission after the Judge has filed his report. But in the latter circumstances, a party should be aware that the Commission Members would of course have less time and resources to devote to review of a petition than would be the case under the general rule.

Although notice and public procedure are not required under 5 U.S.C. 553 with respect to the adoption of procedural rules, the Commission considers it in the public interest to elicit public comments concerning the proposal. Accordingly, interested persons may comment upon the proposed amendments by submitting written data, views, or arguments to the Executive Secretary, Occupational Safety and Health Review Commission, 1825 K Street, NW., Washington, D.C. 20006 not later than April 8, 1974. All comments should be submitted in four copies.

1. Section 2200.90 would be revised to read as follows:

§ 2200.90 Decisions and reports of Judges.

(a) Upon completion of any proceeding, the Judge shall prepare a decision. When a hearing is held, the decision shall comply with 5 U.S.C. 557. Copies of the decision shall be mailed to all parties. Thereafter, the Judge shall file with the Executive Secretary a report consisting of his decision, the record in support thereof, and any petitions for discretionary review of his decision, or statements in opposition to such petitions, that may be filed in accordance with § 2200.91. The Judge shall file his report on the day following the close of the period for filing petitions for discretionary review, or statements in opposition to such petitions, but no later than the twenty-first day following the date of the mailing of the decision to the parties.

(b)(1) Promptly upon receipt of the Judge's report, the Executive Secretary shall docket the case and notify all parties of that fact. The date of docketing shall be the date that the Judge's report is made for purposes of section 12(j) of the Act (29 U.S.C. 661).

(2) On or after the date of docketing of the case, all pleadings or other documents that may be filed in the case shall be addressed to the Executive Secretary.

(3) In the event no Commission Member directs review of a decision on or before the thirtieth day following the date of docketing of the Judge's report, the decision of the Judge contained therein shall become a final order of the Commission.

2. Section 2200.91 would be amended by revising paragraph (b) and by adding a new paragraph (e) to read as follows:

§ 2200.91 Discretionary review; petitions for; statements in opposition.

* * * * *

(b) (1) Except as provided in paragraphs (b) (2) and (3) of this section, any petition must be received by the Judge at his office on or before the twentieth day following his mailing of a copy of the decision to the parties.

(2) When there is no objection by any party, when an expedited proceeding has been directed pursuant to § 2200.101, or for other good cause, the Judge is empowered to prescribe a shorter time for filing petitions for discretionary review following the mailing of his decision.

(3) Petitions for review of a Judge's decision may be filed directly with the Executive Secretary subsequent to the filing of the Judge's report. Such petitions will be considered to the extent that time and resources permit. Parties filing such petitions should be aware that any action by a Commission Member directing review must be taken within thirty (30) days following the filing of the Judge's report.

(4) In the case of proposed settlements or other proposed dispositions by consent of all parties, petitions for discretionary review shall not be allowed, except for good cause shown.

* * * * *

(e) Statements in opposition to petitions for discretionary review may be filed at the times and places specified in this section for the filing of petitions for discretionary review. Any Statement shall contain a concise statement on each portion of the petition to which it is addressed.

(Sec. 12(g), Pub. L. 91-596, 84 Stat. 1604 (29 U.S.C. 661(f))).

Signed this 4th day of March, 1974.

ROBERT D. MORAN,
Chairman.

JAMES F. VAN NAMEE,
Member.

TIMOTHY F. CLEARY,
Member.

[FR Doc.74-5408 Filed 3-7-74;8:45 am]

POSTAL SERVICE

[39 CFR Part 123]

NONMAILABLE MATTER

Undelivered Mail Order Merchandise and Services

NOTE: for a document concerning this matter issued by the Federal Trade Commission, see FR Doc. 74-5411, supra.

The Postal Service proposes to promulgate a regulation in cooperation with the Federal Trade Commission, concerning delivery of merchandise or services sold by mail. The regulation declares that the failure to comply with it is satisfactory evidence of a scheme or device for obtaining money or property through the mail by means of false representations within the meaning of 39 U.S.C. § 3005.

This action is proposed in consideration of the written comments and testimony received by the Federal Trade Commission in the course of its consideration of a proposed trade regulation rule, of similar but not identical content, respecting undelivered mail order merchandise and services, which is being contemporaneously published by the Federal Trade Commission in revised form for comment, and in consideration of the volume of complaints of postal customers received by the United States Postal Service.

Interested persons who wish to do so may submit written data, views, or arguments concerning the proposed regulation to the Assistant General Counsel, Consumer Protection Office, Law Department, U.S. Postal Service, Washington, D.C. 20260 at any time before April 15, 1974.

Accordingly, complying voluntarily with the advance notice requirement of the Administrative Procedure Act [5 U.S.C. § 553(b), (c)] regarding proposed rule making, the Postal Service proposes to amend part 123 of Title 39, Code of Federal Regulations, by adding the following new § 123.9:

§ 123.9 Undelivered mail order merchandise and services.

(a) For the purpose of proceedings under 39 CFR Part 952, the following constitute satisfactory evidence that a person is engaged in the conduct of a scheme or device for obtaining money or property through the mails by means of false representations in violation of 39 U.S.C. 3005:

(1) Solicitation of orders for sales of merchandise or services to be ordered by the buyer through the mail on a prepaid basis, unless such merchandise is shipped or such services are furnished within that time clearly and conspicuously stated in such solicitation or, if no time is stated, within thirty (30) days after receipt of payment and a properly completed order from the buyer, unless the provisos following paragraph (a) (2) (ii) are complied with;

(2) Failure to make, without prior demand, a prompt refund to the buyer of all moneys received for merchandise or services solicited on a pre-paid basis and ordered through the mails when the merchandise is not shipped or the services are not furnished: (i) Within that time clearly and conspicuously stated in the solicitation to which the buyer responded, or (ii) If no time is stated, within thirty (30) days of receipt of the buyer's payment by the seller; *Provided, however,* That where the seller, due to circumstances beyond his control, is unable to make shipment as required by paragraphs (a) (1) and (2) of this section shall not apply if the seller furnishes a definite shipping date for the merchandise or services and if the seller sends to the buyer a notice of delayed shipment providing the buyer with the opportunity to express his choice whether to cancel his order and receive a refund or be shipped the merchandise or be furnished the services by a specified later date. The notice shall be sent by first class mail and accompanied by a self-addressed, postage paid device upon which the buyer may indicate his choice, and mailed sufficiently in advance of the expiration of the thirty (30) day period to permit the buyer to respond within such time period. The notice shall expressely advise the buyer that the order will be immediately cancelled and a refund forwarded if the buyer does not respond thereto within the thirty (30) day period. If, prior to shipment, the seller receives a response from the buyer requesting refund, such refund shall be promptly made. If no response is received prior to the expiration of the thirty (30) day period, the seller shall make a prompt refund. *Provided further,* That compliance by the seller with any alternative procedure authorized by the Federal Trade Commission's trade regulation rule concerning undelivered mail order merchandise and services will constitute compliance with this regulation;

(3) Failure to honor an express offer to refund the purchase price or exchange the merchandise or services within seven (7) working days of receipt of a written demand from the buyer, or such other time as may be stated in the solicitation, where the buyer has complied with any terms stated in the solicitation as conditions upon obtaining a refund or exchange.

(b) Definitions. For purposes of this rule:

(1) "Shipment" shall mean the act by which the merchandise is physically placed in the possesion of the carrier.

(2) "Receipt of payment" shall be deemed to be at the time the seller received the order with payment enclosed either in cash, check or money order or at the time the seller charges a buyer's account for a credit order.

(3) "Prompt refund" means a refund of the full amount remitted by the buyer or the crediting of the buyer's account for the full indebtedness incurred for the unshipped merchandise or unprovided services within seven (7) working days of the date on which the buyer's right to refund vests under the provisions of this rule. Refunds shall be deemed made when one of the following is received by the buyer:

(i) Cash, check, or money order; or

(ii) If the seller is the creditor, the credit memorandum which removes the charge from the buyer's account; or

(iii) The actual charge or sales document which would create an obligation by the buyer to a third party creditor; or

(iv) Appropriate credit memorandum to the third party creditor which will remove the charge from the buyer's account.

NOTE: This rule shall not apply to prepaid subscriptions, such as magazine sales,

ordered for serial delivery, after the initial shipment is made in compliance with the Rule.

(39 U.S.C. 401, 3005)

ROGER P. CRAIG,
Deputy General Counsel.

[FR Doc.74-5428 Filed 3-7-74;8:45 am]

INTERSTATE COMMERCE COMMISSION

[49 CFR Parts 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210]

[No. 34178 (Sub-No. 2)]

ACCOUNTING FOR INCOME TAXES

Interperiod Tax Allocation (Deferred Taxes)

At a general session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 8th day of February, 1974.

This proceeding is being instituted on our own motion to consider revisions to the uniform systems of accounts for all modes of transportation regulated by this Commission. These revisions contemplate adoption by the Commission of the comprehensive interperiod tax allocation method of accounting for income taxes.

Historically, our regulations have required the flow through method of accounting for income taxes to be used in the carriers' accounts and reflected in reports filed with the Commission. The terminology "flow through" and "interperiod tax allocation" has significance in determination of annual income tax expense as reported in the carriers' financial statements. The actual liability for income taxes currently payable is not affected.

Under the flow through method income tax expense is the actual amount payable based on taxable income reported in the tax return for the period. Because provisions in the Internal Revenue Code and the various State codes do not necessarily agree with the accounting rules prescribed by the Commission, certain items may be included in taxable income and accounting income in different accounting periods. These "timing differences" originate in one period and reverse in one or more subsequent periods. The objective then of interperiod allocation of income taxes is to match the income tax expense reported in an income statement for a specific period with the revenues and expenses reported for that period.

The last time the Commission considered the interperiod tax allocation method was 1962. By the decision of February 1, 1963, in Docket No. 34178 (318 I.C.C. 803), the Commission reaffirmed that the actual income taxes payable for each year based on the effective tax regulations for the year shall be used as the proper expense for accounting and ratemaking purposes.

Since that time the accounting profession has concluded that interperiod tax allocation is the preferred method of accounting for income taxes because it results in a better matching of income and expense for financial reporting purposes than does the flow through method. Consequently, many carriers practice interperiod tax allocation when preparing financial statements to stockholders. This leads to a difference in reporting net income between Commission reports and stockholders reports and tends to confuse users of financial statements.

The use of the flow through method over interperiod tax allocation represents one of the most significant exceptions to generally accepted accounting principles in the Commission's accounting rules. The adoption of this proposal for interperiod tax allocation would serve to align the Commission's accounting rules for financial reporting purposes with generally accepted accounting principles without compromising regulatory responsibilities. In fact, this proposal is not a substitute, but a complement to the present accounting and reporting requirements since the integrity of financial data now generated is preserved. In addition, the use of interperiod tax allocation in financial statements filed with the Commission especially by those carriers who use it in their financial statements to stockholders will tend to lessen the problems confronted by the users of financial statements thereby improving financial reporting in general.

To accomplish the intention of this proposal, the following substantive changes to the uniform systems of accounts are necessary:

1. Definitions relating to accounting for income taxes would be added.

2. An instruction prescribing and explaining interperiod tax allocation would be added.

3. An account entitled "Accumulated deferred income tax credits" would be added to the deferred credit section of the balance sheet.

4. The existing income tax expense account for ordinary income would be modified to include all taxes (Federal, State and other) currently accruable for income tax return purposes, and new accounts would be added to implement interperiod tax allocation. These additional accounts will appear in the same sequence as currently provided for income tax expenses for ordinary income and extraordinary and prior period items.

To supplement the changes in the uniform systems of accounts a schedule would be added to the annual reports to provide an analysis of the "Accumulated deferred income tax credits" account. A pro forma schedule is attached.

Upon adoption of this proposal, interperiod tax allocation shall be applied retroactively for those carriers already practicing such accounting in financial statements to stockholders, and applied prospectively for all other carriers.

It is intended that the proposed revisions to the accounting rules become effective immediately upon adoption by the Commission and would be reflected in the books of accounts for the year beginning January 1, 1974.

Upon consideration of the above described matters and good cause appearing therefor:

It is ordered, That a proceeding be, and it is hereby, instituted under the authority of sections 20, 204, 313 and 412 of the Interstate Commerce Act and pursuant to sections 553 and 559 of the Administrative Procedure Act with a view to adopting the proposed regulations set forth in Appendices A through J of this Notice, and for the purpose of taking such other and further action as the facts and circumstances may justify and require.

It is further ordered, That all carriers subject to the Interstate Commerce Act be, and they are hereby, made respondents in this proceeding.

It is further ordered, That no oral hearing be scheduled for the receiving of testimony in this proceeding unless a need therefor should later appear, but that respondents or any other interested parties may participate in this proceeding by submitting for consideration written statements of fact, views, and arguments on the subjects mentioned above, or any other subjects pertaining to this proceeding.

It is further ordered, That any interested persons wishing to submit statements of facts, arguments, and other representations on the proposed modification in the uniform systems of accounts shall file an original and 15 copies of such representations with the Secretary, Interstate Commerce Commission, Washington, D.C. 20423, on or before April 5, 1974, and that all such statements will be considered as evidence of record in this proceeding.

It is further ordered, That written material or suggestions submitted shall be made available for public inspection at the offices of the Interstate Commerce Commission, 12th and Constitution Avenue, N.W., Washington, D.C., during regular business hours.

And it is further ordered, That statutory notice of the institution of this proceeding be given to all respondents and to the general public by mailing a copy of this order to the Governor of every State and to the Public Utilities Commissions or Boards of each State having jurisdiction over transportation, by posting a copy of this order in the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., for public inspection, and by delivering a copy thereof to the Director, Division of the Federal Register, for publication in the FEDERAL REGISTER as notice to all interested persons.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

ACCUMULATED DEFERRED INCOME TAX CREDITS

(1) In column (a) are listed the particulars which most often cause a differential between taxable income and pretax accounting income. Other particulars which cause such a differential should be listed under the caption "Other".

(2) Indicate in column (b) the beginning of the year balance of accumulated deferred tax credits (debits) applicable to each particular in column (a).

(3) Indicate in column (c) the net change in account, Accumulated deferred income tax credits, for the net tax effect of timing differences originating and reversing in the current accounting period.

(4) The total of net credits (charges) for the current year in column (c) should agree with the contra charges (credits) to account, Provision for deferred taxes, and account, Provision for deferred taxes—extraordinary and prior period items, for the current year.

(5) Indicate in column (d) any adjustments, as appropriate, including adjustments to eliminate or reinstate deferred tax effects (credits or debits) due to applying or recognizing a loss carryforward or a loss carryback.

(6) Indicate in column (e) the cumulative total of columns (b), (c), and (d). The total of column (e) must agree with the balance in account, Accumulated deferred income tax credits.

Line No.	Particulars	Beginning of year balance	Net credits (charges) for current year	Adjustments	End of year balance
	(a)	(b)	(c)	(d)	(e)
1	Accelerated depreciation, Sec. 167 I.R.C.: Guideline lives pursuant to Rev. Proc. 62-21				
2	Accelerated amortization of facilities, Sec. 168 I.R.C.				
3	Accelerated amortization of rolling stock, Sec. 184 I.R.C.				
4	Amortization of rights of way, Sec. 185 I.R.C.				
5	Other (Specify)				
6					
7					
8					
9	Investment tax credit				
10	Totals				

[FR Doc.74-5345 Filed 3-7-74;8:45 am]

[49 CFR Parts 1300, 1303, 1304, 1306, 1307, 1308, 1309]

[Docket No. 35613] [1]

TRANSMISSION AND FURNISHING OF TARIFFS AND SCHEDULES TO SUBSCRIBERS AND OTHER INTERESTED PERSONS

Notice of Proposed Rulemaking and Order

At a general session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 27th day of February, 1974.

In this proceeding we propose to consider the amendment of Parts 1300, 1303, 1304, 1306, 1307, 1308, and 1309 of Title 49 of the Code of Federal Regulations (all the Commission's tariff circulars) for the purpose of establishing therein regulations to govern the transmission and furnishing of tariffs and schedules to subscribers and other interested persons. The regulations will provide for the timely transmission by first-class mail of at least one copy of each publication to each subscriber thereto and for the furnishing without delay of a copy of any tariff of schedule to any person upon reasonable request therefor. The charge for furnishing one copy to a subscriber or other interested person may not exceed the cost of mailing the copy by first-class mail to the subscriber or person.

It appearing that by order entered August 28, 1972, the Commission, Division 2, instituted regulations for the transmission of tariff and schedule publications to subscribers and other interested parties, and that such regulations were promulgated by amending parts 1300, 1303, 1304, 1306, 1307, 1308, and 1309 of Chapter X of Title 49 of the Code of Federal Regulations and establishing therein §§ 1300.30, 1303.36, 1304.42, 1306.17, 1307.14, 1307.48, 1308.12, 1308.109 and 1309.5;

It further appearing that in Akron Canton & Youngstown R. Co., et al. v. United States, et al., Civil Action No. 72-1273-M (D. Md. 1974), a suit filed by certain railroads and joined by certain freight forwarders, a three-judge district court held that the Commission had jurisdiction to promulgate the regulations applicable to the railroads and freight forwarders, namely, 49 CFR 1300.30, 1303.36, and 1309.5, but the Commission's promulgation of these rules was not in accordance with the procedures required by section 553 of the Administrative Procedure Act (5 U.S.C. 553), and that the Court thus set aside these rules "until such time, if ever, as they are validly adopted";

It further appearing that the rules not set aside by the Court, namely 49 CFR 1304.42, 1306.17, 1307.14, 1307.48, 1308.12 and 1308.109, remain in full force and effect and that, in light of the above-described court decision and the other proposals contained herein, the Commission proposes to cancel the rules described in this paragraph;

It further appearing that the Commission has received numerous complaints from the public, both before and after the promulgation of its publication transmission rules, directed at the late mailing of publications to subscribers, which complaints are all on file in the Commission's docket No. 35613 which is located and available for inspection in Room 1221, the Commission's public docket room;

It further appearing that these complaints demonstrate that copies of tariffs, schedules, supplements and loose-leaf pages generally are not sent to subscribers thereto at the same time and in the same manner as those sent to the Commission for official filing, which results in said subscribers receiving their copies later, often much later, than the date the Commission receives the official copies;

It further appearing that this is an unreasonable practice which has resulted in an insurmountable problem for subscribers nationwide inasmuch as distribution, not timely made, results in a very substantial proportion, if not the majority, of subscribers being denied reasonable notice or sufficient time to allow a thorough review of the publication and, if desired, to file a petition requesting suspension or investigation in time to meet the established deadline for receipt of such petitions, and in many instances, subscribers do not receive their copy of the publication until after the publication has become effective;

It further appearing that this practice has resulted in inconvenience on the part of subscribers in knowledge and anticipation of rate changes on transportation, where rates form an integral part of pricing, marketing, and purchasing decisions made by shippers or their customers;

It further appearing that such practices can effectively prevent shippers from obtaining actual knowledge of the correct rate or fare, although they are charged with such knowledge by the Interstate Commerce Act;

It further appearing that questionnaires were mailed to tariff publishing agents of railroads and motor carriers on July 23, 1971, which sought information pertaining to the practice of the transmission of publications to subscribers in a timely manner; and that responses thereto generally indicated that publications were not sent promptly, that mail was slow, and that third-class mail was used, and that a copy of said questionnaire and the replies thereto are on file in docket no. 35613;

It further appearing that the now defunct Tariff Users Advisory Committee (comprised of representatives of shippers, carriers, and the Commission) recommended that the following rule be promulgated as a solution to the problem:

All tariff publishers be required by the Commission to dispatch tariffs to all regular subscribers to tariff publications not later than 24 hours after the tariff matter has been forwarded to the Interstate Commerce Commission, and that the letter of transmittal attached to the tariff matter filed with the Commission to contain a certification that this requirement has been met.

[1] This proceeding embraces Docket No. 35959, Investigation of Charges for Furnishing Tariffs by Eastern Railroads.

All tariff publishers be urged to provide, on reasonable request and at reasonable cost, an expedited service in tariff mailings to those tariff users who request service;

It further appearing that by notice to tariff subscribers dated December 17, 1973, the Eastern Railroads, parties to agency tariffs published by Traffic Executive Association-Eastern Railroads and by B. B. Maurer, announced their intention of charging 7 cents per page for each single tariff copy and supplement mailed to subscribers, effective January 1, 1974, which effective date has been postponed to March 1, 1974; and that the per-page charge is in addition to a charge of $2.50 per year per tariff for distribution;

It further appearing that on January 7, 1974, Archer Daniels Midland Company filed a petition under Rule 44 of the General Rules of Practice (49 CFR 1100.44) seeking the institution of a rulemaking proceeding (No. 35959 was assigned to the proceeding) to determine (1) whether 7 cents per page, in addition to $2.50 per year per tariff for distribution, constitutes a service charge, and if so, if it can be assessed without specific tariff authority, (2) whether 7 cents a page is a reasonable charge, considering the $2.50 annual charge per tariff, and (3) whether the Commission will enforce the provision of section 6(1) of the Interstate Commerce Act requiring carriers to post two copies of each tariff in public and conspicuous places in every depot, station, or office where freight is received, in the event that shippers cancel subscriptions to tariffs because of the 7-cents charge per page;

It further appearing that the matters involved in the proceeding in no. 35959 bear close relationship with those involved in this proceeding and therefore it would be appropriate to consider in conjunction with the issues in this proceeding the matters in no. 35959 that for good cause shown should be considered in a rulemaking proceeding;

It further appearing that due to the complexity of tariffs and schedules and to the desirability that the dissemination of transportation pricing information be widespread and such information be easily obtainable, and inasmuch as all publications are not readily obtainable at all transportation stations, terminals, or offices even though the Commission's posting regulations are fully complied with, and shippers are sometimes inadvertently quoted incorrect rates or fares by representatives of transportation companies, but pursuant to the Interstate Commerce Act the shippers are required to pay and the transportation companies are required to collect charges on the basis of the lawfully published rate or fare regardless of the rate or fare quoted, it is necessary that tariffs and schedules be quickly, economically, and widely available to provide the shipping public and other interested persons with the understanding of and easy accessibility to transportation prices and changes thereof:

It further appearing that some carriers, forwarders, and agents furnish copies of their publications without any charge other than that included in the transportation rate, some charge an additional nominal price, and some charge an additional substantial price; that many different types of industries and businesses (including transportation) provide printed pricing information without charge because they consider such publications as sales tools and the cost of such publications as a necessary general business expense; and that the facts, circumstances, and present practices clearly indicate that the cost of paper and printing is a necessary general expense of doing business and should be built into the transportation rate or fare, that all subscribers and other interested persons should be afforded fair and uniform pricing treatment by all carriers, forwarders, and agents, and that no subscriber or other interested person should be charged for one copy of a publication more than its actual mailing cost by first-class mail to such subscriber or person;

It further appearing that although no written complaints have been directed against publications of numerous carriers, forwarders, or agents, for the purpose of fair and uniform regulation, all carriers, forwarders, and agents should be subject to the proposed regulations;

It further appearing that the facts, circumstances and practices clearly indicate that there is an urgent need to establish regulations requiring the transmission by first-class mail of at least one copy of each publication to each subscriber thereto not later than the day the copies for official filing are transmitted to this Commission, requiring that the cost to the subscriber or other interested person of one copy of each publication be no more than the cost of postage for sending the copy by first-class mail to that subscriber or party, and requiring that a copy of any tariff or schedule be furnished without delay to any person upon reasonable request;

It further appearing that this Commission has the authority pursuant to sections 6(6), 217(a), 306(b), and 405(b) of the Act to promulgate the proposed regulations;

And it further appearing that for the above stated reasons, the Commission proposes to promulgate the regulations set forth in Appendices A through I attached hereto by establishing §§ 1300.30, 1303.36, 1304.42, 1306.17, 1307.14, 1307.48, 1308.12, 1308.109, and 1309.5 (and comparable sections of all the Commission's tariff circulars) in Chapter X of Title 49 of the Code of Federal Regulations;

And good cause appearing therefor:

It is ordered, That a rulemaking proceeding be, and it is hereby, instituted under the provisions of the Interstate Commerce Act and sections 553 and 559 of the Administrative Procedure Act.

It is further ordered, That good cause not having been shown, the petition in No. 35959 filed by Archer Daniels Midland Company, except to the extent incorporated into the regulations proposed in this proceeding, be, and it is hereby, denied, and such proceeding be, and it is hereby, discontinued.

It is further ordered, That all carriers and freight forwarders subject to the Interstate Commerce Act and their tariff publishing agents are hereby made respondents in this proceeding.

It is further ordered, That any person (regardless of whether or not the person has already participated in this proceeding) intending to participate in this proceeding by submitting initial or reply statements, or otherwise, shall notify this Commission by filing with the Office of Proceedings, Interstate Commerce Commission, not later than March 25, 1974, the original and one copy of a statement of his or her intention to participate. Inasmuch as the Commission desires wherever possible (a) to conserve time, (b) to avoid unnecessary expense to the public, and (c) the service of pleadings by parties in proceedings of this type only upon those who intend to take an active part in these proceedings, the statement of intention to participate shall include a detailed specification of the extent of such person's interest, including (1) whether such interest extends merely to receiving Commission releases in this proceeding, (2) whether he or she genuinely wishes to participate by receiving or filing initial and/or reply statements, (3) if he or she so desires to participate as described in "(2)", whether he or she will consolidate or is capable of consolidating his or her interests with those of other interested parties by filing joint statements in order to limit the number of copies of pleadings that need be served, such consolidation of interests being strongly urged by the Commission, and (4) any other pertinent information which will aid in limiting the service list to be issued in this proceeding; that this Commission shall then prepare and make available to all such persons a list containing the names and addresses of all parties desiring to participate in this proceeding and upon whom copies of all statements must be filed; that initial and reply statements shall be due not later than April 15, 1974, and May 6, 1974, respectively; and that all such statements shall include a certificate showing service upon all parties of record, as set forth in the above-described Commission list.

It is further ordered, That any interested person subsequently submitting initial written statements of facts, views, and arguments should specify therein (1) whether he or she opposes or supports the proposed regulations; (2) the reasons for such opposition or support; and (3) if he or she opposes the proposed regulations, recommendations for alternate ones.

It is further ordered, That while this proceeding does not currently appear to be a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969, statements filed by parties participating in this proceeding shall indicate the presence or absence of any effect of the recommendations made therein to this Commission on the quality of the human environment. Cf. "Implementation—National Environmental Policy Act, 1969," 340 ICC 431 (1972).

And it is further ordered, That statutory notice of the institution of this proceeding be given to the general public by mailing a copy of this order to each party of record in docket No. 35613, to the Governor of every State and to the Public Utilities Commissions or Boards of each State having jurisdiction over transportation, by depositing a copy in the Office of the Secretary, Interstate Commerce Commission, Washington, D.C. 20423, for public inspection, and by delivering a copy to the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER as notice to all interested persons.

By the Commission.

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

PART 1300—FREIGHT SCHEDULES—RAILROADS

§ 1300.30 Transmission of publications to subscribers.

(a) Except as otherwise authorized in paragraphs (b) and (d) of this section, at least one copy of each new tariff, supplement, and loose-leaf page must be transmitted to each subscriber thereto by first-class mail not later than the time the copies for official filing are transmitted to the Commission. The letter of transmittal accompanying the copies to the Commission must contain the following certification:

I hereby certify that I have on or before this day sent at least one copy of each publication listed hereon to each subscriber thereto by first-class mail, free or at a charge not to exceed the cost of postage for mailing the copy to the subscriber by first-class mail.

Signature of person transmitting publication(s)

Date

(b) If a new tariff or supplement is filed which in its entirety is published under an authority from this Commission to publish and file on notice of less than ten days, or, if a new loose-leaf page is filed which contains a provision published under an authority from this Commission to publish and file on notice of less than ten days, paragraph (a) of this section need not be complied with as to such publication if it cannot be or compliance would cause excessive delay, but at least one copy of such publication must be transmitted to each subscriber thereto by first-class mail within four calendar days after the day the copies for official filing are transmitted to the Commission, and the letter of transmittal to the Commission must contain the following certification:

I hereby certify that I will within four calendar days after today send at least one copy of each publication listed hereon to each subscriber thereto by first-class mail, free or at a charge not to exceed the cost of postage for mailing the copy to the subscriber by first-class mail.

Signature of person transmitting publication(s)

Date

Included in this exception are supplements issued for the purpose of announcing suspensions made by the Commission, publications announcing adoptions, and publications issued under section 1(13) of the act.

(c) When copies of different publications are transmitted to the Commission at the same time, some copies of which have been transmitted to subscribers in compliance with paragraph (a) of this section and some copies of which will be transmitted to subscribers in compliance with paragraph (b) of this section, two letters of transmittal must accompany the copies to the Commission, one complying with paragraph (a) of this section and the other complying with paragraph (b) of this section.

(d) If there are no subscribers to any publication listed on a letter of transmittal accompanying the copies for official filing to the Commission, the letter of transmittal must contain the following certification:

I hereby certfiy that there are no subscribers to the publication(s) listed hereon.

Signature of person transmitting publication(s)

Date

If copies of different publications are transmitted to the Commission at the same time, some of which are subscribed to and some of which are not, only the provisions of paragraphs (a) or (b) of this section, or both, as the case may be, need be complied with.

(e) Expedited service when transmitting one copy of each publication must be provided to each subscriber requesting it. The cost of this service may be passed on to the subscriber.

(f) Carriers and agents shall furnish without delay at least one copy of any of their tariffs to any person upon reasonable request therefor, free or at a charge not to exceed the cost of postage for mailing the copy to the person by first-class mail.

(g) As used herein, the term "subscriber" means a party who voluntarily or upon reasonable request is furnished at least one copy of a particular tariff and amendments thereto (including reissues thereof) by the publishing carrier or agent. The term does not, however, pertain to requests for a copy or copies of a tariff without a request for future amendments thereto. The charge, if any, for furnishing one copy of any publication to a subscriber shall not exceed the cost of mailing the copy to the subscriber by first-class mail. When more than one copy is furnished, a reasonable charge may be made for all copies in excess of one.

PART 1303—PASSENGER SERVICE SCHEDULES—RAIL AND WATER CARRIERS

§ 1303.36 Transmission of publications to subscribers.

(a) Except as otherwise authorized in paragraphs (b) and (d) of this section, at least one copy of each new tariff, supplement, and loose-leaf page must be transmitted to each subscriber thereto by first-class mail not later than the time the copies for official filing are transmitted to the Commission. The letter of transmittal accompanying the copies to the Commission must contain the following certification:

I hereby certify that I have on or before this day sent at least one copy of each publication listed hereon to each subscriber thereto by first-class mail, free or at a charge not to exceed the cost of postage for mailing the copy to the subscriber by first-class mail.

Signature of person transmitting publication(s)

Date

(b) If a new tariff or supplement is filed which in its entirety is published under an authority from this Commission to publish and file on notice of less than ten days, or, if a new loose-leaf page is filed which contains a provision published under an authority from this Commission to publish and file on notice of less than ten days, paragraph (a) of this section need not be complied with as to such publication if it cannot be or compliance would cause excessive delay, but at least one copy of such publication must be transmitted to each subscriber thereto by first-class mail within four calendar days after the day the copies for official filing are transmitted to the Commission, and the letter of transmittal to the Commission must contain the following certification:

I hereby certify that I will within four calendar days after today send at least one copy of each publication listed hereon to each subscriber thereto by first-class mail, free or at a charge not to exceed the cost of postage for mailing the copy to the subscriber by first-class mail.

Signature of person transmitting publication(s)

Date

Included in this exception are supplements issued for the purpose of announcing suspensions made by the Commission and publications announcing adoptions.

(c) When copies of different publications are transmitted to the Commission at the same time, some copies of which have been transmitted to subscribers in compliance with paragraph (a) of this section and some copies of which will be transmitted to subscribers in compliance with paragraph (b) of this section, two letters of transmittal must accompany the copies to the Commission, one complying with paragraph (a) of this section and the other complying with paragraph (b) of this section.

(d) If there are no subcribers to any publication listed on a letter of transmittal accompanying the copies for official filing to the Commission, the letter of transmittal must contain the following certification:

I hereby certify that there are no subscribers to the publication(s) listed hereon.

Signature of person transmitting publication(s)

Date

If copies of different publications are transmitted to the Commission at the same time, some of which are subscribed to and some of which are not, only the provisions of paragraphs (a) or (b) of this section, or both, as the case may be, need be complied with.

(e) Expedited service when transmitting one copy of each publication must be provided to each subscriber requesting it. The cost of this service may be passed on to the subscriber.

(f) Carriers and agents shall furnish without delay at least one copy of any of their tariffs to any person upon reasonable request therefor, free or at a charge not to exceed the cost of postage for mailing the copy to the person by first-class mail.

(g) As used herein, the term "subscriber" means a party who voluntarily or upon reasonable request is furnished at least one copy of a particular tariff and amendments thereto (including reissues thereof (by the publishing carrier or agent. The term does not, however, pertain to requests for a copy or copies of a tariff without a request for future amendments thereto. The charge, if any, for furnishing one copy of any publication to a subscriber shall not exceed the cost of mailing the copy to the subscriber by first-class mail. When more than one copy is furnished, a reasonable charge may be made for all copies in excess of one.

PART 1304—EXPRESS COMPANIES SCHEDULES AND CLASSIFICATION

§ 1304.42 Transmission of publications to subscribers.

(a) Except as otherwise authorized in paragraphs (b) and (d) of this section, at least one copy of each new tariff, supplement, and loose-leaf page must be transmitted to each subscriber thereto by first-class mail not later than the time the copies for official filing are transmitted to the Commission. The letter of transmittal accompanying the copies to the Commission must contain the following certification:

I hereby certify that I have on or before this day sent at least one copy of each publication listed hereon to each subscriber thereto by first-class mail, free or at a charge not to exceed the cost of postage for mailing the copy to the subscriber by first-class mail.

Signature of person transmitting publication(s)

Date

(b) If a new tariff or supplement is filed which in its entirety is published under an authority from this Commission to publish and file on notice of less than ten days, or, if a new loose-leaf page is filed which contains a provision published under an authority from this Commission to publish and file on notice of less than ten days, paragraph (a) of this section need not be complied with as to such publication if it cannot be or compliance would cause excessive delay, but at least one copy of such publication must be transmitted to each subscriber thereto by first-class mail within four calendar days after the day the copies for official filing are transmitted to the Commission, and the letter of transmittal to the Commission must contain the following certification:

I hereby certify that I will within four calendar days after today send at least one copy of each publication listed hereon to each subscriber thereto by first-class mail, free or at a charge not to exceed the cost of postage for mailing the copy to the subscriber by first-class mail.

Signature of person transmitting publication(s)

Date

Included in this exception are supplements issued for the purpose of announcing suspensions made by the Commission and publications announcing adoptions.

(c) When copies of different publications are transmitted to the Commission at the same time, some copies of which have been transmitted to subscribers in compliance with paragraph (a) of this section and some copies of which will be transmitted to subscribers in compliance with paragraph (b) of this section, two letters of transmittal must accompany the copies to the Commission, one complying with paragraph (a) of this section and the other complying with paragraph (b) of this section.

(d) If there are no subscribers to any publication listed on a letter of transmittal accompanying the copies for official filing to the Commission, the letter of transmittal must contain the following certification:

I hereby certify that there are no subscribers to the publication(s) listed hereon.

Signature of person transmitting publication(s)

Date

If copies of different publications are transmitted to the Commission at the same time, some of which are subscribed to and some of which are not, only the provisions of paragraphs (a) or (b) of this section, or both, as the case may be, need be complied with.

(e) Expedited service when transmitting one copy of each publication must be provided to each subscriber requesting it. The cost of this service may be passed on to the subscriber.

(f) Carriers and agents shall furnish without delay at least one copy of any of their tariffs to any person upon reasonable request therefor, free or at a charge not to exceed the cost of postage for mailing the copy to the person by first-class mail.

(g) As used herein, the term "subscriber" means a party who voluntarily or upon reasonable request is furnished at least one copy of a particular tariff and amendments thereto (including reissues thereof) by the publishing carrier or agent. The term does not, however, pertain to requests for a copy or copies of a tariff without a request for future amendments thereto. The charge, if any, for furnishing one copy of any publication to a subscriber shall not exceed the cost of mailing the copy to the subscriber by first-class mail. When more than one copy is furnished, a reasonable charge may be made for all copies in excess of one.

PART 1306—PASSENGER AND EXPRESS TARIFFS AND SCHEDULES OF MOTOR CARRIERS

§ 1306.17 Transmission of publications to subscribers.

(a) Except as otherwise authorized in paragraphs (b) and (d) of this section, at least one copy of each new tariff, schedule, supplement, and loose-leaf page must be transmitted to each subscriber thereto by first-class mail not later than the time the copies for official filing are transmitted to the Commission. The letter of transmittal accompanying the copies to the Commission must contain the following certification:

I hereby certify that I have on or before this day sent at least one copy of each publication listed hereon to each subscriber thereto by first-class mail, free or at a charge not to exceed the cost of postage for mailing the copy to the subscriber by first-class mail.

Signature of person transmitting publication(s)

Date

(b) If a new tariff, schedule, or supplement is filed which in its entirety is published under an authority from this Commission to publish and file on notice of less than ten days, or, if a new loose-leaf page is filed which contains a provision published under an authority from this Commission to publish and file on notice of less than ten days, paragraph (a) of this section need not be complied with as to such publication if it cannot be or compliance would cause excessive delay, but at least one copy of such publication must be transmitted to each subscriber thereto by first-class mail within four calendar days after the day the copies for official filing are transmitted to the Commission, and the letter of transmittal to the Commission must contain the following certification:

I hereby certify that I will within four calendar days after today send at least one copy of each publication listed hereon to each subscriber thereto by first-class mail, free or at a charge not to exceed the cost of postage for mailing the copy to the subscriber by first-class mail.

Signature of person transmitting publication(s)

Date

Included in this exception are supplements issued for the purpose of announcing suspensions made by the Commission, publications announcing adoptions, and publications containing only rates, fares, or provisions covering emergency trans-

portation authorized by this Commission under section 210a(a) of the Interstate Commerce Act.

(c) When copies of different publications are transmitted to the Commission at the same time, some copies of which have been transmitted to subscribers in compliance with paragraph (a) of this section and some copies of which will be transmitted to subscribers in compliance with paragraph (b) of this section, two letters of transmittal must accompany the copies to the Commission, one complying with paragraph (a) of this section and the other complying with paragraph (b) of this section.

(d) If there are no subscribers to any publication listed on a letter of transmittal accompanying the copies for official filing to the Commission, the letter of transmittal must contain the following certification:

I hereby certify that there are no subscribers to the publication(s) listed hereon.

Signature of person transmitting publication(s)

Date

If copies of different publications are transmitted to the Commission at the same time, some of which are subscribed to and some of which are not, only the provisions of paragraphs (a) or (b) of this section, or both, as the case may be, need be complied with.

(e) Expedited service when transmitting one copy of each publication must be provided to each subscriber requesting it. The cost of this service may be passed on to the subscriber.

(f) Carriers and agents shall furnish without delay at least one copy of any of their tariffs or schedules to any person upon reasonable request therefor, free or at a charge not to exceed the cost of postage for mailing the copy to the person by first-class mail.

(g) As used herein, the term "subscriber" means a party who voluntarily or upon reasonable request is furnished at least one copy of tariff or schedule without a request for future amendments thereto. The charge, if any, for furnishing one copy of any publication to a subscriber shall not exceed the cost of mailing the copy to the subscriber by first-class mail. When more than one copy is furnished, a reasonable charge may be made for all copies in excess of one.

PART 1307—FREIGHT RATE TARIFFS, SCHEDULES, AND CLASSIFICATIONS OF MOTOR CARRIERS

§ 1307.14 Transmission of publications to subscribers.

(a) Except as otherwise authorized in paragraphs (b) and (d) of this section, at least one copy of each new schedule, supplement, and loose-leaf page must be transmitted to each subscriber thereto by first-class mail not later than the time the copies for official filing are transmitted to the Commission. The letter of transmittal accompanying the copies to the Commision must contain the following certification:

I hereby certify that I have on or before this day sent at least one copy of each publication listed hereon to each subscriber thereto by first-class mail, free or at a charge not to exceed the cost of postage for mailing the copy to the subscriber by first-class mail.

Signature of person transmitting publication(s)

Date

(b) This paragraph will not apply to publications or provisions filed under § 1307.4(e)(2) (section 187.4(e)(2) of Tariff Circular MF No. 4). If a new schedule or supplement is filed which in its entirety is published under an authority from this Commission to publish and file on notice of less than ten days, or, if a new loose-leaf page is filed which contains a provision published under an authority from this Commission to publish and file on notice of less than ten days, paragraph (a) of this section need not be complied with as to such publication if it cannot be or compliance would cause excessive delay, but at least one copy of such publication must be transmitted to each subscriber thereto by first-class mail within four calendar days after the day the copies for official filing are transmitted to the Commission, and the letter of transmittal to the Commission must contain the following certification:

I hereby certify that I will within four calendar days after today send at least one copy of each publication listed hereon to each subscriber thereto by first-class mail, free or at a charge not to exceed the cost of postage for mailing the copy to the subscriber by first-class mail.

Signature of person transmitting publication(s)

Date

Included in this exception are supplements issued for the purpose of announcing suspensions made by the Commission, publications announcing adoptions, and publications containing only rates or provisions covering emergency transportation authorized by this Commission under section 210a(a) of the Interstate Commerce Act.

(c) When copies of different publications are transmitted to the Commission at the same time, some copies of which have been transmitted to subscribers in compliance with paragraph (a) of this section and some copies of which will be transmitted to subscribers in compliance with paragraph (b) of this section, two letters of transmittal must accompany the copies to the Commission, one complying with paragraph (a) of this section and the other complying with paragraph (b) of this section.

(d) If there are no subscribers to any publication listed on a letter of transmittal accompanying the copies for official filing to the Commission, the letter of transmittal must contain the following certification:

I hereby certify that there are no subscribers to the publication(s) listed hereon.

Signature of person transmitting publication(s)

Date

If copies of different publications are transmitted to the Commission at the same time, some of which are subscribed to and some of which are not, only the provisions of paragraph (a) or (b) of this section, or both, as the case may be, need be complied with.

(e) Expedited service when transmitting one copy of each publication must be provided to each subscriber requesting it. The cost of this service may be passed on to the subscriber.

(f) Carriers and agents shall furnish without delay at least one copy of any of their schedules to any person upon reasonable request therefor, free or at a charge not to exceed the cost of postage for mailing the copy to the person by first-class mail.

(g) As used herein, the term "subscriber" means a party who voluntarily or upon reasonable request is furnished at least one copy of a particular schedule and amendments thereto (including reissues thereof) by the publishing carrier or agent. The term does not, however, pertain to requests for a copy or copies of a schedule without a request for future amendments thereto. The charge, if any, for furnishing one copy of any publication to a subscriber shall not exceed the cost of mailing the copy to the subscriber by first-class mail. When more than one copy is furnished, a reasonable charge may be made for all copies in excess of one.

§ 1307.48 Transmission of publications to subscribers.

(a) Except as otherwise authorized in paragraphs (b) and (d) of this section, at least one copy of each new tariff, supplement, and loose-leaf page must be transmitted to each subscriber thereto by first-class mail not later than the time the copies for official filing are transmitted to the Commission. The letter of transmittal accompanying the copies to the Commission must contain the following certification:

I hereby certify that I have on or before this day sent at least one copy of each publication listed hereon to each subscriber thereto by first-class mail, free or at a charge not to exceed the cost of postage for mailing the copy to the subscriber by first-class mail.

Signature of person transmitting publication(s)

Date

If a new tariff or supplement is filed which in its entirety is published under an authority from this Commission to publish and file on notice of less than ten days, or, if a new loose-leaf page is filed which contains a provision published under an authority from this Commission to publish and file on notice of less than ten days, paragraph (a) of this section need not be complied with as to such

publication if it cannot be or compliance would cause excessive delay, but at least one copy of such publication must be transmitted to each subscriber thereto by first-class mail within four calendar days after the day the copies for official filing are transmitted to the Commission, and the letter of transmittal to the Commission must contain the following certification:

I hereby certify that I will within four calendar days after today send at least one copy of each publication listed hereon to each subscriber thereto by first-class mail, free or at a charge not to exceed the cost of postage for mailing the copy to the subscriber by first-class mail.

Signature of person transmitting publication(s)

Date

Included in this exception are supplements issued for the purpose of announcing suspensions made by the Commission, publications announcing adoptions, and publications containing only rates or provisions covering emergency transportation authorized by this Commission under section 210a(a) of the Interstate Commerce Act.

(c) When copies of different publications are transmitted to the Commission at the same time, some copies of which have been transmitted to subscribers in compliance with paragraph (a) of this section and some copies of which will be transmitted to subscribers in compliance with paragraph (b) of this section, two letters of transmittal must accompany the copies to the Commission, one complying with paragraph (a) of this section and the other complying with paragraph (b) of this section.

(d) If there are no subscribers to any publication listed on a letter of transmittal accompanying the copies for official filing to the Commission, the letter of transmittal must contain the following certification:

I hereby certify that there are no subscribers to the publication(s) listed hereon.

Signature of person transmitting publication(s)

Date

If copies of different publications are transmitted to the Commission at the same time, some of which are subscribed to and some of which are not, only the provisions of paragraph (a) or (b), of this section, or both, as the case may be, need be complied with.

(e) Expedited service when transmitting one copy of each publication must be provided to each subscriber requesting it. The cost of this service may be passed on to the subscriber.

(f) Carriers and agents shall furnish without delay at least one copy of any of their tariffs to any person upon reasonable request therefor, free or at a charge not to exceed the cost of postage for mailing the copy to the person by first-class mail.

(g) As used herein, the term "subscriber" means a party who voluntarily or upon reasonable request is furnished at least one copy of a particular tariff and amendments thereto (including reissues thereof) by the publishing carrier or agent. The term does not, however, pertain to requests for a copy or copies of a tariff without a request for future amendments thereto. The charge, if any, for furnishing one copy of any publication to a subscriber shall not exceed the cost of mailing the copy to the subscriber by first-class mail. When more than one copy is furnished, a reasonable charge may be made for all copies in excess of one.

PART 1308—FREIGHT TARIFFS AND SCHEDULES OF WATER CARRIERS

§ 1308.12 Transmission of publications to subscribers.

(a) Except as otherwise authorized in paragraphs (b) and (d) of this section, at least one copy of each new tariff, supplement, and loose-leaf page must be transmitted to each subscriber thereto by first-class mail not later than the time the copies for official filing are transmitted to the Commission. The letter of transmittal accompanying the copies to the Commission must contain the following certification:

I hereby certify that I have on or before this day sent at least one copy of each publication listed hereon to each subscriber thereto by first-class mail, free or at a charge not to exceed the cost of postage for mailing the copy to the subscriber by first-class mail.

Signature of person transmitting publication(s)

Date

(b) If a new tariff or supplement is filed which in its entirety is published under an authority from this Commission to publish and file on notice of less than ten days, or, if a new loose-leaf page is filed which contains a provision published under an authority from this Commission to publish and file on notice of less than ten days, paragraph (a) of this section need not be complied with as to such publication if it cannot be or compliance would cause excessive delay, but at least one copy of such publication must be transmitted to each subscriber thereto by first-class mail within four calendar days after the day the copies for official filing are transmitted to the Commission, and the letter of transmittal to the Commission must contain the following certification:

I hereby certify that I will within four calendar days after today send at least one copy of each publication listed hereon to each subscriber thereto by first-class mail, free or at a charge not to exceed the cost of postage for mailing the copy to the subscriber by first-class mail.

Signature of person transmitting publication(s)

Date

Included in this exception are supplements issued for the purpose of announcing suspensions made by the Commission and publications announcing adoptions.

(c) When copies of different publications are transmitted to the Commission at the same time, some copies of which have been transmitted to subscribers in compliance with paragraph (a) of this section and some copies of which will be transmitted to subscribers in compliance with paragraph (b) of this section, two letters of transmittal must accompany the copies to the Commission, one complying with paragraph (a) of this section and the other complying with paragraph (b) of this section.

(d) If there are no subscribers to any publication listed on a letter of transmittal accompanying the copies for official filing to the Commission, the letter of transmittal must contain the following certification:

I hereby certify that there are no subscribers to the publication(s) listed hereon.

Signature of person transmitting publication(s)

Date

If copies of different publications are transmitted to the Commission at the same time, some of which are subscribed to and some of which are not, only the provisions of paragraphs (a) or (b) of this section, or both, as the case may be, need be complied with.

(e) Expedited service when transmitting one copy of each publication must be provided to each subscribed requesting it. The cost of this service may be passed on to the subscriber.

(f) Carriers and agents shall furnish without delay at least one copy of any of their tariffs to any person upon reasonable request therefor, free or at a charge not to exceed the cost of postage for mailing the copy to the person by first-class mail.

(g) As used herein, the term "subscriber" means a party who voluntarily or upon reasonable request is furnished at least one copy of a particular tariff and amendments thereto (including reissues thereof) by the publishing carrier or agent. The term does not, however, pertain to request for a copy or copies of a tariff without a request for future amendments thereto. The charge, if any, for furnishing one copy of any publication to a subscribed shall not exceed the cost of mailing the copy to the subscriber by first-class mail. When more than one copy is furnished, a reasonable charge may be made for all copies in excess of one.

§ 1308.109 Transmission of publications to subscribers.

(a) Except as otherwise authorized in paragraphs (b) and (d) of this section, at least one copy of each new schedule, supplement, and loose-leaf page must be transmitted to each subscriber thereto by first-class mail not later than the time the copies for official filing are transmitted to the Commission. The letter of transmittal accompanying the copies to

the Commission must contain the following certification:

I hereby certify that I have on or before this day sent at least one copy of each publication listed hereon to each subscriber thereto by first-class mail, free or at a charge not to exceed the cost of postage for mailing the copy to the subscribed by first-class mail.

Signature of person transmitting publication(s)

Date

(b) If a new schedule or supplement is filed which in its entirety is published under an authority from this Commission to publish and file on notice of less than ten days, or, if a new loose-leaf page is filed which contains a provision published under an authority from this Commission to publish and file on notice of less than ten days, paragraph (a) of this section need not be complied with as to such publication if it cannot be or compliance would cause excessive delay, but at least one copy of such publication must be transmitted to each subscriber thereto by first-class mail within four calendar days after the day the copies for official filing are transmitted to the Commission, and the letter of transmittal to the Commission must contain the following certification:

I hereby certify that I will within four calendar days after today send at least one copy of each publication listed hereon to each subscriber thereto by first-class mail, free or at a charge not to exceed the cost of postage for mailing the copy to the subscriber by first-class mail.

Signature of person transmitting publication(s)

Date

Included in this exception are supplements issued for the purpose of announcing suspensions made by the Commission and publications announcing adoptions.

(c) When copies of different publications are transmitted to the Commission at the same time, some copies of which have been transmitted to subscribers in compliance with paragraph (a) of this section and some copies of which will be transmitted to subscribers in compliance with paragraph (b) of this section, two letters of transmittal must accompany the copies to the Commission, one complying with paragraph (a) of this section and the other complying with paragraph (b) of this section.

(d) If there are no subscribers to any publications listed on a letter of transmittal accompanying the copies for official filing to the Commission, the letter of transmittal must contain the following certification:

I hereby certify that there are no subscribers to the publication(s) listed hereon.

Signature of person transmitting publication(s)

Date

If copies of different publications are transmitted to the Commission at the same time, some of which are subscribed to and some of which are not, only the provisions of paragraph (a) or (b) of this section, or both, as the case may be, need be complied with.

(e) Expedited service when transmitting one copy of each publication must be provided to each subscriber requesting it. The cost of this service may be passed on to the subscriber.

(f) Carriers and agents shall furnish without delay at least one copy of any of their schedules to any person upon reasonable request therefor, free or at a charge not to exceed the cost of postage for mailing the copy to the person by first-class mail.

(g) As used herein, the term "subscriber" means a party who voluntarily or upon reasonable request is furnished at least one copy of a particular schedule and amendments thereto (including reissues thereof) by the publishing carrier or agent. The term does not, however, pertain to requests for a copy or copies of a schedule without a request for future amendments thereto. The charge, if any, for furnishing one copy of any publication to a subscriber shall not exceed the cost of mailing the copy to the subscriber by first-class mail. When more than one copy is furnished, a reasonable charge may be made for all copies in excess of one.

PART 1309—TARIFF AND CLASSIFICATIONS OF FREIGHT FORWARDERS

§ 1309.5 Transmission of publications to subscribers.

(a) Except as otherwise authorized in paragraphs (b) and (d) of this section, at least one copy of each new tariff, supplement, and loose-leaf page must be transmitted to each subscriber thereto by first-class mail not later than the time the copies for official filing are transmitted to the Commission. The letter of transmittal accompanying the copies to the Commission must contain the following certification:

I hereby certify that I have on or before this day sent at least one copy of each publication listed hereon to each subscriber thereto by first-class mail, free or at a charge not to exceed the cost of postage for mailing the copy to the subscriber by first-class mail.

Signature of person transmitting publication(s)

Date

(b) If a new tariff or supplement is filed which in its entirety is published under an authority from this Commission to publish and file on notice of less than ten days, or, if a new loose-leaf page is filed which contains a provision published under an authority from this Commission to publish and file on notice of less than ten days, paragraph (a) of this section need not be complied with as to such publication if it cannot be or compliance would cause excessive delay, but at least one copy of such publication must be transmitted to each subscriber thereto by first-class mail within four calendar days after the day the copies for official filing are transmitted to the Commission, and the letter of transmittal to the Commission must contain the following certification:

I hereby certify that I will within four calendar days after today send at least one copy of each publication listed hereon to each subscriber thereto by first-class mail, free or at a charge not to exceed the cost of postage for mailing the copy to the subscriber by first-class mail.

Signature of person transmitting publication(s)

Date

Included in this exception are supplements issued for the purpose of announcing suspensions made by the Commission and publications announcing adoptions.

(c) When copies of different publications are transmitted to the Commission at the same time, some copies of which have been transmitted to subscribers in compliance with paragraphs (a) of this section and some copies of which will be transmitted to subscribers in compliance with paragraph (b) of this section, two letters of transmittal must accompany the copies to the Commission, one complying with paragraph (a) of this section and the other complying with paragraph (b) of this section.

(d) If there are no subscribers to any publication listed on a letter of transmittal accompanying the copies for official filing to the Commission, the letter of transmittal must contain the following certification:

I hereby certify that there are no subscribers to the publication(s) listed hereon.

Signature of person transmitting publication(s)

Date

If copies of different publications are transmitted to the Commission at the same time, some of which are subscribed to and some of which are not, only the provisions of paragraphs (a) or (b) of this section, or both, as the case may be, need be complied with.

(e) Expedited service when transmitting one copy of each publication must be provided to each subscriber requesting it. The cost of this service may be passed on to the subscriber.

(f) Forwarders and agents shall furnish without delay at least one copy of any of their tariffs to any person upon reasonable request therefor, free or at a charge not to exceed the cost of postage for mailing the copy to the person by first-class mail.

(g) As used herein, the term "subscriber" means a party who voluntarily or upon reasonable request is furnished at least one copy of a particular tariff and amendments thereto (including reissues thereof) by the publishing forwarder or agent. The term does not, however, pertain to requests for a copy or copies of a tariff without a request for future amendments thereto. The charge, if any, for furnishing one copy of any publication to a subscriber shall not exceed the cost of mailing the copy to the subscriber by first-class mail. When more than one copy is furnished, a reasonable charge may be made for all copies in excess of one.

[FR Doc.74-5437 Filed 3-7-74;8:45 am]

Notices

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

DEPARTMENT OF THE TREASURY

Bureau of Alcohol, Tobacco and Firearms

NOTICE OF GRANTING OF RELIEF

Notice is hereby given that pursuant to (18 U.S.C. 925(c)), the following named persons have been granted relief from disabilities imposed by Federal laws with respect to the acquisition, transfer, receipt, shipment, or possession of firearms incurred by reason of their convictions of crimes punishable by imprisonment for a term exceeding one year.

It has been established to my satisfaction that the circumstances regarding the convictions and each applicant's record and reputation and such that the applicants will not be likely to act in a manner dangerous to public safety, and that the granting of the relief will not be contrary to the public interest.

Baker, Carthull, 1903 McNair, Yakima, Washington, convicted on August 2, 1956, in the Superior Court, Stanislaus County, California.

Barton, Thomas A., 1916 Acacia Avenue, Antioch, California, convicted on January 13, 1971, in the United States District Court, Northern District of California.

Carroll, William D., 1010 S. 20th Avenue, Yakima, Washington, convicted on December 22, 1970, in the Yakima County Superior Court, Washington.

Cozzone, Anthony F., 1542 Farmington Avenue, Pottstown, Pennsylvania, convicted on June 13, 1973, in the Montgomery County Court, Pottstown, Pennsylvania.

Dilka, Richard E., Route 1, Box 30, Milton Freewater, Oregon, convicted on March 11, 1968, in the Circuit Court, Malheur County, Oregon.

Dotts, Peter A., 459 W. Fairview Drive, Springfield, Oregon, convicted on January 24, 1963, in the Circuit Court, Josephine County, Oregon.

Heard, J. L., 2982 Vicksburg, Detroit, Michigan, convicted on June 12, 1939, in the United States District Court, Northern District of Georgia.

Hogan, Phillip S., 1309 South 15th Street, Lincoln, Nebraska, convicted on January 24, 1968, in the District Court of York County, Nebraska, and on July 18, 1968, in the District Court of Hamilton County, Nebraska.

Holland, Gary L., Route #8, Box #432, Bowling Green, Kentucky, convicted on December 9, 1971, in the Warren County Circuit Court, Kentucky.

Hudson, Willard J., 729 Rosedale Avenue, Bronx, New York, convicted on March 1, 1943, in the Court of General Sessions, New York County.

Lanning, Thomas W., 1510 6th Avenue, South, St. Cloud, Minnesota, convicted on April 24, 1972, in the Seventh Judicial District Court, St. Cloud, Minnesota.

LaPaille, John C., 8624 South Gate Avenue, South Gate, California, convicted on February 27, 1958, in the Jefferson Circuit Court, Kentucky.

Lee, Robert A., 404 Andrews, Apt. 110, Dallas, Texas, convicted on July 23, 1970, in the 87th Judicial District Court, Freestone County, Texas.

Looney, John Wayne, 5633 S. E. 46th, Portland, Oregon, convicted on August 14, 1970, in the Circuit Court, Marion County, Oregon.

Lynch, James W., Route 5, Rocky Mount, Virginia, convicted on April 20, 1960, and on December 12, 1960, in the Circuit Court, Franklin County, Virginia.

Matthews, Earl E., RFD #1, Windsor, Pennsylvania, convicted on May 23, 1960, and July 31, 1961, in the York County Court, Pennsylvania.

Moxley, Thomas R., Route 1, Box 187, Strasburg, Virginia, convicted on September 20, 1954, in the Frederick County Circuit Court, Virginia; and on September 10, 1956, and November 12, 1956, in the Stafford County Circuit Court, Virginia.

Peterson, John V., 1218½ North Turner Street, Lansing, Michigan, convicted on November 13, 1970, in the Circuit Court for the County of Ingham, Michigan.

Prater, Sherman L., Route 2, Box 138, Ferrum, Virginia, convicted on November 14, 1957, and on November 13, 1958, in the United States District Court, Roanoke, Virginia.

Prye, Anthony Stanley, 4605 Nina Lee, Houston, Texas, convicted on October 31, 1950, in the District Court of Harris County, Texas.

Register, Lester V., Route 2, Box 448 C, Jacksonville, Florida, convicted on March 11, 1950, in the Criminal Court, Duval County, Florida, and on February 16, 1962, in the United States District Court, Jacksonville, Florida.

Richardson, Donald W., 7403 Park Lee Place, Apt. #3, Richmond, Virginia, convicted on November 28, 1966, in the Hustings Court, City of Richmond, Virginia.

Sally, Adam R., 39564 Ann Arbor Trail, Plymouth, Michigan, convicted on September 27, 1948, and on June 15, 1949, in the Recorders Court, Detroit, Michigan.

Schleifer, William F., 301 West 73rd Street, Minneapolis, Minnesota, convicted on December 11, 1941, in the Fourth Judicial District Court, Hennepin County, Minnesota.

Spencer, Roger C., 1126 Orville Avenue, Chesapeake, Virginia, convicted on January 29, 1970, in the Circuit Court, Virginia Beach, Virginia.

Stufflebeam, Jr., Willard Lee, 1634 Center Lane, Muskogee, Oklahoma, convicted on May 25, 1965, in the Carter County District Court, Ardmore, Oklahoma, and on August 11, 1967, in the United States District Court, Western District of Oklahoma.

Tillman, Miguelto V., 5544 Whirlway Road, Virginia Beach, Virginia, convicted on September 28, 1965, and on April 16, 1965, in the Circuit Court of the City of Norfolk, Virginia.

Toth, Mark S., 513 Worthington, Apt. #4, Oconomowoc, Wisconsin, convicted on August 2, 1971, in the Calumet County Court, Wisconsin.

Woodall, Jr., Robert E., 3307 Monroe Street, Portsmouth, Virginia, convicted on September 27, 1972, in the Circuit Court, Portsmouth, Virginia.

Signed at Washington, D.C. this 25th day of February, 1974.

[SEAL] REX D. DAVIS,
Director, Bureau of Alcohol, Tobacco and Firearms.

[FR Doc.74-5383 Filed 3-7-74;8:45 am]

United States Customs Service

[T.D. 74-78; Customs Delegation Order No. 48—Amended]

CUSTOMS OFFICERS

Delegation of Authority

FEBRUARY 27, 1974.

By virtue of the authority vested in me by Treasury Department Order No. 165, Revised (T.D. 53654, 19 FR 7241), as amended, Customs Delegation Order No. 48 (T.D. 73-302, 38 FR 30455) is hereby amended by inserting "Customs Officers (excepted)," before "Customs Inspectors (excepted)," in paragraph (1)b. so that it reads as follows:

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

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

[FR Doc.74-5384 Filed 3-7-74;8:45 am]

[T.D. 74-80]

FOREIGN CURRENCIES; CERTIFICATION OF RATES

Rates of Exchange

FEBRUARY 26, 1974.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified the following rates of exchange which varied by 5 per centum or more from the quarterly rate published in Treasury Decision 74-40 for the following countries. Therefore, as to entries covering merchandise exported on the dates listed, whenever it is necessary for Customs purposes to convert such currency into currency of the United States, conversion shall be at the following daily rates:

Italy lira:	
Feb. 18, 1974	Holiday
Feb. 19, 1974	$0.001534
Feb. 20, 1974	.001536
Feb. 21, 1974	.001539
Switzerland franc:	
Feb. 18, 1974	Holiday
Feb. 19, 1974	$0.3178

Feb. 20, 1974	.3195
Feb. 21, 1974	.3227
Feb. 22, 1974	.3262

[SEAL] R. N. MARRA,
Director,
Duty Assessment Division.

[FR Doc.74-5385 Filed 3-7-74;8:45 am]

CUT FLOWERS FROM COLOMBIA

Notice of Countervailing Duty Proceedings

Information has been received pursuant to the provisions of § 159.47(b) of the Customs regulations (19 CFR 159.47(b)), which appears to indicate that certain payments, bestowals, rebates or refunds granted by the Government of Colombia upon the manufacture, production, or exportation of cut flowers constitute the payment or bestowal of a bounty or grant, directly or indirectly, within the meaning of section 303 of the Tariff Act of 1930 (19 U.S.C. 1303), upon the manufacture, production, or exportation of the merchandise to which the payments, bestowals, rebates or refunds apply.

The available information indicates that the approximate amount of the payments, bestowals, rebates or refunds is 13 percent of the value reflected on export documents.

After the expiration of the time limits set forth in this notice, a determination will be made whether a bounty or grant is being paid or bestowed in connection with any such manufacture, production, or export. If it is determined that a bounty or grant is being paid or bestowed, an appropriate countervailing duty order will be issued and published in accordance with § 159.47 of the Customs regulations (19 CFR 159.47).

Before a determination is made, consideration will be given to any relevant data, views, or arguments submitted in writing with respect to the existence or nonexistence, and the net amount of a bounty or grant. Submissions should be addressed to the Commissioner of Customs, 2100 K Street NW., Washington, D.C. 20229, in time to be received by his office on or before April 8, 1974.

This notice is published pursuant to § 159.47(c) of the Customs regulations (19 CFR 159.47(c)).

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

Approved: March 5, 1974.

JAMES B. CLAWSON,
Acting Assistant
Secretary of the Treasury.

[FR Doc.74-5562 Filed 3-7-74;9:03 am]

Customs Service

NON-RUBBER FOOTWEAR FROM BRAZIL

Notice of Countervailing Duty Proceedings

Information has been received pursuant to the provisions of § 159.47(b) of the Customs Regulations (19 CFR 159.47(b)) which appears to indicate that certain payments, bestowals, rebates, or refunds granted by the Government of Brazil upon the manufacture, production, or exportation of non-rubber footwear constitute the payment or bestowal of a bounty or grant, directly or indirectly, within the meaning of section 303 of the Tariff Act of 1930 (19 U.S.C. 1303), upon which the manufacture, production, or exportation of the merchandise to which the payments, bestowals, rebates, or refunds apply.

The approximate amount of the payments, bestowals, rebates, or refunds applicable to non-rubber footwear from Brazil has not yet been ascertained.

After the expiration of the time limits set forth in this notice, a determination will be made whether a bounty or grant is being paid or bestowed in connection with any such manufacture, production, or export. If it is determined that a bounty or grant is being paid or bestowed, an appropriate countervailing duty order will be issued and published in accordance with § 159.47 of the Customs Regulations (19 CFR 159.47).

Before a determination is made, consideration will be given to any relevant data, views, or arguments submitted in writing with respect to the existence or nonexistence, and the net amount of a bounty or grant. Submissions should be addressed to the Commissioner of Customs, 2100 K Street, NW., Washington, D.C. 20229, in time to be received by his office not later than April 8, 1974.

This notice is published pursuant to § 159.47(c) of the Customs Regulations (19 CFR 159.47(c)).

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

Approved: March 5, 1974.

JAMES B. CLAWSON,
Acting Assistant
Secretary of the Treasury.

[FR Doc.74-5564 Filed 3-7-74;9:34 am]

DEPARTMENT OF DEFENSE

Office of the Secretary of Defense

ADVISORY GROUP ON ELECTRON DEVICES

Notice of Meetings

The Department of Defense Advisory Group on Electron Devices and various working groups thereof, will meet in closed sessions as indicated below:

a. Working Group on Low Power Devices, 201 Varick Street, New York, New York 10014, 26 Mar 1974.

b. Working Group on Microwave Devices, 201 Varick Street, New York, New York 10014, 26 Mar 1974.

c. Working Group on Lasers, Air Force Academy, Boulder, Colorado 80302, 29 Mar 1974.

The purpose of the DoD Advisory Group on Electron Devices, and various working groups thereof, is to provide the Director of Defense Research and Engineering and the Military Departments with advice and recommendations on the conduct of economical and effective research and development programs in the field of electron devices, e.g., lasers, radar tubes, transistors, infrared sensors, etc. The group is also the vehicle for interservice coordination of planned R&D efforts.

In accordance with Pub. L. 92-463, section 10, paragraph (d), it is hereby determined that the AGED meetings concern matters listed in section 552(b) of Title 5 of the United States Code, particularly subparagraph (1) thereof, and that the public interest requires such meetings to be closed insofar as the requirements of subsections (a)(1) and (a)(3) of section 10, Pub. L. 92-463 are concerned.

MAURICE W. ROCHE,
Director, Correspondence and Directives, OASD (Comptroller).

MARCH 5, 1974.

[FR Doc.74-5418 Filed 3-7-74;8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Bureau Order No. 701; Amdt. No. 17]

AUTHORITY DELEGATIONS

Miscellaneous Amendments

Bureau Order No. 701, dated July 23, 1964, is further amended as follows:

1. Subparagraph (4) of paragraph (b) of Section 1.0 is amended to read:

SEC. 1.0 *Functions of the State Director.*

* * * * *

(b) *Limitations.*

* * * * *

(4) Approval as basis for action on any proposed transaction, of appraisal reports on any realty valued in the report at $250,000 or more unless prior approval is obtained from the Director's Office.

2. A new paragraph (n) is added to section 1.6 as follows:

SEC. 1.6 *Minerals.*

* * * * *

(n) *Geothermal Resources Leases.*

Take actions on matters involving geothermal resources leases pursuant to the Act of December 24, 1970, (84 Stat. 1566; 30 U.S.C. 1001-1025) and 43 CFR Part 3200. This authority does not include (1) functions pertaining to geothermal deposits that involve approval or execution of unit or cooperative agreements, communitization agreements, operating, drilling or development contracts and (2) functions relating to the grant, approval or termination of the waiver, suspension or reduction of rental or minimum royalty, the reduction of royalty, or the suspension of operations or production under a lease.

3. Paragraph (f) of section 1.7 is amended to read:

SEC. 1.7 *Range Management.*

* * * * *

(f) *Protection of wild free-roaming horses and burros.*

Take all actions under the Act of December 15, 1971, (65 Stat. 649; 16 U.S.C. 1331-1340) except (1) the designation and maintenance of specific ranges on public lands as provided in Section 3(a)

and (2) the arrest provisions in Section 8(b).

4. Section 2.6 is amended to read:

SEC. 2.6 *Minerals.*

* * * * *

(n) Geothermal resources leases.

5. Part IV–B is amended to read:

PART IV–B—REDELEGATION TO MANAGERS, OUTER CONTINENTAL SHELF OFFICES

SEC. 4.1 The Managers, Outer Continental Shelf Offices are authorize to take all actions on the following matters as listed in Part 1 of this order:

SEC. 4.2 *General and miscellaneous matters.*

(a) Oaths.

(b) Cancellations or surrenders of contracts, leases, and permits.

(c) Copies of records.

SEC. 4.3 Fiscal Affairs.

(a) (1) Bonds and forfeitures.

(b) Repayments.

(c) Trespass.

Section 4.6 Outer Continental Shelf Leasing. The Managers, Outer Continental Shelf Offices, are authorized to take all actions in connection with the following.[7]

(a) The making of determinations respecting the compliance or noncompliance of mineral leases issued by a State with the requirement of Section 6 of the Outer Continental Shelf Lands Act (67 Stat. 462; 43 U.S.C. 1331 et seq.), provided that such determination shall be submitted to the Solicitor for concurrence.

(b) Mineral leases pursuant to the Act of August 7, 1953 (67 Stat. 462; 43 U.S.C. 1331 et seq.), and the regulations under 43 CFR Part 3300 except the issuance of calls for the submission of requests for oil and gas or other mineral lease offerings pursuant to 43 CFR 3301.3 and the publication of notices of the offer of lands for lease pursuant to 43 CFR 3301.5.

SEC. 4.10 *Designation of Acting Officials.* (a) The Managers, Outer Continental Shelf Offices, may by written order, designate any qualified employee of the office to perform the functions of the Manager in his absence.

(b) Each employee who serves in such capacity shall prepare a memorandum to be kept in the office showing the date and hour of the commencement and termination of each period of his service in that capacity.

GEORGE L. TURCOTT,
Associate Director.

MARCH 4, 1974.

[FR Doc.74–5381 Filed 3–7–74;8:45 am]

[7] The Gulf of Mexico OCS Office has responsibility for the Gulf of Mexico OCS. The Pacific OCS Office has responsibility for the Pacific OCS from the International boundary between the United States and Mexico north to the International boundary between the United States and Canada, and off-shore Hawaii. The Alaska OCS Office has responsibility for the Alaska OCS.

Fish and Wildlife Service

ALEUTIAN ISLANDS NATIONAL WILDLIFE REFUGE

Notice of Public Hearing

Notice is hereby given in accordance with provisions of the Wilderness Act of September 3, 1964 (Pub. L. 88–577; 78 Stat. 890–896 (16 U.S.C. 1131–1136)), that a public hearing will be held beginning at 7 p.m. April 9 at the Schoolhouse, Adak, Third Judicial District, Alaska, to be continued at 10:30 a.m. on April 10 at Atka, Third Judicial District, Alaska, to be continued at 7 p.m. on April 10 at the Schoolhouse, Unalaska, Third Judicial District, Alaska, to be continued at 7 p.m. on April 17 at the Lousac Library, Anchorage, Third Judicial District, Alaska on a proposal leading to a recommendation to be made to the President of the United States by the Secretary of the Interior regarding the desirability of including a portion of the Aleutian Islands National Wildlife Refuge within the National Wilderness Preservation System. The wilderness study included the entire acreage within the Aleutian Islands National Wildlife Refuge, which is located in the Third Judicial District, State of Alaska.

A study summary containing a map and information on the Aleutian Islands Wilderness Study may be obtained from the Aleutian Islands Refuge Manager, Box 5251, Adak, Alaska 98791, or the Area Director, Bureau of Sport Fisheries and Wildlife, 813 D Street, Anchorage, Alaska 99501.

Individuals or organizations may express their oral or written views by appearing at this hearing, or they may submit written comments for inclusion in the official record of the hearing to the Regional Director at the above address by May 17, 1974.

LYNN A. GREENWALT,
Director, Bureau of Sport Fisheries and Wildlife.

[FR Doc.74–5363 Filed 3–7–74;8:45 am]

CHINCOTEAGUE NATIONAL WILDLIFE REFUGE AND ASSATEAGUE ISLAND NATIONAL SEASHORE

Notice of Public Hearing Regarding Wilderness Proposal

Notice is hereby given in accordance with provisions of the Wilderness Act of September 3, 1964 (Pub. L. 88–577; 78 Stat. 890–896 (16 U.S.C. 1131–1136)), that a public hearing will be held beginning at 9:30 a.m. on April 17, 1974, in the Chincoteague Refuge Auditorium, Chincoteague, Virginia, and continued on April 18, 1974, at 9:30 a.m. in the Headquarters, Assateague Island National Seashore, Berlin, Maryland, on a proposal leading to a recommendation to be made to the President of the United States by the Secretary of the Interior regarding the desirability of including a portion of Chincoteague National Wildlife Refuge and Assateague Island National Seashore within the National Wilderness Preservation System. The Wilderness study included the entire acreage within the Chincoteague National Wildlife Refuge and the Assateague Island National Seashore, which are located in Accomack County, Virginia, and Worcester County, Maryland.

A study summary containing a map and information on the Assateague Island Wilderness Proposal may be obtained from the following: Refuge Manager, Chincoteague National Wildlife Refuge, Box 63, Chincoteague, Virginia 23336; Regional Director, Bureau of Sport Fisheries and Wildlife, John W. McCormick Post Office and Courthouse, Boston, Massachusetts 02109; Superintendent, Assateague Island National Seashore, Route 2, Box 294, Berlin, Maryland 21811 and Regional Director, National Park Service, 1435 S. Third Street, Philadelphia, Pennsylvania 19106.

Individuals or organizations may express their oral or written views by appearing at this hearing, or they may submit written comments for inclusion in the official record of the hearings to the Regional Director, Bureau of Sport Fisheries and Wildlife, John W. McCormick Post Office and Courthouse, Boston, Massachusetts 02109, by May 20, 1974.

F. V. SCHMIDT,
Acting Director, Bureau of Sport Fisheries and Wildlife.

MARCH 1, 1974.

[FR Doc.74–5364 Filed 3–7–74;8:45 am]

Office of Hearings and Appeals

[Docket No. M 74–57]

EASTERN ASSOCIATED COAL CORP.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 861(c) (1970), Eastern Associated Coal Corporation has filed a petition to modify the application of 30 CFR 75.402 to its Federal No. 1 Mine.

30 CFR 75.402 reads in pertinent part, as follows:

> All underground areas of a coal mine * * * shall be rockdusted to within 40 feet of all working faces, unless such areas are inaccessible or unsafe to enter or unless the Secretary or his authorized representative permits an exception upon his finding that such exception will not pose a hazard to the miners. * * *

Petitioner states in support of its petition that:

1. Petitioner is the operator of the Federal No. 1 mine located near Grant Town, West Virginia.

2. In the No. 2 block left off 8 North panel of the Federal No. 1 mine, Petitioner employs a mechanical mining system known as a short-wall or armored bridge system.

3. The mining system in said section of Petitioner's Federal No. 1 mine is the

only instance of the use of such system in the coal mining industry in the United States of America.

4. The system is a modification of the long-wall mining system in that self-advancing hydraulic roof support jacks are used instead of the conventional roof support methods.

5. A long face is mined immediately in front of roof control system by use of a No. 21 Heliminer continuous mining machine.

6. The No. 21 Heliminer is used to make a cut 6½ feet high and 10 feet 10 inches wide in the block of coal being mined. This cut is driven parallel to the line of automatic roof supports. The coal that is cut is loaded by a loading machine and/or shuttle cars onto a conveyor belt in an entry which is perpendicular to the cut being made by the No. 21 Heliminer. The No. 21 Heliminer takes a cut 187 feet in length and then backs up and repeats the procedure. On the average, one 187 foot long cut is made on each shift.

Petitioner believes that the entire area in front of and along the side of the No. 21 Heliminer is the working face and, therefore, no rockdust is applied in such areas.

The authorized representative of the Secretary has classified only the area immediately in front of the No. 21 Heliminer as the working face. Petitioner alleges that such representative has threatened to require rock dusting of the area along the side of the No. 21 Heliminer to within 40 feet of the working face.

Petitioner requests modification of the interpretation of 30 CFR 75.402 which would require it to rock dust the area along the side of the No. 21 Heliminer. Petitioner believes the area to be a working face, and Petitioner does not rock dust such area.

Petitioner assures that its system guarantees no less than the same measure of protection afforded the miners at the mine than would be the case if the authorized representative's interpretation were enforced. Petitioner adds that the increased necessity of rock duting in such area would increase the risk of hazard to the health and safety of the miners and, therefore, result in a diminution of general safety conditions at the mine.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before April 8, 1974. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

JAMES R. RICHARDS,
Director, Office of Hearings and Appeals.

FEBRUARY 26, 1974.

[FR Doc.74-5377 Filed 3-7-74;8:45 am]

[Docket No. M 74-59]

EASTERN ASSOCIATED COAL CORP.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301 (c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 861(c) (1970), Eastern Associated Coal Corporation has filed a petition to modify the application of 30 CFR 77.810 to its Colver, Federal No. 1, Federal No. 2, Delmont, Joanne, Harris No. 1, Harris No. 2, Kopperston No. 1, Kopperston No. 2, Keystone No. 1, Keystone No. 2, Keystone No. 3-B, Keystone No. 4, Wharton No. 2, Wharton No. 3, Wharton No. 4, Wharton No. 5, and Wharton No. 6 Mines.

30 CFR 77.810 reads as follows:

> Frames, supporting structures, and enclosures of stationary, portable, or mobile high-voltage equipment shall be effectively grounded.

Petitioner states that the authorized representative of the Secretary of the Department of the Interior has interpreted shall be effectively grounded to mean that a ground wire must be run from all of the high-voltage surface equipment to the main power source, that is, the origin of the power system.

Petitioner also states that it has been using surface electrical systems at the above-listed mines for a number of years and that such systems do not comply with the interpretation of the authorized representative of the Secretary.

Petitioner requests that it be allowed to continue using its present system. In such system the surface high-voltage equipment is solidly grounded at the substation transformer by means of a ground wire, but a ground wire is not run back to the main power source.

Petitioner submits that the electrical systems at the above-listed mines guarantee no less than the same measure of protection afforded the miners at the mines than would be the case if the interpretation of the authorized representative of the Secretary were enforced. In addition, Petitioner alleges that the increased necessity for installing and maintaining many miles of unnecessary grounding wires in difficult terrain and during inclement weather increases the incidence of risk to the miners and, therefore, results in a diminution of general safety conditions at the mines.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before April 8, 1974. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

JAMES R. RICHARDS,
Director, Office of Hearings and Appeals.

FEBRUARY 26, 1974.

[FR Doc.74-5375 Filed 3-7-74;8:45 am]

[Docket No. M 74-43]

ISLAND CREEK COAL CO.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 861(c) (1970), Island Creek Coal Company has filed a petition to modify the application of 30 CFR 75.305 to its Guyan No. 5 Mine located in Logan District, Logan County, near Kelly, West Virginia.

30 CFR 75.305 reads in pertinent part as follows:

> In addition to the pre-shift and daily examinations required by this Subpart D, examinations for hazardous conditions, including tests for methane, and for compliance with the mandatory health or safety standards, shall be made at least once each week by a certified person designated by the operator in the return of each split of air where it enters the main return, on pillar falls, at seals, in the main return, at least one entry of each intake and return aircourse in its entirety, idle workings, and, insofar as safety considerations permit, abandoned areas.

Petitioner seeks a waiver of that part of the regulation which requires that return airways shall be traveled in their entirety by an inspector designated by the operator.

In support of its petition for modification, Petitioner states that:

(1) The Guyan No. 5 Mine is in the final stage of recovery and the estimated production life of the mine is approximately 3 years.

(2) The ventilation system utilizes two return air shafts, the bottoms of which are located in the abandoned areas of the mine. The return aircourses are inaccessible for travel due to a heaving bottom and/or dangerous roof conditions.

(3) The airways in question are not a part of the mine escapeway system. Furthermore, the inaccessibility of the gob areas does not create a diminution of safety for the miners, but rather a greater degree of safety due to the improved efficiency in ventilating gob areas.

(4) The ventilation system for the mine has been approved by the district manager for the district in which the mine is located. The district manager's approval includes recognition of the fact that the safety requirement in question cannot be followed.

(5) Air measurements are taken daily in the active areas of the mine, and the mine fans are examined daily by qualified personnel. The fans are equipped with safety devices in accordance with the safety regulations governing the use and maintenance of fans.

(6) The return aircourses were not accessible for travel prior to the enactment of the Federal Coal Mine Health and Safety Act of 1969, and do not in any way pose a hazard to be Petitioner's employees.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before April 8, 1974. Such requests or comments must be filed with the Office of Hearings and Appeals,

Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

JAMES R. RICHARDS,
Director, Office of Hearings and Appeals.

FEBRUARY 26, 1974.

[FR Doc.74-5376 Filed 3-7-74;8:45 am]

Office of Oil and Gas

COMMITTEE ON ENERGY CONSERVATION OF THE NATIONAL PETROLEUM COUNCIL

Notice of Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the following meeting:

The Committee on Energy Conservation of the National Petroleum Council will meet at 9:30 a.m. on March 13, 1974, in the Dolley Madison Room, Madison Hotel, 15th and M Streets NW., Washington, D.C. The agenda will include consideration of an "Interim Report on Energy Conservation in the United States, Short-Term Potential 1974-1978."

The meeting will be open to the public to the extent that facilities permit. Information with respect to this meeting may be obtained from Ben Tafoya, Office of Oil and Gas, Department of the Interior at the Federal Energy Office, Postoffice Building, 12th Street and Pennsylvania Avenue, Washington, D.C., telephone number 961-7314 or 961-7076.

The purpose of the National Petroleum Council is to provide advice, information and recommendations to the Secretary of the Interior, upon request, on any matter relating to petroleum or the petroleum industry.

Dated: March 7, 1974.

ROBERT L. PRESLEY,
Assistant Director, Emergency Preparedness Office of Oil and Gas, Department of the Interior.

[FR Doc.74-5599 Filed 3-7-74;10:37 am]

DEPARTMENT OF AGRICULTURE

Rural Electrification Administration

SOUTH MISSISSIPPI ELECTRIC POWER ASSOCIATION

Proposed Loan Guarantee

Under the authority of Pub. L. 93-32 (87 Stat. 65) notice is hereby given that the Administrator of REA will consider (a) providing a guarantee supported by the full faith and credit of the United States of America for a loan in the approximate amount of $162,000,000 to South Mississippi Electric Power Association, of Hattiesburg, Mississippi, and (b) supplementing such loan with an insured REA loan at 5 percent interest in the amount of approximately $3,000,000 to this cooperative. This loan would finance a project consisting of two 180 MW coal fired steam generating units near Purvis, Mississippi, associated transmission facilities of approximately 66 miles of 161 kV line, and related terminal facilities.

Legally organized lending agencies capable of making, holding and servicing the loan proposed to be guaranteed may obtain information on the proposed project, including engineering and economic feasibility studies and the proposed schedule for the advances to the borrower of the guaranteed loan funds, from Mr. George B. Taylor, General Manager, South Mississippi Electric Power Association, P.O. Box 2018, Hattiesburg, Mississippi 39401.

In order to be considered, proposals must be submitted on or before April 22, 1974 to Mr. Taylor. The right is reserved to give such consideration and make such evaluations or other dispositions of all proposals received as South Mississippi Electric Power Association and REA may deem appropriate. Prospective lenders are advised that in view of the Department of Treasury announcement of February 19, 1974, concerning the Federal Financing Bank and the eligibility of REA programs for FFB financing, it is anticipated that a financing proposal for this project will be made by the FFB.

The Rural Electrification Administration has published a revision of proposed REA Bulletin 20-22 entitled "Guarantee of Loans for Bulk Power Supply Facilities," which sets forth agency proposed policies and requirements concerning loan guarantees. The text of this proposed revised Bulletin was published for comment in the FEDERAL REGISTER dated January 3, 1974, page 814.

Copies of the proposed revised REA Bulletin 20-22 are available from Director, Information Services Division, Rural Electrification Administration, U.S. Department of Agriculture, Washington, D.C. 20250.

Dated at Washington, D.C., this 4th day of March 1974.

DAVID A. HAMIL,
Administrator, Rural Electrification Administration.

[FR Doc.74-5429 Filed 3-7-74;8:45 am]

SOUTH MISSISSIPPI ELECTRIC POWER ASSOCIATION

Draft Environmental Statement

Notice is hereby given that the Rural Electrification Administration has prepared a Draft Environmental Statement in accordance with section 102(2)(C) of the National Environmental Policy Act of 1969, in connection with a loan application from South Mississippi Electric Power Association, Hattiesburg, Mississippi. This loan application includes financing for the construction of a two unit 360 MW coal fired generating plant in Lamar County, Mississippi; and the construction of related transmission facilities; and the development of a coal supply in Bell, Leslie, and Clay Counties, Kentucky.

Additional information may be secured on request, submitted to the Assistant Administrator-Electric, Rural Electrification Administration, U.S. Department of Agriculture, Washington, D.C. 20250. Comments are particularly invited from State and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact involved from which comments have not been requested specifically.

Copies of the REA Draft Environmental Statement have been sent to various Federal, State and local agencies, as outlined in the Council on Environmental Quality Guidelines. The Draft Environmental Statement may be examined during regular business hours at the offices of REA in the South Agriculture Building, 12th Street and Independence Avenue SW., Washington, D.C., Room 4310, or at the borrower address indicated above.

Comments concerning the environmental impact of the construction proposed should be addressed to the Assistant Administrator-Electric at the address given above. Comments must be received within sixty (60) days of the date of publication of this notice to be considered in connection with the proposed action.

Final REA action with respect to this matter (including any release of funds) will be taken only after REA has reached satisfactory conclusions with respect to its environmental effects and after procedural requirements set forth in the National Environmental Policy Act of 1969 have been met.

Dated at Washington, D.C., this 4th day of March, 1974.

DAVID A. HAMIL,
Administrator, Rural Electrification Administration.

[FR Doc.74-5427 Filed 3-7-74;8:45 am]

DEPARTMENT OF COMMERCE

Maritime Administration

BULK CHEMICAL CARRIER CONSTRUCTION PROGRAM

Draft Environmental Impact Statement; Notice of Availability

Notice is hereby given that copies of the U.S. Department of Commerce draft environmental impact statement on the Maritime Administration Bulk Chemical Carrier Construction Program will be filed with the Council on Environmental Quality and available to the public on March 15, 1974. Copies of the statement will be available for public inspection at the following locations:

Maritime Administration, Office of Public Affairs, Room 4889, Department of Commerce, Washington, D.C. 20230.

Maritime Administration, Eastern Regional Office, 26 Federal Plaza, New York, N.Y. 10007.

Maritime Administration, Central Regional Office, 701 Loyola Ave., New Orleans, La. 70152.

Maritime Administration, Western Regional Office, 450 Golden Gate Ave., San Francisco, Calif. 94102.

Any questions concerning the statement should be directed to Dr. Sidney R. Galler, Deputy Assistant Secretary for Environmental Affairs, Department of Commerce, Washington, D.C. 20230, 202–967–4335. Persons desiring to file written comments should submit same to Dr. Galler prior to April 30, 1974.

The draft statement entitled, "Maritime Administration Bulk Chemical Carrier Construction Program", refers to proposed assistance to private industry to aid in the construction in the United States of a specialized fleet of modern bulk chemical tank vessels during the decade of the 1970's (approximately 420 pages).

Dated: March 5, 1974.

By Order of the Assistant Secretary of Commerce for Maritime Affairs/Maritime Subsidy Board.

JAMES S. DAWSON, Jr.
Secretary.

[FR Doc.74–5431 Filed 3–7–74;8:45 am]

[Docket No. S–409]

MOORE-McCORMACK LINES, INC.

Notice of Application

Notice is hereby given that Moore-McCormack Lines, Incorporated, a wholly-owned subsidiary of Moore and McCormack Co., Inc., has filed an application for a new twenty-year operating-differential subsidy agreement under Title VI (46 U.S.C. 1171–1183) of the Merchant Marine Act, 1936, as amended (the Act). If this application is approved, the twenty-year agreement would succeed and become effective upon termination of the applicant's present agreement, Contract No. FMB–48 (Rev.), which will terminate under the provisions of Article 10 thereof on December 31, 1977.

No change in service or sailing requirements is contemplated so that, until replaced as required by the United States, the applicant's present fleet of eight MA Design C3–S–33a type vessels and six MA Design C4–S–60a type vessels (three of which are proposed to be reconstructed to convert them to partial container ships) would continue to operate in the required subsidized services on Trade Route No. 1, U.S. Atlantic/East Coast of South America under a present requirement for a minimum of 50 and a maximum of 86 sailings per annum; and on Trade Route No. 15A, U.S. Atlantic/South and East Africa under a present requirement for a minimum of 20 and a maximum of 30 sailings per annum, with an experimental provision that outbound calls on a privileged basis may be made at Brazil on Trade Route No. 15A; and such currently subsidized vessels would continue to operate on a privileged or permissive basis in certain other areas, including: Barbados, B.W.I.; U.S. Atlantic/Canadian Atlantic and St. Lawrence River to Montreal; Great Lakes and St. Lawrence River west of Montreal/East Coast of South America and South and East Africa.

Interested parties may inspect this application in the office of the Secretary, Maritime Subsidy Board, Room 3099–B, Department of Commerce Building, Fourteenth and E Streets NW., Washington, D.C. 20230.

Any person, firm or corporation having an interest in such application who desires to offer views and comments thereon for consideration by the Maritime Subsidy Board should submit them in writing, in triplicate, to the Secretary, Maritime Subsidy Board, Washington, D.C. 20230, by close of business on March 22, 1974. The Maritime Subsidy Board will consider these views and comments, and take such action with respect thereto as may be deemed appropriate.

(Catalog of Federal Domestic Assistance Program No. 11.504, Operating-Differential Subsidies (ODS))

Dated: March 5, 1974.

By Order of the Maritime Subsidy Board.

JAMES S. DAWSON, Jr.,
Secretary.

[FR Doc.74–5430 Filed 3–7–74;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

IN VITRO DIAGNOSTIC PRODUCTS FOR HUMAN USE

Request for Data and Information To Establish a Product Class Standard for Products Involved in the Measurement of Hemoglobin in Human Blood

The Commissioner of Food and Drugs published in the FEDERAL REGISTER of March 15, 1973 (38 FR 7096), procedures for establishing product class standards for in vitro diagnostic products for human use.

After consultation with the Diagnostic Products Advisory Committee, the Commissioner has concluded that the establishment of a product class standard for in vitro diagnostic products for the measurement of hemoglobin in blood specimens taken from the human body appears to be necessary. No such standard currently exists or is being developed. Since the institution of the diagnostic products program by the Food and Drug Administration in January 1972, two recalls of products intended for the measurement of hemoglobin have been instituted on the basis of product performance deficiencies.

On the basis of all available data and other relevant information and pursuant to the provisions of § 167.3(a) (21 CFR 167.3(a)), the Commissioner finds:

The scientific literature documents the problems associated with the measurement of hemoglobin in the clinical laboratory. These deficiencies may be related to an inherent error in the procedure, a failure of the diagnostic product, or the skill of the medical technician performing the in vitro test. Errors as great as 20 percent have been reported resulting from the use of instruments obtained on the open market in carrying out hemoglobin determinations. Concern has also been expressed over errors introduced when instruments are not periodically calibrated. Examples of this documentation are listed below:

1. Wintrobe, M. W., "Hemoglobinometry", *Clinical Hematology*, 6th edition, Lea and Febiger, Philadelphia, 1967.

2. Logan, J. E., and R. N. Barnett, "Evaluation of Commercial Kits," *CRC Critical Reviews in Clinical Laboratory Sciences*, p. 272, September 1972.

In recent years new in vitro diagnostic products have been developed for measuring hemoglobin. The reliability and accuracy of these products have not been described in the literature to the extent necessary to determine their performance characteristics or to assure that the results obtained through their use are comparable to those more established procedures and products.

The Food and Drug Administration has no practical way of identifying the in vitro diagnostic products for measuring hemoglobin that may be based on unreliable or inaccurate procedures. Until these products can be identified, it is not possible to evaluate the suitability of the various products being marketed for measuring hemoglobin. These products may give totally different results leading to incorrect diagnosis and medical treatment. Inaccurate results may be due in part to faulty laboratory techniques which could be corrected by the development of procedures and products which are easier to use and by revision of product labeling to clarify the techniques and procedures to be followed in using the product.

The medical need for reliable in vitro diagnostic products for the measurement of hemoglobin is well established. Such measurements are one of the most frequently performed diagnostic procedures. It is estimated by the Center for Disease Control that approximately 213 million measurements of hemoglobin were made in 1972 at a cost to patients of 28 million dollars.

The measurement of hemoglobin is of vital importance in the detection and management of anemia and other diseases associated with abnormal hemoglobin levels. The serious consequences which may result if the instigation or withholding of treatment is based on an erroneous determination are well-known. Hemoglobin measurement is frequently used as a basis for determining the need for a blood transfusion. An erroneous determination may expose the patient to the unnecessary risk of blood transfusion including infection, hemosiderosis, and transfusion reaction (Crosby, W. H., "Misuse of Blood Transfusions (Editorial)", Blood, Vol. 13, No. 12, pp. 1198–1200, December 1958).

Normal hemoglobin values vary within a relatively narrow range among individuals and there is less variation observed in a particular individual. Even a small change in serial hemoglobin measurements may be significant and may be used as the basis for the instiga-

tion or withholding of treatment. Therefore, a high level of precision is critical in the results obtained through use of these products.

In its publication, *List of Test Kits for Clinical Laboratories*, August 1972, the Center for Disease Control identifies in excess of 30 marketed products offered for the measurement of hemoglobin. These represent a proliferation not only in the number of products but also in the number of methodologies on which the products are based. Additionally, individual components for use in systems are being marketed with no demonstration of their effect on the results expected in that system. Therefore, there exists an increasing potential for nonuniformity in the interpretation of results.

There is no reason to suspect that a standard for in vitro diagnostic products for the measurement of hemoglobin would have an unreasonable effect upon the utility, cost, or availability of these products. The Commissioner believes that a reasonable standard can be adopted with a minimal disruption of supply and of manufacture and other commercial practices. Prior to publishing any proposed standard for such products, the Commissioner will give careful consideration to any relevant information received in response to this request regarding the need for a standard, the probable effect of a standard upon the utility, cost, or availability of the product, and the available means of achieving the objective of a standard with a minimal disruption of supply and of reasonable manufacturing and other commercial practices.

Therefore, the Commissioner proposes to develop a product class standard for in vitro diagnostic products for the measurement of hemoglobin in human blood. Products to be reviewed for the development of this product class standard include reagents, calibration reference material, instruments, and systems and system components.

To provide all interested persons an opportunity to comment on the need for such a standard, including the factors required by 21 CFR § 167.3(a) to be considered by the Commissioner, and to present relevant data and information to assist in the development of a standard for these products, if one is needed, the Commissioner invites submission of published and unpublished data concerning the composition, performance, and labeling of these products. The format for such submission may be determined by the nature of the information to be submitted. Any product performance information submitted shall relate to the performance of that product as marketed or intended for marketing. Information submitted by a manufacturer of a product which will be affected by the standard shall be in the format described below. Four indexed and bound copies shall be submitted.

(1) Name of product class (Hemoglobin measurement) and date of this FEDERAL REGISTER statement.

(2) Proprietary name of product.

(3) Name of person responsible for submission.

(4) Intended use or uses of the product.

(5) A statement categorizing the procedure (e.g., qualitative or quantitative).

(6) Copies of label and all other labeling under which product is currently marketed or, for a proposed product, the label and all other labeling under which marketing is intended.

(7) Description of the product, as appropriate: For example, if the product is or includes a reagent, state the proprietary name and established name (common or usual name), if any, and quantity, proportion, or concentration of each reactive, catalytic, or inactive ingredient. If the product is a biological material, list the source and a measure of its activity. Include a statement of any purification or treatment required for use. If the product is or includes an instrument or equipment, describe as appropriate its use or functions, installation procedures and any special requirements, principle of operating instructions, calibration procedures including materials and/or equipment to be used, operation precautions and limitations, hazards, and service and maintenance instructions.

(8) Stability information: A description of, and data derived from, studies of the stability of the product. For any product that requires manipulation (e.g., reconstitution or mixing), stability data shall be described for the reconstituted or mixed product. Describe the means by which the information was developed. The data shall be for the product in the container in which it is marketed to assure, among other things, that the container is not reactive, additive, or absorptive to an extent that alters the product or its performance. Include any expiration period data which supports any expiration date which appears in the labeling of the product. Describe the storage conditions necessary for the product, such as temperature, light, and humidity.

(9) Hazards to user: A statement of the principal hazards associated with the product. Include the result of tests conducted to determine the applicability of hazard warnings or cautions, including those established in the regulations contained in Part 191 of this chapter.

(10) History of methodology: A brief history of the methodology, with pertinent references. All references to reports of adverse or unfavorable experience with the product or the procedure on which it is based shall be included. If the product procedure is the same as one which has been published, cite the reference. If the product is based on a modification of a published procedure, cite the reference, state the reason for and the nature of the modification and the effect such modification may have on the results of the procedure as compared to the original. Include data illustrating the comparison of the modified procedure to the original procedure.

(11) Principle of test: An explanation of the test procedure including the chemical, physical, physiological, or biological principle of the procedure with chemical reactions and techniques involved, if applicable.

(12) Specimen collection and preparation: A description of the specimen to be subjected to analysis: (a) Special precautions regarding specimen collections, including special preparation of the patient as it bears on the validity of the test;

(b) Additives, preservatives, etc., necessary to maintain the integrity of the specimen;

(c) Known interfering substances and their effect on the procedure and results;

(d) Appropriate storage, handling or shipping instructions.

(13) Procedure: A detailed, step-by-step description of the test procedure from reception of the specimen to obtainment of results, including any points that may be useful in improving precision and accuracy. Give the exact details of calibration. Identify reference material. Describe preparation of reference samples, use of blanks, etc. Include a description of methods to be used in determining the standard curve.

(14) Results: Explain the procedure for calculating the value of the unknown. Give an explanation of each component of the formula used for the calculation of the unknown. Include a sample calculation, step-by-step, explaining the answer. Values should be expressed to the appropriate number of significant figures. Provide the basis for evaluation of non-quantitative test results.

(15) Limitation of the procedure: Include a statement of the limitations of the procedure and an explanation of extrinsic factors, if any, that may affect the results. Particular attention should be given to providing information on the performance of the product in measuring both normal and abnormal hemoglobin forms. Include statements regarding minimum training needed by the user, special precautions and interfering substances. If a more specific or more sensitive laboratory test is indicated in certain instances, the indication for the additional test shall be stated and data submitted to support its value.

(16) Support of claims: Include all available data, published or unpublished, which support or are critical of the product or its procedure. Include data for both normal and abnormal subjects and a description of the population or population studies. State, for each claim:

(a) Labeling claim;

(b) Background documentation: Provide a bibliography and reprints of all pertinent references;

(c) Procedure used for collecting evidence for claim;

(d) Description of statistical protocol;

(e) Description of sampling procedure;

(f) Summary of raw results in tabular form;

(g) Analysis of results;

(h) Statement of interpretation of results.

(17) Summary of scientific basis of procedure: A summary of the data and views setting forth the scientific rationale and purpose of the product, and the scientific basis for the conclusion that the product has or has not been proven accurate and reliable for its intended uses. If there is an absence of controlled studies in the material submitted, an explanation as to why such studies are not considered necessary shall be included.

(18) If the submission is by a manufacturer, a statement signed by the person responsible for such submission that, to the best of his knowledge, it includes unfavorable information as well as any favorable information known to him pertinent to an evaluation of the performance of the product. Thus, if any type of scientific data is submitted, a balanced submission of favorable and unfavorable data must be submitted. The same would be true of any other pertinent data or information submitted, such as consumer surveys or marketing results.

Any such submission shall be mailed on or before June 6, 1974 to:

Food and Drug Administration
Bureau of Drugs
Diagnostic Products Staff (HFD-207)
5600 Fishers Lane
Rockville, Maryland 20852

Dated: March 1, 1974.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner for Compliance.

[FR Doc.74-5392 Filed 3-7-74;8:45 am]

[NADA No. 14-806V]

STERWIN LABORATORIES, INC.

Racephenicol; Notice of Withdrawal of Approval of New Animal Drug Application

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512, 82 Stat. 343-351; (21 U.S.C. 360b)) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120), the following notice is issued based on grounds set forth below:

New animal drug application (NADA) No. 14-806V held by Sterwin Laboratories, Inc., Subsidiary of Sterling Drug Inc., 90 Park Ave., New York, NY 10016, provides for the use of racephenicol in the feed of chickens for the control of chronic and acute fowl cholera. New evidence not contained in the new animal drug application and not available to the Commissioner at the time the application was approved shows that the drug is not shown to be safe for use under the conditions of use upon the basis of which the application was approved. Studies completed by the Food and Drug Administration indicate that when racephenicol is fed to chickens at 50 and 140 grams per ton of feed an increase in chloramphenicol resistance in coliform and salmonella organisms in chickens occurs. On occasion (e.g. typhoid fever) there may be a critical need for effective chloramphenicol therapy in man and these findings with respect to racephenicol are considered by the Commissioner as reflecting a potential public health hazard.

As information available to the Commissioner indicates that the drug has not been marketed, the sponsor was offered an opportunity to carry out additional studies for the purpose of fully resolving this safety question and advised that, alternatively, action would be initiated to withdraw approval of the application. The sponsor has responded by stating that they have no plans to market the drug and that they do not wish to avail themselves of an opportunity for a hearing regarding the withdrawal of approval of the subject application.

Therefore, approval of NADA No. 14-806V, including all amendments and supplements thereto, is hereby withdrawn effective on March 8, 1974.

Dated: March 1, 1974.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner for Compliance.

[FR Doc.74-5387 Filed 3-7-74;8:45 am]

Food and Drug Administration

DIGOXIN PRODUCTS FOR ORAL USE

Notice of Open Meeting Regarding Revisions of Product Labeling

In the FEDERAL REGISTER of January 22, 1974 (39 FR 2471) the Commissioner of Food and Drugs published a final order establishing a new § 130.51 (21 CFR 130.-51) setting forth conditions for marketing digoxin products for oral use. Under this order any person marketing a digoxin product for oral use is required to submit an abbreviated new drug application for the product to the Food and Drug Administration on or before February 21, 1974.

Elsewhere in this issue of the FEDERAL REGISTER, the Commissioner has published a stay of the time for the submission of these applications until 30 days after such time as a decision is reached regarding the revision of the product labeling set forth in § 130.51(e). In order to provide for maximum public participation in the development of revised product labeling for digoxin products for oral use, the Commissioner has scheduled an open public meeting between members of the Cardio-Renal Advisory Committee, digoxin manufacturers and any other interested persons for 1:00 to 3:00 p.m., March 13, 1974 to discuss this subject. The meeting will be held in Room 13-57, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20852. Any interested person may attend and participate.

All known manufacturers of digoxin products for oral use already have been notified of this meeting.

Following this meeting, the Commissioner will make a decision on revision of the product labeling set forth in § 130.-51(e). The Commissioner's decision along with his response to other comments received regarding the order of January 22, 1974, will be published in the FEDERAL REGISTER in the near future.

Dated: March 7, 1974.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner for Compliance.

[FR Doc.74-5618 Filed 3-7-74;11:26 am]

National Institutes of Health

DIVISION OF RESEARCH GRANTS

Notice of Workshops

Notice is hereby given of Workshops to be held by the following Study Sections on the dates and places listed below:

DEVELOPMENTAL BEHAVIORAL SCIENCES STUDY SECTION

Workshop on Developmental Human Behavior Genetics, National Institutes of Health, Building 31, C Wing, Room 6, April 16 and April 17, 9:00 a.m.-7:30 p.m.

Further information may be obtained from Dr. Bertie Woolf, Executive Secretary Developmental Behavioral Sciences Study Section, Westwood Building, Room 236, telephone 496-7471.

REPRODUCTIVE BIOLOGY STUDY SECTION

Workshop on The Uterus, Holiday Inn, Bethesda, Md., April 27 and April 28, 9:00 A.M.-7:30 P.M.

Further information may be obtained from Dr. Robert T. Hill, Executive Secretary Reproductive Biology Study Section, Westwood Building, Room 206, telephone 496-7318.

TROPICAL MEDICINE AND PARASITOLOGY STUDY SECTION

Workshop on Immune Reactions in Invertebrates, Landow Building, Room C 418, Bethesda, Md., April 17, 9:00 A.M.-5:00 P.M. and April 18, 9:00 A.M.-12:00 Noon.

Further information may be obtained from Dr. George W. Luttermoser, Executive Secretary Tropical Medicine and Parasitology Study Section, Westwood Building, Room 319, telephone 496-7494.

Attendance at Workshops limited to space available.

Dated: March 1, 1974.

LEON M. SCHWARTZ,
Associate Director for Administration, National Institutes of Health.

[FR Doc.74-5416 Filed 3-7-74;8:45 am]

NATIONAL CANCER ADVISORY BOARD SUBCOMMITTEES

Notice of Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the National Cancer Advisory Board Subcommittee on Centers, National Cancer Institute, March 17, 1974 at 7:30 p.m., Holiday Inn, Montgomery Room, Bethesda, Maryland. This meeting will be open to the public from 7:30 p.m. to 8:00 p.m., for review of the Centers Program. Attendance by the public will be limited to space available. The meeting will be

closed to the public from 8:00 p.m. to 10:00 p.m. for the discussion and review of approximately 20 comprehensive and specialized center grant applications in accordance with the provisions set forth in section 552(b) 4 of Title 5 U.S. Code and section 10(d) of Pub. L. 92–463.

Mrs. Marjorie F. Early, Committee Management Officer, NCI, Building 31, Room 3A16, National Institutes of Health, Bethesda, Maryland 20014 (301/496–5708) will furnish summaries of the open/closed meeting and roster of committee members.

Dr. John Yarbro, Executive Secretary, Westwood Building, Room 832, Division of Cancer Research Resources and Centers, NCI, National Institutes of Health, Bethesda, Maryland 20014 (301/496–7427) will provide substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.312, National Institutes of Health)

Dated: March 1, 1974.

LEON M. SCHWARTZ,
Associate Director for Administration, National Institutes of Health.

[FR Doc.74–5415 Filed 3–7–74;8:45 am]

NATIONAL HEART AND LUNG INSTITUTE

Notice of Meeting

The National Heart and Lung Institute wishes to announce a workshop on Artificial Blood. The workshop will be held on April 5, 1974 from 9 a.m. to 9 p.m. and April 6, 1974 from 9 a.m. to 12 p.m. in Conference Room 6, Building 31, National Institutes of Health, Bethesda, Maryland.

The purpose of this workshop is to review progress made in the field of artificial blood research in the past four years, to advise the Division of Blood Diseases and Resources of the National Heart and Lung Institute of possible areas of research support, and to assist in the dissemination of this information among the scientific community.

Because of limited space, only invited participants will be assured of seating accommodations.

For further information, please contact Dr. Peter B. Sherer, NHLI, Building 31, Room 4A–03, (301) 496–5911.

Dated: March 1, 1974.

LEON M. SCHWARTZ,
Associate Director for Administration, National Institutes of Health.

[FR Doc.74–5417 Filed 3–7–74;8:45 am]

Office of the Secretary

COMMISSIONER OF FOOD AND DRUGS

Redelegation of Authority Amendment

The Redelegation of Authority to the Commissioner of Food and Drugs (35 FR 606, January 16, 1970, as amended) is further amended to reflect an additional delegation of authority made by the Assistant Secretary for Health to the Commissioner of Food and Drugs relating to blood and blood products under section 361 of the Public Health Service Act (42 U.S.C. 264).

Accordingly, paragraph 3 is amended by revising subparagraph (c) as follows:

3. Functions vested in the Secretary and the Department under:

* * * * *

c. Section 361 of the Public Health Service Act (42 U.S.C. 264) which relate to blood and blood products when such functions relate to the law enforcement functions of the Food and Drug Administration; interstate travel sanitation (except interstate transportation of etiological agents under 42 CFR 72.25); milk and food service sanitation; and shellfish sanitation.

* * * * *

The redelegation of authority was effective December 28, 1973.

Dated: March 1, 1974.

THOMAS S. MCFEE,
Deputy Assistant Secretary for Management Planning and Technology.

[FR Doc.74–5420 Filed 3–7–74;8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Assistant Secretary for Equal Opportunity

[Docket No. N–74–220]

HOUSING PROBLEMS OF SPANISH-SPEAKING AMERICANS

Notice of Public Meeting

Pursuant to § 106.3 of the Department of Housing and Urban Development regulations establishing procedures for the scheduling of fair housing public meetings (24 CFR 106.3; 37 FR 24420 (11–17–72)), notice is hereby given of a public fact-finding meeting to be conducted by the Assistant Secretary for Equal Opportunity. The meeting will be open to the public and shall convene Wednesday, April 10, 1974, at 9:00 a.m. in the South Dade Governmental Center, 10710 SW., 211 Street, Miami, Florida. The meeting will reconvene Thursday, April 11, 1974, at 9:00 a.m. in the General Services Administration Executive Conference Room, Federal Building, 51 SW., First Avenue, Miami, Florida. The subject of the Wednesday session will be housing problems of the migrant Spanish-Speaking Americans. The subject of the Thursday session will be the housing problems of the urban Spanish-Speaking Americans.

Persons desiring to submit information or to give testimony concerning the subject of the meeting, should address such information to Dr. Gloria E. A. Toote, Assistant Secretary for Equal Opportunity, Department of Housing and Urban Development, Attention: Mr. Kenneth F. Holbert, 451 7th Street SW., Washington, D.C. 20410. Such information or request to give testimony should be postmarked no later than midnight March 30, 1974.

Dated at Washington, D.C., March 6, 1974.

GLORIA E. A. TOOTE,
Assistant Secretary for Equal Opportunity.

[FR Doc.74–5509 Filed 3–7–74;8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

WALT WHITMAN AND BENJAMIN FRANKLIN BRIDGE TOLLS

Notice of Public Hearings

The Federal Highway Administration will hold additional public hearings in the proceeding now pending before the Administrator under section 503 of the General Bridge Act of 1946 (33 U.S.C. 526) to determine whether the tolls charged by the Delaware River Port Authority for transit over the Walt Whitman and Benjamin Franklin Bridges across the Delaware River at Philadelphia are just and reasonable. The purpose of the hearings is to make an administrative record upon which the Administrator may determine whether the toll schedule which the Delaware River Port Authority placed into effect on January 1, 1974 prescribes rates of toll that are just and reasonable. If the rates of toll prescribed in that schedule are determined to be unjust, unreasonable, or both, in any particular, the Administrator may, on the basis of the record, prescribe new rates of toll.

The toll schedule placed into effect on January 1, 1974 is set forth below.

In accordance with the Bridge Toll procedural rules of the Federal Highway Administration, 49 CFR 310.7, Edward V. Alfieri, Administrative Law Judge, Social Security Administration, is appointed to conduct the hearing and to make a recommended decision in accordance with those Rules.

All persons who were parties to the initial hearing in this proceeding shall be entitled to appear and participate in the additional hearings. Any other person who desires to participate as a party should file a petition for leave to intervene in accordance with 49 CFR 310.9. In addition, the Administrative Law Judge shall, to the extent practicable without unduly protracting the proceedings, permit interested persons who are not parties to make written or oral unsworn statements of their views for the record.

In addition to the powers conferred by 5 U.S.C. 556(c) and 49 CFR 310.10, the Administrative Law Judge shall have power to make all needful rules and regulations to govern the conduct of the hearing. However, as was the case at the initial hearing, the Delaware River Port Authority shall have the burden of going forward with evidence demonstrating the bases upon which the current toll schedule was established.

The Administrative Law Judge will, by subsequent order, fix the time and place of the additional hearings, which shall be held in Philadelphia. Persons who are not now parties and who desire to participate in the proceeding by filing unsworn statements or otherwise should contact the Administrative Law Judge at the address set forth below as promptly as possible.

After the additional hearings have been concluded, the Administrative Law Judge will issue a recommended decision and will contemporaneously certify the record to the Federal Highway Administrator. Prior to the issuance of his recommended decision, the Administrative Law Judge will give parties a reasonable opportunity, as determined by him, to submit briefs. Thereafter, exceptions to the recommended decision, together with briefs thereon, may be filed with the Administrator within 15 days after the date the recommended decision is served.

All communications concerning the hearing should be addressed to Edward V. Alfieri, Administrative Law Judge, Social Security Administration, Room 3138, 26 Federal Plaza, New York, New York 10007.

Issued on February 28, 1974.

NORBERT T. FREEMAN,
Federal Highway Administrator.

CLASSIFICATION

Passenger automobile and trucks to and including 7000 lbs. gross weight	$0.60
Passenger automobile and one axle trailer (each additional trailer axle $.30)	.90
Motor cycle	.35
Buses, two axle	1.00
three axle	1.50
Trucks, two or more axles, 7001 lbs. or more gross wt., per axle	.75
Commutation rate for passenger automobiles, and two axle trucks up to and including 7000 lbs. gross wt.—decal valid for 30 days after the date of purchase	12.00
plus cash toll per crossing	.10
Carpools commutation rate for registered passenger automobiles only, occupied by three or more persons (including driver), accepted at all times—transferrable book of forty tickets valid until the end of the calendar month following the month in which purchased	10.00

Special Permits (non-commercial motor vehicles 60,001 lbs. Gross weight and upward, commercial Vehicles operating under official permit) $10.00 permit fee plus a $1.50 for the first 40,000 lbs. and $.25 for each 2000 lbs. or fraction thereof in excess of 40,000 lbs.

Bus and truck toll scrip (twenty-five crossings)

Denomination	Value	Price
$1.00	$25.00	$22.50
1.50	37.50	33.75
2.25	56.25	50.62
3.00	75.00	67.50
3.75	93.75	84.37
4.50	112.50	101.25

Definitions and Restriction:

Decals non-transferrable, and affixed to left side of vehicle.

Commutation decal valid only in Exact-Change Automatic Toll Lanes and not valid in manned lanes.

Carpool commutation ticket accepted in manned lanes only and not valid in automatic toll lanes.

Tickets detached from the ticket book will not be honored for passage. Unused tickets will not be redeemable or refundable.

Bus and Truck Toll Scrip shall be good and valid until used. Toll scrip in excess of the required toll may be tendered in payment; however, no refund of the excess shall be made. Toll scrip in denomination of less than the fare and the balance in cash may be tendered in payment of the fare. Toll scrip may not be used to purchase other reduced rate fares. Toll scrip may be purchased by mail or in person at the toll accounting offices located in the Administration Buildings for each of the bridges.

Toll Scrip will not be accepted in payment of a Special Permit.

[FR Doc.74-5402 Filed 3-7-74;8:45 am]

ACTION

DOMESTIC AND ANTI-POVERTY OPERATIONS, VISTA PROGRAM

Volunteer Supervision and Transportation Support Guidelines

By virtue of the authority vested in me by sections 105(b), 402(14) and 420 of Pub. L. 93-113, 87 Stat. 394, 398, 407 and 414, I hereby issue a statement of policy and guidelines for the provision of supervision and transportation support services for VISTA volunteers. By reason of the fact that the material contained herein is a general statement of of agency policy relevant provisions of the Administrative Procedures Act (5 U.S.C. 553) requiring notice of proposed rule making, opportunity for public participation and delay of effective date are inapplicable. Pursuant to section 420 of Pub. L. 93-113 ACTION guidelines are effective April 8, 1974.

In accordance with the spirit of the public policy set forth in (5 U.S.C. 553), interestsed persons may submit written comments, or suggestions to the Director of ACTION, 806 Connecticut Avenue, NW., Washington, D.C. 20525, Attention: General Counsel. Material thus submitted will be evaluated and acted upon in the same manner as if this document were a proposal. Until such time as further changes are made, however, this statement as set forth herein shall remain in effect.

1. *Purpose.* Section 105(b) of the Domestic Volunteer Service Act of 1973, Pub. L. 93-113, requires the Director to insure that each volunteer has available such allowances and support as will enable the volunteer to carry out the purpose and provisions of the Act and to effectively perform the work to which he has been assigned.

The purpose of this instruction is to establish the policy and guidelines for determining the following:

(a) In what circumstances contracts or other arrangements for VISTA contribution to the on-the-job transportation expense of volunteers will be negotiated between the regions and sponsoring organizations; and

(b) In what circumstances contracts or other arrangements will be made whereby VISTA will contribute to the cost of providing full-time supervision of VISTA volunteers.

2. *Scope.* Provisions of this policy and guidelines apply to all VISTA volunteers under Part A, Title I, of Pub. L. 93-113.

3. *Background.* It is ACTION/VISTA policy that, while the Agency must insure that each volunteer has available such allowances and support as will enable the volunteer to effectively perform the work assignment, the provision of adequate on-the-job transportation and supervision for VISTA volunteers is the primary responsibility of the sponsoring organization.

ACTION/VISTA recognizes, however, that in some instances sponsoring organization requesting volunteers for projects that conform to the VISTA programming criteria may nonetheless need assistance in providing this support. Regional Offices are provided with a limited obligational authority for the purpose of entering into transportation and supervision arrangements with such organizations. Regional Directors may not exceed budgeted amounts set for supervision and transportation.

When a transportation or supervision arrangement is established with a sponsoring organization, it provides for the direct support of the volunteer. It is not intended to provide for other program support needed to accomplish the goals of the project itself. All other overhead expenses, supplies, material, equipment and program support are the sole responsibility of the sponsoring organization.

The judgment concerning the viability of the program (which includes consideration of constraints and resources) is made by the Regional Office at the time that the project proposal is reviewed and approved; consideration is also given at that time whether ACTION/VISTA should contribute any direct support requested (other than living expenses to the volunteer) and, if so, consideration is also given in the amount and type of support (transportation and/or supervision) that is necessary. These issues, considered in light of the particular project and pertinent regional program and budget priorities, are decided upon at the time of project approval by the Regional Director.

4. *Policy.* ACTION/VISTA will provide funds for on-the-job transportation of volunteers and/or for the hiring of persons whose full-time responsibility is for supervision of volunteers, but only in those cases in which such support is deemed by the Regional Director to be necessary to the effective functioning of the volunteer on the project and to be within the guidelines contained herein. In such cases, the transportation and/or supervision arrangements will provide for a phasing out of such ACTION/VISTA support and the assumption of the same support by the sponsoring organization as soon as this is feasible.

When a supervision and/or transportation arrangement is approved, the nature of the agreement between ACTION/VISTA and the sponsoring organization will be reflected in the memorandum of agreement.

Any agreement whereby VISTA provides funds for these purposes will include provision to insure that services are furnished at the lowest possible rates, that persons employed by the contractor will be paid no more than comparable Federal salary scales, and in line with previous salary level of the person to be hired and the local prevailing salary levels.

That any expenses incurred by the sponsor over the agreed amount will be at the expense of the sponsoring organization.

In developing new projects, the Regions should take into account the implication of its travel and supervisory requirements. When possible, attempts should be made to develop projects so that a minimum of transportation consistent with the needs of the program is required and which supervisory responsibility can be readily absorbed into the existing structure of the organization. In some cases, this will mean developing projects with fewer, or more, volunteers and with a more concentrated target area than may have been the practice, or altering job descriptions.

Regions are encouraged to continue to develop projects utilizing volunteers sponsored by organizations that fall into all of the categories described under paragraph 7 below.

5. *Guidelines for Transportation Arrangements.* The Regional Director will establish the following before approving provision of ACTION funds to provide on-the-job transportation for VISTA volunteers:

(a) The inability of the sponsoring organization to provide adequate transportation;

(b) The necessity of transportation for volunteers in order to achieve the goals of the program, as outlined in the project proposal, and

(c) On-the-job transportation funded by VISTA may only be used in order to get the volunteers to the places where he/she is to perform his/her duties as contained in his/her job description. It is not to be used directly or indirectly as a method of transporting or otherwise providing travel or delivery services for members of the target population. It is not designed for use to get the volunteer to and from his regularly assigned post.

The Regional Director may need to establish priorities for the distribution of available funds.

6. *Guidelines for Supervision Arrangements.* The Regional Director will establish the following before approving the use of ACTION funds to provide on-the-job supervision of VISTA volunteers:

(a) The inability of the sponsoring organization to provide adequate supervision;

(b) The need for full-time supervision of volunteers. (Ordinarily the more professional the duties to be performed by volunteers, the less is the need for full-time supervision provided by VISTA);

(c) The number of volunteers on the project. A supervisor should ordinarily not be funded by VISTA for a program that is planned to average fewer than eight volunteers on site over the life of the supervision arrangement, and

(d) The funds are to be used to provide for a position whose full-time duties are supervision of the efforts of VISTA volunteers.

Regional Directors may establish the conditions under which funds will be made available so long as there is compliance with conditions stated herein.

7. *Procedures for Determining Conformance of the Guidelines.* In order to determine the applicability of the guidelines of both supervision and transportation contracts (paragraphs 5 and 6 preceding), the Regional Director will consider for following:

(a) State and local government agencies are not eligible for transportation and/or supervision funding from ACTION/VISTA;

(b) Very large well established organizations are not eligible for ACTION/VISTA transportation and/or supervision funding;

(c) Fully funded Federal programs are not eligible for such support;

(d) Medium to large organizations are ordinarily eligible for 50 percent ACTION/VISTA funding of transportation and/or supervision in the first year of the project, with an agreed upon phase-out funding schedule in subsequent years;

(e) Small to medium organizations are ordinarily eligible for 75 percent ACTION/VISTA funding of transportation and/or supervision in the first year of the project, with an agreed upon phase-out funding schedule in subsequent years;

(f) Grassroots and small organizations are eligible for 100 percent ACTION/VISTA funding of transportation and/or supervision needs in at least the first year of the VISTA project, with an agreed upon phase-out funding schedule in subsequent years;

(g) Organizations which fall into categories (a), (b), and (c) above may be eligible for short-term transportation and/or supervision (3–6 months). For periods longer than six months, funding arrangements are to be approved by the Deputy Associate Director for Anti-Poverty Programs and VISTA.

8. *Definition of Terms.* (a) State and local government agencies—Any branch, agency, or Department of any State or of any municipality or other political subdivision of such State and any other entity established by law to carry out functions which are essentially governmental in nature.

(b) Very large, well-established organization—Large budget (ordinarily over $1,000,000), with a substantial number of professional and supervisory personnel.

(c) Fully funded Federal programs—Programs which are totally or almost totally funded directly by the Federal government for the purpose of accomplishing their missions.

(d) Medium to large organizations—Organizations with a medium to large budget (ordinarily $500,000–$1,000,000) and a medium size supervisory and professional staff.

(e) Small to medium organizations—Organizations with a small to medium budget (ordinarily $100,000–$500,000) with a small number of supervisory and professional staff members.

(f) A grassroots organization is defined as one that is under the operational policy direction of members of the group that the organization is designed to serve. A small organization has a small budget (ordinarily under $100,000) and few or no full-time professional and supervisory personnel.

The organization budget levels cited above, however, are not intended to imply that an organization within a given category automatically is eligible for the ACTION/VISTA funded amount of supervision or transportation indicated. The categories represent upper limits. In all instances, geographic location and area served should also be taken into consideration. In determining eligibility, the Regional Director should weigh regional program and budget considerations and the willingness/ability of the organization to contribute more than the applicable percentage cited.

Issued in Washington, D.C. on March 4, 1974.

MICHAEL P. BALZANO,
Director, ACTION.

[FR Doc.74–5362 Filed 3–7–74;8:45 am]

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

COMMITTEE ON INFORMAL ACTION

Notice of Meeting

Pursuant to the Federal Advisory Committee Act (Pub. L. 92–463), notice is hereby given of a meeting of the Committee on Informal Action of the Administrative Conference of the United States, to be held at 10:00 a.m. on March 20, 1974 in the offices of Shea and Gardner, 734 15th Street, NW., Washington, D.C. 20005.

The Committee will meet to consider a proposed study of informal procedures in specific agencies, a study of grievance procedures in the Federal prison system, and a study of release procedures in Federally operated mental hospitals.

Attendance is open to the interested public, but limited to the space available. To the extent that time permits the Committee Chairman may allow public presentation of oral statements at the meeting. Any member of the public may file a written statement with the Committee before, during or after the meeting. For further information concerning this committee meeting contact Robert

W. Hamilton, (phone 202–254–7065). Minutes of the meeting will be available on request.

Dated: March 4, 1974.

RICHARD K. BERG,
Executive Secretary.

[FR Doc.74–5401 Filed 3–7–74;8:45 am]

ATOMIC ENERGY COMMISSION

[Dockets Nos. 50–324 and 50–325]

CAROLINA POWER AND LIGHT CO.

Notice of Reconstitution of Board

In the matter of Carolina Power and Light Co. (Brunswick Steam Electric Plant, Units 1 and 2).

Mr. Glenn O. Bright was a member of the Atomic Safety and Licensing Board established to consider the above application. Because of a schedule conflict, he is unable to continue in his duties as a member of this Board.

Accordingly, Mr. Gustave A. Linenberger, whose address is Atomic Safety and Licensing Board Panel, U.S. Atomic Energy Commission, Washington, D.C. 20545, is appointed a member of this Board. Reconstitution of the Board in this manner is in accordance with § 2.721 of the rules of practice, as amended.

Dated at: Washington, D.C. this 4th day of March 1974.

NATHANIEL H. GOODRICH,
Chairman, Atomic Safety and Licensing Board Panel.

[FR Doc.74–5380 Filed 3–7–74;8:45 am]

[Docket Nos. 50–400–403]

CAROLINA POWER & LIGHT CO.

Notice of Hearing on Exemption and Schedule for Submissions

Please take notice that pursuant to the Atomic Energy Act of 1954, as amended, the regulations in Title 10 Code of Federal Regulations, Part 50, and the Atomic Energy Commission's rules of practice (10 CFR Part 2), and in accordance with an order of the Commission dated March 4, 1974, notice is hereby given that a public hearing will be held starting at 9:30 a.m., local time, Thursday, March 14, 1974 in the U.S. Courthouse and Post Office Building, Courtroom No. 2, 7th Floor, 310 New Bern Avenue, Raleigh, North Carolina 27611. The hearing will continue through the period March 14 to March 16, if necessary to complete the proceedings, and will be conducted from 9:30 a.m. to 6:00 p.m. daily until completed.

The subject of this public, evidentiary hearing will be the merits of an exemption granted to the Applicant, Carolina Power Company, permitting certain specified work to be conducted at the Applicant's proposed nuclear plant site prior to a hearing and decision concerning the issuance of a construction permit. The exemption was issued pursuant to 10 CFR 50.12, and was based upon consideration and balancing of environmental and other relevant factors, together with certain special circumstances set forth in the Commission's March 4 Memorandum and Order. The work authorized under the § 50.12 exemption (January 14, 1974 letter from Deputy Director for Reactor Projects to Applicant) included road construction, clearing, grading and foundation excavation, relocation of certain railroad tracking and harvesting of timber on reservoir sites.

By letter dated February 11, 1974, the Intervenor in the already-docketed Construction Permit proceeding, Conservation Council of North Carolina, petitioned the Director of Regulation to suspend the exemption, alleging inter alia that the Commission is prohibited by NEPA[1] and the Atomic Energy Act from granting such exemptions, at least prior to the filing of a final environmental impact statement, and that the Intervenor was entitled to notice and an opportunity to be heard on the exemption application. On the last allegation, the Commission directed this Atomic Safety and Licensing Board to conduct a hearing on the merits of the exemption and to render an initial decision within 30 days of the March 4 Order.

All parties are advised that, to assist the Board in formulating its decision after the evidentiary hearing, the parties will be expected to file briefs and proposed findings five (5) days after the close of the evidentiary record, with reply briefs to be filed within three (3) days thereafter (3 days after receipt of other parties' filings).

Schedule for Other Submissions. Although the Commission's Order is dated March 4, the Board did not receive a copy until 4:05 p.m., e.d.t., March 5. Less than an hour later a telephone conference call with counsel for all parties was underway and resulted in the following time schedule for submissions directed to another aspect of the Commission's Order, i.e., the 7-day time limit within which this Board must decide, based on written submissions of the parties, whether work under the exemption should be suspended in whole or in part pending the hearing on the merits of the exemption:

(a) By close of business, Thursday, March 7—Intervenor and Applicant deadlines for their submissions to reach the Board and other parties.

(b) By close of business, Friday, March 8—AEC Staff Counsel submission to reach the Board, with service on other parties.

(c) By close of business, Monday, March 11—Deadline established by Commission for Board decision on interim suspension.

Issued at Washington, D.C. this 6th day of March, 1974.

It is so ordered.

For the Atomic Safety and Licensing Board.

THOMAS W. REILLY,
Chairman.

[FR Doc.74–5522 Filed 3–7–74;8:45 am]

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[1] National Environmental Policy Act of 1969, P.L. 91–190.

CONTROLLED THERMONUCLEAR RESEARCH SUBCOMMITTEE OF THE U.S. NUCLEAR DATA COMMITTEE

Notice of Meeting

MARCH 4, 1974.

In accordance with the Atomic Energy Act of 1954, as amended, primarily sections 161a, 31, 32, and 33, the Controlled Thermonuclear Research (CTR) Subcommittee of the U.S. Nuclear Data Committee will hold a meeting on April 15, 1974, at the Sheraton Inn, San Diego, California. The agenda is as follows and will be open to the public:

9:30 a.m.–10:30 a.m.—Administrative.
10:30 a.m.–12:00 noon—CTR Nuclear Data Reviews.
1:00 p.m.–2:00 p.m.—Continuation of Discussion on Nuclear Data Reviews.
2:00 p.m.–3:30 p.m.—Nuclear Data Requests.
3:30 p.m.–4:30 p.m.—Future Meetings on CTR Data Needs.
4:30 p.m.–5:30 p.m.—Summary of Conclusions, Required Actions, and Future Plans.

Practical consideration may dictate alternations in the above agenda or schedule.

The Chairman is empowered to conduct the meeting in a manner that in his judgment will facilitate the orderly conduct of business.

With respect to public participation in agenda items listed above, the following requirements shall apply:

(a) Persons wishing to submit written statements on those agenda items may do so by mailing 25 copies thereof, postmarked, if possible, no later than April 8, 1974, to the Chairman, CTR Subcommittee, Dr. Don Steiner, P.O. Box Y, Oak Ridge, Tennessee 37830. Minutes of the meeting will be kept open for 30 days for the receipt of written statements for the record.

(b) Those persons submitting a written statement in accordance with paragraph (a) above may request an opportunity to make oral statements concerning the written statement. Such requests shall accompany the written statement, and shall set forth reasons justifying the need for such oral statement and its usefulness to the Subcommittee. To the extent that the time available for the meeting permits, the Subcommittee will receive oral statements during a period of not more than 30 minutes at an appropriate time, chosen by the Chairman, between the hours of 10:00 a.m. and 12:00 noon on April 15, 1974.

(c) Requests for the opportunity to make oral statements shall be ruled on by the Chairman of the Subcommittee, who is empowered to apportion the time available among those selected by him to make oral statements.

(d) Information as to the Chairman's ruling on requests for the opportunity to present oral statements, and the time allotted, can be obtained by a prepaid telephone call on April 12, 1974, to the Office of the Chairman of the Subcommittee (telephone: 615–483–8611, extension 37995) between 9:00 a.m. and 4:00 p.m. eastern time.

(e) Questions may be asked only by members of the Subcommittee and its consultants.

(f) Seating for the public will be available on a first-come, first-served basis.

(g) Copies of minutes of public sessions will be made available for copying, in accordance with the Federal Advisory Committee Act, on or after May 15, 1974, at the Atomic Energy Commission's Public Document Room, 1717 H Street, NW., Washington, D.C., upon payment of all charges required by law.

JOHN C. RYAN,
Advisory Committee Management Officer.

[FR Doc.74-5412 Filed 3-7-74;8:45 am]

[Docket Nos. 50-424, 50-425, 50-426, and 50-427]

GEORGIA POWER CO.

Notice of Availability of Final Environmental Statement for Vogtle Nuclear Plant, Units 1, 2, 3 & 4

Pursuant to the National Environmental Policy Act of 1969 and the U.S. Atomic Energy Commission's regulations in Appendix D to 10 CFR Part 50, notice is hereby given that the Final Environmental Statement prepared by the Commission's Directorate of Licensing related to the proposed Vogtle Nuclear Plant, Units 1, 2, 3 & 4, to be constructed by Georgia Power Company in Burke County, Georgia is available for inspection by the public in the Commission's Public Document Room at 1717 H Street NW., Washington, D.C., and in the Burke County Library, Fourth Street, Waynesboro, Georgia 30830. The Final Environmental Statement is also being made available at the Bureau of State Planning and Community Affairs, Room 611, 270 Washington Street, SW., Atlanta, Georgia 30309, and the Central Savannah River APDC, P.O. Box 2800, Augusta, Georgia.

The notice of availability of the Draft Environmental Statement for the Vogtle Nuclear Plant, Units 1, 2, 3 & 4, and request for comments from interested persons was published in the FEDERAL REGISTER on August 6, 1973 (38 FR 2120). The comments received from Federal, State, and local agencies and interested members of the public have been included as appendices to the Final Environmental Statement.

Single copies of the Final Environmental Statement may be obtained by writing the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Deputy Director for Reactor Projects, Directorate of Licensing.

Dated at Bethesda, Md., this 6th day of March 1974.

For the Atomic Energy Commission.

B. J. YOUNGBLOOD,
Chief, Environmental Projects Branch 3, Directorate of Licensing.

[FR Doc.74-5523 Filed 3-7-74;8:45 am]

[Docket Nos. 50-463, 50-464]

PHILADELPHIA ELECTRIC CO.

Order Rescheduling Special Prehearing Conference

In the matter of Philadelphia Electric Co. (Fulton Generating Station, Units 1 and 2).

On March 1, 1974, in an informal conference by telephone between and among the parties, the petitioning intervenors and the Chairman of the instant Atomic Safety and Licensing Board (Board), the parties and the petitioners requested that the special prehearing conference, scheduled for March 11, 1974, be postponed until April 1, 1974, to enable them to arrive at a stipulation regarding the issues and contentions in this proceeding. The Board Chairman was advised that there had been substantial progress toward reaching such a stipulation. Accordingly, as it would be in the public interest to encourage stipulations that reduce the time for evidentiary hearings, the informal request is herewith granted.

Due to the unavailability of a courtroom in Lancaster County, the special prehearing conference will be held at 1:00 p.m., local time, on April 1, 1974, in Courtroom No. 3 (Third Floor), York County Courthouse, East Market Street, York, Pennsylvania 17401.

It is so ordered.

Issued at Washington, D.C. this 4th day of March 1974.

The Atomic Safety and Licensing Board.

JEROME GARFINKEL,
Chairman.

[FR Doc.74-5379 Filed 3-7-74;8:45 am]

[Dockets Nos. 50-438 and 50-439]

TENNESSEE VALLEY AUTHORITY

Notice and Order for a Prehearing Conference

In the matter of Tennessee Valley Authority (Bellefonte Nuclear Plant, Units 1 and 2).

Since the amended petition of William E. Garner, et al., was filed in December 1973, the Board has been made aware of the various conferences between the parties in their effort to reach agreement on the language of contested issues. In a conference call on March 1, 1974, the parties suggested that a second prehearing conference would be appropriate since the informal conferences have not resulted in language agreement on all contested issues.

A Prehearing Conference will be held at 9:30 a.m., (local time) at the Conference Room, Holiday Inn of Scottsboro, Highway 72 East, Scottsboro, Alabama, on March 20, 1974.

The public is invited to attend. Limited appearance statements will not be accepted at this proceeding but will be accepted at the commencement of the evidentiary hearing to be scheduled at a later date.

It is so ordered.

Issued at Washington, D.C., this 4th day of March 1974.

The Atomic Safety and Licensing Board.

ELIZABETH S. BOWERS,
Chairman.

[FR Doc.74-5378 Filed 3-7-74;8:45 am]

[Docket No. 50-166]

UNIVERSITY OF MARYLAND

Notice of Issuance of Amendment to Facility License

No request for a hearing or petition for leave to intervene having been filed following publication of the notice of proposed action in the FEDERAL REGISTER on January 21, 1974 (39 FR 2394), the Atomic Energy Commission ("the Commission") has issued Amendment No. 4 to License No. R-70 to the University of Maryland. The amendment authorizes the University of Maryland to install a TRIGA-type core in place of the present MTR-type core, permit possession of the present MTR-type fuel during the conversion period, and increase the steady state power level from 10 kilowatts (thermal) to 250 kilowatts (thermal). The amendment restates the license in its entirety to describe the present reactor and incorporate new Technical Specifications.

The Commission has found that the application for amendment, as supplemented, complies with the requirements of the Atomic Energy Act of 1954, as amended ("the Act"), and the Commission's regulations published in 10 CFR Chapter I. The Commission has made the findings required by the Act and the Commission's regulations which are set forth in the amendment and has concluded that the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public and does not involve a significant hazards consideration.

A copy of the amendment is available for public inspection at the Commission's Public Document Room at 1717 H Street, NW., Washington, D.C., or a copy may be obtained upon request sent to the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Deputy Director for Reactor Projects, Directorate of Licensing.

Dated at Bethesda, Maryland, this 22nd day of February, 1974.

For the Atomic Energy Commission.

ROBERT J. SCHEMEL,
Chief, Operating Reactors Branch No. 1, Directorate of Licensing.

[FR Doc.74-5413 Filed 3-7-84;8:45 am]

CIVIL AERONAUTICS BOARD

[Docket No. 26366; Order 74-3-15]

ALITALIA-LINEE AEREE ITALIANE-S.p.A. ET AL.

Order Dismissing Complaint

MARCH 5, 1974.

Specific commodity rates filed by Alitalia-Linee Aeree Italiane-S.p.A., Japan Air Lines Co., Ltd., Pan American World

Airways, Inc., The Flying Tiger Line, Inc., Trans World Airlines, Inc.

By a late-filed complaint submitted on January 30, 1974, and a supplementary document submitted on February 5, 1974, Bud Antle, Inc. (Antle) requests the Board to order cancellation of tariff revisions[1] filed by the above-named carriers implementing increases in westbound transpacific rates for specific commodity Item No. 0007 (Fruits and/or Vegetables, N.E.S. when tendered by the shipper wholly in Type 3 container(s)).

Antle also requests reparations in compensation for the losses it has allegedly suffered since the increased rates went into effect. The subject increases were embodied in an agreement of the carrier members of the International Air Transport Association (IATA) to increase all IATA passenger fares and cargo rates to compensate for increased fuel costs. The agreement was approved by the Board in Order 73–12–77 (December 19, 1973). For transpacific cargo rates, the increase approved by the Board was equivalent to four percent of the 45-kilogram general cargo rate between the U.S. West Coast and the particular point in Asia, applied as a fixed amount to all rates in the structure. For example, in Los Angeles-Hong Kong carriage the 45-kilogram general cargo rate was $3.45 per kilogram, so the fuel-based increase was four percent of that figure, or 14 cents per kilogram. The old rate for specific commodity Item No. 0007 was 46 cents per kilogram, thus the 14-cent increase represented a change of approximately 30 percent in that rate.

In defense of its late filing of the complaint Antle asserts that although it subscribes to the tariff under which it ships, the relevant tariff revisions were not received until after they became effective; and that the Board's language in its orders pertaining to the transpacific rate increases was misleading and caused Antle to believe it would incur an increase of only four to six percent, instead of the actual 30 percent increase.

Antle contends that the higher rates make the costs of shipping fresh lettuce and celery to Tokyo and Hong Kong prohibitive, and if these rates are permitted to continue in effect Antle will have to stop shipping to those markets. The complainant argues that the previous low levels (46 cents per kilogram) for fresh produce are justified on the grounds that the commodity carried is highly perishable, of low unit value, and moves on a space-available, non-priority basis. Antle further alleges that Board Order 73–8–124, August 24, 1973), which approved most IATA North/Central Pacific specific commodity rates, specifically found the previous low rates for Item 0007 to be just and reasonable, and therefore the current increases are in fact a reversal of the Board's earlier order. If the approved increases are not reduced to four or six percent, Antle claims that the Board will be forcing shippers of low-value commodities to pay an inordinate share of the carriers' increased fuel costs.

Antle's supplement to its complaint reiterates the arguments made in the first submission, and in addition sites Board Order 74–1–152 (January 30, 1974) which approved a revision in the computation of the fuel-based increase in North Atlantic cargo rates, to apply an across-the-board increase of a flat six percent on all rates. Antle claims that this development has totally destroyed any meaningful attempt at executing the Board's "hidden intent" in approving fuel-related increases based on a fixed amount rather than a fixed percentage.

Answers to the complaint have been filed by Pan American World Airways, Inc. (Pan American) and The Flying Tiger Line Inc. (Tigers). The respondents variously assert, inter alia, that Antle has not shown compelling reasons for not filing the complaint before the increases became effective, since the relevant tariff revisions were readily available to Antle, and there was nothing misleading in the Board's orders; that although Order 73–8–124 ratified an IATA agreement incorporating rates favorable to Antle, it did not adopt a fixed and inflexible rate structure that was to become permanent and resist all modifications dictated by changing costs and conditions, including severe fuel price increases; that increasing specific commodity rates to a greater extent than general cargo rates is very much in line with current Board policy; that the Board's approval of a fixed percentage increase in North Atlantic rates was merely a response to the action of certain European governments; and that Antle's complaint is merely a plea for special relief from fuel cost increases by a shipper enjoying an admittedly favorable commodity rate.

Upon consideration of the tariffs, the complaint and responses, and all other relevant matters, the Board has decided to accept the complaint and dismiss it on its merits.[2]

The Board's Order 73–8–124, on which Antle relies, approved a specific commodity rate structure over the North/Central Pacific which included fresh produce rates favorable to Antle.[3] However, we would emphasize here that the mere fact of prior approval does not mandate the continued existence of a particular rate or class of rates. The carriers are free to submit amendments of their rate agreements at any time, and the Board retains the prerogative to review its previous actions on its own motion, or in response to properly-filed petitions.

The increased rates for Item 0007 traffic are still only about a third of the prevailing level of North/Central Pacific specific commodity rates. Antle claims that these extremely low rates for fresh produce are justified by the perishable nature and low unit value of the goods, and the "space-available" condition attached to carriage of this item. But Antle states that it ships about 16,500 lbs. of lettuce weekly to Hong Kong alone, and the regular movement of such a large volume of a highly perishable commodity appears to cast considerable doubt on whether the space-available provisions in the tariffs of some of the carriers has actually impeded the movement of this traffic.

The Board has approved the fuel pass-through increases in both Atlantic and Pacific cargo rates on the basis of the carriers' actual increased outlay for fuel, fully documented in justification submitted by the carriers. We believe the formula of a fixed amount to be applied to all rates in the structure is not an unfair method of increasing cargo rates to compensate for higher fuel costs. Each kilogram of goods requires the same amount of fuel to transport it a given distance, therefore, under this method, is increased the same fixed amount regardless of whether it travels as a specific commodity or general freight, containerized or loose.

In summary, Antle has provided no convincing arguments why it should receive a special exception to a general rate increase approved by the Board. In these circumstances the complaint will be dismissed.

Accordingly, pursuant to the Federal Aviation Act of 1958, as amended, and particularly sections 102, 204(a), 403 and 1002(j) thereof,

It is ordered, That:

The complaint of Bud Antle, Inc. in Docket 26366 be and hereby is dismissed.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board:

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.74–5424 Filed 3–7–74;8:45 am]

[1] Air Tariffs Corporation, Agent, International Cargo Rates Tariff No. 2, C.A.B. No. 37 Supplement No. 9. The increases, filed on December 2, 1973, became effective January 1, 1974.

[2] As indicated above, Antle's complaint was not filed at least 25 days before the tariff's effective date, as required by sec. 302.505 of the Board's Procedural Regulations. There is a question whether Antle's stated arguments in defense of late-filing do, in fact, constitute the "compelling reasons" required by sec. 302.505 for departing from normal procedures. In particular, we cannot understand why Antle found the Board's language describing the increases to be misleading, as it appears quite clear and open to only one reasonable interpretation. Order 73–12–77 stated: "Cargo rates in all world areas except the North Atlantic and the North/Central and South Pacific would likewise be increased by a flat six percent across-the-board. In the excepted areas, the increase is four percent of the 45 kilogram general commodity rate applied to all rates in the structure. Rates from New York are used as the base in the case of the North Atlantic and Los Angeles and West Coast common-rated points in the case of the North/Central and South Pacific." However, as stated above, the Board has determined to accept the late-filed complaint and consider it on the basis of its merits alone.

[3] The initial agreement omitted these rates, but they were later reinstated after Antle filed a formal complaint with the Board. What Antle characterizes as the Board's "findings" in that order, however, are merely the Board's description of arguments advanced by Antle itself, and Antle's complaint was mooted by the carriers' amendment of the agreement to include the rates Antle desired.

[Docket No. 25513 Agreement C.A.B. 24212 R–1 and R–2; Order 74–3–9]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Agreement Relating to Passenger Fares

An agreement has been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Joint Traffic Conferences JT 23/123. The agreement, adopted at the JT23/123 Passenger Conference at Singapore in February 1974, has been assigned the above-designated C.A.B. agreement number.

The agreement would revalidate and amend two existing resolutions governing surcharges on passenger fares sold in local currency for transportation between IATA Traffic Conferences 2 (Europe/Africa/Middle East) and 3 (Asia/Australia/Australasia). The amendments involve the formal adoption of currently effective negative surcharges on passenger fares from Switzerland and Austria to Traffic Conference 3, sold in the local currency of the country of origin, and which were originally introduced on individual carrier initiative. The agreement affects air transportation only insofar as it concerns Guam and American Samoa, which are included in Traffic Conference 3.

The Board, acting pursuant to sections 102, 204(a) and 412 of the Act, does not find that the following resolutions, incorporated in Agreement C.A.B. 24212 as indicated, are adverse to the public interest or in violation of the Act:

Agreement CAB	IATA No.	Title	Application
24212:			
R–1	002	Standard Revalidation Resolution	2/3; 1/2/3.
R–2	022v	JT23/123 Special Rules for Sales of Passenger Air Transportation from TC2 to TC3 (Revalidating and Amending).	2/3; 1/2/3.

Accordingly, *it is ordered*, That:

Agreement C.A.B. 24212, R–1 and R–2, be and hereby is approved.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board:

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.74–5423 Filed 3–7–74;8:45 am]

[Docket No. 26350]

SITMAR CRUISES, INC.

Notice of Further Postponement of Prehearing Conference

Notice is hereby given that the prehearing conference in the above-entitled matter has been further postponed from March 14, 1974, (39 FR 8182, March 4, 1974), to March 19, 1974, at 10:00 a.m. (local time) in Room 911, Universal Building, 1825 Connecticut Avenue, NW., Washington, D.C., before the undersigned Administrative Law Judge.

Dated at Washington, D.C., March 4, 1974.

[SEAL] MILTON H. SHAPIRO,
Administrative Law Judge.

[FR Doc.74–5422 Filed 3–7–74;8:45 am]

COMMISSION ON CIVIL RIGHTS

ARIZONA STATE ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Arizona State Advisory Committee (SAC) to this Commission will convene at 7:00 p.m. on March 13, 1974, in the Montery Room of the Hunter Inn, 124 South 24 Street, Phoenix, Arizona 85034.

Persons wishing to attend this meeting should contact the Committee Chairman, or the Mountain States Regional Office of the Commission, Room 216, 1726 Champa Street, Denver, Colorado 80202.

The purpose of this meeting shall be to finalize plans for the March 14–15 factfinding meeting on Arizona prisons.

This meeting will be conducted pursuant to the Rules and Regulations of the Commission.

Dated at Washington, D.C., February 28, 1974.

ISAIAH T. CRESWELL, JR.,
Advisory Committee Management Officer.

[FR Doc.74–5406 Filed 3–7–74;8:45 am]

NORTH CAROLINA STATE ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the North Carolina State Advisory Committee (SAC) to this Commission will convene at 2:30 p.m. on March 11, 1974, at the Pullen Memorial Baptist Church, Hillsboro Street and Cox Avenue, Raleigh, North Carolina 27605.

Persons wishing to attend this meeting should contact the Committee Chairman, or the Southern Regional Office of the Commission, Room 362, Citizens Trust Bank Building, 75 Piedmont Avenue, NE., Atlanta, Georgia 30303.

The purposes of this meeting shall be (1) to select prisons to tour in connection with the North Carolina Prison Project and schedule tours and (2) to discuss revised draft of SAC report on the Human Rights of Sentenced Inmates.

This meeting will be conducted pursuant to the Rules and Regulations of the Commission.

Dated at Washington, D.C., March 4, 1974.

ISAIAH T. CRESWELL, JR.,
Advisory Committee Management Officer.

[FR Doc.74–5404 Filed 3–7–74;8:45 am]

OHIO STATE ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Ohio State Advisory Committee (SAC) to this Commission will convene at 10:00 a.m. on March 9, 1974, at the Cleveland Sheraton Hotel, 219 West Superior Street, Cleveland, Ohio 44101.

Persons wishing to attend this meeting should contact the Committee Chairman, or the Midwestern Regional Office of the Commission, Room 1428, 219 South Dearborn Street, Chicago, Illinois 60604.

The purpose of this meeting shall be to discuss the Ohio prison study report and draft recommendations.

This meeting will be conducted pursuant to the Rules and Regulations of the Commission.

Dated at Washington, D.C., March 4, 1974.

ISAIAH T. CRESWELL, JR.,
Advisory Committee Management Officer.

[FR Doc.74–5405 Filed 3–7–74;8:45 am]

COUNCIL ON ENVIRONMENTAL QUALITY

ENVIRONMENTAL IMPACT STATEMENTS

Notice of Availability

Environmental impact statements received by the Council on Environmental Quality from February 25 through March 1, 1974. The date of receipt for each statement is noted in the statement summary. Under Council Guidelines, the minimum period for public review and comment on draft environmental impact statements is on or before April 22, 1974.

Copies of individual statements are available for review from the originating agency. Back copies will also be available from a commercial source, the Environmental Law Institute, of Washington, D.C.

NTIS AND THE PUBLIC AVAILABILITY OF ENVIRONMENTAL IMPACT STATEMENTS UNDER NEPA

MARCH 1, 1974.

Cost factors have led the National Technical Information Service (NTIS) of the Department of Commerce to terminate its agreement with CEQ, under which NTIS provided a secondary (commercial) source for environmental impact statements. With the loss of NTIS as a secondary source for statements, it is appropriate at this time to re-emphasize the importance of the statutory responsibility of the originating agency for making copies of the statements available to the public.

As stated in the Council's Memorandum of May 15, 1973, NEPA's policy of being a "full disclosure" Act is achieved only to the extent that the environmental impact statement is made as publicly available as practicable. The substance of that Memorandum has been incorporated in § 1500.9(d) of the Council's August 1, 1973 guidelines.

Each agency has the responsibility to announce the availability of its statements, and to make them available both to those public parties known to be interested in the agency's activities and to others who have explicitly requested copies for review. Copies should be made available without charge to the extent practicable.

The alternative, "a fee which is not more than the actual cost for reproducing copies required to be sent to other Federal agencies, including the Council," is self-explanatory. Costs to an agency for each statement should be minimal when a sufficient printing is made, and statements in such situations should be distributed free of charge. In addition to responding to individual requests for information during the on-going NEPA process, we suggest that each agency retain historical files of its own statements.

Effective immediately, agencies are requested to reduce the number of copies of each impact statement filed with CEQ from ten (10) to five (5). Five copies previously provided to NTIS by CEQ, in order to assure a continued secondary source for the documents are no longer needed. No statements filed with the Council after February 22, 1974 will be available through NTIS. The Environmental Law Institute will continue to provide a secondary source for impact statements.

RUSSELL W. PETERSON,
Chairman.

DEPARTMENT OF AGRICULTURE

Contact: Dr. Fred H. Tschirley, Acting Coordinator, Environmental Quality Activities, Office of the Secretary, U.S. Department of Agriculture, Room 331–E, Administration Building, Washington, D.C. 20250 (202) 447–3965.

FOREST SERVICE

Draft

Mining Operations, Withlacoochie State Forest, Citrus County, Florida, February 26: The statement refers to the proposed Forest Service approval of plans by the Florida Rock Industries, Inc. for mining operations, under a limestone mining lease with the Withlacoochee State Forest. Lands of the Forest are presently being acquired by the State of Florida with the minerals being retained by the United States. The principal impact indicated is that of the alteration of the topography and soil; 294 acres of land will be cleared, with the topography being changed from hilly to relatively flat. (ELR Order No. 40296.)

Timber Management Plan, Chippewa NF., Beltrami, Cass, and Itasca Counties, Minnesota, February 25: The statement refers to the proposed timber management plan for the Chippewa National Forest. The plan period will extend from July 1, 1974, through June 30, 1982. The plan outlines an annual potential harvest of 86.6 MMBF of pulpwood, sawtimber, and other products. This harvest would consist of 8,200 acres of regeneration cuts and 5,900 acres of intermediate cuts. The impacts from herbicide use and road construction under the plan will be discussed in separate impact statements. This statement discusses the plan's impacts upon wildlife, recreational uses, and soil quality (71 pages). (ELR Order No. 40287.)

North River Unit, George Washington N.F., Augusta County, Virginia, February 28: The statement refers to a proposed 10 year management plan for the North River Unit, Day River and Deerfield Ranger Districts, George Washington N.F. The Unit contains 48,913 acres of National Forest lands and 4,056 acres of private lands. The management directive emphasizes watershed protection, dispersed recreation, and improvements to increase featured wildlife species. Adverse impact will result from timber harvest and wildlife habitat developments (107 pages). (ELR Order No. 40315.)

Eagle Lake Recreation, Monongahela N.F., Pocahontas County, West Virginia, February 25: The statement refers to the proposed construction of a 47 acre lake on Hills Creek, in order to provide fishing, minor flood control, and day use recreation. Also proposed is a 50 unit campground, to be constructed 3 miles east of the lake. Impacts of the action will include the loss of 1.5 miles of native trout stream and 106 acres of wildlife habitat; and those resulting from increased visitor use (61 pages). (ELR Order No. 40286.)

Final

Herbicide Use, Siskiyou, Siuslaw and Umpqua N.F., Oregon and California, February 25: The statement refers to the proposed use of the herbicides 2,4–D, 2,4,5–T, 2,4,5–TP, Amitrole–T, Atrazine, Picloram, and Dicamba to reduce native vegetation where it hampers forest management activities. Benson, Coos, Curry, Douglas, Jackson, Josephine, Lane, Lincoln, Polk, Tillamook, and Yamhill Counties in Oregon, and Del Norte and Siskiyou Counties in California will be affected. Non-target plant species, wildlike, and domestic livestock may be affected. Comments made by: USDA, HEW, HUD, DOC, EPA, DOI, and citizens. (ELR Order No. 40284.)

DEPARTMENT OF DEFENSE

ARMY CORPS

Contact: Mr. Francis X. Kelly, Director, Office of Public Affairs, Attn: DAEN–PAP, Office of the Chief of Engineers, U.S. Army Corps of Engineers, 1000 Independence Avenue SW., Washington, D.C. 20314, (202) 693–7168.

Draft

Mill Creek Local Flood Protection Project, Ohio, February 28: The statement refers to the Mill Creek, Ohio, Local Flood Protection Project. The multi-purpose flood control and recreation project consists of a 100-year channel improvement with levees in developed urban areas and regulation of the 100-year future flood plain in undeveloped areas. Adverse impacts include the modification of 18 miles of stream by channelization, and the temporary increase in noise levels and stream pollution during construction. (Louisville District) (141 pages). (ELR Order No. 40316.)

Final

Bull Shoals Lake, Arkansas and Missouri, February 28: The statement refers to the continued operation and maintenance of Bull Shoals Lake, for the purposes of hydroelectric power generation, flood control, recreational uses, and land and water resource management. Power generation and flood control regulation result in lake fluctuations that adversely affect shoreline vegetation (57 pages). Comments made by: USDA, DOI, EPA, and State agencies. (ELR Order No. 40307.)

Diked Disposal Area, Dickinson Island, St. Clair County, Michigan, February 28: The statement refers to the proposed construction of two contained disposal facilities for polluted dredge spoil from Lake St. Clair at Dickinson Island. Related facilities include a mooring site, pumping station, weir, and oil skimmer. Filling of the proposed areas will remove wet lowland habitats. The St. Clair Wildlife Preserve, a (Great Blue) heronry, occupies most of the island (250 pages). Comments made by: EPA, DOC, DOT, DOI, USDA, HEW, and State agencies. (ELR Order No. 40310.)

Portugues and Bucana Rivers, Puerto Rico, February 28: The project consists of rechanneling and enlarging the Portugues and Bucana Rivers through the City of Ponce; and constructing two multiple-purpose lakes for flood control, water supply, and recreation. The project will require 2,100 acres of land, inundate 742 acres and extend 28.3 miles. Relocations include 794 families, 42 commercial establishments, 2 schools, and 1 church. Major adverse impacts are: loss of agricultural and timber land; loss of vegetation, fish, and wildlife habitat; and disruption of the existing hydrological balance (73 pages). Comments made by: EPA, HEW, FPC, USDA, DOC, and local agencies. (ELR Order No. 40313.)

NAVY

Naval Ammunition Depot, Oahu—Land Acquisition, Oahu County, Hawaii, February 28: Proposed is the acquisition of fee title or long term easement to approximately 1,177 acres of land adjacent to the West Loch Branch of the Depot. The purpose of the action is that of preventing development of land which is now within the explosive safety zone required for the loading/unloading of ammunition ships. The land is currently used for agricultural purposes; the Navy would outlease it for continued agricultural use (83 pages). Comments made by: EPA, USDA, and DOI. (ELR Order No. 40318).

DEPARTMENT OF HUD

Contact: Mr. Richard H. Broun, Acting Director, Office of Community and Environmental Standards, Room 7206, 451 7th Street SW., Washington, D.C. 20410 (202) 755–5980.

Draft

Rush-Hubbard Apartments, Chicago, Cook County, Illinois, February 28: Proposed is the granting of mortgage insurance under Section 207 of the National Housing Act for one 55 story, 612 unit luxury apartment building in Chicago. The site contains 50,329 sq. ft., of which 22,000 sq. ft. will be contained in a four-level garage. The proposal is unable to meet recommended HUD Minimum Property Standards with respect to recreational open space; an administrative determination of adequacy has however been made (33 pages). (ELR Order No. 40314.)

St. Paul Development Project, Wise County, Virginia, February 25: The project is a redevelopment effort based upon the combined action of HUD, the Tennessee Valley Authority, the Virginia Department of Highways, and the Wise County Redevelopment and Housing Authority. The St. Paul Development Project will include flood control measures; the relocation of highways US 58A and State Route 63; commercial and industrial development; the provision of adequate utilities; and the renewal of housing. Impact of the redevelopment of St. Paul will include the displacement of families and businesses (219 pages). (ELR Order No. 40282.)

DEPARTMENT OF INTERIOR

Contact: Mr. Bruce Blanchard, Director, Environmental Project Review, Room 7260, Department of the Interior, Washington, D.C. 20240, (202) 343–3891.

Draft

Klamath Straights Drain, Oregon and California, February 26: The statement refers to the proposed enlargement of the 10 mile

long Klamath Straights Drain from 300 c.f.s. to a maximum 600 c.f.s. Two new pumping plants will be constructed, each of 300 c.f.s. capacity. The enlargement is intended to improve the overall operation of the Lower Klamath National Wildlife Refuge, and also to benefit local irrigation projects. (107 pages). (ELR Order No. 40299.)

BUREAU OF LAND MANAGEMENT

Draft

Proposed Big Butte Timber Sale, Mendocino and Trinity Counties, California, February 26: The statement refers to the proposed development of public access and initiation of a timber management program in the Big Butte Area. The plan includes the construction of 8 miles of additional roads, the improvement of 19 miles of existing roads, the acquisition of two easements, and the granting of a right-of-way permit to the Louisiana Pacific Corporation. The sale will cover 300 acres in two units, and will remove 6,600 MBF. Public recreational use would be allowed in the area after development of a management plan. The proposal will have impact upon water and air qualities, soil stability, wildlife, recreational use, primitive values, and local employment. (ELR Order No. 40294.)

BUREAU OF SPORT FISHERIES AND WILDLIFE

Draft

J. N. "Ding" Darling National Wildlife Refuge, Lee County, Florida, February 27: The statement refers to the proposed legislative designation of 2,735 acres of the J. N. "Ding" Darling National Wildlife Refuge as wilderness within the National Wilderness Preservation System (36 pages). (ELR Order No. 40302.)

Proposed Wilderness Area, Dare, Carteret, and Hyde Counties North Carolina; February 28. The statement refers to the proposed legislative designation of several new wilderness areas. Included would be 660 acres of Mattamuskeet National Wildlife Refuge, 9,000 acres of Swanquarter Refuge, 180 acres of Pea Island Refuge, and 180 acres of Cedar Island Refuge. As a result of the action, several management options would be precluded. (93 pages) (ELR Order No. 40309).

NATIONAL PARK SERVICE

Draft

Proposed Death Valley Wilderness Area, California and Nevada; February 28. The statement refers to the proposed legislative designation of 1,596,500 acres of land in Death Valley National Monument as wilderness. The proposed wilderness includes 77.3 percent of the Monument's total acreage. As a result of the action, there may be impairment of management techniques and research opportunities, and there will be restrictions placed upon prospecting and other mining-related activities. (ELR Order No. 40306).

Master Plan, Carlsbad Caverns National Park (2) Eddy County, New Mexico; February 25. The statement, a revised draft, refers to a master plan which is intended to guide the development, public use, and management of Carlsbad Caverns National Park over an estimated five year period. Impacts of the plan include social, economic, and ecological factors. (two volumes) (ELR Order No. 40285).

Final

Moores Creek National Military Park, Pender County, North Carolina; February 28. The proposed action is the adjustment of the east, west, and north boundaries of the park, and the relocation of the present state highway around rather than through the park, in order to protect and interpret those areas of prime historical importance with the lands acquired. There will be displacement of one store and six residences. (48 pages) Comments made by: DOT, USCG, DOI, USDA, EPA, State, and local agencies. (ELR Order No. 40308.

INTERSTATE COMMERCE COMMISSION

Contact: Mr. James Tao, Office of the General Counsel, Room 5107, Washington, D.C. 20423. 343-2097.

Draft

Passenger Fares, Philadelphia, Pa., Lindenwold, N.J.; February 26. The statement refers to a proposal under which the temporary 21 percent fare increase for rail passenger service between Philadelphia, Pa., and Lindenwold, N.J. (and intermediate stations), would be made permanent. The line is operated by the Port Authority Transit Corp., a wholly owned subsidiary of the Delaware River Port Authority. Continuation of the fares may be a disincentive to optimum growth of mass-transit utilization, thereby making it more difficult for the achievement and maintenance of ambient air quality standards. (51 pages). (ELR Order No. 40292).

Final

Ex Parte 55 (Gateway Elimination); February 26. The statement refers to new rules concerning "gateway" problems experienced by irregular-route motor common carriers. Under the new rules, gateways would not have to be observed if the most direct highway distances between the two service points is not less than 80 percent of the highway distances when routed through the gateway. Joining or tacking authorities (except, among others, those meeting the 80 percent test), would be prohibited. The purpose of the new rule is to eliminate undue circuitry, and to promote more efficient operations. Comments made by: EPA and concerned citizens. (ELR Order No. 40291).

DEPARTMENT OF TRANSPORTATION

Contact: Mr. Martin Convisser, Director, Office of Environmental Quality, 400 7th Street SW., Washington, D.C. 20590, 202-426-4357.

FEDERAL AVIATION ADMINISTRATION

Draft

Tweed-New Haven Airport, Approach Lighting System, New Haven County, Connecticut; February 28. The statement refers to the proposed construction and operation of a Medium Intensity Approach Light System with sequenced flashers on the approach end of Runway 2 at Tweed-New Haven Airport. Adverse impacts include minimal sedimentary runoff during construction, and an increase in ambient light due to low intensity light reflections. (13 pages) (ELR Order No. 40317).

Waterloo Municipal Airport, Black Hawk County, Iowa; February 28. The statement refers to the proposed expansion of the Waterloo Municipal Airport. The Airport Master Plan is for expansion in stages through 1993. Adverse impacts are increases in the levels of air and noise pollution, and normal temporary negative effects usually associated with construction. (217 pages). (ELR Order No. 40321).

Union Municipal Airport, Neshoba County, Mississippi; February 26. The statement refers to construction of a general aviation airport serving the town of Union The project consists of acquisition of fee simple interest in 68 acres of land and easement interest in 7.23 acres, construction of a runway with an aircraft parking apron and connecting taxiway, fencing, wind cone and segmented circle. Adverse impacts are slight increases in air and noise pollution, clearing of approximately 33 acres, and short-term adverse effects normally associated with construction. (22 pages). (ELR Order No. 40297).

Portland-Hillsboro Airport, Oregon, February 27: The statement refers to the extensions of runway 12 by 3,150 ft. at the Portland-Hillsboro Airport in Hillsboro. The extension will allow the runway to be used as a precision instrument runway. Adverse impacts are increased air, water, and noise pollution, loss of some vegetation, and the relocation of 6 families. (ELR Order No. 40305.)

Chesapeake Municipal Airport, Virginia, February 26: The statement refers to the construction of a new general aviation airport to serve the city of Chesapeake and other Tidewater communities. First-stage construction consists of a paved runway and parallel taxiway, paved apron, hangar space, and medium intensity lighting. Adverse impacts are increased noise pollution, some displacement of wildlife from the 140 acres to be cleared, and lowering of the ground water tables (49 pages). (ELR Order No. 40298) (NTIS Order No. EIS 74 0298-D.)

Final

Redwood Falls Municipal Airport, Redwood County, Minnesota, February 25: The project involves the improvement of the Redwood Falls Municipal Airport. The project includes the acquisition of 30.74 acres of easements and 78.81 acres of fee simple, installation of a visual approach slope indicator system, relocation of a runway end indicator lighting system, extension of a runway, and the relocation of a township road. Adverse impacts are the loss of farmland and wildlife habitat, and increased noise and air pollution (40 pages). Comments made by: DOI, EPA, DOT, USDA, COE, and State agencies. (ELR Order No. 40283.) (NTIS Order No. EIS 74 0283-D.)

Will Rogers Municipal Airport, Rogers County, Oklahoma, February 25: The statement refers to the proposed construction of a new municipal airport southwest of Claremore. The project contemplates construction of a runway, (3400' x 60'); construction of a taxiway (175' x 30'); construction of an aircraft parking apron (315' x 240'); installation of a VASI, and medium intensity lighting; and construction of supporting facilities to consist of a parking lot, fencing, an access road, etc. The purpose of the project is to replace the existing airport which cannot be expanded because of surrounding land uses. Air and noise pollution levels will be increased (127 pages). Comments made by: EPA, DOI, HEW, COE, USDA, DOT, HUD, and State agencies. (ELR Order No. 40281.)

FEDERAL HIGHWAY ADMINISTRATION

Draft

U.S. 93 and SR 75, Blaine County, Idaho, February 26: The statement refers to the improvement of 33.2 miles of U.S. 93 and 2.6 miles of SR 75 in Blaine County. This section of U.S. 93 passes through the cities of Bellevue, Hailey, and Ketcham with SR 75 passing through Ketcham and Sun Valley. The basic proposal for the highway improvement is expansion of existing facilities with optional alignments considered for specific sections of the two highways. Adverse impacts include loss of some vegetation and wildlife, siltation of some of the Big Wood River, increased noise pollution, and displacement of families and businesses. The exact number depends upon the alternative selected (270 pages). (ELR Order No. 40293.)

Gallagher-Hess One-Way St., and Hess Reconstruction, Saginaw County, Michigan, February 25: The statement refers to the corridor-alignment and preliminary design phase of the proposed reconstruction of Hess Avenue, and the implementation of a Gallagher-Hess One-Way Street System in the city of

Saginaw. The total project length from South Washington Avenue to East Genesee Avenue is approximately 2.3 miles. Adverse impacts include increased noise and air pollution, possible disruption and reduction of groundwater levels and flows, and the displacement of families and residences. The number of displacements will depend on the alternative chosen (48 pages). (ELR Order No. 40289.)

U.S. 421, Silver City to Stanley, Chatham and Randolph Counties, North Carolina, February 27: The statement refers to the proposed relocation of U.S. 421 beginning from the existing U.S. 421 2 miles south of Silver City and ending in the vicinity of the existing U.S. 421 about 1 mile north of Stanley. The total length of the project is 12.6 miles. Adverse impacts include the acquisition of 500 acres of woodland and 200 acres of farmland, possible siltation of Rocky River and Lacy's Creek, and the displacement of 7 families and 2 businesses. (87 pages). (ELR Order No. 40304.)

U.S. 75 and Spur 503, Grayson County, Texas, February 25: The statement refers to construction of a 14.1 mile section of U.S. 75, beginning at Travis St. in Sherman, and ending at the Texas-Oklahoma line at Red River. Also included in the project is a 1.7 mile section of Spur 503 connecting proposed U.S. 75 to existing U.S. 75 and SR 75–A north of Iron Ore Creek. Both U.S. 75 and Spur 503 are to be developed on new location to a multi-lane divided freeway design. Adverse impacts are the taking of additional grass and wooded areas (exact acreage not specified), and the displacement of 89 families, 11 businesses and 3 oil wells (60 pages). (ELR Order No. 40288.)

Final

Interstate 295, Duval County, Florida, February 28: The proposed project is the completion of I–295 as a belt loop around Jacksonville, Fla. Length is 7.5 miles. Eight businesses, 24 families and an unspecified number of timber acreage will be displaced. Nine Mile Creek, Trout River, and Cedar Creek will be traversed by the project. A 1,000' intertidal marsh would be adversely affected by the project. Other adverse effects will include the increase of air, water, and litter pollution and the increase of sedimentation of the waterways traversed (102 pages). Comments made by: EPA, DOI, HUD, HEW, USDA, COE, DOT, state and local agencies. (ELR Order No. 40311.)

U.S. 17, 74, 6—Reconstruction, Brunswick County, North Carolina, February 28: The statement refers to the proposed construction of a four-lane, divided highway 1.76 miles long; a two-lane connector 1.03 miles long, a diamond interchange; and two bridges across the Brunswick River. The reconstruction project will extend from Alligator Creek to Belville. Adverse impacts include alteration of 48.0 acres of marsh and swamp forest that is optimum habitat for American Alligators (an endangered species) and other wildlife species; increased automotive emissions; deepening of the upper Brunswick River channel by dredging; displacement of 22 families and 13 businesses; and loss of juvenile marine species and benthic organisms through the dredge (252 pages). Comments made by: USDA, DOD, DOC, DOI, HEW, EPA, FPC, HUD, USCG, GSA, and State agencies. (ELR Order No. 40319.)

U.S. 83 West Bypass of Minot, Ward County, North Dakota, February 28: Proposed is the construction of a four-lane highway bypass around the west and north sides of the city of Minot. A diversion channel for the "Peterson Coulee" drainage will be incorporated into the roadway design. Project length is 5 miles. Approximately 250 acres will be acquired for right-of-way. Adverse effects of the action include the encroachment on two wetland areas, the loss of aesthetic beauty in the Souris River Valley and the displacement of several families and businesses (112 pages). Comments made by: HUD, DOT, DOI, USDA, State and local agencies. (ELR Order No. 40320.)

New Cut Road, Louisville, Jefferson County, Kentucky; February 26. The proposed project is the improvement of 1.7 miles of New Cut Road. Three dwelling units and one business will be required for right of way. A section 4(f) statement will be filed to obtain 3 acres from the Iroquois Park. Adverse impacts will include loss of timber, and increased air and noise pollution levels. (102 pages). Comments made by: HEW, EPA, DOI, USDA, and State agencies. (ELR Order No. 40295).

TREASURY DEPARTMENT

Contact: Mr. Richard E. Slitor, Assistant Director, Office of Tax Analysis, Room 4205, Washington, D.C. 20220, 202–964–2797.

Draft

New United States Mint, Denver (2) Colorado; February 27. The statement refers to the proposed construction of a new United States Mint in Denver. The facility will include high-bay, one story buildings and multi-story support/administration buildings, parking areas, vehicle maneuvering areas, and landscaping. Total gross building space will be 700,000 sq. ft. Two sites are presently under consideration: the northwest corner of the Park Hill Golf Course in Denver; and the northwest corner of the Denver Federal Center in Lakewood. There will be construction disruption, and impact from vehicular traffic. (33 pages). (ELR Order No. 40301).

GARY L. WIDMAN,
General Counsel.

[FR Doc.74–5393 Filed 3–7–74;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

AUTOMOTIVE SULFATE EMISSIONS

Request for Submission of Data

Notice is hereby given that the Environmental Protection Agency seeks the submission of data and views regarding the magnitude of automotive sulfate emissions, the impact of such emissions on ambient air quality, and the feasibility of alternative approaches to controlling such emissions.

BACKGROUND

A majority of 1975 and later model year automobiles are expected to be equipped with oxidation catalyst emission control systems to achieve compliance with Federal emission standards for exhaust hydrocarbons and carbon monoxide. Preliminary studies by the Environmental Protection Agency and others have shown significant increases in automotive sulfate emissions when oxidation catalysts are used. (For purposes of this notice, the term automotive sulfate emissions is taken to include exhaust emissions of sulfur trioxide, sulfuric acid, and/or sulfate salts.)

The Environmental Protection Agency has reviewed the limited data presently available to it regarding the magnitude of the increase in automotive sulfate emissions resulting from the use of oxidation catalysts and the impact of that emissions increase on the public health and welfare, and has documented its findings in a technical paper entitled "Automotive Sulfate Emissions and their Impact on Public Health". In summary, the Agency has found that while use of oxidation catalysts on 1975 model year automobiles alone is not likely to result in measurable adverse impacts on the public health or welfare, continued production of several model years to automobiles equipped with oxidation catalysts would, on the basis of current data, be expected to result in adverse public exposures to ambient sulfate concentrations under certain conditions. Copies of the technical paper may be obtained from the Environmental Protection Agency, Information Center, Office of Public Affairs, 401 M Street SW., Washington, D.C. 20460.

The Environmental Protection Agency is continuing to investigate this potential problem and possible solutions to it. Aspects currently under study by the Agency include refinement of techniques for measurement of automotive sulfate emissions, collection of additional data on the magnitude of sulfate emissions from automobiles equipped with oxidation catalysts and other emission control systems, evaluation of techniques available to control such emissions, and monitoring of ambient sulfate concentrations in the vicinity of high densities of motor vehicle traffic.

Data and views on these questions are being sought by the Environmental Protection Agency from interested parties to further the Agency's investigations of this matter and to assist in the formulation of plans for such future regulatory actions as may be necessary to protect the public health and welfare.

TYPES OF INFORMATION SOUGHT

The Environmental Protection Agency is interested in receiving all data and views relevant to the magnitude, possible control, and impact on ambient air quality, of automotive sulfate emissions. Submissions are particularly sought addressing the following specific issues.

A. *Measurement methods for quantifying automotive sulfate emissions.* The Environmental Protection Agency seeks information and data on the design, operation, and validity of various techniques for quantifying automotive emissions of sulfates and sulfur dioxide. Comments are specifically sought on:

(1) The adaptation of absorption/filtration techniques, such as EPA Method 8 for stationary sources (36 FR 24893), for measurement of automotive sulfate exhaust emissions, with emphasis on the effectiveness of the absorption medium in preventing oxidation of sulfur dioxide, and the adaptability of such methods for use with air diluted exhaust mixtures;

(2) The use of air diluted exhaust particulate collection methods, including a description of the collection media which may be used and their effects on the results obtained; and

(3) Other available methods for measurement of automotive exhaust emissions of sulfate and/or sulfur dioxide.

B. *Magnitude of automotive sulfate emissions and control through vehicle*

modifications. The Environmental Protection Agency seeks all available data and information regarding the magnitude of sulfate emissions from automobile of various designs, the effects of various engine and emission control system design parameters on the magnitudes of such emissions, and the feasibility of reducing such emissions from automobiles by employing particulate traps, chemical scrubbers, or other types of control devices.

In submitting emissions data, it is important that the nature of the system tested and the test conditions and procedures used be fully identified to permit useful comparison of data from various sources. Specifications of at least the following items is considered desirable:

Vehicle description:

Engine: type; make and model year; displacement, and description of any modifications made.

Emission control system: list of emission control system components; location and rate of air injection, if any; and number, location, type, and active material loading of any catalysts employed.

Usage history: total miles or hours of usage accumulated by engine and emission control system prior to test; description of operating cycle over which usage was accumulated; and characteristics of fuel used during accumulation.

Test description:

Test procedure: type (e.g., chassis dynamometer); operating cycle; vehicle or engine loading; and preconditioning immediately prior to test.

Test fuel: general composition; sulfur content, including source and nature (i.e., naturally occurring or added) of sulfur compounds; and type and amount of additives, if any.

Measurement method: sample collection method, including location of sample probes and sample collection temperature; and sample analysis method.

Test results and other data:

Emissions: sulfate emissions; emissions of sulfur dioxide or other sulfur compounds, if measured; and emissions of other pollutants (e.g., hydrocarbons, carbon monoxide, oxides of nitrogen, non-sulfate particulates), if measured.

Other data: fuel consumption, if measured; and system operating data (e.g., catalyst operating temperature, exhaust gas composition at catalyst inlet) when available.

The Environmental Protection Agency particularly seeks information and data on the following subjects:

(1) The magnitude of sulfate emissions from automobiles employing catalytic and other types of emission control systems, and the dependence of those emissions on vehicle driving conditions (e.g., steady-state cruise, transient operation, or wide-open-throttle acceleration) and on vehicle age or mileage accumulation;

(2) The relationship between automotive sulfate emissions and fuel sulfur content for both catalyst-equipped vehicles and those employing other types of emission control systems;

(3) The extent to which sulfur compounds produced by the engine may be stored on catalysts or elsewhere in the exhaust systems of automobiles and subsequently released, and the dependence of such storage phenomena on vehicle driving conditions;

(4) The relationships between automotive sulfate emissions and the following vehicle, engine, or emission control system design parameters, and the feasibility, cost, and lead-time required to achieve reductions in automotive sulfate emissions through appropriate application of those relationships:

(a) Oxidation catalyst design, including location, operating temperature, substrate type, active material type and loading, and construction technique,

(b) Use of exhaust air injection, including rate and location of injection,

(c) Vehicle weight,

(d) Reduction catalyst design, including location, type, and construction,

(e) Use of thermal reactors, and

(f) Use of alternative engines, such as rotary, diesel, or stratified charge; and

(5) The technological feasibility, cost, and lead-time required for the control of automotive sulfate emissions through the use of particulate traps, chemical scrubbers, or other control devices.

C. *Control of automotive sulfate emissions through fuel modifications.* The Environmental Protection Agency seeks all available data and information regarding the feasibility, costs, and lead-time requirements of techniques for reducing automotive sulfate emissions through modifications to gasoline composition. Of particular interest is the reduction in the sulfur content of gasoline, although comments on any other methods (e.g., the use of additives to inhibit the oxidation of sulfur compounds in the fuel) are also sought. Information and data concerning the following subjects are specifically requested:

(1) The current sulfur content of crude oils, intermediate refinery fractions, and fuel (by type or grade), and trends and anticipated changes in those sulfur levels taking into account changes required to comply with fuel allocation regulations and the projected relative demand for low-lead and lead-free gasoline;

(2) The quantities of low sulfur gasolines currently expected to be available by September 1974 and in subsequent years, specifying this information by grade and sulfur content;

(3) The ability of the petroleum refining industry to provide unleaded gasoline of low sulfur content using existing or presently planned refined capacity through appropriate blending of refinery streams, including consideration of blending products of different refineries or facilities;

(4) The current status of desulfurization technology which could be used to reduce gasoline sulfur levels, including discussion of:

(a) Alternative desulfurization processing schemes with flow charts and representative flow rates and product compositions,

(b) The applicability of current desulfurization technology to various gasoline grades, giving examples of current utilization,

(c) Where desulfurization of fluid catalytic cracker (FCC) product is employed, the effect of the processing scheme on the FCC octane pool,

(d) The processing energy impact associated with gasoline desulfurization,

(e) The impact of gasoline desulfurization on product quality and quantity for a fixed crude input, both for gasolines and other refinery products,

(f) The maximum degree of sulfur reduction achievable for lead-free gasoline,

(g) The extent to which trade-offs exist between desulfurization of gasoline and desulfurization of other refinery products,

(h) The capital and operating costs associated with various levels of sulfur reduction, and

(i) The construction time required to add new desulfurization capacity needed to meet the anticipated demand for lead-free gasoline, as a function of sulfur level;

(5) The impact of industry-wide adoption of gasoline desulfurization technology, with comment on:

(a) The impact of construction of gasoline desulfurization capacity on other refinery construction needed to meet anticipated demands for gasoline and other refinery products in future years,

(b) The impact of gasoline desulfurization on refinery flexibility to vary product yield patterns to meet changing patterns of demand.

(c) The feasibility of desulfurizing only lead-free gasoline, relative to the feasibility of desulfurizing all gasoline, and

(d) The impact of various degrees of gasoline desulfurization on the ability of the refining industry to reduce the sulfur content of other fuels; and

(6) The contribution of fuel additives to gasoline sulfur content, including a discussion of the purpose-in-use of any sulfur-containing gasoline additives, the concentrations and total quantities used, and the impact of removal of such additives from use.

D. *Impact of automotive sulfate emissions.* The Environmental Protection Agency seeks information on all studies or analyses which have been performed regarding the present or projected future impact of automotive sulfate emissions on ambient atmospheric concentrations of, or human exposure to, sulfates as a result of implemenaation of oxidation catalyst technology on new automobiles. Copies, or detailed summaries, of any such studies should be submitted. It is requested that information on all of the following be provided with respect to each study:

(1) Vehicular emission rates assumed,

(2) All assumptions regarding vehicle mix, traffic flows, etc.

(3) Description of techniques employed to estimate impact, including any assumptions made with respect to meteorology, atmospheric conversion, population exposures, etc.,

(4) Results of all impact estimates and results of any sensitivity analyses

made with respect to individual data inputs or assumptions,

(5) Identification of any particular geographical areas or population segments to which estimates apply, and

(6) Any information available regarding validation of the impact estimation techniques used.

SUBMISSION OF COMMENTS

Interested persons may submit written comments (in quintuplicate) on the above matters to the Environmental Protection Agency, Office of Mobile Source Air Pollution Control (AW-455), 401 M Street SW., Washington, D.C. 20460. It is requested that all comments be submitted on or before May 7, 1974.

While this request for information is primarily aimed at data concerning the magnitude of automotive sulfate emissions and methods for controlling such emissions; and while the Agency has already gathered and is actively studying a considerable body of information on the health effects of sulfates, we would welcome any additional health effects data that may be available.

Comments received will be available for public inspection during normal working hours (8 a.m. to 4:30 p.m.) at the Office of Public Affairs, Environmental Protection Agency, 401 M Street, SW., Room 329C, Washington, D.C. 20460.

Dated: March 1, 1974.

RUSSELL E. TRAIN,
Administrator.

[FR Doc.74-5361 Filed 3-7-74;8:45 am]

[OPP—32000/21]

RECEIPT OF APPLICATIONS FOR PESTICIDE REGISTRATION

Data To Be Considered in Support of Applications

On November 19, 1973, the Environmental Protection Agency published in the FEDERAL REGISTER (38 FR 31862) its interim policy with respect to the administration of section 3(c)(1)(D) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 979), and its procedures for implementation. This policy provides that EPA will, upon receipt of every application, publish in the FEDERAL REGISTER a notice containing the information shown below. The labeling furnished by the applicant will be available for examination at the Environmental Protection Agency, Room EB-37, East Tower, 401 M Street, SW., Washington, D.C. 20460.

On or before May 7, 1974, any person who (a) is or has been an applicant, (b) desires to assert a claim for compensation under section 3(c)(1)(D) against another applicant proposing to use supportive data previously submitted and approved, and (c) wishes to preserve his opportunity for determination of reasonable compensation by the Administrator must notify the Administrator and the applicant named in the FEDERAL REGISTER of his claim by certified mail. Every such claimant must include, at a minimum, the information listed in this interim policy published on November 19, 1973.

Applications submitted under 2(a) or 2(b) of the interim policy in regard to usage of existing supportive data for registration will be processed in accordance with existing procedures. Applications submitted under 2(c) will be held for the 60-day period before commencing processing. If claims are not received, the application will be processed in normal procedure. However, if claims are received within sixty days, the applicants against whom the particular claims are asserted will be advised of the alternatives available under the Act. No claims will be accepted for possible EPA adjudication which are received after May 7, 1974.

APPLICATIONS RECEIVED

EPA File Symbol 2724-ELU. Thuron Industries, Inc., 12200 Denton Drive, Dallas, Texas 75234. *Zodiac Dog Collar for Flea Control.* Active Ingredients: o-Isopropoxyphenyl methylcarbamate 9.4%. Method of Support: Application proceeds under 2(b) of interim policy.

REPUBLISHED ITEMS

The following items represent corrections and/or changes in the list of applications received previously published in the FEDERAL REGISTER.

EPA File Symbol 908-UE. Capitol Chemical Company, 5455 Butler Road, Washington, D.C. 20016. *Capitol DDVP Concentrate.* Correction-Method of Support: Application proceeds under 2(c) rather than 2(a) of interim policy as published in the FEDERAL REGISTER of February 25, 1974 (39 FR 7197).

EPA File Symbol 5736-UE. DuBois Chemicals, 3630 E. Kemper Road, Sharonville, Ohio 45241. *QD-4.* Correction: originally published incorrectly as EPA File Symbol 5736-VEO in the FEDERAL REGISTER of February 25, 1974 (39 FR 7197).

EPA File Symbol 9855-EE. Mobil Chemical Company, Maintenance & Marine Coatings Department, P.O. Box 250, Edison, New Jersey 08817. *Vinyl Anti-Fouling Paint Dark Brown 59-D-22.* Correction: originally published incorrectly as Model Chemical Company in the FEDERAL REGISTER of February 26, 1974 (39 FR 7484).

EPA Reg. No. 3573-31. The Procter & Gamble Company, Legal Division, P.O. Box 599, Cincinnati, Ohio 45201. *BreakThrough II.* Correction: originally published incorrectly as the Proctor & Gamble Company in the FEDERAL REGISTER of February 26, 1974 (39 FR 7484).

Dated: March 4, 1974.

JOHN B. RITCH, Jr.,
Director, Registration Division.

[FR Doc.74-5358 Filed 3-7-74;8:45 am]

CIBA-GEIGY CORP.

Notice of Withdrawal of Petition Regarding Pesticide Chemical

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; (21 U.S.C. 346a(d)(1))), the following notice is issued:

In accordance with § 180.8 *Withdrawal of petitions without prejudice* of the pesticide procedural regulations (40 CFR 180.8), CIBA-GEIGY Corp., Ardsley, NY 10502, has withdrawn its petition (PP 1F1153), notice of which was published in the FEDERAL REGISTER of July 17, 1971, proposing establishment of a tolerance for residues of the insecticide *O,O*-diethyl *O*-(2-isopropyl-4-methyl-6-pyrimidinyl) phosphorothioate in or on the raw agricultural commodity coffee beans at 0.1 part per million.

Dated: March 4, 1974.

JOHN B. RITCH, Jr.,
Director, Registration Division.

[FR Doc.74-5441 Filed 3-7-74;8:45 am]

E. I. DU PONT DE NEMOURS & CO., INC.

Notice of Filing of Petition Regarding Pesticide Chemicals

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), notice is given that a petition (PP 4F1466) has been filed by E. I. du Pont de Nemours & Co., Inc., Wilmington, DE 19898, proposing establishment of a tolerance (40 CFR Part 180) for combined residues of the fungicide benomyl (methyl 1-(butylcarbamoyl)-2-benzimidazolecarbamate) and its metabolites containing the benzimidazole moiety (calculated as benomyl) in or on the raw agricultural commodity soybeans at 0.2 part per million.

The analytical method proposed in the petition for determining residues of the fungicide is that of J. J. Kirkland, R. F. Holt, and H. L. Pease, "Agriculture and Food Chemistry", vol. 21, pp 368-371 (1973).

Dated: March 4, 1974.

JOHN B. RITCH, Jr.,
Director, Registration Division.

[FR Doc.74-5443 Filed 3-7-74;8:45 am]

[FIFRA Docket No. 293]

REGISTRATIONS OF MIREX

Order Regarding Public Hearing

This is one of the continuing string of orders dating from March 18, 1971, to the present date concerning the use of the pesticide Mirex in aquatic and other areas. On March 18, 1971, this Agency issued a notice of cancellation or registration of pesticides containing Mirex for use against the imported fire ant and certain other insects. The grounds for that cancellation action were evidence (primarily laboratory evidence) that raised serious questions about the effect of Mirex on human and animal health resulting from the continued use of pesticide products containing Mirex.

The manufacturer of Mirex bait, Allied Chemical Company, requested an Advisory Committee as it was permitted to do under the Federal Insecticide, Fungicide, and Rodenticide Act prior to amendment in 1972. The final report of the Advisory Committee was received by the Agency on March 1, 1972. By order dated May 25, 1972, the Administrator, William D. Ruckelshaus, affirmed the cancellation of Mirex registrations unless

certain changes were made to the labeling. Basically, that order prohibited application of Mirex on or near rivers, streams, lakes, ponds, and other aquatic areas. The label changes were in part made by the registrant, after which the Administrator issued an order on June 30, 1972, reinstating the registrations as modified.

On March 23, 1973, a conference among representatives of the United States Department of Agriculture, the Environmental Defense Fund, the Environmental Protection Agency and various other institutions and groups was held to discuss USDA's request for a modification of label directions for use of the pesticide Mirex. It was USDA's contention at that time that a Spring 1973 spraying program could not reasonably be conducted under the then-existing label directions, principally because if interpreted very strictly the prohibition on spraying near all aquatic areas, and notably near many small streams, ponds and other bodies of water, would result in so many untreated tracts that adjoining sprayed areas would soon be re-infested, and the entire spraying program would thus have little effect.

As a result of the March 23 meeting, this Agency issued an order on March 28, 1973, which adopted some of the changes requested by the U.S. Department of Agriculture. The Agency specified in its order, however, that such changes would apply to only the Spring 1973 spraying season. Additionally, as agreed at the March meeting, the Agency called a formal hearing, to commence in July 1973 "or as soon thereafter as feasible," to fully explore questions pertaining to existing registrations of Mirex.

It was understood at the March 23 meeting that a key element in such hearing would be the elucidation of further information concerning residues and toxic effects of Mirex as they pertained to plant life, fish, birds, mammals, and other biota. Such data would be obtained from a Mirex monitoring program conducted by USDA's Animal and Plant Health Inspection Service during the spring and fall of 1972, and during the spring of 1973. These data would thereafter be made available to all parties in the formal Mirex proceeding. In addition, the 1973 monitoring program was to be expanded in area, size of samples, and time or sampling over the 1972 program.

In June 1973, it became apparent that the data would not be forthcoming until the Fall and the hearings could not begin before the Fall spray. Thus, on August 28, 1973 this Agency again extended the amended order for the 1973 Fall spray.

At that time it was anticipated that the hearing would have been completed prior to the commencement of the 1974 Spring Imported Fire Ant Control Program. However, because of technical difficulties, USDA has not, as of this time, completed the analysis of these monitoring data. This has contributed to the delay in the progress of the hearing that commenced on December 3, 1973.

EPA has now received an application from USDA asking for an extension of the 1972 Order for the 1974 Spring application. Such extension continues the Agency's concern about such matters as:

(1) The adverse effects of Mirex on reproduction demonstrated in laboratory animals.

(2) The detectable amounts of Mirex found in human adipose tissue from a very limited sampling of the population.

(3) The tumorogenic implications of Mirex in mice.

(4) The effect of Mirex on mammalian energy metabolism.

(5) The effect of Mirex on delayed mortality in birds.

(6) The potential for Mirex to move into the saltwater environment.

(7) The effect of Mirex on certain aquatic organisms, e.g., crustaceans.

(8) The persistence of Mirex.

However, in view of the further delay in the hearings and to help resolve the considerable controversy concerning the ability of the aerial application to be performed in a satisfactory manner, i.e., at proper rates and with sufficient controls to avoid designated aquatic areas, I am reluctantly extending the minor modifications of the March 28, 1973 Order for the 1974 spring spray application season as to the United States Department of Agriculture aerial program with the following provisions:

A. That the imported fire ant cooperative Federal-State control and regulatory program shall comply with the present Mirex label precautions set forth in the Determination and Order dated August 28, 1973 (38 FR 24683). In addition, with respect to aerial applications:

1. A USDA pilot shall be assigned to such operations to check the aircraft and pilots, and to observe the work from the air;

2. Panning operations shall be conducted in conjunction with every aerial contract, and

3. Treatment shall be based on a finding by USDA that the location and quantity of fire ants in the specific area to be treated:

(a) Pose an immediate hazard to man in that there is a high probability that people will be bitten this year, or

(b) Pose an immediate hazard to significant numbers of sensitive livestock, or

(c) Prevent the use of fields which otherwise would be cultivated this year.

B. That any State program that is not an integral part of the imported fire ant cooperative Federal-State control and regulatory program and involves aerial applications shall be approved, supervised, and monitored by USDA, and that

1. Approval for such State programs shall be based on a finding by USDA that:

a. All of the above-mentioned provisions of the EPA Determination and Order dated August 28, 1973, will be followed; and

b. The location and quantity of fire ants in the specific area to be treated:

(1) Pose an immediate hazard to man in that there is a high probability that people will be bitten this year, or

(2) Pose an immediate hazard to significant numbers of sensitive livestock, or

(3) Prevent the use of fields which otherwise would be cultivated this year.

2. USDA shall:

a. Continue the USDA monitoring program in the areas treated by the States;

b. Make ground and aerial observations to protect sensitive areas and to assure that treatments are limited to the target areas;

c. Conduct daily monitoring of the flight log of the electronic guidance system; and,

d. Provide weather teams to assure that advantageous flight conditions exist for aerial application.

C. That total acreage treated be limited to 2.6 million acres under the cooperative program plus additional selected acreage under State programs not to exceed 2.9 million acres.

D. That no application will be conducted except under a surveillance program to obtain information as to the performance of aerial application in accordance with the restrictions in this order and the label. This would include surveillance over such operations as loading, treatment, sample collections, and observing effects and impact of treatment.

This surveillance program will be supplemented by inspections by EPA monitors. The results of the USDA surveillance will be introduced into the hearing as soon as they are available, in any case no later than 30 days after the completion of the spraying.

Dated: March 1, 1974.

JOHN R. QUARLES, Jr.,
Deputy Administrator.

[FR Doc.74-5440 Filed 3-7-74;8:45 am]

FEDERAL MARITIME COMMISSION

INDEPENDENT OCEAN FREIGHT FORWARDER LICENSE

Applicants

Notice is hereby given that the following applicants have filed with the Federal Maritime Commission applications for licenses as independent ocean freight forwarder pursuant to section 44(a) of the Shipping Act, 1916 (75 Stat. 522 and (46 U.S.C. 841(b))).

Persons knowing of any reason why any of the following applicants should not receive a license are requested to communicate with the Director, Bureau of Certification and Licensing, Federal Maritime Commission, Washington, D.C. 20573.

A. Amato
P.O. Box 3342
Baton Rouge, Louisiana 70821

HC&D Forwarders International, Inc.
P.O. Box 4795
Hayward, California 94540

OFFICERS

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Aladar A. Von Sabo, Vice President
Robert H. Grosjean, Secretary
Lawrence V. Beckley, Treasurer

By-Line Traffic Service, Inc.
14625 Carmenita Avenue, Suite 227
Norwalk, California 90650

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Leslie Brier, Secretary/Treasurer
Lawrence Richard, Ass't President

Fast Cargo Services Of Miami, Inc.
Building #2134, Room 52
Miami International Airport
Miami, Florida

OFFICERS

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Aviation Transport Systems, Inc.
576 Fifth Avenue
New York, New York 10036

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Walter Schofield, Jr., President
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J. B. Fong & Co.
838 Grant Avenue
San Francisco, California 94108

Arnold A. Clemente d/b/a
A.A.C. & Sons Co.
17 Battery Place, Room 2438
New York, New York 10004

Takasuke Okada
4327 Admirable Drive
Palos Verdes Peninsula, California 90274

Page & Jones, Incorporated
Room 1200
Commerce Building
Mobile, Alabama 36601

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Rufus B. Lee, President
Michael B. Lee, Vice President
James T. Lee III, Vice President
H. Hartwell Ludlow, Secretary/Treasurer

By the Federal Maritime Commission.

Dated: March 5, 1974.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.74-5425 Filed 3-7-74;8:45 am]

FEDERAL POWER COMMISSION

[DOCKET NO. RI74-166]

AZTEC OIL & GAS CO.

Order Providing for Hearing on and Suspension of Proposed Change in Rate, and Allowing Rate Change To Become Effective Subject to Refund

FEBRUARY 27, 1974.

Respondent has filed a proposed change in rate and charge for the jurisdictional sale of natural gas, as set forth in Appendix A hereof.

The proposed changed rate and charge may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds. It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon a hearing regarding the lawfulness of the proposed change, and that the supplement herein be suspended and its use be deferred as ordered below.

The Commission orders. (A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR, Chapter I), and the Commission's rules of practice and procedure, a public hearing shall be held concerning the lawfulness of the proposed change.

(B) Pending hearing and decision thereon, the rate supplement herein is suspended and its use deferred until date shown in the "Date Suspended Until" column. This supplement shall become effective, subject to refund, as of the expiration of the suspension period without any further action by the Respondent or by the Commission. Respondent shall comply with the refunding procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder.

(C) Unless otherwise ordered by the Commission, neither the suspended supplement, nor the rate schedule sought to be altered, shall be changed until disposition of this proceeding or expiration of the suspension period, whichever is earlier.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf*		Rate in effect subject to refund in docket Nos.
									Rate in effect	Proposed increased rate	
RI74-166	Aztec Oil & Gas Co.	1	9	El Paso Natural Gas Co. (San Juan Basin Area, Rio Arriba and San Juan Counties, N. Mex.) (Rocky Mountain Area).	$55,499	1-28-74		7-28-74	29.23	[1] 31.35	RI72-57.
	do	2	8	do	3,041	1-28-74		7-28-74	29.23	[1] 31.35	RI72-224.
	do	10	[2] 21	do	13,040	1-28-74		7-28-74	29.23	[1] 31.35	RI72-57.
	do	14	8	do	4,546	1-28-74		7-28-74	29.23	[1] 31.35	RI72-224.
	do	30	5	do	763	1-28-74		7-28-74	29.23	[1] 31.35	RI72-57.
	do	31	6	do	8,471	1-28-74		7-28-74	29.23	[1] 31.35	RI72-224.
	do	33	6	do	8,343	1-28-74		7-28-74	29.23	[1] 31.35	RI72-224.
	do	34	9	do	4,536	1-28-74		7-28-74	29.23	[1] 31.35	RI72-224.

*Unless otherwise stated, the pressure base is 15.025 lb/in²a.
[1] 28.5 cents base rate plus upward Btu adjustment from a base of 1,000 Btu.
[2] Not applicable for acreage added by Supplement Nos. 3, 4, 8-11 and 13-16.

The proposed rate increases of Aztec exceed the applicable ceiling rate established by Opinion No. 658 and are suspended for five months.

[FR Doc.74-5222 Filed 3-7-74;8:45 am]

[Docket No. G-13352, etc.]

MISCO LEASING, INC., ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates [1]

FEBRUARY 27, 1974.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to Section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said applications should on or before March 25, 1974, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure a hearing will be held without further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is re-

[1] This notice does not provide for consolidation for hearing of the several matters covered herein.

quired by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

MARY B. KIDD,
Acting Secretary.

Docket No. and date filed	Applicant	Purchaser and location	Price per Mcf	Pressure base
G-13352 E 2-7-74	Misco Leasing, Inc., et al. (successor to L. C. Smitherman, et al.), 700 Farm Credit Banks Bldg., Wichita, Kans. 67202.	Northern Natural Gas Co., acreage in Edwards County, Kans.	13.5	14.65
CI62-214 E 2-7-74	Consolidated Production Corp. (successor to Atlantic Richfield Co.), 1400 Colorado State Bank Bldg., Denver, Colo. 80202.	Arkansas Louisiana Gas Co., W. Marlow (McKinney) Field, Grady County, Okla.	15.0	14.65
CI65-1286 C 2-15-74	PWG Partnership, 1219 Simms Bldg., Albuquerque, N.Mex. 87103.	El Paso Natural Gas Co., Basin Dakota Field, Rio Arriba County, N.Mex.	[1] 24.0	15.025
CI68-395 (CI66-176) CF 2-11-74	Amoco Production Co. (successor to Skelly Oil Co.), Security Life Bldg., Denver, Colo. 80202.	Arkansas Louisiana Gas Co., Cameron Field, LeFlore County, Okla.	[2] 16.255	14.65
CI73-46 C 2-11-74	Amoco Production Co	El Paso Natural Gas Co., South Blanco Pictured Cliffs Field, Rio Arriba County, N.Mex.	[3] 28.5	15.025
CI74-22 C 2-15-74 [4]	Exxon Corp., P.O. Box 2180, Houston, Tex. 77001.	Columbia Gas Transmission Corp., Eugene Island Block 314 Field, offshore Louisiana.	[1] [5] 50.0	15.025
CI74-425 A 2-8-74	The California Co., a division of Chevron Oil Co., 1111 Tulane Ave., New Orleans, La. 70112.	Natural Gas Pipeline Co. of America, Block 28 Field, West Cameron Area, offshore Louisiana.	[6] 50.0	15.025
CI74-427 (CI66-1291) F 2-7-74	Amoco Production Co. (successor to J. M. Huber Corp.), Security Life Bldg., Denver, Colo. 80202.	Panhandle Eastern Pipe Line Co., Southeast Gage Field, Ellis County, Okla.	[7] 19.0	14.65
CI74-428 (CI69-1180) F 2-4-74	William Gruenerwald (successor to Anadarko Production Co. and National Helium Corp.), P.O. Box 999, Colorado Springs, Colo. 80901.	Colorado Interstate Gas Co., a division of Colorado Interstate Corp., West Panhandle Field, Potter County, Tex.	14.0	14.65
CI74-430 A 2-11-74	Colorado Oil & Gas Corp. and Gas Producing Enterprises, Inc., Box 749, Denver, Colo. 80201.	Colorado Interstate Gas Co., a division of Colorado Interstate Corp., Bearpaw Mountain Area, Blaine, Chouteau, Fergus, Hill, and Phillips Counties, Mont.	[1] [8] 45.0	14.65
CI74-431 (G-13324) F 2-8-74	Amoco Production Co. (successor to Shell Oil Co.).	Michigan Wisconsin Pipe Line Co., Laverne Field, Harper County, Okla.	[9] 18.5	14.65

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

[1] Subject to upward and downward Btu adjustment.
[2] Subject to downward Btu adjustment and subject to a deduction for compression by buyer.
[3] Applicant is willing to accept a certificate at an initial rate of 24 cents per M ft³, subject to upward and downward Btu adjustment; however, the contract price is 28.5 cents per M ft³, subject to upward and downward Btu adjustment.
[4] Amendment to a pending application.
[5] Applicant is willing to accept a permanent certificate conditioned in accordance with Commission Opinion No. 598.
[6] Applicant is willing to accept a certificate at an initial rate of 26 cents per M ft³, subject to upward and downward Btu adjustment; however, the contract price is 50 cents per M ft³, subject to upward and downward Btu adjustment.
[7] Subject to upward and downward Btu adjustment; estimated upward adjustment is 0.95 cent per M ft³.
[8] Applicant states that it would accept a permanent certificate authorizing the contract rate subject to the condition that if deliveries should commence prior to the determination of the new nationwide price in Docket No. R-389-B and such price when determined is less than the contract rate Applicant will refund the difference, plus interest, between the rate received and the applicable price as ultimately determined in Docket No. R-389-B.
[9] Subject to upward and downward Btu adjustment; estimated upward adjustment is 1 cent per M ft³.

[FR Doc.74-5209 Filed 3-7-74;8:45 am]

[Docket Nos. RI74-162, etc.]

SUN OIL CO. ET AL.

Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund [1]

FEBRUARY 27, 1974.

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 date shown in the "Date Suspended Until" column. Each of these supplements shall become effective, subject to refund, as of the expiration of the suspension period without any further action by the Respondent or by the Commission. Each Respondent shall comply with the refunding procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder.

(C) Unless otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period, whichever is earlier.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[1] Does not consolidate for hearing or dispose of the several matters herein.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf* Rate in effect	Cents per Mcf* Proposed increased rate	Rate in effect subject to refund in docket No.
RI74-162..	Sun Oil Co	415	10	Southern Union Gathering Co. (San Juan County, N. Mex., San Juan Basin) (Rocky Mountain Area).	$1,415	1-30-74		8- 2-74	[1] [9] 26.17	[3] [4] [9] 26.67	
				Do	(6)	1-30-71		8- 2-74	[1] [9] 26.17	[3] [4] [9] 28.50	
RI74-163..	Signal Oil & Gas Co	8	8	Montana-Dakota Utilities Co. (Tioga Gasoline Plant, Williams County, N.Dak., Montana-Dakota Subarea) (Rocky Mountain Area).	57,777	1-30-74		8- 2-74	[10] 26.15	[6] [10] 28.06	R174-39.
RI74-164..	Texaco, Inc	16	10	Northern Natural Gas Co. (Eumont, et al., Fields Lea County, N. Mex.) (Permian Basin).	666,625	1-28-74		7-28-74	22.45	35.14	
RI74-165..	Shell Oil Co	249	[7] 17	El Paso Natural Gas Co. (Brown Bassett Field, Terrell County, Tex.) (Permian Basin).	14,210	1-31-74		8- 3-74	24.355	[8] 25.359	
	do	253	14	El Paso Natural Gas Co. (James Ranch Field, Eddy County, N. Mex.) (Permian Basin).	4,380	2- 4-74		8-18-74	28.0	29.0	RI73-308.
	do	168	15	West Texas Gathering Co. (Emperor Field, Winkler County, Tex.) (Permian Basin).	1,816,427	1-28-74		7-28-74	28.105	42.1575	RI73-265.

* Unless otherwise stated, the pressure base is 14.65 lb/in.²a.

[1] Opinion No. 658 ceiling rate inclusive of taxes and subject to Btu adjustment up from 1,050 and down from 1,000 Btu per cubic foot.
[2] Increase to contract rate for gas from wells completed on or after June 1, 1970.
[3] For gas from wells completed prior to June 1, 1970.
[4] Subject to Btu adjustment from 1,000 Btu per cubic foot.
[6] No current deliveries of gas.
[6] Cost of living increase plus tax based on the Bureau of Labor Statistics' Wholesale Price Index.
[7] Not applicable to Supplement Nos. 2, 4, and 10 dated May 18, 1961, July 24, 1962 and May 8, 1970, respectively.
[8] Includes 3.75 cents per M ft³ treating charge.
[9] The pressure base is 15.025 lb/in.²a.
[10] The pressure base is 14.73 lb/in.²a.

The proposed rate increase of Texaco Inc. exceeds the applicable area ceiling rate as set forth in Opinion No. 662, and is, therefore suspended for five months. While Texaco's contract has expired, Texaco has not submitted a new contract. Consequently, Opinion No. 639 is inapplicable to the subject sale, and the flowing gas ceiling in Opinion No. 662 applies.

The proposed rate increases in the Rocky Mountain Area exceed the area rate set forth in Opinion No. 658, issued April 11, 1973, and are suspended for five months. The proposed rate increases in the Permian Basin Area exceed the area rate set forth in Opinion No. 662, issued August 7, 1973, and, are, therefore, suspended for five months.

[FR Doc.74-5223 Filed 3-7-74;8:45 am]

[Docket No. RI74-44]

TERRA RESOURCES, INC.

Order Granting Intervention, Approving Petition for Special Relief as Modified or Allowing Abandonment

FEBRUARY 27, 1974.

On August 21, 1973, Terra Resources, Inc. (Terra) on behalf of itself and Union Oil Company of California, filed a petition pursuant to § 2.76 [1] of the Commission's general rules of practice and procedure requesting that Terra be granted rate increases above the applicable area rate of 20.0 cents per Mcf as determined for the Texas Gulf Coast Area in Opinion No. 595, 45 FPC 674, rev'd, Texas Gulf Coast Area Natural Gas Cases, ____ F.2 ____ (D.C. Cir. 1973), appeal pending, F.P.C. v. Public Service Commission of the State of New York, et al., No. _____. Terra is currently collecting 16.72 cents per Mcf for sales to Tennessee Gas Pipeline Company (Tennessee) from two wells located in the North Tidehaven Field, Matagorda County, Texas. The proposed rates are 90.0 cents per Mcf for 1974 and $1.40 per Mcf in 1975. Terra avers that there are 94,000 Mcf of remaining reserves to be recovered. Notice of filing of this petition was published in the FEDERAL REGISTER on November 11, 1973 in 38 FR 31349.

A petition to intervene was filed by Tennessee, which stated no opposition to the proposed increases, and, in fact, agreed to pay Terra whatever rate the Commission approved.

Although Terra filed its petition for special relief under § 2.76, it is more properly considered under the special relief provisions allowed by our various area rate opinions. In Opinion No. 595 we stated at 45 FPC____that "[t]he special exemption procedure previously established in other areas will also be open to all those making jurisdictional sales of gas in the Texas Gulf Coast Area." The first such provision for exemption, and the only area rate decision thus far approved by the Supreme Court on review, was Opinion No. 468, Permian Basin Area Rate Proceeding, Docket No. AR61-1, 34 FPC 159 (1965), *aff'd*, 390 U.S. 747 (1967). In Opinion No. 468, at 34 FPC 226, we stated that special relief would be warranted where a producer could show that "out-of-pocket expenses" for the operation of a particular well were greater than the possible revenues under the applicable area rate. In some circumstances, even where relief could be granted, abandonment might be an appropriate remedy, and this proceeding may present such a circumstance.

An analysis of the petition and supporting papers filed by Terra reveals that at the current area rates a considerable loss would be sustained from continued production. Terra's proposed rates are 90.0 cents per Mcf for 1974 and $1.40 per Mcf for 1975 in order to recover an estimated 94,000 Mcf. Our evaluation leads to the conclusion that rates of 47.0 cents per Mcf for 1974 and 90.0 cents per Mcf are more reasonable and realistic prices which will meet Terra's demonstrated out-of-pocket expenses. The alternative to approval of these proposed rates is for Terra to abandon the subject sales to Tennessee under section 7(b) of the Natural Gas Act.

The Commission finds. (1) It is in the public interest to permit Terra to recover its out-of-pocket expenses with regard to the two subject sales of natural gas, or to allow abandonment of the subject sales of natural gas to Tennessee.

(2) The proposed rates, as modified, should be approved under the special relief provisions from the area rate.

(3) It is desirable and in the public interest to allow Tennessee to intervene in this proceeding.

The Commission orders. (A) The petition of Terra for special relief is granted insofar as the proposed rates are modified to a price of 47.0 cents per Mcf for 1974 and 90.0 cents per Mcf for 1975.

(B) Terra is required to notify this Commission within thirty (30) days of the issuance of this order whether it will accept the amended proposed rates, or has abandoned the subject sales of natural gas.

(C) The petition of Tennessee to intervene in this proceeding is granted.

By the Commission.[1]

[SEAL] KENNETH F. PLUMB, *Secretary.*

[1] 18 CFR § 2.76.

[1] Commissioners Moody and Springer, dissenting, filed separate statements filed as part of the original document.

Memorandum No. IP74-417
Terra Resources, Inc.
Docket No. R174-44
Revised Appendix A
Please substitute

Terra Resources, Inc., Woodson and Heffelfinger Leases, Cost of Gas For Years 1973-75

Line No.	Description	1973			1974			1975		
		With 15 percent return	With (28.59 percent) return	With out-of-pocket costs only	With 15 percent [2] return	With 27.02 percent return	With out-of-pocket costs only	With 15 percent [3] return	With 12.63 percent return	With out-of-pocket costs only
	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)
1	Net working interest volumes (M ft³)	80,908	80,908	80,908	46,233	46,233	46,233	25,246	25,246	25,246
2	Average net investment (dollars)	46,348	46,348		38,980	38,980		31,612	31,612	
3	Allowance for working capital (dollars) [1]	2,373	2,373		2,505	2,505		2,642	2,642	
4	Rate base (dollars)	48,721	48,721		41,485	41,485		34,254	34,254	
5	Operating and maintenance expenses (dollars)	18,982	18,982	18,982	20,036	20,036	20,036	21,133	21,133	21,133
6	Depreciation expense (dollars)	7,368	7,368		7,368	7,368		7,368	7,368	
7	Return at 15% (dollars)	7,308			6,223			5,138		
8	Varying returns [2] (dollars)		(13,931)			11,210			4,326	
9	Total cost of gas before production tax (dollars)	33,658	12,419		33,627	38,614		33,639	32,827	
10	Unit cost of gas (line 9÷line 1) (¢/M ft³)	41.60	15.35		72.73	83.52		$133.00	$130.03	
11	Cost of out-of-pocket expenses (line 5÷line 1) (¢/M ft³)			23.46			43.34			83.71
12	Regulatory expense (¢/M ft³) [3]	.20	.20	.20	.20	.20	.20	.20	.20	.20
13	Unit cost of service W/O Production tax (¢/M ft³)	41.80	15.55	23.66	72.93	83.72	43.54	133.20	130.23	83.91
14	Service tax (Texas 7½% of unit cost W/O tax) (¢/M ft³)	3.14	1.17	1.77	5.47	6.28	3.27	9.99	9.77	6.29
15	Total unit cost (¢/M ft³)	44.94	[4] 16.72	25.43	78.40	[5] 90.00	46.81	143.19	[5] 140.00	90.20

[1] 0.125 times operating and maintenance expenses.
[2] Varying rates of return indicated in column heading.
[3] Adopted by the Commission in Opinion No. 662 (Permian Basin II).
[4] Presently effective rate.
[5] Proposed rate.

[FR Doc.74-5224 Filed 3-7-74;8:45 am]

FEDERAL RESERVE SYSTEM

ARLCO, INC.

Formation of Bank Holding Company and Proposed Acquisition of Harold W. Lynch Insurance Business

In FR Doc. 74-4418 appearing on page 7493 of the issue for Tuesday, February 26, 1974, the second sentence of the second paragraph should read:

Notice of the application was published on January 17, 1974, in the Arlington Enterprise, a newspaper circulated in Arlington, Minnesota.

The fifth paragraph should read:

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Minneapolis.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than March 22, 1974.

Board of Governors of the Federal Reserve System, February 28, 1974.

[SEAL] ELIZABETH L. CARMICHAEL,
Assistant Secretary of the Board.

[FR Doc.74-5372 Filed 3-7-74;8:45 am]

ELLIS BANKING CORP.

Acquisition of Bank

Ellis Banking Corporation, Brandenton, Florida, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent of the voting shares (less directors' qualifying shares) of Ellis National Bank of West Hillsborough, Tampa, Florida (formerly entitled Citizens National Bank); and Ellis National Bank of Davis Islands, Tampa, Florida (formerly entitled Islands National Bank), both proposed new banks. The factors that are considered in acting on the applications are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The applications may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Atlanta. Any person wishing to comment on the applications should submit views in writing to the Reserve Bank, to be received not later than March 14, 1974.

Board of Governors of the Federal Reserve System, February 28, 1974.

[SEAL] ELIZABETH L. CARMICHAEL,
Assistant Secretary of the Board.

[FR Doc.74-5371 Filed 3-7-74;8:45 am]

FIRST ALABAMA BANCSHARES, INC.

Acquisition of Bank

First Alabama Bancshares, Inc., Birmingham, Alabama, 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 80 percent or more of the voting shares of First City National Bank of Gadsden, Gadsden, Alabama. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Atlanta. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than March 28, 1974.

Board of Governors of the Federal Reserve System, February 28, 1974.

[SEAL] ELIZABETH L. CARMICHAEL,
Assistant Secretary of the Board.

[FR Doc.74-5370 Filed 3-7-74;8:45 am]

OFFICE OF MANAGEMENT AND BUDGET

REQUESTS FOR CLEARANCE OF REPORTS INTENDED FOR USE IN COLLECTING INFORMATION

Notice of List

The following is a list of requests for clearance of reports intended for use in collecting information from the public received by the Office of Management and Budget on March 5, 1974 (44 U.S.C. 3509). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number, if applicable; the frequency with which the information is proposed to be collected;

the name of the reviewer or reviewing division within OMB, and an indication of who will be the respondents to the proposed collection.

The symbol (x) identifies proposals which appear to raise no significant issues, and are to be approved after brief notice through this release.

Further information about the items on this Daily List may be obtained from the Clearance Office, Office of Management and Budget, Washington, D.C. 20503 (202–395–4529).

NEW FORMS

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Alcohol, Drug Abuse, and Mental Health Administration, 1974 Survey of Personnel Engaged in Mental Health Activities, State of Maine, Form ADAMMH 0304, Single time, Raynsford/Ellett.

DEPARTMENT OF LABOR

Manpower Administration, Job Corps Health Services—Program Description—Narrative. Section and Time Distribution of Health Staff Activities, Forms MA 6–124, 125, Annual, HRD/Ellett/Lowry, Health units of Job Corps Centers.

Job Corps (Health Services—Utilization Summary and Quarterly Costs Incurred, Forms MA 6–127, 128, Quarterly, HRD/Ellett/Lowry, Health units of Job Corps Centers.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration, Airport Head Tax Survey Form, Form, ---- Single time EGGD/Foster, Air carrier airports.

REVISIONS

DEPARTMENT OF JUSTICE

Drug Enforcement Administration, Project DAWN Drug Abuse Warning Network, Form, ---- Occasional, Reese/SAODAP, Physicians and medical personnel.

EXTENSIONS

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Alcohol, Drug Abuse and Mental Health Administration, Admission and Case Sample Report, Form ADAMIDA 0207, Quarterly, Reese, Clients in Federal Drug Treatment programs.

DEPARTMENT OF LABOR

Manpower Administration, Employer Record and Employer Record-Abridged, Forms ES 330, 332, Occasional, Evinger (x).

Job Corps Data Sheet, Form MA 6–52, Occasional, Evinger (x).

PHILLIP D. LARSEN,
Budget and Management Officer.

[FR Doc.74–5489 Filed 3–7–74;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[File No. 2–50289, 22–7822]

PULLMAN TRANSPORT LEASING CO.

Notice of Application and Opportunity for Hearing

MARCH 5, 1974.

Notice is hereby given that Pullman Transport Leasing Company (the "Applicant") has filed an application under Clause (ii) of section 310(b)(1) of the Trust Indenture Act of 1939 (the "Act") for a finding by the Securities and Exchange Commission (the "Commission") that the trusteeships of The Chase Manhattan Bank (National Association) (the "Bank") under an existing indenture which is not qualified under the Act, and under a new indenture to be qualified under the Act, are not so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify the Bank from acting as trustee under the existing indenture or under the indenture to be qualified.

Section 310(b) of the Act provides in part that if a trustee under an indenture qualified under the Act has or shall acquire any conflicting interest (as defined in such section), it shall within ninety days after ascertaining that it has such conflicting interest, either eliminate such conflicting interest or resign. Subsection (1) of such Section provides, that with certain exceptions, a trustee under a qualified indenture shall be deemed to have a conflicting interest if such trustee is trustee under another indenture under which any other securities of the same obligor are outstanding. However under Clause (ii) of subsection (1), there may be excluded from the operation of this provision another indenture under which other securities of the same obligor are outstanding, if the obligor shall have sustained the burden of proving, on application to the Commission and after opportunity for hearing thereon, that the trusteeship under such qualified indenture and such other is not so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify such trustee from acting as trustee under both indentures.

The Applicant alleges that:

(1) The Bank is presently acting as trustee under an agreement dated April 1, 1973 covering an aggregate of $23,000,000 aggregate principal amount of Equipment Trust Certificates, Series 4, all of which are currently outstanding.

(2) The Applicant proposes to file with the Commission a registration statement for the offering of $30,000,000 aggregate principal amount of its Equipment Trust Certificates, Series 5 to be issued pursuant to an Equipment Trust Agreement (the "Series 5 Indenture") to be qualified under the Act.

(3) The Applicant wishes to appoint the Bank to act as trustee under the Series 5 Indenture, and the Bank will file a statement on Form T–1 as to its eligibility and qualifications under the Act.

(4) The Series 4 Certificates and the Series 5 Certificates will be secured by separate lots of identified railroad cars.

(5) Applicant is not in default under, and there exists no event which with notice or lapse of time or both, would constitute a default under, any of its equipment trust obligations.

The Applicant has waived notice of hearing, hearing on the issues raised by this application, and all rights to specify procedures under Rule 8(b) of the Commission's rules of practice in connection with the matter referred to in this application.

For a more detailed statement of the matters of fact and law ascerted, all persons are referred to said application, which is a public document on file in the offices of the Commission, at 500 North Capitol Street NW., Washington, D.C. 20549.

Notice is further given that any interested person may not later than March 19, 1974, request in writing that a hearing be held on such matter, stating the nature of this interest, the reason for such request, and the issues of fact or law raised by said application 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. At any time after said date, the Commission may issue an order granting the application, upon such terms and conditions as the Commission may deem necessary or appropriate in the public interest and the protection of investors, unless a hearing is ordered by the Commission.

For the Commission, by the Division of Corporation Finance, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.74–5507 Filed 3–7–74;8:45 am]

SMALL BUSINESS ADMINISTRATION

[Disaster Loan Area 1041]

LOUISIANA

Disaster Relief Loan Availability

As a result of the President's declaration of the State of Louisiana as a major disaster area following flooding beginning on or about January 21, 1974, applications for disaster relief loans will be accepted by the Small Business Administration from flood victims in the following parishes: LaSalle, Concordia, Catahoula, and Caldwell, and adjacent affected areas.

Applications may be filed at the:

Small Business Administration
District Office
Plaza Tower—17th Floor
1001 Howard Avenue
New Orleans, Louisiana 70113

and at such temporary offices as are established. Such addresses will be announced locally. Applications will be processed under the provisions of Pub. L. 93–24.

Applications for disaster loans under this announcement must be filed not later than April 26, 1974.

Dated: February 7, 1974.

THOMAS S. KLEPPE,
Administrator.

[FR Doc.74–5373 Filed 3–7–74;8:45 am]

[Disaster Loan Area 1042]

NEW YORK

Declaration of Disaster Loa. Area

Whereas, it has been reported that during the month of December 1973,

because of the effects of a certain disaster, damage resulted to property located in the State of New York;

Whereas, the Small Business Administration has investigated and received reports of other investigations of conditions in the area affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such area constitute a catastrophe within the purview of the Small Business Act, as amended:

Now, therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the office below indicated from persons or firms whose property situated in Nassau County, New York, and adjacent affected areas, suffered damage or destruction resulting from high winds and freezing rain which occurred December 16 and 17, 1973.

Applications will be processed under the provisions of Pub. L. 93–24.

Office: Small Business Administration, Regional Office, 26 Federal Plaza—Room 3930, New York, New York 10007.

2. Applications for disaster loans under the authority of this declaration will not be accepted subsequent to April 29, 1974.

Dated: February 27, 1974.

THOMAS S. KLEPPE,
Administrator.

[FR Doc.74–5374 Filed 3–7–74;8:45 am]

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

NATIONAL ADVISORY COMMITTEE ON OCCUPATIONAL SAFETY AND HEALTH

Notice of Meeting

Notice is hereby given of a meeting to be held by the National Advisory Committee on Occupational Safety and Health established by section 7(a) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 556).

The meeting will begin at 9:00 a.m. on March 18 and March 19 in Conference Room B of the Departmental Auditorium, Constitution Avenue between 12th and 14th Streets NW., Washington, D.C.

During the course of the meeting the subjects which will be considered include the following:

Injury Statistics.
Training Programs.
State Programs Subcommittee Report.
Voluntary Compliance.
Closing Conference Citations.
NIOSH Activities.

Members of the public are invited to attend the proceedings.

Any written data, views, or arguments concerning the subjects to be considered which are received by the Committee's Executive Secretary prior to the meeting, together with 25 duplicated copies, will be provided to the members and will be included in the minutes of the meeting.

Communications to the Executive Secretary should be addressed as follows:

Ms. J. Goodell, Acting Executive Secretary, National Advisory Committee on Occupational Safety and Health, Room 240, 1726 M Street NW., Washington, D.C. 0210.

Signed at Washington, D.C., this 6th day of March, 1974.

J. GOODELL,
Acting Executive Secretary.

[FR Doc.74–5491 Filed 3–7–74;8:45 am]

FEDERAL ENERGY OFFICE

RETAIL DEALERS GROUP

Notice of Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92–463, 86 Stat. 770) notice is hereby given that the Retail Dealers Group, established under the authority of section 212(f) of Economic Stabilization Act, as amended; Executive Order 11748; section 4(a)(iv) of Executive Order 11695, and Cost of Living Council Order No. 47, will meet on Monday, March 11, 1974 at 10:00 a.m. in the Cost of Living Council Auditorium, 2nd Floor, 2000 "M" Street, N.W., Washington, D.C.

The Group was established to advise the Administrator, FEO, with direct and timely access to the technical knowledge possessed by a wide range of highly qualified independent businessmen engaged in the retail sale of gasoline and diesel fuel. The agenda for the meeting is as follows:

I. OLD BUSINESS

A. Member Reports and Recommendations.
1. Pricing Adjustments
2. Reduced Allocation
3. Preferential Treatment; Minimal/maximum sales
4. Hours of Operation

II. NEW BUSINESS

A. Discussion of rules and regulations
B. Rental Structure arrangements with oil firms

The meeting is open to the public; however, space and facilities are limited.

The Chairman of the Group is empowered to conduct the meeting in a fashion that will, in his judgment, facilitate the orderly conduct of business.

Further information concerning this meeting may be obtained from Dino G. Pappas, Office of Policy, Planning and Regulations, Federal Energy Office, Washington, D.C. 20508. Area Code 202/961–8324. Minutes of the meeting will be made available for public inspection at the Federal Energy Office, Washington, D.C.

Issued in Washington, D.C. on March 5, 1974.

JOHN C. SAWHILL,
Deputy Administrator.

[FR Doc.74–5633 Filed 3–7–74;12:21 pm]

INTERSTATE COMMERCE COMMISSION

[Notice 460]

ASSIGNMENT OF HEARINGS

MARCH 5, 1974.

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–135751 Sub 6, Atlantic Carrier, Inc., now assigned March 25, 1974, will be held in Room 672, 536 South Clark St., instead of in Room 1086A, Everett McKinley Dirksen Bldg., 219 South Dearborn St., Chicago, Ill.

MC–F–12027, Jenkins Truck Line, Inc. (Indiana—Merger—Jenkins Truck Line, Inc. (Iowa), now assigned March 26, 1974, will be held in Room 672, 536 South Clark St., instead of in Room 1086A, Everett McKinley Dirksen Bldg., 219 South Dearborn St., Chicago, Ill.

MC–107295 Sub 658, Pre-Fab Transit Co., now assigned March 28, 1974, will be held in Room 672, 536 South Clark Street, instead of in Room 1086A, Everett McKinley Dirksen Bldg., 219 South Dearborn St., Chicago, Ill.

MC–124211 Sub-234, Hilt Truck Line, Inc., now assigned April 1, 1974; MC 124511 Sub-17, John F. Oliver, now assigned April 3, 1974; and MC 5227 Sub-10, Economy Movers, Inc., now assigned April 8, 1974, at Chicago, Ill., will be held in Rm. 1086A, Everett McKinley Dirksen Bldg., 219 S. Dearborn Street, instead of Rm. 672, 536 S. Clark Street.

MC–18459 Sub-8, Britton Motor Service, Inc., now assigned April 1, 1974, will be held in Room 672, 536 South Clark Street, instead of in Room 1086A, Everett McKinley Dirksen Bldg., 219 South Dearborn Street, Chicago, Ill.

I&S–M–27317, Textile Products, Between Southern and Central States, now assigned March 12, 1974, at Washintgon, D.C., is cancelled.

I&S–M–27376, & Sub-1, Increased Rates and Charges, From and to Southern Territory, now assigned March 12, 1974, at Washington, D.C., is cancelled.

MC 121499 Sub 6, William Hayes Lines, Inc., continued to April 16, 1974, at the Atlanta Townehouse Motor Inn, 100 10th Street NW., Atlanta, Ga.

MC 136384 Sub-2, Palmer Motor Express, Inc., is continued to June 24, 1974, at Charleston, South Carolina, in a hearing room to be later designated.

MC–138558 Sub-1, Roy Zenere Trucking & Excavating, Inc., now assigned March 12, 1974, at Chicago, Ill., is postponed to May 7, 1974 (3 days), at Chicago, Ill., in a hearing room to be later designated.

MC 124211 Sub-229, Hilt Truck Line, Inc., now assigned March 25, 1974; and MC 88161 Sub-87, Inland Transportation Co., Inc., now assigned March 28, 1974, at Seattle,

Wash., will be held in room 1057, Federal Office Building, 909 First Avenue.

MC 138875 Sub-9, Shoemaker Trucking Co., now assigned April 1, 1974, and MC 108340 Sub-25, Haney Truck Line, now assigned April 3, 1974, at Portland, Oregon, will be held in Room 103, Pioneer Courthouse, 555 SW. Yamhill Street.

MC 107456 Sub-21, Harry L. Young And Sons, Inc., and MC 129631 Sub-39, Pack Transport, Inc., now assigned April 8, 1974, at Boise, Idaho, will be held in Room 395, Federal Building, 550 W. Fort Street.

MC 113678 Sub-512, Curtis, Inc., and MC 113678 Sub-526, Curtis, Inc., now assigned March 11, 1974, at New Orleans, La., is cancelled and applications dismissed.

MC-107452 (Sub-No. 4), R. D. Brown, DBA Dan Brown Trucking, now assigned April 15, 1974, will be held in Room 587, 5th Floor, Tax Court, U.S. Federal Bldg., 19th and Stout Street, Denver, Colo.

MC-123310 (Sub-No. 12), Hunt Trucking Inc., now assigned April 17, 1974, will be held in Room 587, 5th Floor, Tax Court, U.S. Federal Bldg., 19th and Stout Street, Denver, Colo.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74-5432 Filed 3-7-74;8:45 am]

[Notice 40]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

Synopses of orders entered by the Motor Carrier Board of the Commission pursuant to sections 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

Each application (except as otherwise specifically noted) filed after March 27, 1972, contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application. As provided in the Commission's Special Rules of Practice, any interested person may file a petition seeking reconsideration of the following numbered proceedings on or before March 28, 1974. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-74888. By order of March 4, 1974, the Motor Carrier Board, on reconsideration, approved the transfer to Gary D. Allen, Kirk, Colo., of Certificates No. MC-97471 (Sub. No. 2) and MC-97471 (Sub No. 3) issued to Link Truck Lines, Inc., Genoa, Colo., authorizing the transportation of: Agricultural and construction machinery, materials, etc., and various other specified commodities, including HH Goods, between points in Colorado, and between specified points in Colorado and points in Kansas. Marion F. Jones, attorney at law, 1660 Lincoln St., Denver, Colo. 80203.

No. MC-FC-74925. By order of March 4, 1974, the Motor Carrier Board approved the transfer to Ditto Freight Lines, a corporation, San Jose, Calif., of Certificate of Registration No. MC-69454 (Sub-No. 2) issued April 23, 1964, to Daniel Gallagher Teaming Mercantile and Realty Company, Oakland, Calif., evidencing a right to engage in transportation in interstate or foreign commerce corresponding to the scope of authority granted in Decision No. 62485, dated August 29, 1961, as amended in Decision No. 63296, dated February 20, 1962, by the Public Utilities Commission of California. Marvin Handler, 100 Pine Street, San Francisco, Calif. 94111, attorney for applicants.

No. MC-FC-74950. By order of March 4, 1974, the Motor Carrier Board approved the transfer to Watson Bros. Van Lines, Inc., Omaha, Nebr., of that portion of the operating rights in Certificate No. MC-109337 issued September 19, 1949, to Watson Bros. Van Lines and Heavy Hauling Co., and acquired by The Aetna Freight Lines, Incorporated, Warren, Ohio, pursuant to approval in No. MC-F-11102 (assigned No. MC-72243 Sub-32) authorizing the transporation of (1) household goods, between points in Nebraska, on the one hand, and, on the other, points in Illinois, Iowa, Kansas, Missouri, and South Dakota, and (2) household goods between Omaha, Nebr., and points in Nebraska within 100 miles of Omaha, on the one hand, and, on the other, points in Wisconsin, Minnesota, and Colorado. Einar Viren, 904 City National Bank Building, Omaha, Nebr., 68102, attorney for applicants.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc. 74-5434 Filed 3-7-74;8:45 am]

[Notice 35]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

MARCH 4, 1974.

The following are notices of filing of application, except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application, for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67, (49 CFR 1131) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

No. MC 31600 (Sub-No. 667 TA), filed February 20, 1974. Applicant: P. B. MUTRIE MOTOR TRANSPORTATION, INC., 550 Mamaroneck, Harrison, N.Y. 10528. Applicant's representative: David F. McAllister (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Container cement*, in bulk, in tank vehicles, from Woodbury, N.J., to Allentown, Pa., for 90 days. SUPPORTING SHIPPER: Dewey & Almy Chemical Division, W. R. Grace & Co., 62 Whittemore Avenue, Cambridge, Mass. 02140. SEND PROTESTS TO: Darrell W. Hammons, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 150 Causeway St., 5th Floor, Boston, Mass. 02114.

No. MC 33641 (Sub-No. 114 TA), filed February 25, 1974. Applicant: IML FREIGHT, INC., 2175 South 3270 West, P.O. Box 2277, Salt Lake City, Utah 84110. Applicant's representative: Stuart L. Poelman, 7th Floor, Continental Bank Building, Salt Lake City, Utah 84101. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), Serving the plantsite of Allied Chemical Corporation at Alchem, Wyo., as an off route point in connection with carrier's otherwise authorized regular route operations, for 180 days.

NOTE.—Applicant states that he does intend to tack with off route point authority sought.

SUPPORTING SHIPPER: Allied Chemical Corporation, Industrial Chemical Division, P.O. Box 551, Green River, Wyo. 82935 (Mr. Frank S. Ferlic, Supervisor, Stores/Purchasing). SEND PROTESTS TO: District Supervisor, Lyle D. Helfer, Interstate Commerce Commission, Bureau of Operations, 5239 Federal Building, 125 South State Street, Salt Lake City, Utah 84318.

No. MC 44605 (Sub-No. 43 TA), filed February 25, 1974. Applicant: MILNE TRUCK LINES, INC., 2200 South 400 West, Salt Lake City, Utah 84115. Applicant's representative: Stuart L. Poelman, 7th Floor Continental Bank Building, Salt Lake City, Utah 84101. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), Serving the plantsite of Allied Chemical Corporation at Alchem, Wyo., as an off-route point in connection with carrier's otherwise authorized regular route operations, for 180 days.

NOTE.—Applicant states that he does intend to tack with off-route point authority sought.

SUPPORTING SHIPPER: Allied Chemical Corporation, Industrial Chemical Division, P.O. Box 551, Green River, Wyo. 82935 (Mr. Frank S. Ferlic, Supervisor, Stores/Purchasing). SEND PROTESTS TO: District Supervisor Lyle D. Helfer, Interstate Commerce Commission, Bureau of Operations, 5239 Federal Building, 125 South State Street, Salt Lake City, Utah 84138.

No. MC 50069 (Sub-No. 475 TA), filed February 21, 1974. Applicant: REFINERS TRANSPORT & TERMINAL CORP., 445 Earlwood Avenue, Oregon, Ohio 43616. Applicant's representative: Jack A. Gollan (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer solution*, in bulk, in tank vehicles, from Dublin and Jordan, Ind., to points in Illinois, Kentucky, Michigan, and Ohio, and from Breese, Ill., to points in Indiana and Kentucky, for 180 days. SUPPORTING SHIPPER: Agrico Chemical Company, P.O. Box 3166, Tulsa, Okla. 74101. SEND PROTESTS TO: Keith D. Warner, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 313 Federal Office Building, 234 Summit Street, Toledo, Ohio 43604.

No. MC 50069 (Sub-No. 476 TA), filed February 21, 1974. Applicant: REFINERS TRANSPORT & TERMINAL CORP., 445 Earlwood Avenue, Oregon, Ohio 43616. Applicant's representative: Jack A. Gollan (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum fuels*, in bulk, in tank vehicles, from Cincinnati, Ohio, Marlette, Flint, Saginaw, Owosso, and Detroit, Mich., on the one hand, and, on the other, Buffalo and Syracuse, N.Y., for 180 days. SUPPORTING SHIPPER: Great Lakes Express Co., 1150 N. Niagara Street, Saginaw, Mich. 48602. SEND PROTESTS TO: Keith D. Warner, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 313 Federal Office Building, 234 Summit Street, Toledo, Ohio 43604.

No. MC 52579 (Sub-No. 140 TA), filed February 22, 1974. Applicant: GILBERT CARRIER CORP., 1 Gilbert Drive, Secaucus, N.J. 07094. Applicant's representative: Fred L. Cardascia (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wearing apparel*, loose, on hangers, from Brinkley, Ark., to Chicago, Ill., for 180 days.

NOTE.—Applicant states that he does intend to tack with his authority in Docket No. MC 52579 Sub-Nos. 7, 8, 14, and lead docket of Gilbert Carrier Corp.

SUPPORTING SHIPPER: Windbreaker, Incorporated, 1290 Avenue of the Americas, New York, N.Y. 10019. SEND PROTESTS TO: District Supervisor Robert I. Johnston, Bureau of Operations, Interstate Commerce Commission, 9 Clinton St., Newark, N.J. 07102.

No. MC 61692 (Sub-No. 18 TA), filed February 25, 1974. Applicant: WARNERS MOTOR EXPRESS, INC., West Country Club Road, Red Lion, Pa. 17356. Applicant's representative: Robert J. Gallagher, 1776 Broadway, New York, N.Y. 10019. Authority sought to operate at a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, from points in York County, Pa., to points in Alabama, Kentucky, Louisiana, Mississippi, and Tennessee, and from points in Ann Arundel County, Md., to points in Alabama, Kentucky, Louisiana, Mississippi ,and Tennessee, for 180 days. SUPPORTING SHIPPERS: Thonet Industries, Inc., 419 E. Princess Street, York, Pa. 17403; Cole, Div. of Litton Industries, 626 Loucks Mill Road, York, Pa. 17405; N–I–N–E Inc., Midway Road, Odenton, Md. 21113. SEND PROTESTS TO: Robert P. Amerine, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 279 Federal Building, P.O. Box 869, Harrisburg, Pa. 17108.

No. MC 84273 (Sub-No. 3 TA), filed February 25, 1974. Applicant: JONES TRUCKING CO., INC., 324 N. Baird Street, Green Bay, Wis. 54302. Applicant's representative: David Schneider (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cheese and cheese factory materials and supplies*, between Green Bay, Wis., on the one hand, and, on the other, Detroit, Mich., and its Commercial Zone as defined by the Interstate Commerce Commission, under a continuing contract with the L. D. Schreiber Cheese Co., for 180 days. SUPPORTING SHIPPER: L. D. Schreiber Cheese Co., P.O. Box 610, Green Bay, Wis. 54305 (Robert Buchberger, General Traffic Manager). SEND PROTESTS TO: District Supervisor John E. Ryden, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

No. MC 106674 (Sub-No. 126 TA), filed February 21, 1974. Applicant: SCHILLI MOTOR LINES, INC., P.O. Box 123, Remington, Ind. 47977. Applicant's representative: Jerry L. Johnson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Steel, iron, pipe and tubing along with fittings and couplings*, from Hazelwood, Mo., and Staunton, Ill., to points in Iowa and Nebraska, for 180 days. SUPPORTING SHIPPER: Tubular Steel, Inc., 7220 Polson Lane, Hazelwood, Mo. 63042. SEND PROTESTS TO: J. H. Gray, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 345 W. Wayne Street, Room 204, Fort Wayne, Ind. 46802.

No. MC 107496 (Sub-No. 941 TA), filed February 22, 1974. Applicant: RUAN TRANSPORT CORP., Third Street and Keosauqua Way, Des Moines, Iowa 50309. Applicant's representative: E. Check (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer solutions*, in bulk, from Sioux Falls, S. Dak., to Elizabeth, Ill., and Plain, Wis., and points within ten miles of said destinations, for 150 days. SUPPORTING SHIPPER: Pure Plant Food International, Limited, P.O. Box 483, Sioux Falls, S. Dak. 57101. SEND PROTESTS TO: Herbert W. Allen, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 108207 (Sub-No. 383 TA), filed February 21, 1974. Applicant: FROZEN FOOD EXPRESS, a Corporation, P.O. Box 5888, Dallas, Tex. 75222. Applicant's representative: J. B. Ham (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Green Bay and Chippewa Falls, Wis., to points in California, Louisiana, and Texas, for 180 days. SUPPORTING SHIPPER: Packerland Packing, Lime Kiln Road, Route 6, Green Bay, Wis. 54305. SEND PROTESTS TO: Transportation Specialist Gerald T. Holland, Interstate Commerce Commission, Bureau of Operations, 1100 Commerce Street, Room 13C12, Dallas, Tex. 75202.

No. MC 114965 (Sub-No. 54 TA), filed February 22, 1974. Applicant: CYRUS TRUCK LINE, INC., Box 327, R.F.D. #1, Iola, Kans. 66749. Applicant's representative: Charles H. Apt, Box 328, Iola, Kans. 66749. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer solutions*, in bulk, in tank vehicles, (1) from Doniphan, Nebr., and Kansas City, Mo., to points in Kansas; and (2) from Kansas City, Mo., and Kansas City, Kans., to points in Nebraska, for 180 days. SUPPORTING SHIPPER: Agrico Chemical Company, P.O. Box 3166, Tulsa, Okla. 74101. SEND PROTESTS TO: M. E. Taylor, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 501 Petroleum Building, Wichita, Kans. 67202.

No. MC 116077 (Sub-No. 352 TA), filed February 22, 1974. Applicant: ROBERTSON TANK LINES, INC., 2000 West Loop South, Suite 1800, Houston, Tex. 77027. Applicant's representative: J. C. Browder (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Black liquor*, in bulk, in tank vehicles, from Evadale, Tex., to Port

Hudson, La., for 180 days. SUPPORTING SHIPPER: Georgia Pacific Corp., Port Hudson Mill, P.O. Box 430, Zachary, La. 70791. SEND PROTESTS TO: District Supervisor John Mensing, Interstate Commerce Commission, Bureau of Operations, 515 Rusk Avenue, 8610 Federal Building, Houston, Tex. 77002.

No. MC 117940 (Sub-No. 107 TA), filed February 21, 1974. Applicant: NATIONWIDE CARRIERS, INC., P.O. Box 104, Maple Plain, Minn. 55359. Applicant's representative: Donald L. Stern, Suite 530, Univac Building, 7100 West Center Road, Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas and agricultural commodities* exempt from economic regulation under section 203(b)(6) of the Interstate Commerce Act, when transported in mixed loads with bananas from Charleston, S.C., to ports of entry located on the International Boundary line between the United States and Canada in Minnesota and North Dakota, for 180 days. SUPPORTING SHIPPER: Del Monte Banana Company, P.O. Box 1940, Miami, Fla. 33101. SEND PROTESTS TO: A. N. Spath, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building and U.S. Court House, 110 S. 4th Street, Minneapolis, Minn. 55401.

No. MC 119792 (Sub-No. 40 TA), filed February 21, 1974. Applicant: CHICAGO SOUTHERN TRANSPORTATION, CO. 3215 South Hamilton Ave., Chicago, Ill. 60608. Applicant's representative: William J. Boyd, 29 S. La Salle St., Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Appleton, Wis., to points in Tennessee, South Carolina, North Carolina, Georgia, Florida, Alabama, Mississippi and Louisiana, for 180 days. SUPPORTING SHIPPER: Kenneth H. Rapp, Traffic Manager, Rich Products Corporation, 330 West College Avenue, Appleton, Wis., SEND PROTESTS TO: Robert G. Anderson, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Everett McKinley Dirksen Bldg., Room 1086, 219 S. Dearborn St., Chicago, Ill. 60604.

No. MC 124711 (Sub-No. 26 TA), filed February 21, 1974. Applicant: BECKER AND SONS, INC., P.O. Box 1050, El Dorado, Kans. 67042. Applicant's representative: T. M. Brown, 600 Leininger Building, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Asphalt*, in bulk, in tank vehicles, from the plantsites of Hy-way Asphalt Products, Inc., at or near Salina and Maize, Kans., to points in Missouri, for 180 days. SUPPORTING SHIPPER: Hy-way Asphalt Products, Inc., Box 1262, Salina, Kans. 67401. SEND PROTESTS TO: M. E. Taylor, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 501 Petroleum Building, Wichita, Kans. 67202.

No. MC 124796 (Sub-No. 110 TA), filed February 20, 1974. Applicant: CONTINENTAL CONTRACT CARRIER CORP., 15045 E. Salt Lake Ave., P.O. Box 1257, City Of Industry, Calif. 91747. Applicant's representative: William J. Monheim, c/o Continental Contract Carrier Corp., P.O. Box 1257, City of Industry, Calif. 91749. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Auto parts and accessories; automotive jacks; cranes* (not self-propelled); *hand pneumatic and electric tools; and advertising materials, premiums, racks, display cases, and signs moving with the above described commodities*, for the account of Tenneco, Inc., from Salt Lake City, Utah, to points in California, Idaho, Nevada, Oregon and Washington, for 180 days. RESTRICTION: The operations to be authorized are to be restricted against the transportation of commodities which by reason of size or weight require the use of special equipment, and are further restricted to a transportation service to be performed under a continuing contract or contracts with Tenneco, Inc., SUPPORTING SHIPPER: Tenneco, Inc., Walker Manufacturing Co., Division of Tenneco, 1201 Michigan Blvd., Racine, Wis. 53402. SEND PROTESTS TO: Walter W. Strakosch, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 7708 Federal Bldg., 300 North Los Angeles Street, Los Angeles, Calif. 90012.

No. MC 124813 (Sub-No. 111 TA), filed February 22, 1974. Applicant: UMTHUN TRUCKING CO., 910 South Jackson Street, Eagle Grove, Iowa 50533. Applicant's representative: Thomas E. Leahy, Jr., 900 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Twine*, (1) from Duluth, Minn., to points in Iowa, South Dakota, North Dakota, Nebraska, and Wisconsin, and (2) from Des Moines, Iowa, to points in Minnesota, North Dakota, South Dakota, Nebraska, and Wisconsin, for 180 days. SUPPORTING SHIPPER: Land O'Lakes, Ag Services Division, 2827 8th Avenue South, Fort Dodge, Iowa 50501. SEND PROTESTS TO: Herbert W. Allen, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 124813 (Sub-No. 112 TA), filed February 22, 1974. Applicant: UMTHUN TRUCKING CO., 910 South Jackson Street, Eagle Grove, Iowa 50533. 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: *Liquid feed and liquid feed supplements* (except molasses and urea), from the plantsite and storage facilities of Farmland Industries, Inc., at Fremont, Nebr., to points in Colorado, for 180 days. SUPPORTING SHIPPER: Farmland Industries, Inc., P.O. Box 7305, Kansas City, Mo. 64116. SEND PROTESTS TO: Herbert W. Allen, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 127264 (Sub-No. 3 TA), filed February 21, 1974. Applicant: AMERICAN PARCEL SERICE, INC., 1800 E. Bessemer Ave., Greensboro, N.C. 27405. Applicant's representative: Frank D. Hall, Suite 713, 3384 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Mechandise, equipment and supplies*, sold or distributed by a manufacturer of cosmetics, from Charlotte and Greensboro, N.C., to points in the Counties of Alleghany, Wilkes, Ashe, Davies, Iredell, Rowan, Cabarrus, Mecklenburg, Gaston, Lincoln, Catawba, Alexander, Caldwell, Wautaga, Burke, McDowell, Cleveland, Rutherford, Buncombe, Stanley, Union, and Anson, N.C.; points in the Counties of Chester, Union, Greenville, Spartanburg, York, and Cherokee, S.C.; and points in the Counties of Henry and Pittslyvania, Va., under a continuing contract or contracts with Avon Products, Inc., for 180 days, SUPPORTING SHIPPER: Avon Products, Inc., 220 Cotillion Drive, Atlanta, Ga. SEND PROTESTS TO: Archie W. Andrews, District Supervisor, Bureau of Operations, Interstate Commerce Commission, P.O. Box 26896, Raleigh, N.C. 27611.

No. MC 127527 (Sub-No. 17 TA), filed February 21, 1974. Applicant: CARL W. REAGAN, doing business as SOUTHEAST TRUCKING CO., 8418 C. H. 18, R. D. #6, Ravenna, Ohio 44266. Applicant's representative: Ronald W. Reagan (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel articles*, from points of Buffalo and Lacakawanna, N.Y.; Sparrows Point, Md.; Johnstown, Bethlehem, Sharon, and Alleghney County, Pa.; Chicago and Sterling, Ill.; Gary, Burns Harbor, and Kokomo, Ind.; Weirton, W. Va.; Detroit and Jackson, Mich.; and Roanoke, Va., to Akron, Ohio; and (2) *iron and steel articles and fabricated and structural steel* from Akron, Ohio, to points in New York, Pennsylvania, Indiana, Illinois, West Virginia, and Michigan, for 180 days. SUPPORTING SHIPPER: Summit Steel Corporation, 258 Kenmore Boulevard, Akron, Ohio 44301. SEND PROTESTS TO: Franklin D. Bail, District Supervisor, Intersate Commerce Commission, Bureau of Operations, 181 Federal Office Bldg., 1240 East Ninth Street, Cleveland, Ohio 44199.

No. MC 127571 (Sub-No. 5 TA), filed February 21, 1974. Applicant: GARY C. BULMAN, doing business as BULMAN TRUCKING SERVICE, P.O. Box 268, Waukon, Iowa 52172. Applicant's representative: Thomas E. Leahy, Jr., 900 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Butter*, from Waukon, Iowa, to points in Texas,

for 180 days. SUPPORTING SHIPPER: Meadow Land Dairy Association, Waukon, Iowa 52172. SEND PROTESTS TO: Herbert W. Allen, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 127587 (Sub-No. 7 TA), filed February 21, 1974. Applicant: MEXICANA REEFER SERVICES, LTD., 880 Malkin Ave., P.O. Box 2733, Vancouver, 3 British Columbia, Canada. Applicant's representative: Joseph O. Earp, 607 Third Avenue, Seattle, Wash. 98104. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meat*, fresh or frozen, from Ellensburg and Seattle, Wash., to the International Boundary between the United States and Canada at or near Blaine and Sumas, Wash., for 180 days. SUPPORTING SHIPPER: Superior Packing Co., Inc., P.O. Box 473, Ellensburg, Wash. 98926; Cudahy Foods Co., 2203 Airport Way South, Seattle, Wash. 98134; Flavorland Industries, Inc., 620 South Andover, Seattle, Wash. 98188; Fulton Provision Co., 6333 SW. Macasam, Portland, Oreg. 97201. SEND PROTESTS TO: L. D. Boone, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 6049 Federal Office Bldg., Seattle, Wash. 98104.

No. MC 128235 (Sub-No. 12 TA), filed February 22, 1974. Applicant: AL JOHNSON TRUCKING, INC., 1516 Marshall Ave. NE., Minneapolis, Minn. 55413. Applicant's representative: Earl Hacking, 503 11th Avenue South, Minneapolis, Minn. 55415. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, in containers, (1) from St. Louis, Mo., to Minneapolis, Minn.; and (2) from Milwaukee, Wis. to Moose Lake, Minn., for 180 days. SUPPORTING SHIPPERS: Jerry Sexton, Moose Lake, Minn., and South Side Distributing Company, 1929 E. 24th Street, Minneapolis, Minn. 55404. SEND PROTESTS TO: A. N. Spath, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building & U.S. Court House, 110 S. 4th St., Minneapolis, Minn. 55401.

No. MC 128951 (Sub-No. 10 TA), filed February 21, 1974. Applicant: ROBERT H. DITTRICH, doing business as DITTRICH TRUCKING, 312 North Garden Street, New Ulm, Minn. 56073. Applicant's representative: Charles E. Nieman, 1110 Northwestern Bank Bldg., Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid feed* from Mankato, Minn., to points in North Dakota, South Dakota, Iowa, and Wisconsin, for 180 days. SUPPORTING SHIPPER: Hubbard Milling Company, 424 N. Front St., Mankato, Minn. 56001. SEND PROTESTS TO: A. N. Spath, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building & U.S. Court House, 110 S. 4th Street, Minneapolis, Minn. 55401.

No. MC 133478 (Sub-No. 11 TA), filed February 22, 1974. Applicant: HERRIN TRANSPORTATION, INC., 8565 SW. Beaverton Hillsdale Hiway, Portland, Oreg. 97225. Applicant's representative: Nick I. Goyak, 404 Oregon National Building, Six Ten Southwest Alder, Portland, Oreg. 97205. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Molding, doors, door jambs, and cabinet parts*, from plant site in Harrisburg, Oreg., to points in California, and *paint, moldings, particleboard and PVC compound*, from points in California to plant site at Harrisburg, Oreg., for 180 days. SUPPORTING SHIPPER: DG Shelter Products Co., One Maritime Plaza, San Francisco, Calif. 94111. SEND PROTESTS TO: District Supervisor Huetig, Bureau of Operations, Interstate Commerce Commission, 555 SW. Yamhill, 114 Pioneer Courthouse, Portland, Oreg. 97204.

No. MC 133689 (Sub-No. 41 TA), filed February 21, 1974. Applicant: OVERLAND EXPRESS, INC., 651 First St. SW., New Brighton, Minn. 55112. Applicant's representative: Robert P. Sack, P.O. Box 6010, West St. Paul, Minn. 55118. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and storage facilities of Flavorland Industries, Inc., at or near West Fargo, N. Dak., to Minneapolis-St. Paul, Minn., and points in the Minneapolis-St. Paul Commercial Zone as defined by the Commission, and Chicago, Ill., and points in the Chicago, Ill., Commerical Zone as defined by the Commission, for 180 days. SUPPORTING SHIPPER: Flavorland Industries, Inc., 1911 Cunningham Drive, Sioux City, Iowa 51107. SEND PROTESTS TO: Raymond T. Jones, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building & U.S. Court House, 110 S. 4th Street, Minneapolis, Minn. 55401.

No. MC 133914 (Sub-No. 2 TA), filed February 20, 1974. Applicant: ASTRO EXPRESS, INC., 41 Turnpike Road, Fayville, Mass. 01750. Applicant's representative: Chester A. Zyblut, 1522 K Street NW., Washington, D.C. 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Air cleaners, dehumidifiers or heaters, air coolers or air conditioners* (with or without heating apparatus), *furnaces, house heating, heaters, electric, and parts and materials, supplies and equipment used in the manufacture and distribution of the aforementioned commodities*, Between Trenton, N.J., on the one hand, and, on the other, points in Alabama, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maryland, Michigan, Mississippi, Missouri, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee, Texas, Virginia, Pennsylvania, and the District of Columbia, for 180 days. SUPPORTING SHIPPER: General Electric Co., 2231 E. State Street, Trenton, N.J. SEND PROTESTS TO: District Supervisor Joel Morrows, Bureau of Operations, Interstate Commerce Commission, 9 Clinton St., Newark, N.J. 07102.

No. MC 134145 (Sub-No. 43 TA), filed February 21, 1974. Applicant: NORTH STAR TRANSPORT, INC., Route 1, Thief River Falls, Minn. 56701. Applicant's representative: Robert P. Sack, P.O. Box 6010, West St. Paul, Minn. 55118. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Machines, computing, and parts, materials and supplies* (except commodities in bulk) used in the manufacture or operation thereof, from Rochester, Mount Clemens, and Kalamazoo, Mich., to Minneapolis-St. Paul, Minn., for 180 days. SUPPORTING SHIPPER: Computer Peripherals, Inc.-Control Data Corporation, 8100 34th Avenue South, Minneapolis, Minn. 55420. SEND PROTESTS TO: J. H. Ambs, District Supervisor, Bureau of Operations, Interstate Commerce Commission, P.O. Box 2340, Fargo, N. Dak. 58102.

No. MC 134405 (Sub-No. 20 TA), filed February 20, 1974. Applicant: BACON TRANSPORT CO., P.O. Box 1134, Ardmore, Okla. 73401. Applicant's representative: Wilburn L. Williamson, 280 National Foundation Life Bldg., 3535 NW. 58th, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer* (except petroleum based fertilizer), from Chickasha, Okla., to points in Kansas, for 180 days. SUPPORTING SHIPPER: Occidental Chemical Company, Mike Gonzales, Supervisor, Motor Transportation, 4671 SW. Freeway, Houston, Tex. 77701. SEND PROTESTS TO: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 240, Old Post Office Building, 215 NW. Third, Oklahoma City, Okla. 73102.

No. MC 135874 (Sub-No. 37 TA), filed February 21, 1974. Applicant: LTL PERISHABLES, INC., 132nd & "Q" Streets, Omaha, Nebr. 68137. Applicant's representative: Donald L. Stern, 530 Univac Building, 7100 West Center Road, Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foodstuffs*, in vehicles equipped with mechanical refrigeration, from the plantsites and storage facilities utilized by Totino's Finer Foods, Inc. in the Minneapolis-St. Paul, Minn., Commercial Zones to points in Iowa, Nebraska, Kansas, Missouri, North Dakota, and South Dakota and points in Illinois on and west of U.S. Highway 51, for 180 days. SUPPORTING SHIPPER: Totino's Finer Foods, Inc., Olivia M. Bradley, Distribution Administrator, 7350 Commerce Lane, Fridley, Minn. SEND PROTESTS TO: District Supervisor Carroll Russell,

Suite 620, Union Pacific Plaza, 110 North 14th Street, Omaha, Nebr. 68102.

No. MC 136220 (Sub-No. 7 TA), filed February 20, 1974. Applicant: ROY SULLIVAN, doing business as SULLIVAN TRUCKING CO., 1705 NE. Woodland, Ponca City, Okla. 73112. Applicant's representative: Dean Williamson, 280 National Foundation Life Building, 3535 NW. 58th, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, from points in Johnson and Logan Counties, Ark., to points in Morris County, Tex., for 180 days. SUPPORTING SHIPPER: Lone Star Steel Company, C. L. Williamson, T. M., P.O. Box 35888, 2200 W. Mockingbird Lane, Dallas, Tex. 75235. SEND PROTESTS TO: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 240, Old Post Office Building, 215 NW. Third, Oklahoma City, Okla. 73102.

No. MC 136711 (Sub-No. 7 TA), filed February 20, 1974. Applicant: DAVID G. McCORKLE, doing business as McCORKLE TRUCK LINE, 2840 S. High, P.O. Box 95181, Oklahoma City, Okla. 73109. Applicant's representative: Dean Williamson, 280 National Foundation Life Building, 3535 NW. 58th, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, from points in Logan and Johnson Counties, Ark., to points in Morris County, Tex., for 180 days. SUPPORTING SHIPPER: Lone Star Steel Company, C. L. Williamson, P.O. Box 35888, 2200 Mockingbird Lane, Dallas, Tex. 75235. SEND PROTESTS TO: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 240, Old Post Office Building, 215 NW. Third, Oklahoma City, Okla. 73102.

No. MC 138128 (Sub-No. 6 TA), filed February 6, 1974. Applicant: LEMMONS & CO., INC., 535 South Second Street, Boonville, Ind. 47601. Applicant's representative: Warren C. Moberly, 777 Chamber of Commerce Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, from points in Wabash, Williamson and Saline Counties, Ill., to points in Gibson, Knox, Posey, Vanderburgh, and Warrick Counties, Ind., for 180 days. SUPPORTING SHIPPERS: G. Heileman Brewing Co. of Indiana, Inc., 1301 Pennsylvania Street, Evansville, Ind.; Arkla Air Conditioning Co., 810 East Franklin Street, Evansville, Ind.; Whirlpool Corporation, U.S. Highway 41, Evansville, Ind.; General Electric Corporation, Lexan Lane, Mt. Vernon, Ind. 47620; Amax Coal Company, 105 S. Meridian Street, Indianapolis, Ind. 46225; Public Serv. Co., of Indiana, 1000 E. Main Street, Plainfield, Ind. SEND PROTESTS TO: District Supervisor James W. Habermehl, Interstate Commerce Commission, Bureau of Operations, 802 Century Bldg., 36 S. Penn St., Indianapolis, Ind. 46204.

No. MC 139424 (Sub-No. 1 TA), filed February 25, 1974. Applicant: FISHER TRUCKING COMPANY, INC., 640 Pleasant Mills Road, Hammonton, N.J. 08037. Applicant's representative: Morton E. Kiel, Suite 6193, 5 World Trade Center, New York, N.Y. 10048. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Waste plastic resins*, in bulk, in dump vehicles, (1) from Perryville, Md., Pottstown, Pa., and Burlington, N.J., to South Plainfield, N.J., Brooklyn, N.Y., and Chicago, Ill.; and (2) from Delaware City, Del., to Brooklyn, N.Y., and Chicago, Ill., for 180 days. SUPPORTING SHIPPER: Kentile Floors, Inc., 58 2d Avenue, Brooklyn, N.Y. SEND PROTESTS TO: Richard M. Regan, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 428 East State Street, Room 204, Trenton, N.J. 08608.

No. MC 139526 TA, filed February 21, 1974. Applicant: HARRY LINDBERY, CO., INC., 6901 Maloney Ave., Hopkins, Minn. 55343. Applicant's representative: Robert D. Gisvold, 1000 First National Bank Bldg., Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are dealt in by wholesale and retail grocery and food business houses and in connection therewith supplies used in the conduct of such business (except commodities in bulk) from the plantsite and storage facilities of Preferred Products, Inc., subsidiary of Super Valu Stores, Inc., at Jonathan Industrial Park located at or near Chaska, Minn., to Chastain-Roberts Co. at or near Anniston, Ala., for 180 days. SUPPORTING SHIPPER: Super Valu Stores, Inc., parent company of Preferred Products, Inc., 101 Jefferson Ave. So., Hopkins, Minn. 55343. SEND PROTESTS TO: A. N. Spath, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building and U.S. Courthouse, 110 S. 4th Street, Minneapolis, Minn. 55401.

No. MC 139536 TA, filed February 25, 1974. Applicant: JACK L. CLAYTON, doing business as C & C AIRFREIGHT, Route 3, Box 3205, Kennewick, Wash. 99336. Applicant's representative: John G. Schultz, 117 South Third, Pasco, Wash. 99301. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Freight of all kinds*, (1) from Yakima and Pasco, Wash., to Sunnyside, Grandview, and Posser, Wash.; (2) from Pasco, Wash., to Walla Walla, Wash.; (3) from Pasco, Wash., to Othello, Wash.; and (4) from Pasco and Yakima, Wash., to Seattle, Wash. RESTRICTION: Restricted to traffic having an immediately prior or subsequent movement by air; and restricted in (4) above to oversized freight for passenger ACFT, for 180 days. SUPPORTING SHIPPERS: Tioga Industries of Washington, P.O. Box 148, Sunnyside, Wash. 98944; Emery Air Freight Corp., 5803 NE. 87th, Portland, Oreg. 97220; Valley Hay & Imp. Co., 111 N. Sixth Street, Sunnyside, Wash. 98944; Twin City Foods, Inc., 1107 Stacy Avenue, Prosser, Wash. 99350; Flodin Inc., P.O. 418, Sunnyside, Wash. 98944; Spot Systems, Inc., P.O. Box 807, Redmond, Wash. 98052; and Matheson Heating & Air Conditioning, 206 West Second Street, Grandview, Wash. 98930. SEND PROTESTS TO: L. D. Boone, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 6049 Federal Office Bldg., Seattle, Wash. 98104.

No. MC 139537 TA, filed February 25, 1974. Applicant: MERRILL MUELLER, doing business as MERRILL MUELLER TRUCKING, Box 275, Elkhorn, Nebr. 68022. Applicant's representative: Marshall D. Becker, Suite 530 Univac Bldg., 7100 W. Center Rd., Omaha, Nebr. 68106. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Camper hold-downs, spare tire carriers, truck cab steps, bounce eliminators, camper jacks, jack pads, camper dollies, lector-drive units, bumper steps, cab steps, brace clamps, auxiliary fuel tanks, and parts and accessories thereof*, from Wahoo, Nebr., to points in California, Phoenix, Ariz., Portland, Oreg.; Fort Worth, Tex.; Detroit, Mich.; Elkhart, Ind.; Boise, Idaho; Salt Lake City, Utah; and Denver, Colo.; and *damaged or rejected shipments on return*, under contract with Hellstar Corporation of Wahoo, Nebr., for 180 days. SUPPORTING SHIPPER: Hellstar Corporation, John J. Gostomski, Pres. 1600 North Chestnut, Wahoo, Nebr. 68066. SEND PROTESTS TO: District Supervisor Carroll Russell, Bureau of Operations, Interstate Commerce Commission, Suite 620 Union Pacific Plaza, 110 N. 14 St., Omaha, Nebr. 68102.

By the Commission.

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

[FR Doc.74-5433 Filed 3-7-74;8:45 am]

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PART II

ENVIRONMENTAL PROTECTION AGENCY

■

AIR PROGRAMS; STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES

Additions and Miscellaneous Amendments

Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

SUBCHAPTER C—AIR PROGRAMS

PART 60—STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES

Additions and Miscellaneous Amendments

On June 11, 1973 (38 FR 15406), pursuant to section 111 of the Clean Air Act, as amended, the Administrator proposed standards of performance for new and modified stationary sources within seven categories of stationary sources: (1) Asphalt concrete plants, (2) petroleum refineries, (3) storage vessels for petroleum liquids, (4) secondary lead smelters, (5) secondary brass and bronze ingot production plants, (6) iron and steel plants, and (7) sewage treatment plants. In the same publication, the Administrator also proposed amendments to subpart A, General Provisions, and to the Appendix, Test Methods, of 40 CFR Part 60.

Interested parties participated in the rulemaking by sending comments to EPA. Some 253 letters, many with multiple comments, were received from commentators, and about 152 were received from Congressmen making inquiries on behalf of their constituents. Copies of the comments received directly are available from public inspection at the EPA Office of Public Affairs, 401 M Street SW., Washington, D.C. 20460. The comments have been considered, additional data have been collected and assessed, and the standards have been reevaluated. Where determined by the Administrator to be appropriate, revisions have been made to the proposed standards. The promulgated standards, the principal revisions to the proposed standards, and the Agency's responses to major comments are summarized below. More detail may be found in *Background Information for New Source Performance Standards: Asphalt Concrete Plants, Petroleum Refineries, Storage Vessels, Secondary Lead Smelters and Refineries, Brass and Bronze Ingot Production Plants, Iron and Steel Plants, and Sewage Treatment Plants*, Volume 3, *Promulgated Standards*, (APTD–1352c) which is available on request from the Emission Standards and Engineering Division, Research Triangle Park, North Carolina 27711, Attention: Mr. Don R. Goodwin.

Discussions of the environmental impact of these standards of performance for new sources are contained in Volume 1, Main Text (APTD–1352a), of the background document. This volume and Volume 2, *Appendix: Summaries of Test Data* (APTD–1352b), are still available on request from the office noted above.

In accordance with section 111 of the Act, these regulations prescribing standards of performance for the selected stationary sources are effective on February 28, 1974 and apply to sources the construction or modification of which was commenced after June 11, 1973.

General Provisions

These promulgated regulations include changes to subpart A, General Provisions, which applies to all new sources. The general provisions were published on December 23, 1971 (36 FR 24876). The definition of "commenced" has been altered to exclude the act of entering into a binding agreement to construct or modify a source from among the specified acts which, if taken by an owner or operator of a source on or after the date on which an applicable new source performance standard is proposed, cause the source to be subject to the promulgated standard. The phrase "binding agreement" was duplicate terminology for the phrase "contractual obligation" but was being construed incorrectly to apply to other arrangements. Deletion of the first phrase and retention of the second phrase eliminates the problem. The definition of "standard conditions" replaces the definition of "standard or normal conditions" to avoid the confusion, noted by commentators, created by the duplicate terminology. The promulgated definition also expresses the temperature and pressure in commonly used metric units to be consistent with the Administrator's policy of converting to the metric system. Four definitions are added: "Reference method," "equivalent method," "alternative method," and "run," to clarify the terms used in changes to § 60.8, Performance Tests, discussed below. The definition of "particulate matter" is added here and removed from each of the subparts specific to this group of new sources to avoid repetition. The word "run," as used in the sections pertinent to performance tests, is defined as the net time required to collect an adequate sample of a pollutant, and may be either intermittent or continuous. Section 60.3, Abbreviations, is revised to include new abbreviations, to accord more closely with standard usage, and to alphabetize the listing. Section 60.4, Address, is revised to change the address to which all requests, reports, applications, submittals, and other communications will be submitted to the Administrator pursuant to any regulatory provision. Such communications are now to be addressed to the Director of the Enforcement Division in the appropriate EPA regional office rather than to the Office of General Enforcement in Washington, D.C. The addresses of all 10 regional offices are included, and the "in triplicate" requirement is changed to "in duplicate." Some of the wording is changed in § 60.6, Review of Plans, to require that owners or operators requesting review of plans for construction or modification make a separate request for each project rather than for each affected facility as previously required; each such facility, however, must be identified and appropriately described. A paragraph is added to § 60.7, Notification and Recordkeeping, to require owners and operators to maintain a file of all recorded information required by the regulations for at least 2 years after the dates of such information, and this requirement is removed from the subparts specific to each of the new sources in this group to avoid repetition. Section 60.8, Performance Tests, is amended (1) to require owners and operators to give the Administrator 30 days' advance notice, instead of 10 days', of performance testing to demonstrate compliance with standards in order to provide the Administrator with a better opportunity to have an observer present, (2) to specify the Administrator's authority to permit, in specific cases, the use of minor changes to reference methods, the use of equivalent or alternative methods, or the waiver of the performance test requirement, and (3) to specify that each performance test shall consist of three runs except where the Administrator approves the use of two runs because of circumstances beyond the control of the owner or operator. These amendments give the Administrator needed flexibility for making judgments for determining compliance with standards. Section 60.12, Circumvention, is added to clearly prohibit owners and operators from using devices or techniques which conceal, rather than control, emissions to comply with standards of performance for new sources. The standards proposed on June 11, 1973, contained provisions which required compliance to be based on undiluted gases. Many commentators pointed out the inequities of these provisions and the vagueness of the language used. Because many processes require the addition of air in various quantities for cooling, for enhancing combustion, and for other useful purposes, no single definition of excess dilution air can be sensibly applied. It is considered preferable to state clearly what is prohibited and to use the Administrator's authority to specify the conditions for compliance testing in each case to ensure that the prohibited concealment is not used.

Opacity

It is evident from comments received that an inadequate explanation was given for applying both an enforceable opacity standard and an enforceable concentration standard to the same source and that the relationship between the concentration standard and the opacity standard was not clearly presented. Because all but one of the regulations include these dual standards, this subject is dealt with here from the general viewpoint. Specific changes made to the regulations proposed for a specific source are described in the discussions of each source.

A discussion of the major points raised by the comments on the opacity standard follows:

1. Several commentators felt that opacity limits should be only guidelines for determining when to conduct the stack tests needed to determine compliance with concentration/mass standards. Several other commentators expressed the opinion that the opacity standard was more stringent than the concentration/mass standard.

As promulgated below, the opacity standards are regulatory requirements, just like the concentration/mass standards. It is not necessary to show that the concentration/mass standard is being violated in order to support enforcement of the opacity standard. Where opacity and concentration/mass standards are

applicable to the same source, the opacity standard is not more restrictive than the concentration/mass standard. The concentration/mass standard is established at a level which will result in the design, installation, and operation of the best adequately demonstrated system of emission reduction (taking costs into account) for each source. The opacity standard is established at a level which will require proper operation and maintenance of such control systems on a day-to-day basis, but not require the design and installation of a control system more efficient or expensive than that required by the concentration/mass standard.

Opacity standards are a necessary supplement to concentration/mass standards. Opacity standards help ensure that sources and emission control systems continue to be properly maintained and operated so as to comply with concentration/mass standards. Particulate testing by EPA method 5 and most other techniques requires an expenditure of $3,000 to $10,000 per test including about 300 man-hours of technical and semi-technical personnel. Furthermore, scheduling and preparation are required such that it is seldom possible to conduct a test with less than 2 weeks notice. Therefore, method 5 particulate tests can be conducted only on an infrequent basis.

If there were no standards other than concentration/mass standards, it would be possible to inadequately operate or maintain pollution control equipment at all times except during periods of performance testing. It takes 2 weeks or longer to schedule a typical stack test. If only small repairs were required, e.g., pump or fan repair or replacement of fabric filter bags, such remedial action could be delayed until shortly before the test is conducted. For some types of equipment such as scrubbers, the energy input could be reduced (the pressure drop through the system) when stack tests weren't being conducted, which would result in the release of significantly more particulate matter than normal. Therefore, EPA has required that operators properly maintain air pollution control equipment at all times (40 CFR 60.11 (d)) and meet opacity standards at all times except during periods of startup, shutdown, and malfunction (40 CFR 60.11(c)), and during other periods of exemption as specified in individual regulations.

Opacity of emissions is indicative of whether control equipment is properly maintained and operated. However, it is established as an independent enforceable standard, rather than an indicator of maintenance and operating conditions because information concerning the latter is peculiarly within the control of the plant operator. Furthermore, the time and expense required to prove that proper procedures have not been followed are so great that the provisions of 40 CFR 60.11(d) by themselves (without opacity standards) would not provide an economically sensible means of ensuring on a day-to-day basis that emissions of pollutants are within allowable limits. Opacity standards require nothing more than a trained observer and can be performed with no prior notice. Normally, it is not even necessary for the observer to be admitted to the plant to determine properly the opacity of stack emissions. Where observed opacities are within allowable limits, it is not normally necessary for enforcement personnel to enter the plant or contact plant personnel. However, in some cases, including times when opacity standards may not be violated, a full investigation of operating and maintenance conditions will be desirable. Accordingly, EPA has requirements for both opacity limits and proper operating and maintenance procedures.

2. Some commentators suggested that the regulatory opacity limits should be lowered to be consistent with the opacity observed at existing plants; others felt that the opacity limits were too stringent. The regulatory opacity limits are sufficiently close to observed opacity to ensure proper operation and maintenance of control systems on a continuing basis but still allow some room for minor variations from the conditions existing at the time opacity readings were made.

3. There are specified periods during which opacity standards do not apply. Commentators questioned the rationale for these time exemptions, as proposed, some pointing out that the exemptions were not justified and some that they were inadequate. Time exemptions further reflect the stated purpose of opacity standards by providing relief from such standards during periods when acceptable systems of emission reduction are judged to be incapable of meeting prescribed opacity limits. Opacity standards do not apply to emissions during periods of startup, shutdown, and malfunction (see FEDERAL REGISTER of October 15, 1973, 38 FR 28564), nor do opacity standards apply during periods judged necessary to permit the observed excess emissions caused by soot-blowing and unstable process conditions. Some confusion resulted from the fact that the startup-shutdown-malfunction regulations were proposed separately (see FEDERAL REGISTER of May 2, 1973, 38 FR 10820) from the regultions for this group of new sources. Although this was pointed out in the preamble (see FEDERAL REGISTER of June 11, 1973, 38 FR 15406) to this group of new source performance standards, it appears to have escaped the notice of several commentators.

4. Other comments, along with restudy of sources and additional opacity observations, have led to definition of specific time exemptions, where needed, to account for excess emissions resulting from soot-blowing and process variations. These specific actions replace the generalized approach to time exemptions, 2 minutes per hour, contained in all but one of the proposed opacity standards. The intent of the 2 minutes was to prevent the opacity standards from being unfairly stringent and reflected an arbitrary selection of a time exemption to serve this purpose. Comments noted that observed opacity and operating conditions did not support this approach. Some pointed out that these exemptions were not warranted; others, that they were inadequate. The cyclical basic oxygen steel-making process, for example, does not operate in hourly cycles and the inappropriateness of 2 minutes per hour in this case would apply to other cyclical processes which exist both in sources now subject to standards of performance and sources for which standards will be developed in the future. The time exemptions now provide for circumstances specific to the sources and, coupled with the startup-shutdown-malfunction provisions and the higher-than-observed opacity limits, provide much better assurance that the opacity standards are not unfairly stringent.

ASPHALT CONCRETE PLANTS

The promulgated standards for asphalt concerete plants limit particulate matter emissions to 90 mg/dscm (0.04 gr/dscf and 20 percent opacity.

The majority of the comments received on the seven proposed standards related to the proposed standards for asphalt concrete plants. Out of the 253 letters, over 65 percent related to the proposed standards for asphalt concrete plants. Each of the comments was reviewed and evaluated. The Agency's responses to the comments received are included in Appendix E of Volume 3 of the background information document. The Agency's rationale for the promulgated standards for asphalt concrete plants is summarized below. A more detailed statement is presented in Volume 3 of the background information document.

The major differences between the proposed standards and the promulgated standards are:

1. The concentration standard has been changed from 70 mg/dscm (0.031 gr/dscf) to 90 mg/dscm (0.04 gr/dscf).

2. The opacity standard has been changed from 10 percent with a 2-minute-per-hour exemption to 20 percent with no specified time exemption.

3. The definition of affected facility has been reworded to better define the applicability of the standards.

The preamble to the proposed standard (38 FR 15406) urged all interested parties to submit factual data during the comment period to ensure that the standard for asphalt concrete plants would, upon promulgation, be consistent with the requirements of section 111 of the Act. A substantial amount of information on emission tests was submitted in response to this request. The information is summarized and discussed in Volume 3 of the background information document.

The proposed concentration standard was based on the conclusion that the best demonstrated systems of emission reduction, considering costs, are well designed, operated, and maintained baghouses or venturi scrubbers. The emission test data available at the time of proposal indicated that such systems could attain an emission level of 70 mg/Nm^3, or 0.031 gr/dscf. After considering comments on the proposed standard and new emission test data, a thorough eval-

ulation was made of the achievability of the proposed standard. As a result of this evaluation, the concentration standard was changed to 90 mg/dscm, or 0.04 gr/dscf.

With the exception of three cases, the acceptable data had shown that the proposed concentration standard, 0.031 gr/dscf, is achievable with a properly designed, installed, operated, and maintained baghouse or venturi scrubber. The three exceptions, two plants equipped with baghouses and one with a venturi scrubber, had emissions between 0.031 and 0.04 gr/dscf.

Some of the major comments received from the industry were (1) the proposed concentration standard of 0.031 gr/dscf cannot be attained either consistently or at all with currently available equipment; (2) the standard should be 0.06 gr/dscf; (3) the standard should allow higher emissions when heavy fuel oil is burned; (4) the type of aggregate used by a plant changes and affects the emissions; (5) EPA failed to consider the impact of the standard on mobile plants, continuous-mix plants, and drum-mixing plants; and (6) the EPA control cost estimates are too low. Responses to these comments and others are given in Appendix E to Volume 3 of the background information document. When considered as a whole, along with the new emission data, the comments justify revising the standard. The revision is merely a change in EPA's judgment about what emission limit is achievable using the best systems of emission reduction. The revision is in no way a change in what EPA considers to be the best systems of emission reduction which, taking into account the cost of achieving such reduction, have been adequately demonstrated; these are still considered to be well designed, operated, and maintained baghouses or venturi scrubbers.

In response to comments received on the proposed opacity standard, additional data were obtained on visible emissions from three well-controlled plants. The data are summarized in Volume 3 of the background information document. No visible emissions were observed from the control equipment on any of the plants. In addition, one plant showed no visible fugitive emissions. Inspection of the two plants having visible fugitive emissions, together with the fact that one plant had no visible emissions, shows that all of the fugitive emissions observed could have been prevented by proper design, operation, and maintenance of the asphalt plant and its control equipment. The data show no normal process variations that would cause visible emissions, either fugitive or from the control device, at a well-controlled plant.

As indicated above in the discussion on opacity, the opacity standards are set such that they are not more restrictive than the applicable concentration standard. In the case of asphalt concrete plants, it is the judgment of the Administrator that if a plant's emissions equal or exceed 20 percent opacity, the emissions will also clearly exceed the concentration standard of 90 mg/dscm (0.04 gr/dscf). Therefore, the promulgated standard of 20 percent opacity is not more restrictive than the concentration standard and no specific time exemptions are considered necessary.

An additional relief from the opacity standard is provided by the regulation promulgated on October 15, 1973 (38 FR 28564), which exempts from opacity standards any emissions generated during startups, shutdowns, or malfunctions. A general discussion of the purpose of opacity standards and the issues involved in setting them is included in Chapter 2, Volume 3, of the background information document.

Section 60.90, applicability and designation of affected facility, is changed from that proposed in order to clarify how and when the standards apply to asphalt concrete plants. The proposed regulation was interpreted by some commentators as requiring existing plants to meet the standards of performance for new sources when equipment was normally replaced or modernized. The proposed regulation specified certain equipment, e.g., transfer and storage systems, as affected facilities, and, because of regulatory language, this could have been interpreted to mean that a new conveyor system installed to replace a worn-out conveyor system on an existing plant was a new source as defined in section 111(a)(2) of the Act. The promulgated regulation specifies the asphalt concrete plant as the affected facility in order to avoid this unwanted interpretation. An existing asphalt concrete plant is subject to the promulgated standards of performance for new sources only if a physical change to the plant or change in the method of operating the plant causes an increase in the amount of air pollutants emitted. Routine maintenance, repair and replacement; relocation of a portable plant; change of aggregate; and transfer of ownership are not considered modifications which would require an existing plant to comply with the standard.

Industry's comments on the cost estimates pertinent to the proposed standards pointed out some errors and oversights. The cost estimates have been revised to include: (1) An increase in the investment cost for baghouses, (2) a change of credit for mineral filler from $9.00 to $3.40 per ton, and (3) an increase in the disposal costs. The changes increased the estimated investment cost of the control equipment by approximately 20 percent. The revised cost estimates are presented in Volume 3 of the background information document. It is concluded after evaluating the revised estimates that a baghouse designed with a 6-to-1 air-to-cloth ratio or a venturi scrubber with a pressure drop of at least 20 inches water gauge can be installed, operated, and maintained at a reasonable cost. It should be noted that the cost estimates were revised because the original estimates contained some errors and oversights, not because the concentration standard was changed.

PETROLEUM REFINERIES

The promulgated standards for petroleum refineries limit emissions of sulfur dioxide from fuel gas combustion systems and limit emissions of particulate matter and carbon monoxide from fluid catalytic cracking unit catalyst regenerators.

Each of the comments received on the proposed standards was reviewed and evaluated. The Agency's responses to the comments received are included in Appendix E of Volume 3 of the background information document. The Agency's rationale for the promulgated standards for petroleum refineries is summarized below. A more detailed statement is presented in Volume 3 of the background information document.

The major differences between the promulgated standards and the proposed standards are:

1. The combustion of process upset gases in flare systems has been exempted.

2. Hydrogen sulfide in fuel gases combusted in any number of facilities may be monitored at one location if sampling at this location yields results representative of the hydrogen sulfide concentration in the fuel gas combusted in each facility.

3. The opacity standard for catalyst regenerators has been changed from the proposed level of less than 20 percent except for 3 minutes in any 1 hour to less than 30 percent except for 3 minutes in any 1 hour.

4. The standard for particulate matter has been changed from the proposed level of 50 mg/Nm³ (0.022 gr/dscf) to 1.0 kilogram per 1,000 kilograms of coke burn-off in the catalyst regenerator (0.027 gr/dscf).

The two changes made to the proposed standard for fuel gas combustion systems do not represent any change in the Agency's original intent. It was evident from the comments received, however, that the intent of the regulation was not clear. Therefore, explicit provisions were incorporated into the promulgated standard to exempt the flaring of process upset gases and to permit monitoring at one location of the hydrogen sulfide content of fuel gases combusted in any number of combustion devices. Although hydrogen sulfide monitors are widely used by industry, the Agency has not evaluated the operating characteristics of such instruments. For this reason, calibration and zero specifications have been prescribed in only general terms. On the basis of evaluation programs currently underway, these requirements will be revised, or further guidance will be provided concerning the selection, operation, and maintenance of such instruments.

Commentators suggested that small petroleum refineries be exempt from the standard for fuel gas combustion systems since compliance with the standard would impose a severe economic penalty on small refineries. This problem was considered during the development of the proposed standard. It was concluded, however, that the proposed standard would have little or no adverse economic impact on petroleum refineries. In light

of the comments received, the Agency reexamined this point with particular attention to the small refiner.

The details of the anlaysis are presented in Appendix C to Volume 3 of the background information document. The domestic petroleum industry is extremely complex and highly sophisticated. Thus, any analysis of the petroleum refining industry will of necessity be based on a number of simplifying assumptions. Although the assumptions in the economic impact statement appear reasonable, the statement should not be viewed as definitively identifying specific costs; rather it identifies a range of costs and approximate impact points. The analysis examines more than the economic impact of the standard for fuel gas combustion systems. It also examines the combined economic impact of this standard for fuel gas combustion systems, the standards for fluid catalytic cracking units, the water quality effluent guidelines being developed for petroleum refineries, and EPA's regulations requiring the reduction of lead in gasoline. Essentially, the economic impact of 'pollution control' is reviewed in light of the petroleum import license-fee program being administered by the Oil and Gas Office of the Department of the Interior (38 FR 9645 and 38 FR 16195).

This program is designed to encourage expansion and construction of U.S. petroleum refining capacity and expansion of U.S. crude oil production by imposing a fee or tariff on imported petroleum products and crude oil. Although this program is currently being phased into practice with the full impact not to be felt until mid-1975, the central feature of the program is to impose a fee of 21c per barrel above world price on imported crude oil and a fee of 63c per barrel above world price on imported petroleum products such as gasoline, fuel oils, and 'unfinished' or intermediate petroleum products.

Under the conditions currently existing in the United States, which are forecast to continue throughout the remainder of this decade and most of the next decade, and with domestic demand for crude oil and petroleum products far outstripping domestic supply and petroleum refining capacity, the import license-fee program will encourage domestic prices of crude oil and petroleum products to increase to world levels plus the fee or tariff. Thus, an incentive of 42¢ per barrel (63¢ per barrel minus 21¢ per barrel) is provided to domestic refiners by this program. In cases where 'independent' refiners continue to enjoy a captive supply of domestic crude oil, or where 'major' refiners engaged in the exploration and production of domestic crude are successful in supplying their refineries with domestic crude oil, this incentive will approach the full 63¢ per barrel fee imposed on imported petroleum products.

The analysis indicates that the incentive provided to the domestic petroleum refining industry by the import license-fee program is greater than the costs of pollution control requirements. The differences in control costs for the small refiner relative to the large refiner will still exist, but with the fee system in operation the small refiner will not be forced into a no-growth situation because of compliance with EPA requirements. Therefore small refineries are not exempt from the standards.

In response to comments received on the proposed opacity standard, additional data were obtained on visible emissions from four well-controlled catalyst regenerators. The data, which are summarized in Volume 3 of the background information document, indicate that 20 percent opacity is too restrictive for a well-controlled plant. As indicated above in the discussion on opacity, it is the Administrator's intent to set opacity standards such that they are not more restrictive than the applicable concentration or mass standard. In the case of catalyst regenerators, it is the judgment of the Administrator that if visible emissions exceed 30 percent opacity except for 3 minutes in any 1 hour, such emissions will also clearly exceed the standard of 1.0 kilogram of particulate matter per 1,000 kilograms of coke burn-off. Therefore, the promulgated standard of 30 percent except for 3 minutes in any 1 hour is judged to be not more restrictive than the mass standard of 1.0 kg/1,000 kg of coke burn-off.

An additional relief from the opacity standard is provided by the regulations promulgated on October 15, 1973 (38 FR 28564), which exempt from opacity standards any emissions generated during startups, shutdowns, or malfunctions. A general discussion of the purpose of opacity standards and the issues involved in setting them is included in Chapter 2 of Volume 3 of the background information document.

Commentators pointed out that the volume of gases discharged to the atmosphere from catalyst regenerators can vary significantly, depending upon the overall system used to control emissions of particulate matter and carbon monoxide. Consequently, the degree of control required to meet the proposed concentration standard (50 mg/Nm^3) for particulate matter depends upon the overall type of emission control system employed.

The various types of emission control systems utilized by catalyst regenerators and the alternative means of expressing an emission standard for particulate matter other than by an allowable concentration of particulate matter were evaluated. The alternative ways of expressing the standard were (1) specification of control efficiency, (2) limiting emissions based on a process weight restriction, and (3) limiting emissions on the basis of the size or capacity of a unit. Expressing the standard in terms of kilograms of particulate matter per 1,000 kilograms of coke burn-off was determined to be the best alternative.

Several of those who wrote to the Agency indicated that the proposed particulate matter standard for catalyst regenerators (50 mg/Nm^3) was too restrictive. To fully evaluate these comments, additional data on emissions from well-controlled units were obtained from industry and a control agency. This new information and the detailed rationale for the promulgated standard are presented in Volume 3 of the background information document.

This evaluation led to the conclusion that the allowable particulate matter emissions should be increased to provide for the unavoidable increase in emissions due to the deterioration of the cyclones within a catalyst regenerator. The revision reflects a change in the Agency's judgment on what emission limit is achievable using the best systems of emission reduction; it is not a change in what the Agency considers to be the best systems of emission reduction that have been adequately demonstrated.

STORAGE VESSELS FOR PETROLEUM LIQUIDS

The promulgated standard applies to storage vessels with capacities greater than 151,412 liters (40,000 gallons) that contain crude petroleum, condensate, or finished or intermediate products of a petroleum refinery. To reduce emissions of hydrocarbons to the atmosphere, a vapor recovery system or equivalent control is required if the stored liquid has a true vapor pressure, under storage conditions, greater than 570 millimeters of mercury (mm Hg); and a floating roof or equivalent control is required if the stored liquid's pressure is between 78 and 570 mm Hg, inclusive. Records must be kept of liquids stored, by date; of typical vapor pressure; and, in certain cases, of average monthly storage temperatures. The Administrator may require, in specific cases, that the liquid be sampled and true vapor pressure determined, but normally the maintenance of good records that are ready for inspection will be the requirement that owners and operators must meet in order to demonstrate compliance.

The definition of "storage vessel" is changed from the proposed form to specifically exclude high-pressure vessels, subsurface caverns, porous-rock reservoirs, and some underground tanks. As commentators pointed out, these types of storage are optimum for preventing the release of emissions to the atmosphere and need no additional control devices. The proposed definition of "petroleum liquids" was validly criticized as being too inclusive, and it is changed to specify what is included and what is excluded. The definition of vapor recovery system expresses the intent, in part, of such a system as "to prevent * * * emission." Some commentators felt that this could imply a requirement for 100 percent effectiveness. The definition is consistent with the wording found in many State and local regulations for storage of petroleum liquids—regulations that have been sensibly enforced and complied with. EPA recognizes that the effectiveness of such systems varies with climate and types and concentrations of vapors and deliberately avoided requiring a specific level of effectiveness. Control systems which are capable of providing an equivalent amount of con-

trol of hydrocarbon emissions may be used in lieu of the systems specified by the standard. An example of an equivalent control system is one which incinerates with an auxiliary fuel the hydrocarbon emissions from the storage tank before such emissions are released into the atmosphere.

The storage of crude oil and condensate at producing fields is specifically exempted from the standard. The proposed regulation had intended such an exemption by applying the standard only to storage vessels with capacities above 65,000 gallons. Industry representatives indicated that this action would exempt essentially all of the producing field storage, but later data showed that larger tanks are used in these locations. The specific exemption in the promulgated regulation better suits the intention. The standard now applies at capacities greater than 40,000 gallons, the size originally selected as being most consistent with existing State and local regulations before it was increased to exempt producing field storage. Producing field storage is exempt because the low level of emissions, the relatively small size of these tanks, and their commonly remote locations argue against justifying the switch from the bolted-construction, fixed-roof tanks in common use to the welded-construction, floating-roof tanks that would be required for new sources to comply with the standards.

The proposed standard required the use of conservation vents when petroleum liquids were stored at true vapor pressures less than 78 mm Hg. This requirement is deleted because, as commentators validly argued, certain stocks foul these vents, in cold weather the vents must be locked open or removed to prevent freezing, and the beneficial effects of such vents are minimal.

The monitoring and recordkeeping requirements are substantially reduced from those which were proposed. Over half of those who commented on this regulation argued that an unjustifiable burden was placed on owners and operators of remote tank farms, terminals, and marketing operations. EPA agrees. The basis for the proposed standard was the large, modern refinery which could have met the proposed requirements with little difficulty. The reduced requirements aid both enforcement officials and owners/operators by reducing paperwork without sacrificing the objectives of the regulation.

Some specific maintenance requirements were proposed but are deleted. Commentators pointed out that these requirements were not sufficiently explicit. A recent change to the General Provisions, subpart A, (see FEDERAL REGISTER of October 15, 1973, 38 FR 28564) requires that all affected facilities and emission control systems be operated and maintained in a manner consistent with good air pollution control practice for minimizing emissions. This provision will ensure the use of good maintenance practices for storage vessels, which was the intent of the proposed maintenance requirements.

SECONDARY LEAD SMELTERS AND REFINERIES

The promulgated standards limit emissions of particulate matter (1) from blast (cupola) and reverberatory furnaces to no more than 50 mg/dscm (0.022 gr/dscf) and to less than 20 percent opacity, and (2) from pot furnaces having charging capacities equal to or greater than 250 kilograms to less than 10 percent opacity.

These standards are the same as those proposed except that the 2-minutes-per-hour exemption is removed from both opacity standards. The general rationale for this change is presented above in the discussion of opacity. Two factors led to this change in the opacity standards: (1) The separately promulgated regulations that provide exemptions from the opacity standards during periods of startup, shutdown, and malfunction (see FEDERAL REGISTER of October 15, 1973, 38 FR 28564), and (2) the comments, reevaluation of data, and collection of new data and information which show that there is no basis for time exemptions in addition to those provided for startups, shutdowns, and malfunctions, and that the opacity standard is not more restrictive than the concentration standard.

Minor changes to the proposed version of the regulation have been made to clarify meanings and to exclude repetitive provisions and definitions which are now included in subpart A, General Provisions, and which are applicable to all new source performance standards.

SECONDARY BRASS AND BRONZE INGOT PRODUCTION PLANTS

The promulgated standards limit the emissions of particulate matter (1) from reverberatory furnaces having production capacities equal to or greater than 1,000 kg (2,205 lb) to no more than 50 mg/dscm (0.022 gr/dscf) and to less than 20 percent opacity, (2) from electric furnaces having capacities equal to or greater than 1,000 kg (2,205 lb) to less than 10 percent opacity, and (3) from blast (cupola) furnaces having capacities equal to or greater than 250 kg/hr (550 lb/hr) to less than 10 percent opacity.

These standards are the same as those proposed except that the opacity limit for emissions from the affected reverberatory furnaces is increased from less than 10 percent to less than 20 percent and the 2-minutes-per-hour exemption is removed from all three opacity standards. The general rationale for these changes is presented in the discussion of opacity above. The three factors which led to these changes are (1) the data and comments, summarized in Volume 3 of the background information document, which show, in the judgment of the Administrator, that the opacity standard proposed for reverberatory furnaces was too restrictive and that the promulgated opacity standard is not more restricted than the concentration standard, (2) the separately promulgated regulations which provide exemptions from opacity standards during periods of startup, shutdown, and malfunction (see FEDERAL REGISTER of October 15, 1973, 38 FR 28564), and (3) the comments, reevaluation of data, and collection of new data and information which show that there is no basis for additional time exemptions.

Minor changes to the proposed version of the regulation have been made to clarify meanings and to exclude repetitive provisions and definitions which are now included in subpart A, General Provisions, and which are applicable to all new source performance standards.

IRON AND STEEL PLANTS

The promulgated standards limit the emissions of particulate matter from basic oxygen process furnaces to no more than 50 mg/dscm (0.022 gr/dscf). This is the same concentration limit as was proposed. The opacity standard and the attendant monitoring requirement are not promulgated at this time. Sections of the regulation are reserved for the inclusion of these portions at a later date. Commentators pointed out the inappropriateness of the proposed opacity standard (10 percent opacity except for 2 minutes each hour) for this cyclic steelmaking process. The separate promulgation of regulations which provide exemptions from opacity standards during periods of startup, shutdown, and malfunction (see FEDERAL REGISTER of October 15, 1973, 38 FR 28564) add another dimension to the problem, and new data show variations in opacity for reasons not yet well enough identified.

The promulgated regulation represents no substantial change to that proposed. Some wording is changed to clarify meanings and, as discussed under General Provisions above, several provisions and definitions are deleted from this subpart and added to subpart A, which applies to all new source performance standards, to avoid repetition.

SEWAGE TREATMENT PLANTS

The promulgated standards for sludge incinerators at municipal sewage treatment plants limit particulate emissions to no more than 0.65 g/kg dry sludge input (1.30 lb/ton dry sludge input) and to less than 20 percent opacity. The proposed standards would have limited emissions to a concentration of 70 mg/Nm^3 (0.031 gr/dscf) and to less than 10 percent opacity except for 2 minutes in any 1 hour. The level of control required by the standard remains the same, but the units are changed from a concentration to a mass basis because the determination of combustion air as opposed to dilution air for these facilities is particularly difficult and could lead to unacceptable degrees of error. The section on test methods is revised in accordance with the change of units for the standard.

A section is added specifying instrumentation and sampling access points needed to determine sludge charging rate. Determination of this rate is necessary as a result of the change of units for the standard. Flow measuring devices with an accuracy of ±5 percent must be installed to determine either the mass or volume of the sludge charged to the incinerator, and access to the sludge charged must be provided so a well-

mixed representative grab sample of the sludge can be obtained.

The general rationale for the change in the opacity standard is presented in the discussion of opacity above. The three factors which led to this change are (1) the data, summarized in Volume 3 of the background information document, which, in the judgment of the Administrator, show that the proposed opacity standard was too restrictive and that the promulgated standard is not more restrictive than the mass standard, (2) the separately promulgated regulations which provide exemptions from opacity standards during periods of startup, shutdown, and malfunction (see FEDERAL REGISTER of October 15, 1973, 38 FR 28564), and (3) reevaluation of data and collection of new data and information which show that there is no basis for additional time exemptions.

Minor changes to the proposed version of the regulation have been made to clarify meanings and to exclude repetitive provisions and definitions which are now included in subpart A, General Provisions, and are applicable to all new source performance standards.

TEST METHODS

Test Methods 10 and 11 as proposed contained typographical errors that are now corrected in both text and equations. Some wording is changed to clarify meanings and procedures as well.

In Method 10, which is for determination of CO emissions, the term "grab sampling" is changed to "continuous sampling" to prevent confusion. The Orsat analyzer is deleted from the list of analytical equipment because a less complex method of analysis was judged sufficiently sensitive. For clarification, a sentence is added to the section on reagents requiring calibration gases to be certified by the manufacturer. Temperature of the silica gel is changed from 177°C (350°F) to 175°C (347°F) to be consistent with the emphasis on metric units as the primary units. A technique for determining the CO_2 content of the gas has been added to both the continuous and integrated sampling procedures. This technique may be used rather than the technique described in Method 3. Use of the latter technique was required in the proposed Method 10.

Method 11, which is for determination of H_2S emissions, is modified to require five midget impingers rather than the proposed four. The fifth impinger contains hydrogen peroxide to remove sulfur dioxide as an interferant. A paragraph is added specifying the hydrogen peroxide solution to be used, and the procedure description is altered to include procedures specific to the fifth impinger. The term "iodine number flask" is changed to "iodine flask" to prevent confusion.

Dated: February 22, 1974.

RUSSELL E. TRAIN,
Administrator.

Part 60, Chapter I, Title 40, Code of Federal Regulations, is amended by revising subpart A, by adding new subparts I,J,K,L,M,N, and O, and by adding Methods 10 and 11 to the Appendix, as follows:

Subpart A—General Provisions

Sec.
60.2 Definitions.
60.3 Abbreviations.
60.4 Address.
60.6 Review of plans.
60.7 Notification and recordkeeping.
60.8 Performance tests.
60.12 Circumvention.

Subpart I—Standards of Performance for Asphalt Concrete Plants

60.90 Applicability and designation of affected facility.
60.91 Definitions.
60.92 Standard for particulate matter.
60.93 Test methods and procedures.

Subpart J—Standards of Performance for Petroleum Refineries

60.100 Applicability and designation of affected facility.
60.101 Definitions.
60.102 Standard for particulate matter.
60.103 Standard for carbon monoxide.
60.104 Standard for sulfur dioxide.
60.105 Emission monitoring.
60.106 Test methods and procedures.

Subpart K—Standards of Performance for Storage Vessels for Petroleum Liquids

60.110 Applicability and designation of affected facility.
60.111 Definitions.
60.112 Standard for hydrocarbons.
60.113 Monitoring of operations.

Subpart L—Standards of Performance for Secondary Lead Smelters

60.120 Applicability and designation of affected facility.
60.121 Definitions.
60.122 Standard for particulate matter.
60.123 Test methods and procedures.

Subpart M—Standards of Performance for Secondary Brass and Bronze Ingot Production Plants

60.130 Applicability and designation of affected facility.
60.131 Definitions.
60.132 Standard for particulate matter.
60.133 Test methods and procedures.

Subpart N—Standards of Performance for Iron and Steel Plants

60.140 Applicability and designation of affected facility.
60.141 Definitions.
60.142 Standard for particulate matter.
60.143 [Reserved]
60.144 Test methods and procedures.

Subpart O—Standards of Performance for Sewage Treatment Plants

60.150 Applicability and designation of affected facility.
60.151 Definitions.
60.152 Standard for particulate matter.
60.153 Monitoring of operations.
60.154 Test methods and procedures.

APPENDIX—TEST METHODS

Method 10—Determination of carbon monoxide emissions from stationary sources.
Method 11—Determination of hydrogen sulfide emissions from stationary sources.

AUTHORITY: Secs. 111, 114, Pub. L. 91-604 (42 U.S.C. 1857(c)(6) and (9)).

Subpart A—General Provisions

1. Section 60.2 is amended by revising paragraphs (i) and (l) and adding paragraphs (s), (t), (u), (v), and (w) as follows:

§ 60.2 Definitions.

* * * * *

(i) "Commenced" means, with respect to the definition of "new source" in section 111(a)(2) of the Act, that an owner or operator has undertaken a continuous program of construction or modification or that an owner or operator has entered into a contractual obligation to undertake and complete, within a reasonable time, a continuous program of construction or modification.

* * * * *

(l) "Standard conditions" means a temperature of 20°C (68°F) and a pressure of 760 mm of Hg (29.92 in. of Hg).

* * * * *

(s) "Reference method" means any method of sampling and analyzing for an air pollutant as described in the appendix to this part.

(t) "Equivalent method" means any method of sampling and analyzing for an air pollutant which have been demonstrated to the Administartor's satisfaction to have a consistent and quantitatively known relationship to the reference method, under specified conditions.

(u) "Alternative method" means any method of sampling and analyzing for an air pollutant which is not a reference or equivalent method but which has been demonstrated to the Administrator's satisfaction to, in specific cases, produce results adequate for his determination of compliance.

(v) "Particulate matter" means any finely divided solid or liquid material, other than uncombined water, as measured by method 5 of the appendix.

(w) "Run" means the net period of time during which an emission sample is collected. Unless otherwise specified, a run may be either intermittent or continuous within the limits of good engineering practice.

2. Section 60.3 is revised to read as follows:

§ 60.3 Abbreviations.

The abbreviations used in this part have the following meanings:

A.S.T.M.—American Society for Testing and Materials
Btu—British thermal unit
°C—degree Celsius (centigrade)
cal—calorie
CdS—cadmium sulfide
cfm—cubic feet per minute
CO—carbon monoxide
CO_2—carbon dioxide
dscm—dry cubic meter(s) at standard conditions
dscf—dry cubic feet at standard conditions
eq—equivalents
°F—degree Fahrenheit
g—gram(s)
gal—gallon(s)
g eq—gram equivalents
gr—grain(s)

hr—hour(s)
HCl—hydrochloric acid
Hg—mercury
H_2O—water
H_2S—hydrogen sulfide
H_2SO_4—sulfuric acid
in.—inch(es)
°K—degree Kelvin
k—1,000
kg—kilogram(s)
l—liter(s)
lpm—liter(s) per minute
lb—pound(s)
m—meter(s)
meq—milliequivalent(s)
min—minute(s)
mg—milligram(s)
ml—milliliter(s)
mm—millimeter(s)
mol. wt.—molecular weight
mV—millivolt
N_2—nitrogen
nm—nanometer(s)—10^{-9} meter
NO—nitric oxide
NO_2—nitrogen dioxide
NO_x—nitrogen oxides
O_2—oxygen
ppb—parts per billion
ppm—parts per million
psia—pounds per square inch absolute
°R—degree Rankine
s—at standard conditions
sec—second
SO_2—sulfur dioxide
SO_3—sulfur trioxide
μg—microgram(s)—10^{-6} gram

3. Section 60.4 is revised to read as follows:

§ 60.4 Address.

All requests, reports, applications, submittals, and other communications to the Administrator pursuant to this part shall be submitted in duplicate and addressed to the appropriate Regional Office of the Environmental Protection Agency, to the attention of the Director, Enforcement Division. The regional offices are as follows:

Region I (Connecticut, Maine, New Hampshire, Massachusetts, Rhode Island, Vermont), John F. Kennedy Federal Building, Boston, Massachusetts 02203.

Region II (New York, New Jersey, Puerto Rico, Virgin Islands), Federal Office Building, 26 Federal Plaza (Foley Square), New York, N.Y. 10007.

Region III (Delaware, District of Columbia, Pennsylvania, Maryland, Virginia, West Virginia), Curtis Building, Sixth and Walnut Streets, Philadelphia, Pennsylvania 19106.

Region IV (Alabama, Florida, Georgia, Mississippi, Kentucky, North Carolina, South Carolina, Tennessee), Suite 300, 1421 Peachtree Street, Atlanta, Georgia 30309.

Region V (Illinois, Indiana, Minnesota, Michigan, Ohio, Wisconsin), 1 North Wacker Drive, Chicago, Illinois 60606.

Region VI (Arkansas, Louisiana, New Mexico, Oklahoma, Texas), 1600 Patterson Street, Dallas, Texas 75201.

Region VII (Iowa, Kansas, Missouri, Nebraska), 1735 Baltimore Street, Kansas City, Missouri 64108.

Region VIII (Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming), 916 Lincoln Towers, 1860 Lincoln Street, Denver, Colorado 80203.

Region IX (Arizona, California, Hawaii, Nevada, Guam, American Samoa), 100 California Street, San Francisco, California 94111.

Region X (Washington, Oregon, Idaho, Alaska), 1200 Sixth Avenue, Seattle, Washington 98101.

4. In § 60.6, paragraph (b) is revised to read as follows:

§ 60.6 Review of plans.

* * * * *

(b) (1) A separate request shall be submitted for each construction or modification project.

(2) Each request shall identify the location of such project, and be accompanied by technical information describing the proposed nature, size, design, and method of operation of each affected facility involved in such project, including information on any requipment to be used for measurement or control of emissions.

5. In § 60.7 paragraph (d) is added as follows:

§ 60.7 Notification and recordkeeping.

* * * * *

(d) Any owner or operator subject to the provisions of this part shall maintain a file of all measurements, including monitoring and performance testing measurements, and all other reports and records required by all applicable subparts. Any such measurements, reports and records shall be retained for at least 2 years following the date of such measurements, reports, and records.

6. Section 60.8 is amended by revising paragraphs (b) and (f) and by deleting in paragraph (d) the number "10" after the word "Administrator" and substituting the number "30." The revised paragraphs (b) and (f) read as follows:

§ 60.8 Performance tests.

* * * * *

(b) Performance tests shall be conducted and data reduced in accordance with the test methods and procedures contained in each applicable subpart unless the Administrator (1) specifies or approves, in specific cases, the use of a reference method with minor changes in methodology, (2) approves the use of an equivalent method, (3) approves the use of an alternative method the results of which he has determined to be adequate for indicating whether a specific source is in compliance, or (4) waives the requirement for performance tests because the owner or operator of a source has demonstrated by other means to the Administrator's satisfaction that the affected facility is in compliance with the standard. Nothing in this paragraph shall be construed to abrogate the Administrator's authority to require testing under section 114 of the Act.

* * * * *

(f) Each performance test shall consist of three separate runs using the applicable test method. Each run shall be conducted for the time and under the conditions specified in the applicable standard. For the purpose of determining compliance with an applicable standard, the arithmetic means of results of the three runs shall apply. In the event that a sample is accidentally lost or conditions occur in which one of the three runs must be discontinued because of forced shutdown, failure of an irreplaceable portion of the sample train, extreme meteorological conditions, or other circumstances, beyond the owner or operator's control, compliance may, upon the Administrator's approval, be determined using the arithmetic mean of the results of the two other runs.

7. A new § 60.12 is added to subpart A as follows:

§ 60.12 Circumvention.

No owner or operator subject to the provisions of this part shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.

8. In Part 60, Subparts I, J, K, L, M, N, and O are added as follows:

Subpart I—Standards of Performance for Asphalt Concrete Plants

§ 60.90 Applicability and designation of affected facility.

The affected facility to which the provisions of this subpart apply is each asphalt concrete plant. For the purpose of this subpart, an asphalt concrete plant is comprised only of any combination of the following: Dryers; systems for screening, handling, storing, and weighing hot aggregate; systems for loading, transferring, and storing mineral filler; systems for mixing asphalt concrete; and the loading, transfer, and storage systems associated with emission control systems.

§ 60.91 Definitions.

As used in this subpart, all terms not defined herein shall have the meaning given them in the Act and in subpart A of this part.

(a) "Asphalt concrete plant" means any facility, as described in § 60.90, used to manufacture asphalt concrete by heating and drying aggregate and mixing with asphalt cements.

§ 60.92 Standard for particulate matter.

(a) On and after the date on which the performance test required to be conducted by § 60.8 is completed, no owner or operator subject to the provisions of this subpart shall discharge or cause the discharge into the atmosphere from any affected facility any gases which:

(1) Contain particulate matter in excess of 90 mg/dscm (0.04 gr/dscf).

(2) Exhibit 20 percent opacity, or greater. Where the presence of uncombined water is the only reason for failure to meet the requirements of this paragraph, such failure shall not be a violation of this section.

§ 60.93 Test methods and procedures.

(a) The reference methods appended to this part, except as provided for in § 60.8(b), shall be used to determine

compliance with the standards prescribed in § 60.92 as follows:

(1) Method 5 for the concentration of particulate matter and the associated moisture content,

(2) Method 1 for sample and velocity traverses,

(3) Method 2 for velocity and volumetric flow rate, and

(4) Method 3 for gas analysis.

(b) For Method 5, the sampling time for each run shall be at least 60 minutes and the sampling rate shall be at least 0.9 dscm/hr (0.53 dscf/min) except that shorter sampling times, when necessitated by process variables or other factors, may be approved by the Administrator.

Subpart J—Standards of Performance for Petroleum Refineries

§ 60.100 Applicability and designation of affected facility.

The provisions of this subpart are applicable to the following affected facilities in petroleum refineries: Fluid catalytic cracking unit catalyst regenerators, fluid catalytic cracking unit incinerator-waste heat boilers, and fuel gas combustion devices.

§ 60.101 Definitions.

As used in this subpart, all terms not defined herein shall have the meaning given them in the Act and in subpart A.

(a) "Petroleum refinery" means any facility engaged in producing gasoline, kerosene, distillate fuel oils, residual fuel oils, lubricants, or other products through distillation of petroleum or through redistillation, cracking or reforming of unfinished petroleum derivatives.

(b) "Petroleum" means the crude oil removed from the earth and the oils derived from tar sands, shale, and coal.

(c) "Process gas" means any gas generated by a petroleum refinery process unit, except fuel gas and process upset gas as defined in this section.

(d) "Fuel gas" means any gas which is generated by a petroleum refinery process unit and which is combusted, including any gaseous mixture of natural gas and fuel gas which is combusted.

(e) "Process upset gas" means any gas generated by a petroleum refinery process unit as a result of start-up, shut-down, upset or malfunction.

(f) "Refinery process unit" means any segment of the petroleum refinery in which a specific processing operation is conducted.

(g) "Fuel gas combustion device" means any equipment, such as process heaters, boilers and flares used to combust fuel gas, but does not include fluid coking unit and fluid catalytic cracking unit incinerator-waste heat boilers or facilities in which gases are combusted to produce sulfur or sulfuric acid.

(h) "Coke burn-off" means the coke removed from the surface of the fluid catalytic cracking unit catalyst by combustion in the catalyst regenerator. The rate of coke burn-off is calculated by the formula specified in § 60.106.

§ 60.102 Standard for particulate matter.

(a) On and after the date on which the performance test required to be conducted by § 60.8 is completed, no owner or operator subject to the provisions of this subpart shall discharge or cause the discharge into the atmosphere from any fluid catalytic cracking unit catalyst regenerator or from any fluid catalytic cracking unit incinerator-waste heat boiler:

(1) Particulate matter in excess of 1.0 kg/1000 kg (1.0 lb/1000 lb) of coke burn-off in the catalyst regenerator.

(2) Gases exhibiting 30 percent opacity or greater, except for 3 minutes in any 1 hour. Where the presence of uncombined water is the only reason for failure to meet the requirements of this subparagraph, such failure shall not be a violation of this section.

(b) In those instances in which auxiliary liquid or solid fossil fuels are burned in the fluid catalytic cracking unit incinerator-waste heat boiler, particular matter in excess of that permitted by paragraph (a)(1) of this section may be emitted to the atmosphere, except that the incremental rate of particulate emissions shall not exceed 0.18 g/million cal (0.10 lb/million Btu) of heat input attributable to such liquid or solid fuel.

§ 60.103 Standard for carbon monoxide.

(a) On and after the date on which the performance test required to be conducted by § 60.8 is completed, no owner or operator subject to the provisions of this subpart shall discharge or cause the discharge into the atmosphere from the fluid catalytic cracking unit catalyst regenerator any gases which contain carbon monoxide in excess of 0.050 percent by volume.

§ 60.104 Standard for sulfur dioxide.

(a) On and after the date on which the performance test required to be conducted by § 60.8 is completed, no owner or operator subject to the provisions of this subpart shall burn in any fuel gas combustion device any fuel gas which contains H_2S in excess of 230 mg/dscm (0.10 gr/dscf), except as provided in paragraph (b) of this section. The combustion of process upset gas in a flare, or the combustion in a flare of process gas or fuel gas which is released to the flare as a result of relief valve leakage, is exempt from this paragraph.

(b) The owner or operator may elect to treat the gases resulting from the combustion of fuel gas in a manner which limits the release of SO_2 to the atmosphere if it is shown to the satisfaction of the Administrator that this prevents SO_2 emissions as effectively as compliance with the requirements of paragraph (a) of this section.

§ 60.105 Emission monitoring.

(a) The owner or operator of any petroleum refinery subject to the provisions of this subpart shall install, calibrate, maintain, and operate monitoring instruments as follows:

(1) A photoelectric or other type smoke detector and recorder to continuously monitor and record the opacity of gases discharged into the atmosphere from the fluid catalytic cracking unit catalyst regenerator.

(2) An instrument for continuously monitoring and recording the concentration of CO in gases discharged into the atmosphere from fluid catalytic cracking unit catalyst regenerators, except where the requirements of paragraph (a)(3) of this section are met.

(3) Instruments for continuously monitoring and recording firebox temperature and O_2 concentration in the exhaust gases from any incinerator-waste heat boiler which combusts the exhaust gases from a fluid catalytic cracking unit catalyst regenerator except where the requirements of paragraph (a)(2) of this section are met.

(4) An instrument for continuously monitoring and recording concentrations of H_2S in fuel gases burned in any fuel gas combustion device, except where the requirements of § 60.104(b) are met. Fuel gas combustion devices having a common source of fuel gas may be monitored at one location if sampling at this location produces results representative of the H_2S concentration in the fuel gas burned.

(5) An instrument for continuously monitoring and recording concentrations of SO_2 in the gases discharged into the atmosphere from the combustion of fuel gases except where the requirements of § 60.104(a) are met.

(b) Instruments and sampling systems installed and used pursuant to this section shall meet specifications prescribed by the Administrator and each instrument shall be calibrated in accordance with the method prescribed by the manufacturer of such instrument. The instruments shall be subjected to the manufacturer's recommended zero adjustment and calibration procedures at least once per 24-hour operating period unless the manufacturer specifies or recommends calibration at shorter intervals, in which case such specifications or recommendations shall be followed.

(c) The average coke burn-off rate (thousands of kilogram/hr) and hours of operation for any fluid catalytic cracking unit catalyst regenerator subject to § 60.102 or 60.103 shall be recorded daily.

(d) For any fluid catalytic cracking unit catalyst regenerator which is subject to § 60.102 and which utilizes an incinerator-waste heat boiler to combust the exhaust gases from the catalyst regenerator, the owner or operator shall record daily the rate of combustion of liquid or solid fossil fuels (liters/hr or kilograms/hr) and the hours of operation during which liquid or solid fossil fuels are combusted in the incinerator-waste heat boiler.

(e) For the purpose of reports pursuant to § 60.7(c), periods of excess emissions that shall be reported are defined as follows:

(1) *Opacity.* All hourly periods in which there are four or more 1-minute periods during which the average opacity

of the gases discharged into the atmosphere from any fluid catalytic cracking unit catalyst regenerator subject to § 60.102 exceeds 30 percent.

(2) *Carbon monoxide.* All hourly periods during which the average carbon monoxide concentration in the gases discharged into the atmosphere from any fluid catalytic cracking unit catalyst regenerator subject to § 60.103 exceeds 0.050 percent by volume; or any hourly period in which O_2 concentration and firebox temperature measurements indicate that the average concentration of CO in the gases discharged into the atmosphere exceeds 0.050 percent by volume for sources which combust the exhaust gases from any fluid catalytic cracking unit catalyst regenerator subject to § 60.103 in an incinerator-waste heat boiler and for which the owner or operator elects to monitor in accordance with § 60.105(a)(3).

(3) *Hydrogen sulfide.* All hourly periods during which the average hydrogen sulfide content of any fuel gas combusted in any fuel gas combustion device subject to § 60.104 exceeds 230 mg/dscm (0.10 gr/dscf) except where the requirements of § 60.104(b) are met.

(4) *Sulfur dioxide.* All hourly periods during which the average sulfur dioxide emissions discharged into the atmosphere from any fuel gas combustion device subject to § 60.104 exceed the level specified in § 60.104(b), except where the requirements of § 60.104(a) are met.

§ 60.106 Test methods and procedures.

(a) For the purpose of determining compliance with § 60.102(a)(1), the following reference methods and calculation procedures shall be used:

(1) For gases released to the atmosphere from the fluid catalytic cracking unit catalyst regenerator:

(i) Method 5 for the concentration of particulate matter and moisture content,

(ii) Method 1 for sample and velocity traverses, and

(iii) Method 2 for velocity and volumetric flow rate.

(2) For Method 5, the sampling time for each run shall be at least 60 minutes and the sampling rate shall be at least 0.015 dscm/min (0.53 dscf/min), except that shorter sampling times may be approved by the Administrator when process variables or other factors preclude sampling for at least 60 minutes.

(3) For exhaust gases from the fluid catalytic cracking unit catalyst regenerator prior to the emission control system: the integrated sample techniques of Method 3 and Method 4 for gas analysis and moisture content, respectively; Method 1 for velocity traverses; and Method 2 for velocity and volumetric flow rate.

(4) Coke burn-off rate shall be determined by the following formula:

$$R_c = 0.2982\, Q_{RE}\,(\%CO_2 + \%CO) + 2.088\, Q_{RA} - 0.0994\, Q_{RE}\left(\frac{\%CO}{2} + \%CO_2 + \%O_2\right) \text{ (Metric Units)}$$

or

$$R_c = 0.0186\, Q_{RE}\,(\%CO_2 + \%CO) + 0.1303\, Q_{RA} - 0.0062\, Q_{RE}\left(\frac{\%CO}{2} + \%CO_2 + \%O_2\right) \text{ (English Units)}$$

where:

R_c = coke burn-off rate, kg/hr (English units: lb/hr).
0.2982 = metric units material balance factor divided by 100, kg-min/hr-m³.
0.0186 = English units material balance factor divided by 100, lb-min/hr-ft³.
Q_{RE} = fluid catalytic cracking unit catalyst regenerator exhaust gas flow rate before entering the emission control system, as determined by method 2, dscm/min (English units: dscf/min).
$\%CO_2$ = percent carbon dioxide by volume, dry basis, as determined by Method 3.
% CO = percent carbon monoxide by volume, dry basis, as determined by Method 3.
% O_2 = percent oxygen by volume, dry basis, as determined by Method 3.
2.088 = metric units material balance factor divided by 100, kg-min/hr-m³.
0.1303 = English units material balance factor divided by 100, lb-min/hr-ft³.
Q_{RA} = air rate to fluid catalytic cracking unit catalyst regenerator, as determined from fluid catalytic cracking unit control room instrumentation, dscm/min (English units: dscf/min).
0.0994 = metric units material balance factor divided by 100, kg-min/hr-m³.
0.0062 = English units material balance factor divided by 100, lb-min/hr-ft³.

(5) Particulate emissions shall be determined by the following equation:

$$R_E = (60\times10^{-6})\, Q_{RV} C_s \text{ (Metric Units)}$$

or

$$R_E = (8.57\times10^{-3})\, Q_{RV} C_s \text{ (English Units)}$$

where:

R_E = particulate emission rate, kg/hr (English units: lb/hr).
60×10^{-6} = metric units conversion factor, min-kg/hr-mg.
8.57×10^{-3} = English units conversion factor, min-lb/hr-gr.
Q_{RV} = volumetric flow rate of gases discharged into the atmosphere from the fluid catalytic cracking unit catalyst regenerator following the emission control system, as determined by Method 2, dscm/min (English units: dscf/min).
C_s = particulate emission concentration discharged into the atmosphere, as determined by Method 5, mg/dscm (English units: gr/dscf).

(6) For each run, emissions expressed in kg/1000 kg (English units: lb/1000 lb) of coke burn-off in the catalyst regenerator shall be determined by the following equation:

$$R_s = 1000\frac{R_E}{R_c} \text{ (Metric or English Units)}$$

where:

R_s = particulate emission rate, kg/1000 kg (English units: lb/1000 lb) of coke burn-off in the fluid catalytic cracking unit catalyst regenerator.
1000 = conversion factor, kg to 1000 kg (English units: lb to 1000 lb).
R_E = particulate emission rate, kg/hr (English units: lb/hr).
R_c = coke burn-off rate, kg/hr (English units: lb/hr).

(7) In those instances in which auxiliary liquid or solid fossil fuels are burned in an incinerator-waste heat boiler, the rate of particulate matter emissions permitted under § 60.102(b) must be determined. Auxiliary fuel heat input, expressed in millions of cal/hr (English units: Millions of Btu/hr) shall be calculated for each run by fuel flow rate measurement and analysis of the liquid or solid auxiliary fossil fuels. For each run, the rate of particulate emissions permitted under § 60.102(b) shall be calculated from the following equation:

$$R_s = 1.0 + \frac{0.18\, H}{R_c} \text{ (Metric Units)}$$

or

$$R_s = 1.0 + \frac{0.10\, H}{R_c} \text{ (English Units)}$$

where:

R_s = allowable particulate emission rate, kg/1000 kg (English units: lb/1000 lb) of coke burn-off in the fluid catalytic cracking unit catalyst regenerator.
1.0 = emission standard, 1.0 kg/1000 kg (English units: 1.0 lb/1000 lb) of coke burn-off in the fluid catalytic cracking unit catalyst regenerator.
0.18 = metric units maximum allowable incremental rate of particulate emissions, g/million cal.
0.10 = English units maximum allowable incremental rate of particulate emissions, lb/million Btu.

H = heat input from solid or liquid fossil fuel, million cal/hr (English units: million Btu/hr).
R_c = coke burn-off rate, kg/hr (English units: lb/hr).

(b) For the purpose of determining compliance with § 60.103, the integrated sample technique of Method 10 shall be used. The sample shall be extracted at a rate proportional to the gas velocity at a sampling point near the centroid of the duct. The sampling time shall not be less than 60 minutes.

(c) For the purpose of determining compliance with § 60.104(a), Method 11 shall be used. When refinery fuel gas lines are operating at pressures substantially above atmospheric, the gases sampled must be introduced into the sampling train at approximately atmospheric pressure. This may be accomplished with a flow control valve. If the line pressure is high enough to operate the sampling train without a vacuum pump, the pump may be eliminated from the sampling train. The sample shall be drawn from a point near the centroid of the fuel gas line. The minimum sampling time shall be 10 minutes and the minimum sampling volume 0.01 dscm (0.35 dscf) for each sample. The arithmetic average of

two samples shall constitute one run. Samples shall be taken at approximately 1-hour intervals. For most fuel gases, sample times exceeding 20 minutes may result in depletion of the collecting solution, although fuel gases containing low concentrations of hydrogen sulfide may necessitate sampling for longer periods of time.

(d) Method 6 shall be used for determining concentration of SO_2 in determining compliance with § 60.104(b), except that H_2S concentration of the fuel gas may be determined instead. Method 1 shall be used for velocity traverses and Method 2 for determining velocity and volumetric flow rate. The sampling site for determining SO_2 concentration by Method 6 shall be the same as for determining volumetric flow rate by Method 2. The sampling point in the duct for determining SO_2 concentration by Method 6 shall be at the centroid of the cross section if the cross sectional area is less than 5 m^2 (54 ft^2) or at a point no closer to the walls than 1 m (39 inches) if the cross sectional area is 5 m^2 or more and the centroid is more than one meter from the wall. The sample shall be extracted at a rate proportional to the gas velocity at the sampling point. The minimum sampling time shall be 10 minutes and the minimum sampling volume 0.01 dscm (0.35 dscf) for each sample. The arithmetic average of two samples shall constitute one run. Samples shall be taken at approximately 1-hour intervals.

Subpart K—Standards of Performance for Storage Vessels for Petroleum Liquids

§ 60.110 Applicability and designation of affected facility.

(a) Except as provided in § 60.110(b), the affected facility to which this subpart applies is each storage vessel for petroleum liquids which has a storage capacity greater than 151,412 liters (40,000 gallons).

(b) This subpart does not apply to storage vessels for the crude petroleum or condensate stored, processed, and/or treated at a drilling and production facility prior to custody transfer.

§ 60.111 Definitions.

As used in this subpart, all terms not defined herein shall have the meaning given them in the Act and in subpart A of this part.

(a) "Storage vessel" means any tank, reservoir, or container used for the storage of petroleum liquids, but does not include:

(1) Pressure vessels which are designed to operate in excess of 15 pounds per square inch gauge without emissions to the atmosphere except under emergency conditions,

(2) Subsurface caverns or porous rock reservoirs, or

(3) Underground tanks if the total volume of petroleum liquids added to and taken from a tank annually does not exceed twice the volume of the tank.

(b) "Petroleum liquids" means crude petroleum, condensate, and any finished or intermediate products manufactured in a petroleum refinery but does not mean Number 2 through Number 6 fuel oils as specified in ASTM–D–396–69, gas turbine fuel oils Numbers 2–GT through 4–GT as specified in ASTM–D–2880–71, or diesel fuel oils Numbers 2–D and 4–D as specified in ASTM–D–975–68.

(c) "Petroleum refinery" means any facility engaged in producing gasoline, kerosene, distillate fuel oils, residual fuel oils, lubricants, or other products through distillation of petroleum or through redistillation, cracking, or reforming of unfinished petroleum derivatives.

(d) "Crude petroleum" means a naturally occurring mixture which consists of hydrocarbons and/or sulfur, nitrogen and/or oxygen derivatives of hydrocarbons and which is a liquid at standard conditions.

(e) "Hydrocarbon" means any organic compound consisting predominantly of

(f) "Condensate" means hydrocarbon liquid separated from natural gas which condenses due to changes in the temperature and/or pressure and remains liquid at standard conditions.

(g) "Custody transfer" means the transfer of produced crude petroleum and/or condensate, after processing and/or treating in the producing operations, from storage tanks or automatic transfer facilities to pipelines or any other forms of transportation.

(h) "Drilling and production facility" means all drilling and servicing equipment, wells, flow lines, separators, equipment, gathering lines, and auxiliary nontransportation-related equipment used in the production of crude petroleum but does not include natural gasoline plants.

(i) "True vapor pressure" means the equilibrium partial pressure exerted by a petroleum liquid as determined in accordance with methods described in American Petroleum Institute Bulletin 2517, Evaporation Loss from Floating Roof Tanks, 1962.

(j) "Floating roof" means a storage vessel cover consisting of a double deck, pontoon single deck, internal floating cover or covered floating roof, which rests upon and is supported by the petroleum liquid being contained, and is equipped with a closure seal or seals to close the space between the roof edge and tank wall.

(k) "Vapor recovery system" means a vapor gathering system capable of collecting all hydrocarbon vapors and gases discharged from the storage vessel and a vapor disposal system capable of processing such hydrocarbon vapors and gases so as to prevent their emission to the atmosphere.

(l) "Reid vapor pressure" is the absolute vapor pressure of volatile crude oil and volatile non-viscous petroleum liquids, except liquified petroleum gases, as determined by ASTM–D–323–58 (reapproved 1968).

§ 61.112 Standard for hydrocarbons.

(a) The owner or operator of any storage vessel to which this subpart applies shall store petroleum liquids as follows:

(1) If the true vapor pressure of the petroleum liquid, as stored, is equal to or greater than 78 mm Hg (1.5 psia) but not greater than 570 mm Hg (11.1 psia), the storage vessel shall be equipped with a floating roof, a vapor recovery system, or their equivalents.

(2) If the true vapor pressure of the petroleum liquid as stored is greater than 570 mm Hg (11.1 psia), the storage vessel shall be equipped with a vapor recovery system or its equivalent.

§ 60.113 Monitoring of operations.

(a) The owner or operator of any storage vessel to which this subpart applies shall for each such storage vessel maintain a file of each type of petroleum liquid stored, of the typical Reid vapor pressure of each type of petroleum liquid stored, and of the dates of storage. Dates on which the storage vessel is empty shall be shown.

(b) The owner or operator of any storage vessel to which this subpart applies shall for each such storage vessel determine and record the average monthly storage temperature and true vapor pressure of the petroleum liquid stored at such temperature if:

(1) The petroleum liquid has a true vapor pressure, as stored, greater than 26 mm Hg (0.5 psia) but less than 78 mm Hg (1.5 psia) and is stored in a storage vessel other than one equipped with a floating roof, a vapor recovery system or their equivalents; or

(2) The petroleum liquid has a true vapor pressure, as stored, greater than 470 mm Hg (9.1 psia) and is stored in a storage vessel other than one equipped with a vapor recovery system or its equivalent.

(c) The average monthly storage temperature is an arithmetic average calculated for each calendar month, or portion thereof if storage is for less than a month, from bulk liquid storage temperatures determined at least once every 7 days.

(d) The true vapor pressure shall be determined by the procedures in API Bulletin 2517. This procedure is dependent upon determination of the storage temperature and the Reid vapor pressure, which requires sampling of the petroleum liquids in the storage vessels. Unless the Administrator requires in specific cases that the stored petroleum liquid be sampled, the true vapor pressure may be determined by using the average monthly storage temperature and the typical Reid vapor pressure. For those liquids for which certified specifications limiting the Reid vapor pressure exist, that Reid vapor pressure may be used. For other liquids, supporting analytical data must be made available on request to the Administrator when typical Reid vapor pressure is used.

Subpart L—Standards of Performance for Secondary Lead Smelters

§ 60.120 Applicability and designation of affected facility.

The provisions of this subpart are applicable to the following affected facil-

ities in secondary lead smelters: Pot furnaces of more than 250 kg (550 lb) charging capacity, blast (cupola) furnaces, and reverberatory furnaces.

§ 60.121 Definitions.

As used in this subpart, all terms not defined herein shall have the meaning given them in the Act and in subpart A of this part.

(a) "Reverberatory furnace" includes the following types of reverberatory furnaces: stationary, rotating, rocking, and tilting.

(b) "Secondary lead smelter" means any facility producing lead from a lead-bearing scrap material by smelting to the metallic form.

(c) "Lead" means elemental lead or allows in which the predominant component is lead.

§ 60.122 Standard for particulate matter.

(a) On and after the date on which the performance test required to be conducted by § 60.8 is completed, no owner or operator subject to the provisions of this subpart shall discharge or cause the discharge into the atmosphere from a blast (cupola) or reverberatory furnace any gases which:

(1) Contain particulate matter in excess of 50 mg/dscm (0.022 gr/dscf).

(2) Exhibit 20 percent opacity or greater.

(b) On and after the date on which the performance test required to be conducted by § 60.8 is completed, no owner or operator subject to the provisions of this subpart shall discharge or cause the discharge into the atmosphere from any pot furnace any gases which exhibit 10 percent opacity or greater.

(c) Where the presence of uncombined water is the only reason for failure to meet the requirements of paragraphs (a)(2) or (b) of this section, such failure shall not be a violation of this section.

§ 60.123 Test methods and procedures.

(a) The reference methods appended to this part, except as provided for in § 60.8 (b), shall be used to determine compliance with the standards prescribed in § 60.122 as follows:

(1) Method 5 for the concentration of particulate matter and the associated moisture content,

(2) Method 1 for sample and velocity traverses,

(3) Method 2 for velocity and volumetric flow rate, and

(4) Method 3 for gas analysis.

(b) For method 5, the sampling time for each run shall be at least 60 minutes and the sampling rate shall be at least 0.9 dscm/hr (0.53 dscf/min) except that shorter sampling times, when necesitated by process variables or other factors, may be approved by the Administrator. Particulate sampling shall be conducted during representative periods of furnace operation, including charging and tapping.

Subpart M—Standards of Performance for Secondary Brass and Bronze Ingot Production Plants

§ 60.130 Applicability and designation of affected facility.

The provisions of this subpart are applicable to the following affected facilities in secondary brass or bronze ingot production plants: Reverberatory and electric furnaces of 1,000 kg (2,205 lb) or greater production capacity and blast (cupola) furnaces of 250 kg/hr (550 lb/hr) or greater production capacity.

§ 60.131 Definitions.

As used in this subpart, all terms not defined herein shall have the meaning given them in the Act and in subpart A of this part.

(a) "Brass or bronze" means any metal alloy containing copper as its predominant constituent, and lesser amounts of zinc, tin, lead, or other metals.

(b) "Reverberatory furnace" includes the following types of reverberatory furnaces: Stationary, rotating, rocking, and tilting.

(c) "Electric furnace" means any furnace which uses electricity to produce over 50 percent of the heat required in the production of refined brass or bronze.

(d) "Blast furnace" means any furnace used to recover metal from slag.

§ 60.132 Standard for particulate matter.

(a) On and after the date on which the performance test required to be conducted by § 60.8 is completed, no owner or operator subject to the provisions of this subpart shall discharge or cause the discharge into the atmosphere from a reverberatory furnace any gases which:

(1) Contain particulate matter in excess of 50 mg/dscm (0.022 gr/dscf).

(2) Exhibit 20 percent opacity or greater.

(b) On and after the date on which the performance test required to be conducted by § 60.8 is completed, no owner or operator subject to the provisions of this subpart shall discharge or cause the discharge into the atmosphere from any blast (cupola) or electric furnace any gases which exhibit 10 percent opacity or greater.

(c) Where the presence of uncombined water is the only reason for failure to meet the requirements of paragraphs (a)(2) or (b) of this section, such failure shall not be a violation of this section.

§ 60.133 Test methods and procedures.

(a) The reference methods appended to this part, except as provided for in § 60.8(b), shall be used to determine compliance with the standards prescribed in § 60.132 as follows:

(1) Method 5 for the concentration of particulate matter and the associated moisture content.

(2) Method 1 for sample and velocity traverses,

(3) Method 2 for velocity and volumetric flow rate, and

(4) Method 3 for gas analysis.

(b) For Method 5, the sampling time for each run shall be at least 120 minutes and the sampling rate shall be at least 0.9 dscm/hr (0.53 dscf/min) except that shorter sampling times, when necessitated by process variables or other factors, may be approved by the Administrator. Particulate matter sampling shall be conducted during representative periods of charging and refining, but not during pouring of the heat.

Subpart N—Standards of Performance for Iron and Steel Plants

§ 60.140 Applicability and designation of affected facility.

The affected facility to which the provisions of this subpart apply is each basic oxygen process furnace.

§ 60.141 Definitions.

As used in this subpart, all terms not defined herein shall have the meaning given them in the Act and in subpart A of this part.

(a) "Basic oxygen process furnace" (BOPF) means any furnace producing steel by charging scrap steel, hot metal, and flux materials into a vessel and introducing a high volume of an oxygen-rich gas.

(b) "Steel production cycle" means the operations required to produce each batch of steel and includes the following major functions: Scrap charging, preheating (when used), hot metal charging, primary oxygen blowing, additional oxygen blowing (when used), and tapping.

§ 60.142 Standard for particulate matter.

(a) On and after the date on which the performance test required to be conducted by § 60.8 is completed, no owner or operator subject to the provisions of this subpart shall discharge or cause the discharge into the atmosphere from any affected facility any gases which:

(1) Contain particulate matter in excess of 50 mg/dscm (0.022 gr/dscf).

(2) [Reserved.]

§ 60.143 [Reserved]

§ 60.144 Test methods and procedures.

(a) The reference methods appended to this part, except as provided for in § 60.8(b), shall be used to determine compliance with the standards prescribed in § 60.142 as follows:

(1) Method 5 for concentration of particulate matter and associated moisture content,

(2) Method 1 for sample and velocity traverses,

(3) Method 2 for volumetric flow rate, and

(4) Method 3 for gas analysis.

(b) For Method 5, the sampling for each run shall continue for an integral number of cycles with total duration of at least 60 minutes. The sampling rate shall be at least 0.9 dscm/hr (0.53 dscf/min) except that shorter sampling times,

when necessitated by process variables or other factors, may be approved by the Administrator. A cycle shall start at the beginning of either the scrap preheat or the oxygen blow and shall terminate immediately prior to tapping.

Subpart O—Standards of Performance for Sewage Treatment Plants

§ 60.150 Applicability and designation of affected facility.

The affected facility to which the provisions of this subpart apply is each incinerator which burns the sludge produced by municipal sewage treatment facilities.

§ 60.151 Definitions.

As used in this subpart, all terms not defined herein shall have the meaning given them in the Act and in subpart A of this part.

§ 60.152 Standard for particulate matter.

(a) On and after the date on which the performance test required to be conducted by § 60.8 is completed, no owner or operator of any sewage sludge incinerator subject to the provisions of this subpart shall discharge or cause the discharge into the atmosphere of:

(1) Particulate matter at a rate in excess of 0.65 g/kg dry sludge input (1.30 lb/ton dry sludge input).

(2) Any gases which exihibit 20 percent opacity or greater. Where the presence of uncombined water is the only reason for failure to meet the requirements of this paragraph, such failure shall not be a violation of this section.

§ 60.153 Monitoring of operations.

(a) The owner or operator of any sludge incinerator subject to the provisions of this subpart shall:

(1) Install, calibrate, maintain, and operate a flow measuring device which can be used to determine either the mass or volume of sludge charged to the incinerator. The flow measuring device shall have an accuracy of ±5 percent over its operating range.

(2) Provide access to the sludge charged so that a well-mixed representative grab sample of the sludge can be obtained.

§ 60.154 Test Methods and Procedures.

(a) The reference methods appended to this part, except as provided for in § 60.8(b), shall be used to determine compliance with the standards prescribed in § 60.152 as follows:

(1) Method 5 for concentration of particulate matter and associated moisture content,

(2) Method 1 for sample and velocity traverses,

(3) Method 2 for volumetric flow rate, and

(4) Method 3 for gas analysis.

(b) For Method 5, the sampling time for each run shall be at least 60 minutes and the sampling rate shall be at least 0.015 dscm/min (0.53 dscf/min), except that shorter sampling times, when necessitated by process variables or other factors, may be approved by the Administrator.

(c) Dry sludge charging rate shall be determined as follows:

(1) Determine the mass (S_M) or volume (S_V) of sludge charged to the incinerator during each run using a flow measuring device meeting the requirements of § 60.153(a)(1). If total input during a run is measured by a flow measuring device, such readings shall be used. Otherwise, record the flow measuring device readings at 5-minute intervals during a run. Determine the quantity charged during each interval by averaging the flow rates at the beginning and end of the interval and then multiplying the average for each interval by the time for each interval. Then add the quantity for each interval to determine the total quantity charged during the entire run, (S_M) or (S_V).

(2) Collect samples of the sludge charged to the incinerator in non-porous collecting jars at the beginning of each run and at approximately 1-hour intervals thereafter until the test ends, and determine for each sample the dry sludge content (total solids residue) in accordance with "224 G. Method for Solid and Semisolid Samples," *Standard Methods for the Examination of Water and Wastewater*, Thirteenth Edition, American Public Health Association, Inc., New York, N.Y., 1971, pp. 539–41, except that:

(i) Evaporating dishes shall be ignited to at least 103°C rather than the 550°C specified in step 3(a)(1).

(ii) Determination of volatile residue, step 3(b) may be deleted.

(iii) The quantity of dry sludge per unit sludge charged shall be determined in terms of either R_{DV} (metric units: mg dry sludge/liter sludge charged or English units: lb/ft³) or R_{DM} (metric units: mg dry sludge/mg sludge charged or English units: lb/lb).

(3) Determine the quantity of dry sludge per unit sludge charged in terms of either R_{DV} or R_{DM}.

(i) If the volume of sludge charged is used:

$$S_D=(60\times10^{-3})\frac{R_{DV}S_V}{T}\ \text{(Metric Units)}$$

or

$$S_D=(8.021)\frac{R_{DV}S_V}{T}\ \text{(English Units)}$$

where:

S_D=average dry sludge charging rate during the run, kg/hr (English units: lb/hr);
R_{DV}=average quantity of dry sludge per unit volume of sludge charged to the incinerator, mg/l (English units: lb/ft³).
S_V=sludge charged to the incinerator during the run, m³ (English units: gal);
T=duration of run, min (English units: min).
60×10^{-3}=metric units conversion factor, 1-kg-min/m³-mg-hr.
8.021=English units conversion factor, ft³-min/gal-hr.

(ii) If the mass of sludge charged is used:

$$S_D=(50)\frac{R_{DM}S_M}{T}\ \text{(Metric or English Units)}$$

where:
S_D=average dry sludge charging rate during the run, kg/hr (English units: lb/hr);
R_{DM}=average ratio of quantity of dry sludge to quantity of sludge charged to the incinerator, mg/mg (English units: lb/lb).
S_M=sludge charged during the run, kg (English units: lb).
T=duration of run, min (Metric or English units).
60=conversion factor, min/hr (Metric or English units).

(d) Particulate emission rate shall be determined by:

$$c_{aw}=c_sQ_s\ \text{(Metric or English Units)}$$

where:
c_{aw}=particulate matter mass emissions, mg/hr (English units: lb/hr).
c_s=particulate matter concentration, mg/m³ (English units: lb/dscf).
Q_s=volumetric stack gas flow rate, dscm/hr (English units: dscf/hr). Q_s and c_s shall be determined using Methods 2 and 5, respectively.

(e) Compliance with § 60.152(a) shall be determined as follows:

$$C_{ds}=(10^{-3})\frac{c_{aw}}{S_D}\ \text{(Metric Units)}$$

or

$$C_{ds}=(2000)\frac{c_{aw}}{S_D}\ \text{(English Units)}$$

where:
C_{ds}=particulate emission discharge, g/kg dry sludge (English units: lb/ton dry sludge);
10^{-3}=Metric conversion factor, g/mg.
2000=English conversion factor, lb/ton.

9. Methods 10 and 11 are added to the appendix as follows:

METHOD 10—DETERMINATION OF CARBON MONOXIDE EMISSIONS FROM STATIONARY SOURCES

1. *Principle and Applicability.*

1.1 *Principle.* An integrated or continuous gas sample is extracted from a sampling point and analyzed for carbon monoxide (CO) content using a Luft-type nondispersive infrared analyzer (NDIR) or equivalent.

1.2 *Applicability.* This method is applicable for the determination of carbon monoxide emissions from stationary sources only when specified by the test procedures for determining compliance with new source performance standards. The test procedure will indicate whether a continuous or an integrated sample is to be used.

2. *Range and sensitivity.*

2.1 *Range.* 0 to 1,000 ppm.

2.2 *Sensitivity.* Minimum detectable concentration is 20 ppm for a 0 to 1,000 ppm span.

3. *Interferences.* Any substance having a strong absorption of infrared energy will interfere to some extent. For example, discrimination ratios for water (H_2O) and carbon dioxide (CO_2) are 3.5 percent H_2O per 7 ppm CO and 10 percent CO_2 per 10 ppm CO, respectively, for devices measuring in the 1,500 to 3,000 ppm range. For devices meas-

uring in the 0 to 100 ppm range, interference ratios can be as high as 3.5 percent H_2O per 25 ppm CO and 10 percent CO_2 per 50 ppm CO. The use of silica gel and ascarite traps will alleviate the major interference problems. The measured gas volume must be corrected if these traps are used.

4. *Precision and accuracy.*

4.1 *Precision.* The precision of most NDIR analyzers is approximately ±2 percent of span.

4.2 *Accuracy.* The accuracy of most NDIR analyzers is approximately ±5 percent of span after calibration.

5. *Apparatus.*

5.1 *Continuous sample* (Figure 10–1).

5.1.1 *Probe.* Stainless steel or sheathed Pyrex [1] glass, equipped with a filter to remove particulate matter.

5.1.2 *Air-cooled condenser or equivalent.* To remove any excess moisture.

5.2 *Integrated sample* (Figure 10–2).

5.2.1 *Probe.* Stainless steel or sheathed Pyrex glass, equipped with a filter to remove particulate matter.

5.2.2 *Air-cooled condenser or equivalent.* To remove any excess moisture.

5.2.3 *Valve.* Needle valve, or equivalent, to to adjust flow rate.

5.2.4 *Pump.* Leak-free diaphragm type, or equivalent, to transport gas.

5.2.5 *Rate meter.* Rotameter, or equivalent, to measure a flow range from 0 to 1.0 liter per min. (0.035 cfm).

5.2.6 *Flexible bag.* Tedlar, or equivalent, with a capacity of 60 to 90 liters (2 to 3 ft^3). Leak-test the bag in the laboratory before using by evacuating bag with a pump followed by a dry gas meter. When evacuation is complete, there should be no flow through the meter.

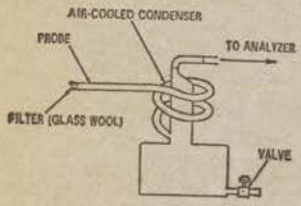

Figure 10-1. Continuous sampling train.

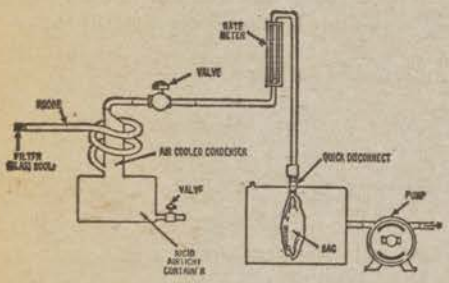

Figure 10-2. Integrated gas-sampling train.

5.2.7 *Pitot tube.* Type S, or equivalent, attached to the probe so that the sampling rate can be regulated proportional to the stack gas velocity when velocity is varying with the time or a sample traverse is conducted.

5.3 *Analysis* (Figure 10–3).

[1] Mention of trade names or specific products does not constitute endorsement by the Environmental Protection Agency.

5.3.1 *Carbon monoxide analyzer.* Nondispersive infrared spectrometer, or equivalent. This instrument should be demonstrated, preferably by the manufacturer, to meet or exceed manufacturer's specifications and those described in this method.

5.3.2 *Drying tube.* To contain approximately 200 g of silica gel.

5.3.3 *Calibration gas.* Refer to paragraph 6.1.

5.3.4 *Filter.* As recommended by NDIR manufacturer.

5.3.5 *CO_2 removal tube.* To contain approximately 500 g of ascarite.

5.3.6 *Ice water bath.* For ascarite and silica gel tubes.

5.3.7 *Valve.* Needle valve, or equivalent, to adjust flow rate

5.3.8 *Rate meter.* Rotameter or equivalent to measure gas flow rate of 0 to 1.0 liter per min. (0.035 cfm) through NDIR.

5.3.9 *Recorder (optional).* To provide permanent record of NDIR readings.

6. *Reagents.*

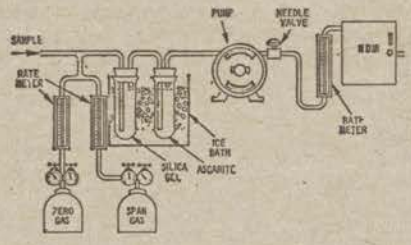

Figure 10-3. Analytical equipment.

6.1 *Calibration gases.* Known concentration of CO in nitrogen (N_2) for instrument span, prepurified grade of N_2 for zero, and two additional concentrations corresponding approximately to 60 percent and 30 percent span. The span concentration shall not exceed 1.5 times the applicable source performance standard. The calibration gases shall be certified by the manufacturer to be within ±2 percent of the specified concentration.

6.2 *Silica gel.* Indicating type, 6 to 16 mesh, dried at 175° C (347° F) for 2 hours.

6.3 *Ascarite.* Commercially available.

7. *Procedure.*

7.1 *Sampling.*

7.1.1 *Continuous sampling.* Set up the equipment as shown in Figure 10–1 making sure all connections are leak free. Place the probe in the stack at a sampling point and purge the sampling line. Connect the analyzer and begin drawing sample into the analyzer. Allow 5 minutes for the system to stabilize, then record the analyzer reading as required by the test procedure. (See ¶ 7.2 and 8). CO_2 content of the gas may be determined by using the Method 3 integrated sample procedure (36 FR 24886), or by weighing the ascarite CO_2 removal tube and computing CO_2 concentration from the gas volume sampled and the weight gain of the tube.

7.1.2 *Integrated sampling.* Evacuate the flexible bag. Set up the equipment as shown in Figure 10–2 with the bag disconnected. Place the probe in the stack and purge the sampling line. Connect the bag, making sure that all connections are leak free. Sample at a rate proportional to the stack velocity. CO_2 content of the gas may be determined by using the Method 3 integrated sample procedures (36 FR 24886), or by weighing the ascarite CO_2 removal tube and computing CO_2 concentration from the gas volume sampled and the weight gain of the tube.

7.2 *CO Analysis.* Assemble the apparatus as shown in Figure 10–3, calibrate the instrument, and perform other required operations as described in paragraph 8. Purge analyzer with N_2 prior to introduction of each sample. Direct the sample stream through the instrument for the test period, recording the readings. Check the zero and span again after the test to assure that any drift or malfunction is detected. Record the sample data on Table 10–1.

8. *Calibration.* Assemble the apparatus according to Figure 10–3. Generally an instrument requires a warm-up period before stability is obtained. Follow the manufacturer's instructions for specific procedure. Allow a minimum time of one hour for warm-up. During this time check the sample conditioning apparatus, i.e., filter, condenser, drying tube, and CO_2 removal tube, to ensure that each component is in good operating condition. Zero and calibrate the instrument according to the manufacturer's procedures using, respectively, nitrogen and the calibration gases.

TABLE 10–1.—*Field data*

Location _____ Comments:
Test _____
Date _____
Operator _____

Clock time	*Rotameter setting, liters per minute (cubic feet per minute)*

9. *Calculation—Concentration of carbon monoxide.* Calculate the concentration of carbon monoxide in the stack using equation 10–1.

$$C_{CO_{stack}} = C_{CO_{NDIR}}(1 - F_{CO_2}) \qquad \text{equation 10-1}$$

where:

$C_{CO_{stack}}$ = concentration of CO in stack, ppm by volume (dry basis).

$C_{CO_{NIDR}}$ = concentration of CO measured by NDIR analyzer, ppm by volume (dry basis).

F_{CO_2} = volume fraction of CO_2 in sample, i.e., percent CO_2 from Orsat analysis divided by 100.

10. *Bibliography.*
10.1 McElroy, Frank, The Intertech NDIR–CO Analyzer, Presented at 11th Methods Conference on Air Pollution, University of California, Berkeley, Calif., April 1, 1970.
10.2 Jacobs, M. B., et al., Continuous Determination of Carbon Monoxide and Hydrocarbons in Air by a Modified Infrared Analyzer, J. Air Pollution Control Association, 9(2):110–114, August 1959.
10.3 MSA LIRA Infrared Gas and Liquid Analyzer Instruction Book, Mine Safety Appliances Co., Technical Products Division, Pittsburgh, Pa.
10.4 Models 215A, 315A, and 415A Infrared Analyzers, Beckman Instruments, Inc., Beckman Instructions 1635–B, Fullerton, Calif., October 1967.
10.5 Continuous CO Monitoring System, Model A5611, Intertech Corp., Princeton, N.J.
10.6 UNOR Infrared Gas Analyzers, Bendix Corp., Ronceverte, West Virginia.

ADDENDA

A. Performance Specifications for NDIR Carbon Monoxide Analyzers.

Range (minimum)	0–1000ppm.
Output (minimum)	0–10mV.
Minimum detectable sensitivity	20 ppm.
Rise time, 90 percent (maximum)	30 seconds.
Fall time, 90 percent (maximum)	30 seconds.
Zero drift (maximum)	10% in 8 hours.
Span drift (maximum)	10% in 8 hours.
Precision (minimum)	± 2% of full scale.
Noise (maximum)	± 1% of full scale.
Linearity (maximum deviation)	2% of full scale.
Interference rejection ratio	CO_2—1000 to 1, H_2O—500 to 1.

B. *Definitions of Performance Specifications.*

Range—The minimum and maximum measurement limits.

Output—Electrical signal which is proportional to the measurement; intended for connection to readout or data processing devices. Usually expressed as millivolts or milliamps full scale at a given impedance.

Full scale—The maximum measuring limit for a given range.

Minimum detectable sensitivity—The smallest amount of input concentration that can be detected as the concentration approaches zero.

Accuracy—The degree of agreement between a measured value and the true value; usually expressed as ± percent of full scale.

Time to 90 percent response—The time interval from a step change in the input concentration at the instrument inlet to a reading of 90 percent of the ultimate recorded concentration.

Rise Time (90 percent)—The interval between initial response time and time to 90 percent response after a step increase in the inlet concentration.

Fall Time (90 percent)—The interval between initial response time and time to 90 percent response after a step decrease in the inlet concentration.

Zero Drift—The change in instrument output over a stated time period, usually 24 hours, of unadjusted continuous operation when the input concentration is zero; usually expressed as percent full scale.

Span Drift—The change in instrument output over a stated time period, usually 24 hours, of unadjusted continuous operation when the input concentration is a stated upscale value; usually expressed as percent full scale.

Precision—The degree of agreement between repeated measurements of the same concentration, expressed as the average deviation of the single results from the mean.

Noise—Spontaneous deviations from a mean output not caused by input concentration changes.

Linearity—The maximum deviation between an actual instrument reading and the reading predicted by a straight line drawn between upper and lower calibration points.

METHOD 11—DETERMINATION OF HYDROGEN SULFIDE EMISSIONS FROM STATIONARY SOURCES

1. *Principle and applicability.*

1.1 *Principle.* Hydrogen sulfide (H_2S) is collected from the source in a series of midget impingers and reacted with alkaline cadmium hydroxide [$Cd(OH)_2$] to form cadmium sulfide (CdS). The precipitated CdS is then dissolved in hydrochloric acid and absorbed in a known volume of iodine solution. The iodine consumed is a measure of the H_2S content of the gas. An impinger containing hydrogen peroxide is included to remove SO_2 as an interfering species.

1.2 *Applicability.* This method is applicable for the determination of hydrogen sulfide emissions from stationary sources only when specified by the test procedures for determining compliance with the new source performance standards.

2. *Apparatus.*

2.1 *Sampling train.*

2.1.1 *Sampling line*—6- to 7-mm (¼-inch) Teflon[1] tubing to connect sampling train to sampling valve, with provisions for heating to prevent condensation. A pressure reducing valve prior to the Teflon sampling line may be required depending on sampling stream pressure.

2.1.2 *Impingers*—Five midget impingers, each with 30-ml capacity, or equivalent.

2.1.3 *Ice bath container*—To maintain absorbing solution at a constant temperature.

2.1.4 *Silica gel drying tube*—To protect pump and dry gas meter.

2.1.5 *Needle valve, or equivalent*—Stainless steel or other corrosion resistant material, to adjust gas flow rate.

2.1.6 *Pump*—Leak free, diaphragm type, or equivalent, to transport gas. (Not required if sampling stream under positive pressure.)

2.1.7 *Dry gas meter*—Sufficiently accurate to measure sample volume to within 1 percent.

2.1.8 *Rate meter*—Rotameter, or equivalent, to measure a flow rate of 0 to 3 liters per minute (0.1 ft³/min).

2.1.9 *Graduated cylinder*—25 ml.

2.1.10 *Barometer*—To measure atmospheric pressure within ±2.5 mm (0.1 in.) Hg.

2.2 *Sample Recovery.*

2.2.1 *Sample container*—500-ml glass-stoppered iodine flask.

2.2.2 *Pipette*—50-ml volumetric type.

2.2.3 *Beakers*—250 ml.

2.2.4 *Wash bottle*—Glass.

2.3 *Analysis.*

2.3.1 *Flask*—500-ml glass-stoppered iodine flask.

2.3.2 *Burette*—One 50 ml.

2.3.2 *Flask*—125-ml conical.

3. *Reagents.*

3.1 *Sampling.*

3.1.1 *Absorbing solution*—Cadmium hydroxide ($Cd(OH)_2$)—Mix 4.3 g cadmium sulfate hydrate ($3\ CdSO_4.8H_2O$) and 0.3 g of sodium hydroxide (NaOH) in 1 liter of distilled water (H_2O). Mix well.

Note: The cadmium hydroxide formed in this mixture will precipitate as a white suspension. Therefore, this solution must be thoroughly mixed before using to ensure an even distribution of the cadmium hydroxide.

3.1.2 *Hydrogen peroxide, 3 percent*—Dilute 30 percent hydrogen peroxide to 3 percent as needed. Prepare fresh daily;

3.2 *Sample recovery.*

3.2.1 *Hydrochloric acid solution (HCl), 10 percent by weight*—Mix 230 ml of concentrated HCl (specific gravity 1.19) and 770 ml of distilled H_2O.

3.2.2 *Iodine solution, 0.1 N*—Dissolve 24 g potassium iodide (KI) in 30 ml of distilled H_2O in a 1-liter graduated cylinder. Weigh 12.7 g of resublimed iodine (I_2) into a weighing bottle and add to the potassium iodide solution. Shake the mixture until the iodine is completely dissolved. Slowly dilute the solution to 1 liter with distilled H_2O, with swirling. Filter the solution, if cloudy, and store in a brown glass-stoppered bottle.

3.2.3 *Standard iodine solution, 0.01 N*—Dilute 100 ml of the 0.1 *N* iodine solution in a volumetric flask to 1 liter with distilled water.

Standardize daily as follows: Pipette 25 ml of the 0.01 *N* iodine solution into a 125-ml conical flask. Titrate with standard 0.01 *N* thiosulfate solution (see paragraph 3.3.2) until the solution is a light yellow. Add a few drops of the starch solution and continue titrating until the blue color just disappears. From the results of this titration, calculate the exact normality of the iodine solution (see paragraph 5.1).

3.2.4 *Distilled, deionized water.*

3.3 *Analysis.*

3.3.1 *Sodium thiosulfate solution, standard 0.1 N*—For each liter of solution, dissolve 24.8 g of sodium thiosulfate ($NA_2S_2O_3 \cdot 5H_2O$) in distilled water and add 0.01 g of anhydrous sodium carbonate (Na_2CO_3) and 0.4 ml of chloroform ($CHCl_3$) to stabilize. Mix thoroughly by shaking or by aerating with nitrogen for approximately 15 minutes, and store in a glass-stoppered glass bottle.

Standardize frequently as follows: Weigh into a 500-ml volumetric flask about 2 g of potassium dichromate ($K_2Cr_2O_7$) weighed to the nearest milligram and dilute to the 500-ml mark with distilled H_2O. Use dichromate which has been crystallized from distilled water and oven-dried at 182°C to 199°C (360°F to 390°F). Dissolve approximately 3 g of potassium iodide (KI) in 50 ml of distilled water in a glass-stoppered, 500-ml conical flask, then add 5 ml of 20-percent hydrochloric acid solution. Pipette 50 ml of the dichromate solution into this mixture. Gently swirl the solution once and allow it to stand in the dark for 5 minutes. Dilute the solution with 100 to 200 ml of distilled water, washing down the sides of the flask with part of the water. Swirl the solution slowly and titrate with the thoisulfate solution until the solution is light yellow. Add 4 ml of starch solution and continue with a slow titration with the thiosulfate until the bright blue color has disappeared and only the pale green color of the chromic ion remains. From this titration, calculate the exact normality of the sodium thiosulfate solution (see paragraph 5.2).

3.3.2 *Sodium thiosulfate solution, standard 0.01 N*—Pipette 100 ml of the standard 0.1 *N* thiosulfate solution into a volumetric flask and dilute to one liter with distilled water.

[1] Mention of trade names or specific products does not constitute endorsement by the Environmental Protection Agency.

3.3.3 *Starch indicator solution*—Suspend 10 g of soluble starch in 100 ml of distilled water and add 15 g of potassium hydroxide pellets. Stir until dissolved, dilute with 900 ml of distilled water, and let stand 1 hour. Neutralize the alkali with concentrated hydrochloric acid, using an indicator paper similar to Alkacid test ribbon, then add 2 ml of glacial acetic acid as a preservative.

Test for decomposition by titrating 4 ml of starch solution in 200 ml of distilled water with 0.01 *N* iodine solution. If more than 4 drops of the 0.01 *N* iodine solution are required to obtain the blue color, make up a fresh starch solution.

4. *Procedure.*

4.1 *Sampling.*

4.1.1 Assemble the sampling train as shown in Figure 11-1, connecting the five midget impingers in series. Place 15 ml of 3 percent hydrogen peroxide in the first impinger. Place 15 ml of the absorbing solution in each of the next three impingers, leaving the fifth dry. Place crushed ice around the impingers. Add more ice during the run to keep the temperature of the gases leaving the last impinger at about 20°C (70°F), or less.

4.1.2 Purge the connecting line between the sampling valve and the first impinger. Connect the sample line to the train. Record the initial reading on the dry gas meter as shown in Table 11-1.

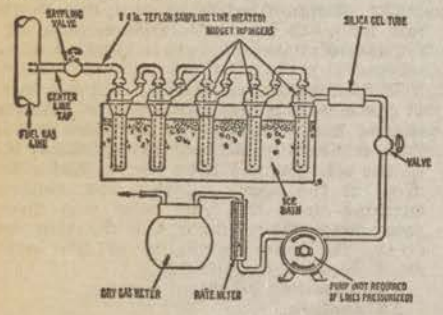

Figure 11-1. H_2S sampling train.

TABLE 11-1.—*Field data*

Location _____ Comments:

Test _____
Date _____
Operator _____
Barometric pressure_____

Clock time	Gas volume through meter (V_m), liters (cubic feet)	Rotameter setting, Lpm (cubic feet per minute)	Meter temperature, ° C (° F)

4.1.3 Open the flow control valve and adjust the sampling rate to 1.13 liters per minute (0.04 cfm). Read the meter temperature and record on Table 11-1.

4.1.4 Continue sampling a minimum of 10 minutes. If the yellow color of cadmium sulfide is visible in the third impinger, analysis should confirm that the applicable standard has been exceeded. At the end of the sample time, close the flow control valve and read the final meter volume and temperature.

4.1.5 Disconnect the impinger train from the sampling line. Purge the train with clean ambient air for 15 minutes to ensure that all H_2S is removed from the hydrogen peroxide. Cap the open ends and move to the sample clean-up area.

4.2 *Sample recovery.*

4.2.1 Pipette 50 ml of 0.01 *N* iodine solution into a 250-ml beaker. Add 50 ml of 10 percent HCl to the solution. Mix well.

4.2.2 Discard the contents of the hydrogen peroxide impinger. Carefully transfer the contents of the remaining four impingers to a 500-ml iodine flask.

4.2.3 Rinse the four absorbing impingers and connecting glassware with three portions of the acidified iodine solution. Use the entire 100 ml of acidified iodine for this purpose. Immediately after pouring the acidified iodine into an impinger, stopper it and shake for a few moments before transferring the rinse to the iodine flask. Do not transfer any rinse portion from one impinger to another; transfer it directly to the iodine flask. Once acidified iodine solution has been poured into any glassware containing cadmium sulfide sample, the container must be tightly stoppered at all times except when adding more solution, and this must be done as quickly and carefully as possible. After adding any acidified iodine solution to the iodine flask, allow a few minutes for absorption of the H_2S into the iodine before adding any further rinses.

4.3.2 Titrate the blanks in the same manner as the samples.

4.2.4 Follow this rinse with two more rinses using distilled water. Add the distilled water rinses to the iodine flask. Stopper the flask and shake well. Allow about 30 minutes for absorption of the H_2S into the iodine, then complete the analysis titration.

Caution: Keep the iodine flask stoppered except when adding sample or titrant.

4.2.5 Prepare a blank in an iodine flask using 45 ml of the absorbing solution, 50 ml of 0.01 *N* iodine solution, and 50 ml of 10 percent HCl. Stopper the flask, shake well and analyze with the samples.

4.3 *Analysis.*

Note: This analysis titration should be conducted at the sampling location in order to prevent loss of iodine from the sample. Titration should never be made in direct sunlight.

4.3.1 Titrate the solution in the flask with 0.01 *N* sodium thiosulfate solution until the solution is light yellow. Add 4 ml of the starch indicator solution and continue titrating until the blue color just disappears.

5. *Calculations.*

5.1 *Normality of the standard iodine solution.*

$$N_I = \frac{N_T V_T}{V_I} \qquad \text{equation 11-1}$$

where:

N_I = normality of iodine, g-eq/liter.
V_I = volume of iodine used, ml.
N_T = normality of sodium thiosulfate, g-eq/liter.
V_T = volume of sodium thiosulfate used, ml.

5.2 *Normality of the standard thiosulfate sulution.*

$$N_T = 2.04 \frac{W}{V_T} \qquad \text{equation 11-2}$$

where:

W = weight of $K_2Cr_2O_7$ used, g.
V_T = volume of $Na_2S_2O_3$ used, ml.
N_T = normality of standard thiosulfate solution, g-eq/liter.
2.04 = conversion factor

$$= \frac{(6 \text{ eq } I_2/\text{mole } K_2Cr_2O_7)\ (1{,}000 \text{ ml/l})}{(294.2 \text{ g } K_2Cr_2O_7/\text{mole})\ (10 \text{ aliquot factor})}.$$

5.3 *Dry gas volume.* Correct the sample volume measured by the dry gas meter to standard conditions [21°C(70°F)] and 760 mm (29.92 inches) Hg] by using equation 11-3.

$$V_{m_{std}} = V_m \left(\frac{T_{std}}{T_m}\right)\left(\frac{P_{bar}}{P_{std}}\right) \qquad \text{equation 11-3}$$

where:

$V_{m_{std}}$ = volume at standard conditions of gas sample through the dry gas meter, standard liters (scf).
V_m = volume of gas sample through the dry gas meter (meter conditions), liters (cu. ft.).
T_{std} = absolute temperature at standard conditions, 294°K (530°R).
T_m = average dry gas meter temperature, °K (°R).
P_{bar} = barometric pressure at the orifice meter, mm Hg (in. Hg).
P_{std} = absolute pressure at standard conditions, 760 mm Hg (29.92 in. Hg).

5.4 *Concentration of H_2S.*—Calculate the concentration of H_2S in the gas stream at standard conditions using equation 11-4:

$$C_{H_2S} = \frac{K[(V_I N_I - V_T N_T)_{sample} - (V_I N_I - V_T N_T)_{blank}]}{V_{m_{std}}}$$

where (metric units):

C_{H_2S} = concentration of H_2S at standard conditions, mg/dscm
K = conversion factor = 17.0×10^3

$$= \frac{(34.07 \text{ g/mole } H_2S)(1{,}000\ 1/m^3)(1{,}000 \text{ mg/g})}{(1{,}000 \text{ ml/l})(2 H_2S \text{ eq/mole})}$$

V_I = volume of standard iodine solution, ml.
N_I = normality of standard iodine solution, g-eq/liter.
V_T = volume of standard sodium thiosulfate solution, ml.
N_T = normality of standard sodium thiosulfate solution, g-eq/liter.
$V_{m_{std}}$ = dry gas volume at standard conditions, liters.

where (English units):

$$K = 0.263 = \frac{17.0(15.43 \text{ gr/g})}{(1{,}000 \text{ l/m}^3}$$

$V_{m_{std}}$ = scf.
C_{H_2S} = gr/dscf.

6. *References.*

6.1 Determination of Hydrogen Sulfide, Ammoniacal Cadmium Chloride Method, API Method 772–54. In: Manual on Disposal of Refinery Wastes, Vol. V: Sampling and Analysis of Waste Gases and Particulate Matter, American Petroleum Institute, Washington, D.C., 1954.

6.2 Tentative Method for Determination of Hydrogen Sulfide and Mercaptan Sulfur in Natural Gas, Natural Gas Processors Association, Tulsa, Oklahoma, NGPA Publication No. 2265–65, 1965.

[FR Doc.74–4784 Filed 3–7–74;8:45 am]

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PART III

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

OFFICE OF THE SECRETARY

■

NATIONAL BLOOD POLICY

Proposed Implementation Plan; Request For Comments

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of the Secretary

NATIONAL BLOOD POLICY

Request for Comments Regarding Proposed Implementation Plan

I. Implementation Plan submitted by private sector—notice of request for comments.
II. Notice of Third Conference on the implementation of the National Blood Policy.

The Department of Health, Education, and Welfare has received from the private sector a proposed plan to implement the National Blood Policy. Notice is hereby given that the Department is soliciting public comments on this implementation plan, which was submitted on January 31, 1974. This plan constitutes a draft proposal by the private sector and has not been endorsed in any way by the Federal Government.

BACKGROUND

On July 10, 1973, the Secretary of Health, Education, and Welfare announced the National Blood Policy. A full statement of the Policy will be found at the end of this FEDERAL REGISTER notice. The Policy identified and articulated four goals in the development of an improved blood service system:

1. *Supply.* A supply of blood and blood products adequate to meet all of the treatment and diagnostic needs of the population of this country.

2. *Quality.* Attainment of the highest standard of blood transfusion therapy through full application of currently available scientific knowledge, as well as through advancement of the scientific base.

3. *Accessibility.* Access to the national supply of blood and blood products by everyone in need, regardless of economic status.

4. *Efficiency.* Efficient collection, processing, storage, and utilization of the national supply of blood and blood products.

To achieve these goals, the Policy called for the attainment of specific improvements in the conduct of blood banking. Prominent among these are regionalization of blood collection and distribution, transition to an all-voluntary blood donation system, and the rational alinement of charges and costs for blood services.

On September 24, 1973, at the first Conference on the Implementation of the National Blood Policy, Secretary Weinberger called upon the existing entities involved in providing blood services, including blood banking organizations, medical and hospital professional groups, health insurance organizations, and consumer groups, to undertake an intensive and concerted effort to produce a plan for implementing the operational aspects of the National Blood Policy. It was clearly stated that, if possible, the Department thought it most desirable to leave responsibility for the day-to-day conduct of blood banking and operational management in the hands of the private sector, by which is meant the entire array of non-governmental organizations and agencies concerned with the provision of blood services.

Over a period of four months, representatives of the private sector organizations worked to develop an implementation plan. In recognition of the need to create a single locus of accountability in blood banking, it was agreed that the American Medical Association would take the lead in bringing together the various interested organizations to prepare a unified plan that would appropriately involve all segments of the blood banking sector, and the Nation's people in general, in implementing the National Blood Policy.

In response to the Secretary's charge, an implementation plan was submitted to the Department on January 31, 1974, proposing the creation of an American Blood Commission. This proposed plan emerged from the efforts of the following organizations: American Medical Association, American Association of Blood Banks, American National Red Cross, Council of Community Blood Centers, American Hospital Association, American Society of Clinical Pathologists, and College of American Pathologists.

It remains now for the Department to determine whether the American Blood Commission Plan is adequate to the task of implementing the National Blood Policy. In arriving at its decision, the Department is seeking comments and input from as wide a spectrum of the public as possible. Accordingly, the Department is taking two steps.

REQUESTS FOR COMMENTS

Firstly, the American Blood Commission Plan is here published in the FEDERAL REGISTER to be commented upon in writing. The reader should recognize that the Department has not endorsed the plan, and its publication in the FEDERAL REGISTER is intended only to provide an opportunity for public consideration and comment. It may be helpful for the reader to bear in mind three broad requirements that were set forth as criteria of an acceptable plan:

1. Creation of a single locus of accountability in the blood banking community.

2. Reasonable promise of achieving the improvements called for in the Policy.

3. Appropriate representation of the interests of all affected segments of society.

Comments should touch upon the adequacy of the plan in these three broad aspects, and should include an assessment of whether the plan provides an adequate basis for carrying forward the implementation effort. Comments should be made in writing to: Dr. Charles C. Edwards, Assistant Secretary for Health, Department of Health, Education, and Welfare, 330 Independence Avenue, SW., Washington, D.C. 20201. To be considered, comments must be received on or before April 22, 1974.

NOTICE OF CONFERENCE

In addition to soliciting written comments through this FEDERAL REGISTER notice, the Department is also planning to convene a third Conference on the Implementation of the National Blood Policy. Notice is hereby given that this conference will be open to the public, and will take place on Wednesday, March 27, 1974, at 9:00 a.m., in the auditorium of the North Building, Department of Health, Education, and Welfare, 330 Independence Avenue, SW., Washington, D.C. This conference will provide a forum for formulators of the plan to present and explain their proposal fully, and for all of those attending the conference to express their reactions and recommendations.

Additional copies of this FEDERAL REGISTER notice, including the proposed plan, may be obtained by writing to Dr. Ian A. Mitchell, Acting Director, Office of Special Health Projects, Office of the Assistant Secretary for Health, Department of Health, Education, and Welfare, Room 17A–43, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20852. Copies may also be obtaining by calling Dr. Mitchell at 301–443–6356.

Dated: March 4, 1974.

CHARLES C. EDWARDS,
Assistant Secretary for Health.

AMERICAN BLOOD COMMISSION

NATIONAL BLOOD PROGRAM

Introduction

JANUARY 31, 1974.

In response to a 1972 directive from the President, the Department of Health, Education and Welfare announced a National Blood Policy in June 1973. The private sector was subsequently called on to implement the policy with a coordinated program to solve the problems of blood collection and distribution. Following is a plan that builds on the strengths of the pluralistic system that is being called on to contribute to the implementation of the National Blood Policy.

The Policy focuses on the assurance of four primary features, the supply, safety, and accessibility of blood to all in need of transfusions and the efficiency of the organizations that provide blood services to the citizenry. Accordingly, the plan addresses these goals. Through the establishment of an organization capable of coordinating the activities of the existing pluralistic system, the American Blood Commission, many elements of the private sector will be brought together for the effort.

The participation of consumer organizations including those that are not primarily oriented toward health care will improve the nation's blood supply. These partners in the American Blood Commission can communicate the medical necessity of a dependable blood supply to the general public from which volunteer donors must come. The systematic coordinated recruitment of volunteer

donors called for by this plan depends on a receptive public attitude. By the end of 1975 every blood bank associated with one of the three major blood banking organizations expects to be drawing 100 percent of their blood supply from volunteer donors. The effective supply of blood will also be increased by more efficient utilization of available blood through inventory controls made possible by regionalized organization.

The uniform application of the recognized operating standards already developed by the American Association of Blood Banks and the American National Red Cross, the reporting of an adverse reaction back to the blood bank that accepted the implicated unit of blood from the donor, the improved donor pool that will result as the need to rely on commercial blood sources is reduced, and other features of this plan, such as research and education, together are expected to help assure the safety of patients receiving blood by reducing risks to a minimum.

The recruitment of donors, the professional services required for the collection of blood, the crossmatching and safe transfusion of the blood, and the testing of the collected blood for disease before it is transfused all confer unavoidable costs to blood, including blood that is freely donated by volunteers. These costs may impinge on the accessibility of blood for some persons; therefore, the American Blood Commission would place a high priority on developing feasible solutions to the many facets of this problem.

The accessibility to the supply of safe blood and components will be facilitated in this plan immediately by improved efficiency in the utilization of collected blood. Efficiency should help to increase the effective supply and control costs. The coordination of inventories across the nation that is called for in the following plan will make better use of periodic surpluses and will help to even out blood supplies to minimize the effects of localized shortages and to reduce the absolute number of donors who must be recruited during a given period.

The proposed Implementation Plan, as presented on the following pages, will organize blood banks and the transfusion facilities they serve within a national system that retains regional and local responsibility and authority. The plan will enhance the voluntary collection and distribution system that is essential to a high quality blood supply. Developed within the private sector, this plan recognizes the traditional role of hospitals and the responsibility of physicians in the procurement, distribution and utilization of blood for transfusion to their patients.

Implementation Plan

American blood commission

Membership in the American Blood Commission will be open to national organizations that have an interest and concern for the blood services provided to the American people. To achieve the goals of the National Blood Policy wide participation is needed and the following organizations, selected to suggest a wide range of bodies, and others are, therefore, called upon to join in this endeavor:

The Advertising Council
The American Association of Blood Banks
The American Blood Resources Association
The American College of Physicians
The American Federation of Labor—Council of Industrial Organizations
The American Hospital Association
The American Medical Association
The American National Red Cross
The American Public Health Association
The American Society for Medical Technology
The American Society of Clinical Pathologists
The American Society of Internal Medicine
The Blue Cross Association
The College of American Pathologists
The Consumer Federation of America
The Council of Community Blood Centers
The Health Insurance Council
Independent National Labor Organizations
The National Academy of Sciences
The National Research Council
The National Association of Blue Shield Plans
The National Association of Manufacturers
The National Council of Churches
The National Health Council
The National Hemophilia Foundation
The National Medical Association
The Pharmaceutical Manufacturers Association
The United States Chamber of Commerce

Other interested organizations are welcome.

No governmental agencies are among those listed above only because there may be legislative or administrative restrictions on their participation; however, the Veteran's Administration, the Public Health Service, the military services, the Food and Drug Administration and other agencies are welcome.

The responsibility for implementing the recommendations of the Commission will be vested in an Executive Committee, elected by the Commission, consisting of seventeen (17) members as follows:

Nine permanent members will be elected from nominees proposed by: The American National Red Cross and the American Association of Blood Banks each nominating two representatives; the Council of Community Blood Centers, the American Medical Association, the College of American Pathologists, the American Society of Clinical Pathologists and the American Hospital Association, each nominating one representative.

Four members will be elected by the Commission annually from among the consumer representatives on the Commission.

Four other members will be elected from among outstanding professionals working in the Regional Programs. These professionals can include physicians, administrators, technicians, nurses, donor recruiters, or others contributing significantly to the provision of blood services in the region's area. Two of these professionals should be actively serving as Regional Program Directors.

All members of the Executive Committee, though elected by the Commission for one year terms, will serve at the pleasure of their own sponsoring organizations.

If a nominee of an organization entitled to a place on the Executive Committee is not elected to serve, the organization must be requested to propose another individual promptly for the Commission's consideration.

The Executive Committee will elect appropriate officers at its first meeting after all its members have been elected.

In addition to implementing the recommendations of the Commission, the Executive Committee will have the authority to act on its own decisions. The Committee will be accountable for the performance of the organization to the other elements of the Commission and to the nation.

Initially, staff for the Commission may be provided by the participating organizations; however, there may be a need for additional independent staff and, if so, the Executive Committee will decide on its size and organization.

While grants from organizations and/or government will be needed initially to help defray nonrecurring costs, the American Blood Commission is expected to become largely self-supporting.

The American Blood Commission Executive Committee will proceed toward fulfilling the National Blood Policy through the plan presented here and will appoint Commission task forces that will directly address themselves to the problems and mechanics of the implementation as the new regional system become operative. The task forces will be expected to monitor progress and identify problems and to advise the Executive Committee of the Commission regarding modifications of the implementation plan that experience may indicate to be appropriate.

Some suggested task forces follow; however, the list is not all inclusive and a need for additional task forces dealing with other major areas, such as hepatitis surveillance, may be determined by the Commission or its Executive Committee.

Initial task forces

Voluntary Donor Recruitment
Blood Utilization
Blood Inventory Control
Data and Statistical Analysis
Standards
Inspection and Accreditation
Cost Evaluation and Control
Plasma Production and Fractionation
Regional Program Development
Research
Education

The Executive Committee will appoint task force members who have special expertise or interest in the areas being studied. While most task force members will be members of organizations that are part of the American Blood Commission, membership will not be a requirement of service. No honoraria will be paid to any task force member by the American Blood Commission.

The following responsibilities are to be discharged by the Commission at an annual meeting:

1. Election of the seventeen (17) members of the Executive Committee in accordance with the proportional representation presented earlier in this document.
2. The development of policy recommendations to help guide the Executive Committee.
3. The review of the performance of the Executive Committee with regard to progress toward the goals of the National Blood Policy.
4. The review of the budget adopted by the Executive Committee.

Regionalization

An organization of voluntary non-profit blood banks and transfusion services that collectively can provide a full range of services will be officially designated as an Integrated Regional Program if it can substantially meet the following performance criteria:

1. Accept the responsibility for recruiting volunteer donors in the region.
2. Include at least one facility that is licensed to ship blood over state lines.
3. Provide for total blood service within its area on a schedule in keeping with the needs of the region.
4. Have the capacity to provide expert medical consultation on hemotherapy, compatibility problems and other blood related problems whenever needed.
5. Provide the range and quantity of blood components required in the region.
6. Meet current appropriate inspection and accreditation standards.

In local areas served by several blood banks the Integrated Regional Program with encompass all the blood services in the area, including transfusion services. Physicians and directors of the area blood banks should exert leadership in the establishment of an organization that can provide the services deemed

necessary to the successful administration of an integrated program. The blood banks and the hospital services that will be served by these larger programs must be invited to participate as they would be in an area served by a single blood bank.

Each Regional Program will organize to provide quality services to the transfusion facilities in its area, recruit donors, and keep records on blood drawn and on adverse reactions. Hospital transfusion facilities receiving blood would keep inventory records, report to the Regional Program on transfusion reactions, and may be requested to draw blood if needed within the system. General policy for the national system will be recommended by the American Blood Commission and established by the Executive Committee, but most operating policies will be determined at the regional level. The plan is conceived of as being self-supporting.

ORGANIZATION (ALTERNATE 1)[1]

Interested individuals wishing to organize a blood program, in order to qualify for nomination as an Integrated Regional Program, will request a letter of intent to associate with the proposed Regional Program from each of the blood banks and the transfusion facilities that would be served. At the same time, the director of each of the blood banks and the hospital transfusion facilities will be invited to participate in the selection of a board to govern the activities of the new Regional Program. The hospitals' responses and the organizer's own letter of intent to lead an Integrated Regional Program will be filed with the medical society in the county and with the society(s) in the county(s) where the hospital blood facilities are located, or with the state medical society if it is the appropriate body in the area.

Nomination of an Integrated Regional Program will be a responsibility of the medical society, blood bank and hospital transfusion service directors, and lay leaders in the area in which a Program is located; all three groups will have continuing interest in the performance of the Regional Program. If the three representative groups are satisfied that the Program substantially meets the criteria, the Integrated Regional Program will be nominated for designation by the Executive Committee of the American Blood Commission. Copies of the letters of intent and a letter of nomination will be forwarded by the medical society to the American Blood Commission's Executive Committee. Upon designation, the American Blood Commission's Task Force on Regionalization will produce the initial national directory of Integrated Regional Blood Programs, organized by region to document the new system.

Should the local representative groups decide against nominating a particular interested organization to serve as a Regional Program, the decision may be appealed directly to the Executive Committee of the American Blood Commission; however, the local nominating authorities must be invited to present their views on the questioned organization at any such appeal.

If any designated Program fails to serve its system satisfactorily, the hospital transfusion services in the Program's system may petition for the nomination of another coordinating Program.

ADVISORY COUNCIL OF REGIONAL PROGRAM DIRECTORS

The Executive Committee will arrange a meeting of the directors of Regional Blood Programs for the purpose of organizing an Advisory Council.

FINANCING ACTIVITIES

The reorganized blood services will be self-supporting; however, some outside financial aid may be needed to finance nonrecurring expenses. The directors of the Regional Programs are encouraged to apply for grants to support additional personnel, rent for additional space, and/or the purchase of services or equipment (computers, etc.) necessitated by the demands of the reorganization or research. The responsibility for developing adequate funds rests with a regional director.

End alternate one.

ORGANIZATION (ALTERNATE 2)[1]

The method for selecting the organizations to serve as Integrated Regional Programs will be determined by the Executive Committee of the American Blood Commission with advice from the Task Force on Regionalization.

End alternate two.

OPERATION

This plan, while voluntary, is aimed at all blood facilities, private and public. The blood facilities maintained by the military establishment, the Veterans Administration, and the National Institutes of Health should be integrated into the civil system to the degree possible with due regard to their assigned missions. These public programs are important resources.

The American Blood Commission believes it is essential that the implementation of this plan be voluntary. It must be the responsibility of the leaders of a designated Regional Program to persuade the constituent users in the region of the benefits of the system; the designation of a Regional Program should be contingent on the willingness of the proposed Program to accept that responsibility. While it will be extremely difficult for most facilities to exist completely outside the system(s), the American Blood Commission recognizes that some will want to try. The performance of the system and the necessity of dealing with the Regional Programs to get blood into and out of the system should be ample persuasion to these facilities; however members of the American Blood Commission will urge all blood service facilities to become part of the system. Physicians may be concerned about the use of blood from outside the system.

REPORTING

Each hospital transfusion facility will report its inventory, including dating on each of the units, to its Regional Program on a regular schedule to be determined by the Program's director. The Regional Program will be responsible for all decisions regarding inventory and will have the authority to move blood within its system according to the requirements of the facilities that are being served.

It is the intent of this plan to eliminate the need for paid donors. During the necessary period of transition, while paid donors are needed in many areas, the Regional Programs periodically will report the number of units of blood brought in from other systems or purchased from commercial sources or donors to the hospital transfusion committees at each of the hospitals it serves, to the county medical society, to the Executive Committee of the American Blood Commission, and to other interested parties on request.

Blood banks and transfusion facilities will maintain adequate records on each unit of blood or components drawn or received. Records on any given unit of blood will be available at the blood bank where the blood was drawn and at the facility where the blood was administered. The records will include the final disposition of every unit drawn and any adverse reactions that may have been associated with the administration of each individual unit of blood. A transfusion facility will organize its files to indicate groupings of adverse reactions according to drawing stations and will report adverse reactions back to the drawing bank promptly. Each drawing bank will report all adverse reactions reported to it to the office of the Executive Committee monthly. Banks with disproportionately large numbers of adverse reactions will be required to improve their donor pool and review their procedures and equipment. Surveyors reviewing blood bank operations will be encouraged to review adverse reaction reports with the blood bank director on every visit.

The American Blood Commission believes that the responsibility for monitoring the records and the reporting practices within a hospital facility lies with the hospital medical staff, specifically the committee on transfusion. This committee should serve as a peer review mechanism monitoring the use of blood in the institution, and its interest should include the performance of its Regional Program. The American Blood Commission believes that the medical staff of a hospital must accept responsibility for the blood drawn or used within the institution.

The American Medical Association urges that the chief executive officer of every blood facility in every system be a physician. However, the director of a Regional Program blood facility should become an ex officio member of the transfusion committees of the hospital(s) his facility serves, and the director should be represented at the meetings of the transfusion committee(s) periodically whether he or she be a physician or not.

STANDARDS—INSPECTION AND ACCREDITATION

The standards for all blood banks would be those of the American Association of Blood Banks, the American National Red Cross, and the Food and Drug Administration's Bureau of Biologics. The inspection and accreditation program of the American Association of Blood Banks together with the programs of the American National Red Cross and the College of American Pathologists should be made universally applicable and should receive official recognition. As a practical matter the highly trained professionals who undertake these inspections cannot be duplicated by the government.

EXCHANGES

All exchanges of blood between facilities associated with different systems will be coordinated and arranged by their respective Regional Programs through the Clearinghouse Program of the American Association of Blood Banks or the Central Exchange of the American National Red Cross; these organizations will be responsible for monitoring the transfers of blood between Regional Programs. Since it is unlikely that many areas will need more blood than they can potentially produce, transfers of blood between programs should decline (except in the event of disaster and perhaps for rare types of blood) as the organization begins to function efficiently. This decline will be one measure of the organization's success.

DONOR RECRUITING

A designated Regional Program will plan and coordinate all blood drawing in the facilities it serves. It is the Program's responsibility to assure that members of the community can donate blood without undue travel or other inconveniences; it is the responsibility of a hospital service to cooperate by making its staff and facilities available as needed in an agreed upon program.

The expense of donor recruiting should be included as part of the charge to every patient receiving blood banks services. The

[1] NOTE: The task force did not achieve a consensus on the method for selecting an Integrated Program presented in this plan.

charges should be high enough to provide an appropriate budget for recruiting activities. If a regional system is not large enough to support adequate recruiting activities, it should merge with another system. A community that is able to meet its blood needs with little promotional effort will receive blood at less expense than a more apathetic community that requires high expenditures for recruiting. All recruiting fees collected by hospitals should be utilized in recruiting efforts coordinated with the Regional Program that will be responsible for donor motivation in the area.

Efforts to recruit volunteer donors must be centrally coordinated in a geographic area and not competitive between systems. Every organization endorsing the goals of the National Blood Policy should use its influence to encourage this concept.

A non-replacement fee may be needed to maintain adequate supplies of blood within a regional system. Such fees are acceptable if a local need is agreed upon by the majority of the hospital facilities being served by the Integrated Regional Program. However, the need for a non-replacement fee should be studied carefully.

REGIONAL GOVERNING BOARD

Because a Regional Program will be making decisions that affect the supply of blood available for transfusion to the community, that control the inventory of blood in facilities for which others have more direct responsibility, and that result in the expenditures of funds intended for donor recruiting and other services in the entire region, it is imperative that a panel of lay leaders be selected to serve on the board governing the Program's activities along with representative directors of the transfusion services and blood banks, and physicians in the region. These three categories of board members should be represented in equal numbers on the governing board of the Program.

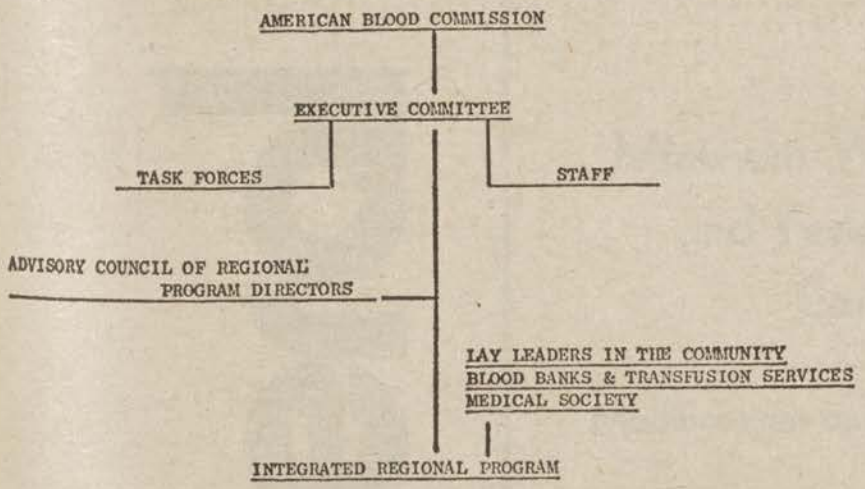
SUPPLY

The American Blood Commission will accept no compromise of the present blood supply. No advantage is to be gained if supplies of blood and blood components are reduced in the process of reorganization. Adequate time must be allowed for this implementation to develop in an orderly manner. The Commission has no interest in an "appearance" of activity; the reorganization must be built on the strength of the present system within a time frame which will allow the system to respond with a minimum of disruption.

HEMOPHILA AND OTHER CHRONIC BLOOD DISORDERS

The Bureau of Biologics or the National Institutes of Health or the Social Security Administration should establish a substantial and continuing program budget to take advantage of the national media for the purpose of recruiting blood donors and to help assure the blood needs of hemophiliacs and others with chronic diseases requiring blood.

The American Blood Commission is aware that many details are left here unresolved. While more organization likely will improve the quality of blood service, pluralism and local control are strengths of the present blood service worth keeping. The different traditions, motivations, and state laws in the various parts of the country require allowances for local solutions. The American Blood Commission has confidence that blood banks, transfusion services, medicine and the citizenry that must provide the volunteer blood will respond appropriately to this call for action.



NATIONAL BLOOD POLICY

Blood transfusion and other forms of blood-based therapy are appropriately regarded as the earliest and presently most highly developed aspect of human tissue transplantation. This policy is directed exclusively to problems of the blood supply, processing and distribution system, and the use of blood. Its basic principles, however, though not necessarily the specific details, are appropriate to a broader system which must soon be developed to encompass all transplantable human tissues.

The Federal Government recognizes four principal goals in the provision of blood services:

1. *Supply.* A supply of blood and blood products adequate to meet all of the treatment and diagnostic needs of the population of this country.

2. *Quality.* Attainment of the highest standards of blood transfusion therapy through full application of currently available scientific knowledge, as well as through advancement of the scientific base.

3. *Accessibility.* Access to the national supply of blood and blood products by everyone in need, regardless of economic status.

4. *Efficiency.* Efficient collection, processing, storage, and utilization of the national supply of blood and blood products.

Recognizing the eminent desirability of each of these goals, it is the policy of the United States Government:

(1) *To encourage, foster, and support efforts designed to bring into being an all-voluntary blood donation system and to eliminate commercialism in the acquisition of whole blood and blood components for transfusion purposes.* The ultimate aims of this policy are improvement in the quality of the supply of blood and blood products and development of an appropriate ethical climate for the increasing use of human tissues for therapeutic medical purposes. In this context, the term commercialism applies to the relationship between the donor and the blood bank and focuses primarily on those commercial relationships which have encouraged reliance on blood from sectors of society in which transmissible hepatitis is particularly prevalent. Although this policy seeks an end to the practice of purchasing whole blood and blood components from donors, it is not intended to preclude special arrangements where very rare blood or blood components are needed on an individual basis and can be obtained only by special consideration for unique donors who have been carefully evaluated. This policy does not attempt to eliminate reasonable charges for the service aspects of providing blood, blood products, and other tissues.

(2) *To encourage, foster, and support establishment of a system for the collection and analysis of all relevant information concerning plasmapheresis operations and plasma fractionation operations and the flow of plasma and plasma products within the United States and other countries.* Such information is needed to determine the sufficiency of domestic sources of plasma fractions. It would also aid in development of future positions on the relationship which plasmapheresis and plasma fractionation activities should bear to whole blood banking operations, and the degree of interdependence that should exist between the United States and other countries with respect to plasma and plasma products.

(3) *To encourage, foster, and support development of data and information collection and processing systems which will identify and describe all elements and functions in the blood banking sphere on a continuing basis.* This is necessary to acquire fundamental information on the nature and transmission of diseases by blood and blood products and the occurrence of transfusion mishaps, as well as to design and create changes which will enhance the effectiveness of the blood banking system.

(4) *To encourage, foster, and support measures to enhance resource-sharing and area-wide cooperation in the collection, processing, distribution, and utilization of blood, in order to make the most effective use of the national supply.*

(5) To assure ample donation of blood and plasma:

(a) *By encouraging, fostering, and supporting activities to develop accounting and reporting systems which identify the relationships between the costs and charges for all services and materials associated with transfusion therapy.* Public confidence in the reasonableness of service charges will encourage voluntary donors.

(b) *By encouraging, fostering, and supporting a variety of programs to educate both the public and the health professionals in their responsibilities for assuring adequate voluntary donations.* Those responsible for conducting recruitment programs must recognize the preeminent role of the voluntary donor and must develop and utilize various approaches appealing to appropriate sectors of society.

(6) *To encourage, foster, and support a variety of educational and other programs for health professionals to assure the most appropriate and safe use of blood and blood products.*

(7) *To employ the full regulatory authorities now vested in the Federal Government*

and to seek such additional authority as may be necessary and appropriate for the purpose of assuring uniform adherence to the highest attainable standards of practice in blood banking, including plasmapheresis and plasma fractionation.

(8) *To encourage, foster, and support applied and fundamental research to improve application of existing information and simultaneously extend the scientific base with respect to the entire spectrum of blood banking and blood therapy activities, with emphasis on better characterization of human blood and blood products, identification and control of the diseases which may be transmitted by blood or blood products, extension of the shelf life of blood and blood products, more efficient utilization of these precious tissue resources through systems analysis and other management approaches, and with respect to other relevant matters as they may be identified.*

(9) *To include a benefit under National Health Insurance for the service aspects of providing and transfusing blood and blood products, and to encourage inclusion of a comparable benefit under all governmental and non-governmental health care insurance programs in order to assure access to blood and blood products by everyone in need, regardless of economic status.* This policy recognizes a distinction with respect to service aspects between blood and blood components on the one hand, and plasma derivatives on the other. For blood and blood components, the term service aspects includes all services involved in making the products available to the patient, from the recruitment of voluntary donors, through processing, storage, and distribution, to cross-matching and administration, but excludes charge for the product itself (such as charges associated with commercial acquisition of whole blood) which are unrelated to services rendered the patient. For plasma derivatives, the term "service aspects" includes costs of commercial plasma acquisition in recognition that commercial acquisition may still be necessary.

(10) *To identify the Secretary of the Department of Health, Education, and Welfare, or his designee, as responsible for the implementation of the policies enunciated above.* These policies are intended to achieve certain goals but do not detail methods of implementation. In developing the most effective and suitable means of reaching these goals, the Secretary will involve, as appropriate, all relevant public and private sectors and Federal Government agencies in a cooperative effort to provide the best attainable blood services. Designation of the Secretary of HEW in this role is a reflection of the Department's extensive resources and expertise related to blood; it is not to abridge the independent authority of any other Federal agency. Although the implementation of the National Blood Policy should build, wherever possible, on existing strengths in the present system to assure continuity of essential services, this intent is not to be interpreted as a mandate to maintain the status quo. It is to allow gradual evolution to the most effective organization and operation of the Blood Service Complex without interruption of services now provided. However, if the private sector is unable to make satisfactory progress toward implementing these policies, a legislative and/or regulatory approach would have to be considered.

The following issues are to be examined critically in implementing these policies:

1. The adequacy of any proposed implementation action in meeting the extraordinary demands for blood that may arise in national and regional emergencies;

2. The appropriateness of the replacement fee in an all-voluntary system;

3. System approaches to the integration of various functions and segments of the blood banking industry;

4. Regionalization of blood services management;

5. Appropriate inducements and authorities, whether existing or to be sought, necessary to exclude commercial acquisition of whole blood or blood components;

6. Special problems of accessibility for hemophiliacs and others with continuing or extraordinary needs for blood or blood products; and

7. Other issues relevant to the four principal goals.

[FR Doc.74-5368 Filed 3-7-74;8:45 am]

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FRIDAY, MARCH 8, 1974
WASHINGTON, D.C.

Volume 39 ■ Number 47

PART IV

DEPARTMENT OF LABOR

Employment Standards Administration

■

Minimum Wages for Federal and Federally Assisted Construction

Modifications and Supersedeas Decisions

DEPARTMENT OF LABOR

Employment Standards Administration

MINIMUM WAGES FOR FEDERAL AND FEDERALLY ASSISTED CONSTRUCTION

General Wage Determination Decisions

General Wage Determination Decisions of the Secretary of Labor specify, in accordance with applicable law and on the basis of information available to the Department of Labor from its study of local wage conditions and from other sources, the basic hourly wage rates and fringe benefit payments which are determined to be prevailing for the described classes of laborers and mechanics employed in construction activity of the character and in the localities specified therein.

The determinations in these decisions of such prevailing rates and fringe benefits have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, (40 U.S.C. 276a)) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24–70) containing provisions for the payment of wages which are dependent upon determinations by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of Part 1 of Subtitle A of Title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates (37 FR 21138), and of Secretary of Labor's Orders 12–71 and 15–71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and Federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in effective date as prescribed in that section, because the necessity to issue construction industry wage determination frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General Wage Determination Decisions are effective from their date of publication in the FEDERAL REGISTER without limitation as to time and are to be used in accordance with the provisions of 29 CFR, Parts 1 and 5. Accordingly, the applicable decision together with any modifications issued subsequent to its publication date shall be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 29 CFR, Part 5. The wage rates contained therein shall be the minimum paid under such contract by contractors and subcontractors on the work.

Modifications and Supersedeas Decisions to General Wage Determination Decisions

Modifications and Supersedeas Decisions to General Wage Determination Decisions are based upon information obtained concerning changes in prevailing hourly wage rates and fringe benefit payments since the decisions were issued.

The determinations of prevailing rates and fringe benefits made in the Modifications and Supersedeas Decisions have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, (40 U.S.C. 276a)) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24–70) containing provisions for the payment of wages which are dependent upon determination by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of Part 1 of Subtitle A of Title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates (37 FR 21138) and of Secretary of Labor's Orders 13–71 and 15–71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in foregoing General Wage Determination Decisions, as hereby modified, and/or superseded shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged in contract work of the character and in the localities described therein.

Modifications and Supersedeas Decisions are effective from their date of publication in the FEDERAL REGISTER without limitation as to time and are to be used in accordance with the provisions of 29 CFR, Parts 1 and 5.

Any person, organization, or governmental agency having an interest in the wages determined as prevailing is encouraged to submit wage rate information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Office of Special Wage Standards, Division of Wage Determinations, Washington, D.C. 20210. The cause for not utilizing the rulemaking procedures prescribed in 5 U.S.C. 553 has been set forth in the original General Wage Determination Decision.

New General Wage Determination Decisions

Georgia	AQ–4085
	AQ–4086
Minnesota	AQ–3124
Nebraska	AQ–86
North Carolina	AQ–4087
Pennsylvania	AQ–2046
Virginia	AQ–2074

Modifications to General Wage Determination Decisions

The numbers of the decisions being modified and their date of publication in the FEDERAL REGISTER are listed with each State:

Florida:	
AQ–4054; AQ–4057	Jan. 25, 1974
AQ–4070	Feb. 15, 1974
Georgia:	
AQ–4068; AQ–4069	Do.
Illinois:	
AQ–3092	Feb. 8, 1974
Michigan:	
AQ–3049; AQ–3053; AQ–3062; AQ–3056	Dec. 21, 1973
AQ–3052; AQ–3055	Jan. 11, 1974
Montana:	
AQ–1070	Jan. 18, 1974
AQ–1071	Jan. 25, 1974
AQ–1076	Feb. 1, 1974
New Hampshire:	
AQ–3029	Nov. 1, 1974
AQ–3033	Nov. 9, 1973
AQ–3074; AQ–3075	Jan. 25, 1974
New Jersey:	
AP–809	May 11, 1973
Ohio:	
AP–669; AP–670; AQ–671; AP–672; AP–673; AP–675; AP–678; AP–681	May 25, 1973
AQ–3022	Oct. 5, 1973
Oklahoma:	
AQ–64	Dec. 7, 1973
Pennsylvania:	
AQ–2055; AQ–2061	Feb. 15, 1974
Tennessee:	
AQ–4073	Do.
Utah:	
AQ–1069	Jan. 11, 1974
Virginia:	
AQ–2038	Dec. 28, 1973

Supersedeas Decisions to General Wage Determination Decisions

The numbers of the decisions being superseded and their dates of publication in the FEDERAL REGISTER are listed with each State; Supersedeas Decision numbers are in parentheses following the number of the decisions being superseded:

Michigan:	
AQ–3063 (AQ–3122)	Jan. 4, 1974
Minnesota:	
AP–49 and AP–50 (AQ–3104)	Nov. 25, 1972
AP–642 and AP–643 (AQ–3103)	Mar. 9, 1973
Missouri:	
AP–506, AP–507; AP–508; AP–509 (AQ–85)	Oct. 13, 1972
AQ–81 (AQ–85)	Feb. 22, 1974
New Mexico:	
AQ–35 (AQ–82)	Oct. 12, 1973
Pennsylvania:	
AP–831 (AQ–2058); AP–832 (AQ–2060)	May 25, 1973
AP–843 (AQ–2071)	June 8, 1973

Signed at Washington, D.C., this 1st day of March 1974.

RAY J. DOLAN,
Assistant Administrator,
Wage and Hour Division.

NEW DECISION

STATE: Georgia
COUNTY: *See Below
DECISION NO.: AQ-4,085
DATE: Date of Publication
DESCRIPTION OF WORK: Residential Construction consisting of single family homes and garden type apartments up to and including 4 stories.

*Counties: Burke, Columbia, Glascock, Hancock, Jefferson, Jenkins, Lincoln, McDuffie, Richmond, Taliaferro, Warren, Washington, & Wilkes, Georgia

121-R-GA-1-D

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Air Conditioning Mechanic	$4.95					
Bricklayers	4.00					
Carpenters	4.30					
Cement Masons	3.86					
Drywall Hanger	3.75					
Electricians	4.00					
Laborers:						
Laborers	2.18					
Mason Tenders	2.25					
Mortar Mixers	2.40					
Pipelayers	2.25					
Painters, brush	3.69					
Plumbers & Pipefitters	4.81					
Roofers	3.00					
Sheet metal workers	4.00					
Tile Setters	4.00					
Truck Drivers	2.26					
Welders - Rate for craft.						
POWER EQUIPMENT OPERATORS:						
Asphalt Raker	2.20					
Backhoe	3.07					
Bulldozer	3.05					
Motor Grader	2.54					
Pan Operator	3.25					
Tractor	2.98					

NEW DECISION

STATE: Georgia
DECISION NO.: AQ-4,086
COUNTY: *See Below
DATE: Date of Publication
DESCRIPTION OF WORK: Residential Construction consisting of single family homes and garden-type apartments up to and including 4 stories.

*Counties: Chattahoochee, Harris, Macon, Marion, Meriwether, Muscogee, Schley, Stewart, Sumter, Talbot, Taylor, Troup, & Webster, Georgia

106-R-GA-1-E

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Air Conditioning Mechanic	$3.50					
Bricklayers	5.85					
Carpenters	4.03					
Cement Masons	4.39					
Drywall Finisher	5.36					
Drywall Hanger	4.18					
Electricians	3.25					
Glaziers	2.58					
Ironworkers, structural & ornamental	4.69					
Laborers:						
Laborers	2.00					
Mason Tenders	2.00					
Mortar Mixers	2.50					
Painters, brush	3.97					
Plasterers	4.75					
Plumbers & pipefitters	4.65					
Roofers	3.60					
Sheet Metal Workers	4.00					
Soft Floor Layers	3.50					
Tile Setters	5.60					
Truck Drivers	2.00					
Welders-rate for craft.						
POWER EQUIPMENT OPERATORS:						
Asphalt Spreader	2.36					
Backhoe	3.50					
Bulldozer	3.50					
Fork Lift	2.88					
Front End Loader	3.13					
Motor Grader	3.00					
Pan Scraper	3.20					
Tractor Operator	3.50					

NEW DECISION

STATE: Minnesota
DECISION NUMBER: AQ-3124
DESCRIPTION OF WORK: Heavy and Highway Construction

COUNTIES: See Below
DATE: Date of Publication

MINN-Cot-Lin-Lyon-Mur-Pipe-Red-YMed-2-3

COUNTIES: Cottonwood, Lincoln, Lyon, Murray, Pipestone, Redwood and Yellow Medicine	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LABORERS:	$4.48				
POWER EQUIPMENT OPERATORS:					
Asphalt Paver	5.23				
Asphalt Distributor-Spreader	5.43				
Asphalt Plant	5.54				
Backhoes	6.82				
Bulldozers	6.60				
Cranes, Derricks & Draglines	6.82				
Crusher & Screening Plant	5.17				
Grader	5.36				
Front End Loader	5.06				
Mechanics	5.84				
Motor Patrols	5.92				
Rollers	5.19				
Pugmill	5.02				
Scrapers	5.99				
Tractors	5.68				
TRUCK DRIVERS:					
Single Axle	5.55				
Tandem	5.62				
8 to 12 cu. yds.	5.73				
Over 16 cu. yds.	5.93				

NEW DECISION

STATE: Nebraska

COUNTY: Cedar, Cuming, Pierce, Stanton, Wayne

DECISION NUMBER: AQ-86

DATE: Date of Publication

DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including four (4) stories).

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Bricklayers	$6.42					
Carpenters	3.75					
Cement Masons	3.35					
Electricians	7.00					
Glaziers	4.75					
Ironworkers, Structural & Ornamental	7.055	.30	.10		.01	
Laborers:						
Common Laborer	2.47					
Mason Tenders	2.30					
Mortar mixers	2.50					
Painters, Brush	3.25					
Plumbers	4.00					
Power Equipment Operators:						
Cranes	7.20					
Derricks	7.20					

NEW DECISION

STATE: North Carolina
COUNTY: See Below*
DECISION NO.: AQ-4087
DATE: See Date of Publication
DESCRIPTION OF WORK: Residential Construction consisting of single family homes and garden type apartments up to and including 4 stories.

*Counties: Cumberland, Harnett, Hoke, and Sampson.

26-R-NC-1-D

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Air conditioning mechanic	$3.25				
Bricklayers	4.00				
Carpenters	3.00				
Cement masons	3.93				
Electricians	3.05				
Ironworkers, Structural & ornamental	2.75				
Laborers:					
Laborers	2.00				
Mason tenders	2.00				
Mortar mixers	2.00				
Painters, brush	2.50				
Plumbers & Pipefitters	3.90				
Roofers	2.75				
Sheet Metal Workers	3.25				
Soft floor layers	2.78				
Tile setters	4.00				
Truck drivers	2.30				
Welders-rate for craft.					
POWER EQUIPMENT OPERATORS:					
Aspahlt paver	3.25				
Asphalt raker	2.30				
Backhoe	2.85				
Bulldozer	2.68				
Concrete finisher	2.50				
Distributor, asphalt	2.30				
Form setters	2.70				
Loader	2.70				
Motor grader	2.68				
Roller (asphalt)	2.85				
Roller (rubber tire)	2.40				
Scraper	3.05				
Tractor Operator	2.39				

NEW DECISIONS

State: Pennsylvania
Decision No.: AQ-2046
County: Elk
Date of Publication
Description of Work: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories)

24-PA-1-A 1

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Asbestos workers	$9.47	.35	.70			
Boilermakers	9.07	7%	7%		.01	
Bricklayers & stone masons	8.50	.25				
Carpenters	8.04	5%	5%	5%	1%	
Cement masons	8.50	.25				
Electricians	8.25	.45	1%+.25		1%	
Ironworkers	8.425	.625	.64		.02	
Laborers:						
Common laborer, carpenter tender, scaffold builder for masons, window cleaner, form stripper and mover, scaffold and runways, building materials handlers (Loading and Unloading), concrete pitman, puddlor, mason tender.	6.57	.40	.40		½%	
Mechanical tampers (power) powered wheelbarrows and buggies & worklift, sweepers and similar, mortar mixer, bell bottom man on furnaces and stacks, jackhammer man, concrete buster, wagon drill helper, concrete saw operator, blaster's helper, drill runner's helper (includes drill mounted truck, track or similar sheeters and shores, vibrator operators, power tamper operators, Y-Gun burner-cutting torch, carryable pumps, chain saw operator, pipe layers, all material conveyors and elevators, signal man, walk behind fork lift or similar whacker, sand blaster, maintenance man, west brick buggies or similar, scaffold builder for plasterers' regardless of height, hod carrier, plaster tender, form cleaning machine operator, plaster applicating and/or pump machine operator paving breaker, asphalt raker, lancer, berfix cutting tool, gunnite potman, blacksmith, tool dresser (cable tools)	6.82	.40	.40		½%	
Blaster, wagon drill operator, drill runner, gunnite nozzleman, grout machine operator, walk behind power, roller and tamper welder. driller (cable tools)	7.37	.40	.40		½%	

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PA-42-LAB-1-J 2

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Lead burners	$8.75	.30		a	.01	
Line Construction:						
Linemen,	9.04	.15	1%			
Groundmen, truck driver	6.41	.15	1%			
Groundmen	6.15	.15	1%			
Marble setters	8.50					
Millwrights	7.66	5%	2½%	26	3%	
Painters:						
Industrial & Commercial:						
Brush	6.75			b		
Spray	7.25			b		
Piledrivermen	9.27	5%	7%		.50 of 1%	
Plasterers	8.50	.25				
Plumbers	8.25	.25	.50			
Roofers	8.59	4%	.95		.035	
Sheet metal workers	8.425	.65	.85		.03	
Soft floor layers	8.04	5%	5%	5%	1%	
Sprinkler fitters	9.05	.40	.60		.07	
Steamfitters	8.25	.25	.50			
Terrazzo workers	8.50	.25				
Tile setters	8.50	.25				

Welders-receive rate prescribed for craft performing operation to which welding is incidental.

FOOTNOTES:

PAID HOLIDAYS: (Where Applicable)
A-New Year's Day; B-Memorial Day;
C-Independence Day; D-Labor Day;
E-Thanksgiving Day; F-Christmas Day.

a. Eight (8) paid holidays: A through F; and Washington Birthday and Good Friday providing the employee has worked 45 days for the employer during the 120 days prior to the holiday and is available for work the days preceding and following the holiday.

b. Holiday D, provided the employee has worked six calendar months and appear on the payroll during the pay period in which the holiday occur.

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BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
POWER EQUIPMENT OPERATORS:					
Austin-Western or similar type up to 25 ton, auto grader (CMI or similar), backhoe, batch plant, cableway, caisson drill, central mix plant, cranes (excluding overhead), cranes tower (mobile), crane tower (stationary), crane tower (climbing type), derrick traveler (self-propelled), derrick (all types), derrick boats, dragline, dredge, engineer-maintenance franki or similar type pile driver, gradall (remote control or otherwise), helicopter & helicopter hoist when used for erection purposes), hi-lift 4 yds. or over, hoist-hod (2 cages up to 10 floors), hoist-single cage with Chicago boom attached, hoist (50 ft. or over), hoist (slipform jobs), hop-to or similar type with 180 swing, hop-to or similar type with 360 swing, kocal, koehring scooper, metro chip harvester or similar type, mix mobile or similar type (with self-loading attachment), mix mobile or similar type, mucking machine (tunnel), multiple bowl machines, pile driver (sonic or similar type), post driver-guard rail (truck mounted), post driver-guard rail (skid type), pumpkrete-mobile or similar type, Quad Nine, shovels (all type), slip form paver (CMI or similar), tractors-boom mounted (all types), tractors (all types with hydraulic backhole attached), tug boat, Whirley	$9.175	.35	.50		.04
Austin-Western or similar type up to 25 ton with jib, Austin-Western or similar type 25 tons or over with jib, cranes (boom or mast 100 ft. or over up to & including 150 ft.), cranes-mobile (any type 15 ton or over placed on any building structure	9.425	.35	.50		.04
Cranes (boom or mast over 150 ft. up to & including 200 ft.) engineer-lead	9.675	.35	.50		.04
Cranes (boom or mast over 200 ft.)	9.925	.35	.50		.04

PA-42-PEO-1-E 2 of 3

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
POWER EQUIPMENT OPERATORS (CONT'D):					
Asphalt plant op., athoy loader, auger-truck, truck or tractor mounted, back filling machine, boat-material or personnel carrying (powered), boat-job work (inboard or outboard), bulldozer, cable layer, compactor with blade, compressors-2, compressor and air pump, compressor and air tugger, compressor & gunnite machine (combination), compressor & sandblasting machine (combination), concrete bolt placer, crane-overhead, crushing and scrooning plants, drillcore (truck or skid mounted), drill-Davey or similar type, drill-well &core (truck mounted), elevator euclid loader, excavating equipment (all other), forklift-bull or similar, generators-2, grader, grader-elevating, greaser-equipment (hoad), hi-liftless than 4 yds., hoist-one drum (4 floors or over), hoist-hod (bldgs., 4 floors or more), hoist (2 drums or more in one unit), jumbo op., locomotive, lift slab machine (hydraulic), mixer-paving musking machine, pipe cleaning machine, refrigeration plant, ross carrier (or similar type), scoop (single bowl) self-powered & tractor drawn), spreader-concrete, asphalt and stone, tower mobile (hoisting or lowering material, trencher, welding machines (up to two small machines, grout pump (10 H.P. or over) paver op., asphalt (spreader), pumpkrete machine op., (stationary), tire repairman, welder (repairman)	$9.025	.35	.50		.04
Conveyors 4 units or more	8.55	.35	.50		.04
Oiler, compactor (ridden or self-propelled) concrete finishing machine & spreader, crane, carry, curb builder (self-propelled), drill well drill and horzontal (self-propelled and self-contained, elevator, forklifts (ridden or self-propelled, hoist one drum (regardless of power used), pavement breaker (self propelled or ridden), pipe dream, roller saw concrete, soil					

PA-42-PEO-1-E 3 of 3

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
POWER EQUIPMENT OPERATORS (CONT'D):					
stabilizer (pump type), stone crusher, stone spreader self-propelled, tractors (when used for snaking and hauling), tube finisher C.M.I. or similar type, tugger, truck winch truck or hydraulic boom (when hoisting and placing), all other minor equipment	8.05	.35	.50		.04
Ballast regulator, boring machine, broom power (except push type), compressor-single (regardless of power used), conveyor-over 1 and up to 3 units (regardless of power used), form line machine, generator (over 5KW) hoists monorail (regardless of power used), hoist roof (regardless of power used), hunk machine or similar type, mixer concrete (regardless of power used), mixer mortar-over 10 c.f. (regardless of power used) pump (over 1-½" discharge, regardless of power (used) spray cure machine (power driven) steam Jenny (or similar type) syphon (steam or air) welding machine single (300 Amp or over) plant, private or industrial air or stream valve	7.80	.35	.50		.04
Compressor - 65 c.f. or under (regardless of power used) conveyor 1 unit (regardless of power used) heat-up to & including 6, jack motor, hydraulic (single type) power driven, ladavator, mixer mortar (10 c.f. or under, mulching machine, pin puller (powered), pulverizer, pump-1½" discharge or less, seeding machine, spreader side delivery shoulder (attachment tie tamper (multiple heads), tractor farm (when used on landscaping) water blaster, oilertruck crane 50 ton or over brake man, deck hand, helicopter, signalman, oiler, mechanic helper	7.05	.35	.50		.04
Crane truck oiler and fireman	7.15	.35	.50		.04
Oiler - truck crane 50 ton or over	7.30	.35	.50		.04

NEW DECISION

STATE: Virginia

COUNTIES: York County and the Cities of Hampton and Newport News

DECISION NO.: AQ-2074

DESCRIPTION OF WORK: Building Construction (excluding single family houses and garden type apartments up to and including 4-stories), Heavy Construction and Sewer & Water Lines

42-VA-1-g

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos workers	$7.00	.30	.25			
Boilermakers	7.55	.40	.70		.01	
Bricklayers & Stonemasons	6.75	.30				
Carpenters & Soft floor layers	6.20	.20	.20		.01	
Dock builders & Piledrivermen	5.55	.20	.20			
Cement masons	5.40					
Electricians:						
Zone I within 15 miles radius of 1600 25th St., Newport News:						
Electricians & Linemen	7.10	.35	1%		1%	
Cable splicers	7.35	.35	1%		1%	
Zone II within 15 to 30 miles radius of 1600 25th St., Newport News:						
Electricians & Linemen	7.40	.35	1%		1%	
Cable splicers	7.65	.35	1%		1%	
Zone III beyond 30 miles radius of 1600 25th St., Newport News:						
Electricians and Linemen	7.80	.35	1%		1%	
Cable splicers	8.05	.35	1%		1%	
Elevator constructors	5.09	.145	.17	½%+a+b	.005	
Elevator constructors' helpers	3.56	.145	.17	½%+a+b	.005	
Elevator constructors' helpers (prob.)	2.545					
Ironworkers, structural, ornamental, reinforcing	6.80	.45	.40		.04	
Fence erectors, riggers, machinery mover	6.80	.45	.40		.04	
Laborers:						
Common	3.90	.10	.10		.03	
Tenders, concrete saw op., air tool, vibrator, nozzleman (Gunnite & sandblasting), motorized buggy op.	4.00	.10	.10		.03	
Mortar mixers, hod carriers, pipelayers and/or caulkers	4.15	.10	.10		.03	
Burners on wrecking	4.25	.10	.10		.03	
Lathers	6.59		.25		.01	
Marble setters	6.75	.30	.20			
Marble setters' helpers	4.15	.10	.10		.03	
Millwrights	7.25	.20	.20		.01	
Painters:						
York Co., from a point on the north shore of Queens Creek at the intersection of York River due west to a point on the eastern shore of James River including all cities therein; the cities of Hampton & Newport News						
Brush & Roller	5.70					
Spray	6.05					

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Painters (Cont'd)					
Structural steel to 74' from ground	$6.05				
Work over 74' from ground	6.20				
Swing stage from ground up	6.05				
Painters:					
The cities of Hampton & Newport News & the remainder of York Co.					
Brush	6.30				
Spray	6.65				
Structural steel to 74' from ground	6.65				
Work over 74' from ground	6.85				
Plasterers	6.55				
Plumbers & Steamfitters	6.80	.30	.30		.01
Roofers:					
Composition	4.75				
Helpers	3.40				
Sheet metal workers, Newport News & Hampton	6.35	.35	.20		
Sheet metal workers, York County	6.60	.35	.20		
Sprinkler fitters	7.37	.40	.60		.07
Terrazzo workers	5.55			.30	
Terrazzo workers' helpers	4.15	.10	.10		.03
Tile setters	5.55			.30	
Tile setters' helpers	4.15	.10	.10		.03
Welders - receive rate prescribed for craft performing operation to which welding is incidental.					

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:
a. Holidays: A through F.

b. Employer contributes 4% of basic hourly rate for 5 years or more of service or 2% basic hourly rate for 6 mos. to 5 years of service as vacation pay credit.

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Power Equipment Operators:					
Heavy Duty Operators					
Tunnel machine, cranes, derricks, pile drivers, pavers, two or more drum hoist, finish motor grader, mechanic, batch plant, gradall, quad	6.675	.225	.10		.05
Medium Duty Operators					
Cableways, tractors with attachments, conbination front end loader & backhoe, front end loader, rubber tired scraper & pans, rough motor grader, 20-ton locomotive, buil dozers, pump crete, trenching machine, mixer larger than 16'S, fork lift	5.34	.225	.10		.05
Light Duty Operators					
Compressor over 125 cu. ft., bottom & end dumps, tractors without attachments, 1 drum hoist, rollers welding machines (gas or diesel), locomotive under 20-tons, power plant, generator (1200 KW or larger), pumps (over 2 inches, including welpoints), A-frame trucks, trucks, mechanic's helpers	4.505	.225	.10		.05
Firemen	4.34	.225	.10		.05
Oilers	4.17	.225	.10		.05

HEAVY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Carpenters	$5.85	.20	.20		.01
Cement masons	4.70				
Electricians	6.85	.25	1%		.005
Ironworkers	6.15	.30	.30		.03
Laborers:					
Laborers	3.50	.10	.10		.03
Air tool operator	3.75	.10	.10		.03
Mortar mixers	3.75	.10	.10		.03
Form setters	4.00				
Piledrivermen	5.15	.20	.20		
Plumbers	6.35	.20	.30		
Truck drivers	2.20				
Power Equipment Operators:					
Backhoe	4.42				
Oilers	3.80				
Cranes	5.90	.225	.10		.03
Bulldozers	3.53				
Grader	3.30				
Roller	3.13				
Gradall	3.40				
Fireman	3.40				
Mechanics	6.30	.225	.10		.03

SEWER & WATER CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Cement masons	$4.00				
Laborers:					
Laborers	2.42				
Air tool op. (jackhammer, vibrator)	2.73				
Asphalt raker	3.00				
Pipelayers	3.65	.10	.10		.03
Truck drivers	2.42				
Power Equipment Operators:					
Asphalt dristibutor	2.50				
Backhoe	3.65				
Bulldozers	3.50				
Cranes	5.25	.225	.10		.04
Front end loader	3.00				
Roller	2.50				
Motor grader	3.30				

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DECISION #AQ-4054 - Mod. #2 (39 FR 3386 - January 25, 1974) Hillsborough County, Florida					
Change:					
Plasterers	$7.16	.30	.50		.05
Sheet Metal Workers	7.56	.38	.35	.15	
DECISION #AQ-4057 - Mod. #1 (39 FR 3392 - January 25, 1974) Pinellas County, Florida					
Change:					
Boilermakers	7.50	.40	.90		.02
Bricklayers	7.55	.30	.50		.05
Cement masons	6.80	.30	.50		.05
Electricians:					
Electricians	8.63	.25	1%		3/4 of 1%
Cable splicers	9.13	.25	1%		3/4 of 1%
Marble setters	7.30	.30	.50		.05
Plasterers	7.16	.30	.50		.05
Sheet Metal workers	7.56	.38	.35	.15	
Stonemasons	7.55	.30	.50		.05
Terrazzo workers	7.30	.30	.50		.05
Tile setters	7.30	.30	.50		.05
DECISION #AQ-4070 - Mod. #1 (39 FR 5971 - February 15, 1974) Alachua County, Florida					
Change:					
Laborers:					
Unskilled	3.85	.15	.05		
Air tool operator	3.95	.15	.05		
Mortar mixers	3.95	.15	.05		
Pipelayers (concrete & clay)	3.95	.15	.05		

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AQ-4,068 - Mod. #1 (39 FR 5975 - February 15, 1974) Fulton, Cobb, & DeKalb Counties, Georgia						
Change:						
Power equipment operators (Building construction) Group C	$4.91	.30	.15		.07	
Electricians (Heavy & Highway construction)	8.85	6%	7%		.25%+a	
Laborers (Building construction)						
Add:						
Footnote:						
a. $2.00 per week per apprentice employed.						

BUILDING CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LABORERS:					
Group A					
Batch plant men: buggy rollers (Ga.); Cleaners (Brick or Lumber; Clearing or Right of Way and Building Site (hand tools); Concrete Curer-Sealer and Liquid hardner; Conveyor operator (used by tenders of plasterers and bricklayers); Electrician laborer; Excavator: Backfiller grader (hand); Forklift operator, walk type tending bricklayers and plasterers; Form Oiler; Form Stripper; Metal pan handler; Plumber-Laborer; Pipe Doper; Precast Slab Layer (floors, roofs, walks, curbs) Concrete Puddlers; Rail porter; Railroad Track Laborer; Reinforcing steel handler; Scaffolds, and staging for masons and plasterers; Erecting and Removing Scarifyer, concrete (mechanical and hand); Sheeting and shoring laborers, Steam Jennies, (used in cleaning equipment); Tenders (all crafts); Truck Spotter dumper, Winch handler (manual); Wrecking buildings and miscell., structures	$5.05	.20	.20		.05
Group B					
Bucket-dumpman(concrete); Mixer-mortar, Grout clay, etc. (hand or machine): Power post hole digger; Power cleaning machine operator; Power Wheelbarrow; Mortar mixer-hose for gypsum roofs, plastering, asbestos fiber sound proofing, etc.	5.17	.20	.20		.05

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LABORERS CONTD:					
Group C					
Burner-demolition; Chain saw operator; Power concrete saw operator; Steel form setter; Sewer pipe layer, yarner, wiper, potman; Slip form raiser (steel or wood) jack or screw type	5.27	.20	.20		.05
Group D					
Wagon Drill Operator, (Track or wheel type), and other equipment used in drilling for blasting	5.35	.20	.20		.05
Group E					
Powderman-helper	5.55	.20	.20		.05
Group F					
Powderman, nozzleman(concrete pneumatic)	5.95	.20	.20		.05
Group G					
Caisson holeman	5.80	.20	.20		.05
Group H					
25¢ Above rate for classification working; Chimney or stacks insolated					

DECISION #AO-4,069 - Mod. #1
(39 FR 5979 - February 15, 1974
Chatham County, Georgia

CHANGE:
Description of work: Building construction, (excluding single family homes and garden type apartments up to and including 4 stories) Heavy and Highway construction.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Asbestos workers	$7.03	.30	.40		
Electricians:					
Electricians	7.00	.30	.20+1%		.05
Cable splicers	7.25	.30	.20+1%		.05

DECISION #AQ-3092 - Mod. #1
(39 FR 5122 - February 8, 1974)
St. Clair, Madison, Bond, Calhoun, Clinton, Greene, Jersey, Macoupin, Monroe, Montgomery, & Washington Counties, Illinois

CHANGE:

HIGHWAY CONSTRUCTION: LABORERS	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
ZONE I						
Area 1: Madison County: Alton						
Laborers	$7.60	.25	.30		.035	
Asphalt Raker, etc.	7.70	.25	.30		.035	
Brick Mason Tenders	8.10	.25	.30		.035	
Men working on the bottom of sewer, etc	7.85	.25	.30		.035	
Dynamite Men	9.125	.25	.30		.035	
Area 2: St. Clair County: O'Fallon Madison County: Collinsville						
Laborers	7.95		.20		.035	
Asphalt Raker, etc.	8.05		.20		.035	
Brick Mason Tenders	8.45		.20		.035	
Men working on the bottom of sewer, etc	8.20		.20		.035	
Dynamite Men	9.475		.20		.035	
Area 3: St. Clair County: E. St. Louis Madison County: Granite City						
Laborers	7.45	.35	.35		.035	
Asphalt Raker, etc.	7.55	.35	.35		.035	
Brick Mason Tenders	7.95	.35	.35		.035	
Men working on the bottom of sewer, etc	7.70	.35	.35		.035	
Dynamite Men	8.975	.35	.35		.035	
Area 4: Madison County: Edwardsville						
Laborers	7.90		.25		.035	
Asphalt Raker, etc.	8.00		.25		.035	
Brick Masons Tenders	8.40		.25		.035	
Men working on the bottom of sewer, etc	8.15		.25		.035	
Dynamite Men	9.425		.25		.035	
Area 5: Madison County: Wood River						
Laborers	7.85		.30		.035	
Asphalt Raker, etc.	7.95		.30		.035	
Brick Mason Tenders	8.35		.30		.035	
Men working on the bottom of sewer, etc	8.10		.30		.035	
Dynamite Men	9.375		.30		.035	
ZONE II						
Area 1: Washington County: Ashley, Nashville, Okawville Macoupin County: Gillespie, Mt. Olive, Shipman & Staunton St. Clair County: Freeburg, Lenzburg, Marissa, Mascoutah, & New Athens						

HIGHWAY CONSTRUCTION: (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ZONE II (CONT'D)					
Area 1: (Cont'd) Madison County: Highland, Livingston, Marine, St. Jacob & Troy Clinton County: Carlyle & New Baden Randolph County: Chester & Sparta Bond County: Greenville, Pocahontas & Serento Calhoun County: Hardin Montgomery County: Hillsboro & Litchfield					
Laborers	$7.95		.20		.035
Asphalt Raker, etc.	8.05		.20		.035
Weighman on Asphalt Platform	8.025		.20		.035
Brick Mason Tenders	8.45		.20		.035
Men working on the bottom of sewer, etc	8.20		.20		.035
Dynamite Men	9.475		.20		.035
Area 2: Macoupin County: Carlinville, Girard, Palmyra Clinton County: Trenton Jersey County: Jerseyville					
Laborers	7.95		.20		.035
Asphalt Raker, etc.	8.05		.20		.035
Weighman on Asphalt Platform	8.025		.20		.035
Brick Mason Tenders	8.45		.20		.035
Men working on the bottom of sewer, etc	8.20		.20		.035
Dynamite Men	9.475		.20		.035
Area 3: St. Clair County: Belleville					
Laborers	7.70	.25	.20		.035
Asphalt Raker, etc.	7.80	.25	.20		.035
Brick Mason Tenders	8.20	.25	.20		.035
Men working on the bottom of sewer, etc	7.95	.25	.20		.035
Dynamite Men	9.175	.25	.20		.035
Area 4: Madison County: Glen Carbon					
Laborers	7.80		.35		.035
Asphalt Raker, etc.	7.90		.35		.035
Brick Mason Tenders	8.30		.35		.035
Men working on the bottom of sewer, etc	8.05		.35		.035

HIGHWAY CONSTRUCTION (CONT'D)

ZONE II (CONT'D)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Area 5: Monroe County: Columbia					
Laborers	$8.15				.035
Asphalt Raker, etc.	8.25				.035
Weighman on Asphalt Platform	8.225				.035
Brick Mason Tenders	8.65				.035
Men working on the bottom of sewer, etc	8.40				.035
Dynamite Men	9.675				.035
Area 6: Green County: Roodhouse					
Laborers	7.85		.30		.035
Asphalt Raker, etc.	7.95		.30		.035
Weighman on Asphalt Platform	7.925		.30		.035
Brick Mason Tenders	8.35		.30		.035
Men Working on the bottom of sewer, etc	8.10		.30		.035
Dynamite Men	9.375		.30		.035

DECISION #AQ-3049 - Mod. #2
(38 FR 35145 - December 21, 1973)
Allegan County, Michigan

Omit:
Laborers Schedule:

Add:

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Class A Laborers	$6.05	.35	.30		.04
Class B Plasterers tenders, material mixers, operator of portable mixers, air electric, or gasoline tools and motor driven buggies and swing scaffolds	6.20	.35	.30		.04
Class C Jackhammers Operator	6.30	.35	.30		.04
Class D Signal men, and topmen on sewer & caisson construction open cut	6.17	.35	.30		.04
Class E Windlass operators on caisson work	6.27	.35	.30		.04
Class F Crock layer or pipelayer & caisson workers	6.37	.35	.30		.04
Class G Topmen on chimneys or towers over 30 feet in height	6.50	.35	.30		.04

DECISION #AQ-3052 - Mod. #1
(39 FR 1691 - Janaury 11, 1974)
Berrien County, Michigan

Omit:
Laborers Schedule

Add:

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Class A Laborers	$6.05	.35	.30		.04
Class B Plasterers tenders, material mixers, operators of portable mixers, air electric, or gasoline tools and motor driven buggies and swing scaffold	6.20	.35	.20		.04
Class C Jackhammers Operator	6.30	.35	.30		.04
Class D Signal men, and topmen on sewer & caisson construction open cut	6.17	.35	.30		.04
Class E Windlass operators on caisson work	6.27	.35	.30		.04
Class F Crock layer or pipelayer & caisson workers	6.37	.35	.30		.04
Class G Topmen on chimneys or towers over 30 feet in height	6.50	.35	.30		.04

DECISION #AQ-3053 - Mod. #2
(38 FR 35152 - December 21, 1973)
Calhoun County, Michigan

Omit:
Laborers Schedule:

Add:

LABORERS:

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Class A Laborers	$6.05	.35	.30		.04	
Class B Plasterers tenders, material mixers, operators of portable mixers, air electric, or gasoline tools and motor driven buggies and swing scaffolds	6.20	.35	.30		.04	
Class C Jackhammers Operator	6.30	.35	.30		.04	
Class D Signal men, and topmen on sewer & caisson construction open cut	6.17	.35	.30		.04	
Class E Windlass operators on caisson work	6.27	.35	.30		.04	
Class F Crock layer or pipelayer & caisson workers	6.37	.35	.30		.04	
Class G Topmen on chimneys or towers over 30 feet in height	6.50	.35	.30		.04	

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AQ-3055 - Mod. #1 (39 FR 1695 - January 11, 1974) Chippewa and Mackinac Counties, Michigan						
Change:						
Building and Heavy Construction:						
Elevator constructors	$7.355	.195	.20	2%+a&b	.005	
Elevator constructors' helpers	5.15	.195	.20	2%+a&b	.005	
Elevator constructors' helpers (prob.)	3.68					
Truck Drivers:						
Regular	6.02	c17.00	c10.00	a		
Heavy duty, double axle, semi-drivers	6.15	c17.00	c10.00	a		
Euclids	6.38	c17.00	c10.00	a		
Truck repair and maintenance	6.23	c17.00	c10.00	a		
Laborers Schedule:						
Laborers:						
CLASS A						
Construction Laborers	$5.55	.35	.30			
CLASS B						
Material mixers, mortar mixers (hand or machine), vibrator op., concrete mixer, motor driven buggy op., chipping hammers, tamping machines, green cutting (whether run by air, electric or gas), and sand blasters	5.65	.35	.30			
CLASS C						
Cement gun nozzlemen, blasters, miners drillers, buster operator, layers of all non-metallic pipe	5.95	.35	.30			
CLASS D						
Underground Work, Tunnels and Shafts: Muckers, caisson workers, miners, drillers, blasters	6.10	.35	.30			

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AQ-3062 - Mod. #2 (38 FR 35170 - December 21, 1973) Kalamazoo County, Michigan						
Omit:						
Laborers Schedule:						
Add:						
Class A						
Laborers	$6.05	.35	.30		.04	
Class B						
Plasterers tenders, material mixers, operators of portable mixers, air electric, or gasoline tools and motor driven buggies and swing scaffolds	6.20	.35	.30		.04	
Class C						
Jackhammers Operator	6.30	.35	.30		.04	
Class D						
Signal men and topmen on sewer & caisson construction open cut	6.17	.35	.30		.04	
Class E						
Windlass operators on caisson work	6.27	.35	.30		.04	
Class F						
Crock layer or pipelayer & caisson workers	6.37	.35	.30		.04	
Class G						
Topmen on chimneys or towers over 30 feet in height	6.50	.35	.30		.04	

DECISION #AQ-3066 - Mod. #2
(38 FR 35178 - December 21, 1973)
Muskegon and Oceana Counties, Michigan

Omit:
Laborers Schedule

Add:

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Class A					
Laborers	$5.76	.35	.30		.04
Class B					
Plasterer tenders, material mixers, operators on portable mixers, air electric, or gasoline tools, motor driven buggies and swing scaffolds	5.91	.35	.30		.04
Class C					
Jackhammers Operators	6.01	.35	.30		.04
Class D					
Signal men and top men on sewer and caisson construction (open cut)	5.88	.35	.30		.04
Class E					
Windlass Operators (on caisson work)	5.98	.35	.30		.04
Class F					
Crock layers or pipelayers, caisson workers	6.08	.35	.30		.04
Class G					
Top men on chimneys or towers over 30 feet in height	5.62	.35	.30		.04

DECISION NO. AQ-1070 - Mod. #2
(38 FR 2329 - January 18, 1974)
Statewide, Montana

Change:

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Electricians:						
Custer and Garfield Counties	$ 6.25		1%		1/2%	
Park and Sweetgrass Counties (Electrical contracts less than $25,000)	6.55	.20	1%		1/2%	
(Electrical contracts over $25,000)	7.42	.20	1%		1/2%	
Ironworkers:						
Beaverhead, Broadwater, Deer Lodge, Gallatin, Granite, Jefferson, Lewis and Clark, (Southern half including Wolf Creek), Madison, Park, Powell, Ravalli and Silverbow Cos.	7.40	.50	.65		.05	
Flathead, Glacier, Lake, Lincoln, Mineral, Missoula, and Sander Cos.	7.95	.48	.80		.05	
Remaining Counties (Including Northern half of Lewis and Clark County)	7.33	.50	.65		.05	
Sheet Metal Workers:						
Blaine, Cascade, Chouteau, Glacier, Hill, Judith Basin, Liberty, Pondera, Teton and Toole Counties	7.76	.32	.25		.04	

DECISION NO. AQ-1071 - Mod. #2
(38 FR 3399 - January 25, 1974)
Statewide, Montana

Change:

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Cement Masons:						
Blaine, Cascade, Chouteau, Hill, Liberty, Pondera, Teton, Toole and Valley Counties	$ 6.95	.37				
Granite, Powell (northern portion, including the City of Helmsville) and Ravalli Counties	6.85	.35				
Electricians:						
Custer and Garfield Counties	6.25		1%		1/2%	
Park and Sweetgrass Counties						
(Electrical contracts less than $25,000)	6.55	.20	1%		1/2%	
(Electrical contracts over $25,000)	7.42	.20	1%		1/2%	
Ironworkers:						
Beaverhead, Broadwater, Deer Lodge, Gallatin, Granite, Jefferson, Lewis and Clark, (Southern half including Wolf Creek), Madison, Park, Powell, Ravalli and Silverbow Cos.	7.40	.50	.65		.05	
Flathead, Glacier, Lake, Lincoln, Mineral, Missoula and Sander Cos.	7.95	.48	.80		.05	
Remaining Counties (including northern half of Lewis and Clark County)	7.33	.50	.65		.05	
Sheet Metal Workers:						
Blaine, Cascade, Chouteau, Glacier, Hill, Judith Basin, Liberty, Pondera, Teton and Toole Counties	7.76	.32	.25		.04	

DECISION NO. AQ-1076 - Mod. #2
(38 FR 4361-February 1, 1974)
Cascade, Hill, Flathead, Sanders, and Valley Counties, Montana

Change:

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Cement Masons:					
Cascade, Hill and Valley Counties	$6.95	.37			
Ironworkers:					
Reinforcing; Ornamental; Structural	7.95	.48	.80		.05
Sheet Metal Workers:					
Cascade and Hill Counties	7.76	.32	.25		.04

DECISION #AQ-3029 Mod. #2
(38 FR 30362 - November 1, 1973)
Hillsboro County, New Hampshire

CHANGE:

POWER EQUIPMENT OPERATORS (BLDG. CONST.)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CLASS I					
Shovel, crane, dragline, derrick, backhoe, elevator with Chicago boom, gradall, elevating grader, front end loader 6 Yds and over, cherry picker, pile driving rigs, concrete road pavers, all three drum hoisting and trenching machines	$8.45	.45	.60	a	.05
CLASS II					
Rotary drill w/mounted compressor, compressor house (3-6 compressors), rock and earth boring machines excluding McCarthy and similar drills, graders, 4 yds. and over front end loader, two drum hoists, high fork lifts with capacity of 15' & over, scrapers, sonic hammer, vibratory hammer	8.20	.45	.60	a	.05
CLASS III					
Bulldozers, push cats, scrapers (tractor drawn), asphalt paver, front end loader 3/4 yds. to 4 yds., well driller, mechanics, pumpcrete machines, concrete pumps and similar type pumps, engineer or fireman on high pressure boiler (on job), self loading batch plant, well point operators including installing, engineer-in-charge of powered grease truck, all automatic elevators permanent or temporary, operated manually or by remote controls	8.00	.45	.60	a	.05
CLASS IV					
Single drum hoist, self-powered roller, self-propelled compactors, power pavement breakers, concrete pavement finishing machines, two bag mixers with skip, front end loaders under 3/4 yds. McCarthy and similar drills, batch plant not self loading, bulk cement plants, self-propelled material spreaders, A-frame trucks, fork lifts up to 15'	7.575	.45	.60	a	.05

POWER EQUIPMENT OPERATORS (CONTINUED):	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Class V					
Compressor 315 cubic feet and over, one or two), pumps (4 inches and over-total discharge) when total discharge is over 12 inches, classification 3 will be paid, tractor (without blade or bucket) drawing roller compactors or other machines	$7.00	.45	.60	a	05
Class VI					
Compressors (up to 315 cubic feet) small mixers, pumps (up to 4 inches), power heaters, welding machines (when 3 or more heaters or welding machines are used on one job, classification 4 rate will be paid), conveyor, oiler, including helpers on grease trucks and grease trucks with hand greasing equipment	7.00	.45	.60	a	.05
Class VII					
Oilers on truck cranes and gradalls	7.20	.45	.60	a	.05
Cranes with boom lengths of 200 feet or more	9.45	.45	.60	a	.05
Crane with boom length of 150 feet or more	8.95	.45	.60	a	.05

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day;
C-Independence Day; D-Labor Day;
E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:
a. Holidays: A through F, Veterans Day, Washington's Birthday and Columbus Day/

Electricians:					
Pelham	8.92	.25	1%+.20		.02
Ironworkers	7.95	.50	.90		.02

DECISION #AO-3033 - Mod. #2
(38 FR 31130 - November 9, 1973)
Hillsboro County, New Hampshire

CHANGE:
POWER EQUIPMENT OPERATORS

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CLASS I					
Shovel, crane, dragline, derrick, backhoe, elevator with Chicago boom, gradall, elevating grader, front end loader 6 Yds and over, cherry picker, pile driving rigs, concrete road pavers, all three drum hoisting and trenching machines	$8.45	.45	.60	a	.05
CLASS II					
Rotary drill w/mounted compressor, compressor house (3-6 compressors), rock and earth boring machines excluding McCarthy and similar drills, graders, 4 yds. and over front end loader, two drum hoists, high fork lifts with capacity of 15' & over, scrapers, sonic hammer, vibratory hammer	8.20	.45	.60	a	.05
CLASS III					
Bulldozers, push cats, scrapers (tractor drawn), asphalt paver, front end loader 3/4 yds. to 4 yds., well driller, mechanics, pumpcrete machines, concrete pumps and similar type pumps, engineer or fireman on high pressure boiler (on job), self loading batch plant, well point operators including installing, engineer-in-charge of powered grease truck, all automatic elevators permanent or temporary, operated manually or by remote controls	8.00	.45	.60	a	.05
CLASS IV					
Single drum hoist, self-powered roller, self-propelled compactors, power pavement breakers, concrete pavement finishing machines, two bag mixers with skip, front end loaders under 3/4 yds. McCarthy and similar drills, batch plant not self loading, bulk cement plants, self-propelled material spreaders, A-frame trucks, fork lifts up to 15'	7.575	.45	.60	a	.05

POWER EQUIPMENT OPERATORS (CONTINUED):	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Class V					
Compressor 315 cubic feet and over, one or two), pumps (4 inches and over-total discharge) when total discharge is over 12 inches, classification 3 will be paid, tractor (without blade or bucket) drawing roller compactors or other machines	$7.00	.45	.60	a	05
Class VI					
Compressors (up to 315 cubic feet) small mixers, pumps (up to 4 inches), power heaters, welding machines (when 3 or more heaters or welding machines are used on one job, classification 4 rate will be paid), conveyor, oiler, including helpers on grease trucks and grease trucks with hand greasing equipment	7.00	.45	.60	a	.05
Class VII					
Oilers on truck cranes and gradalls	7.20	.45	.60	a	.05
Cranes with boom lengths of 200 feet or more	9.45	.45	.60	a	.05
Crane with boom length of 150 feet or more	8.95	.45	.60	a	.05

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day;
C-Independance Day; D-Labor Day;
E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:
a. Holidays: A through F, Veterans Day, Washington's Birthday and Columbus Day/

Electricians:					
Pelham	8.92	.25	1%+.20		.02
Ironworkers	7.95	.50	.90		.02

DECISION #AQ-3074 - Mod. #2
(39 FR 3415 - January 25, 1974)
Rockingham County, New Hampshire

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CHANGE:					
Electricians: Kingston, Kensington, Sandown, Danville, E. Kingston, Hampstead, Plaitstow, Westville, Atkinson, N. Salem and Salem	$8.92	.25	1%+.20		.02.
POWER EQUIPMENT OPERATORS					
BUILDING CONSTRUCTION					
CLASS 1					
Shovels, cranes, truck cranes, cherry pickers, dragline, trench hoe, backhoe, 3 drum mach., derricks, pile driver, elevator tower, hoist, gradall, shovel dozer (except when pushing), front end loader (except when pushing), fork lift, auger, boring mach., rotary drill, post hole hammer, post hole digger, pumpcrete mach.	$9.11	.55	.60	a	
CLASS 2					
Sonic or vibratory hammer, grader, scraper more than 21 yds. struck, tandem scraper, conc. pump, bulldozer, scraper 21 yds. struck or less, portable steam boiler, portable steam generator, roller, spreader, tamper, asphalt paver, Mechanics, Maintenance	8.99	.55	.60	a	
CLASS 3					
Assistant engineers (firemen)	8.36	.55	.60	a	
CLASS 4					
Pumps (1-3 grouped), compressor, welding mach. (1-3 grouped), generator, conc. vibrator, lighting plant, heater (power driven 1-5), wellpoint system (operating & installing), syphons-pulsometers, conc. mixers, valves controlling permanent plant air or steam, conveyor, Jackson type tamper, single diaphragm pump	7.67	.55	.60	a	
CLASS 5					
Oilers on truck cranes & gradalls	7.18	.55	.60	a	
CLASS 6					
Oilers (other than truck cranes & gradalls	6.80	.55	.60	a	

Boom lengths including jib: over 150'+.35, over 185'+.70, over 210'+1.00, over 250'+1.50 over 295'+2.00

FOOTNOTE:

a. 10 paid holidays; New Year'sDay, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day, Washington's Birthday, Fast Day, Columbus Day, and Armistice Day.

DECISION #AQ-3075 - Mod. #2
(39 FR 3418 - January 25, 1974)
Rockingham County, New Hampshire

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CHANGE:					
Electricians: Kingston, Kensington, Sandown, Danville, E. Kingston, Hampstead, Plaistow, Westville, Atkinson, N. Salem, and Salem	$8.92	.25	1%+.20		.02
POWER EQUIPMENT OPERATORS					
CLASS 1					
Shovels, cranes, truck cranes, cherry pickers, dragline, trench hoe, backhoe, 3 drum mach., derricks, pile driver, elevator tower, hoist, gradall, shovel dozer (except when pushing), front end loader (except when pushing), fork lift, auger, boring mach., rotary drill, post hole hammer, post hole digger, pumpcrete mach.	$9.11	.55	.60	a	
CLASS 2					
Sonic or vibratory hammer, grader, scraper more than 21 yds. struck, tandem scraper, conc. pump, bulldozer, scraper 21 yds. struck or less, portable steam boiler, portable steam generator, roller, spreader, tamper, asphalt paver, Mechanics, Maintenance	8.99	.55	.60	a	
CLASS 3					
Assistant engineers (firemen)	8.36	.55	.60	a	
CLASS 4					
Pumps (1-3 grouped), compressor, welding mach. (1-3 grouped), generator, conc. vibrator, lighting plant, heater (power driven 1-5), wellpoint system (operating & installing), syphons-pulsometers, conc. mixers, valves controlling permanent plant air or steam, conveyor, Jackson type tamper, single diaphragm pump	7.67	.55	.60	a	
CLASS 5					
Oilers on truck cranes & gradalls	7.18	.55	.60	a	
CLASS 6					
Oilers (other than truck cranes & gradalls	6.80	.55	.60	a	

Boom lengths including jib: over 150'+.35, over 185'+.70, over 210'+1.00, over 250'+1.50 over 295'+2.00

FOOTNOTE:

a. 10 paid holidays; New Year'sDay, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day, Washington's Birthday, Fast Day, Columbus Day, and Armistice Day.

Page One

DECISION NO. AP-809 - Mod. #5
(38 FR 12561 - May 11, 1973)
Atlantic & Cape May Counties
New Jersey

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Change:					
Building Construction:					
Laborers	$6.35	.55	.15		
Mason tenders	6.35	.55	.15		
Plasterers tenders	6.35	.55	.15		
Concrete laborers	6.35	.55	.15		
Air-gas-electric tool op.	6.60	.55	.15		
Gunite men	6.60	.55	.15		

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DECISION #AP-669 - Mod #7					
(38 FR 13991 -May 25, 1973)					
Butler County, Ohio					
Omit:					
Power Equipment Operators					
(Heavy &Highway Construction)					
Class I					
Survey crew party chief	$8.04	.42	.80		.11
Class IV					
Survey Instrument man	6.85	.42	.80		.11
Class V					
Survey rodmen & chainmen	6.19	.42	.80		.11
DECISION #AP-670- Mod. #7					
(38 FR 13996 -May 25, 1973)					
Clark County, Ohio					
Omit:					
Power Equipment Operators					
(Heavy & Highway Construction)					
Class I					
Survey crew party chief	8.04	.42	.80		.11
Class IV					
Survey Instrument man	6.85	.42	.80		.11
Class V					
Survey rodmen & chainmen	6.19	.42	.80		.11
DECISION #AP-672 - Mod. #6					
(38 FR - 14004 -May 25, 1973)					
Franklin & Pickaway Counties, Ohio					
Omit:					
Power Equipment Operators					
(Heavy & Highway Construction)					
Class I					
Survey crew party Chief	8.04	.42	.80		.11
Class IV					
Survey Instrument man	6.85	.42	.80		.11
Class V					
Survey rodmen & chainmen	6.19	.42	.80		.11

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DECISION #AP-673 - Mod.#6 (38 FR 14008 -May 25, 1973) Greene & Montgomery Counties, Ohio					
Omit: Power Equipment Operators (Heavy & Highway Construction)					
Class I					
Survey crew party chief	$8.04	.42	.80		.11
Class IV					
Survey Instrument man	6.85	.42	.80		.11
Class V					
Survey rodmen & chainmen	6.19	.42	.80		.11
DECISION # AQ-3022 - Mod. #3 (38 FR 27726 - October 5, 1973) Hamilton County, Ohio)					
Omit: Power Equipment Operators (Heavy & Highway Construction)					
Class I					
Survey Crew party chief	8.04	.42	.80		.11
Class IV					
Survey Instrument man	6.85	.42	.80		.11
Class V					
Survey rodmen & chainmen	6.19	.42	.80		.11
DECISION # AP-675 - Mod. #5 (38 FR 14017 -May 25, 1973) Licking County, Ohio					
Omit: Power Equipment Operators (Heavy & Highway Construction)					
Class I					
Survey crew chief	8.04	.42	.80		.11
Class IV					
Survey Instrument man	6.85	.42	.80		.11
Class V					
Survey rodmen & Chainmen	6.19	.42	.80		.11

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DECISION #AP -678 - Mod. #6 (38 FR 14029 - May 25, 1973) Muskingum County, Ohio					
Omit: Power Equipment Operator (Heavy & Highway Construction)					
Class I					
Survey crew party chief	$8.04	.42	.80		.11
Class IV					
Survey instrument man	6.85	.42	.80		.11
Class V					
Survey rodmen & chainmen	6.19	.42	.80		.11
DECISION #AP -671 - Mod. #6 (38 FR 14000 - May 25, 1973) Cuyahoga County, Ohio					
Omit: Power Equipment Operator (Heavy & Highway Construction)					
Class I					
Survey crew party chief	8.78	.42	.80		.11
Class IV					
Survey instrument man	7.57	.42	.80		.11
Class V					
Survey rodmen & chainmen	7.03	.42	.80		.11
DECISION #AP -681 -Mod. #7 (38 FR 14042 - May 25, 1973) Summit County, Ohio					
Omit: Power Equipment Operator (Heavy & Highway Construction)					
Class I					
Survey crew party chief	8.78	.42	.80		.11
Class IV					
Survey instrument man	7.57	.42	.80		.11
Class V					
Survey rodmen & Chainmen	7.03	.42	.80		.11

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
DECISION #AQ-64 - Mod. #2 (38 FR 33904 - December 7, 1973) Tulsa County, Oklahoma						
Change:						
Electricians	$7.15	.36	1%+.25	.30	.07	
Cable splicers	7.40	.36	1%+.25	.30	.07	
Painters:						
Brush	6.50		.25	.35	.02	
High work and stage	6.90		.25	.35	.02	
Spray and sandblasting	7.15		.25	.35	.02	
Hot or Bituminous	7.80		.25	.35	.02	
Sheetrock handtools	6.50		.25	.35	.02	
Sheetrock power tools	6.85		.25	.35	.02	
Hazardous work	8.70		.25	.35	.02	
Decision # AQ-2,055 - Mod. # 1 (39 FR 5940 - February 15, 1974) Lancaster County, Pennsylvania						
Change:						
Line Construction:						
Lineman	$9.035	.25	1%			
Winch truck operator	6.32	.25	1%			
Groundman	5.42	.25	1%			
Decision # AQ-2,061 - Mod. # 1 (39 FR 6008 - February 15, 1974) Centre, Clearfield, Jefferson and Greene Counties, Pennsylvania						
Change:						
Under Laborers:						
Multi-plate pipe (aligning and securing) placing wire on gunite projects, reinforcing steel placers (bending and securing)	6.95	.30	.30			
DECISION #AQ-4,073 - Mod. #1 (39 FR 5947 - February 15, 1974) Dyer County, Tennessee						
Change:						
County to read Dyer and Gibson						

DECISION NO. AQ-1069 - Mod. #2 (38 FR 17225 - January 11, 1974) Statewide, Utah	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Change:					
Electricians:					
Zone I					
Cache-Davis Counties (north of 41st parallel)-Weber Co.:					
Electricians	$8.58	.30	1%+.25		8/10%
Cable splicers	8.83	.30	1%+.25		8/10%
Zone II					
Box Elder County (east of 112.5° longitude)-Morgan Co.:					
Electricians	9.08	.30	1%+.25		8/10%
Cable splicers	9.33	.30	1%+.25		8/10%
Zone III					
Box Elder County (west of 112.5° longitude)-Rich Co.:					
Electricians	10.58	.30	1%+.25		8/10%
Cable splicers	10.83	.30	1%+.25		8/10%
*Electrical contracts not exceeding $35,000, Zone I rates shall apply.					
Salt Lake County and that portion of Davis County lying south of the 41st parallel; and that portion of Utah County lying north of the 40th parallel.					
10 miles East or West from Interstate Hwy. #15:					
Electricians	8.58	.30	1%+.25		8/10%
Cable splicers	8.83	.30	1%+.25		8/10%
Over 10 miles East or West from Interstate Hwy. #15:					
Electricians	9.08	.30	1%+.25		8/10%
Cable splicers	9.33	.30	1%+.25		8/10%
Remainder of State:					
Electricians	10.58	.30	1%+.25		8/10%
Cable splicers	10.83	.30	1%+.25		8/10%

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AQ-2038 - Mod. #1 (38 FR 35585 - December 28, 1973) The Cities of Norfolk, Chesapeake, Portsmouth and Virginia Beach, Virginia						
Change:						
Bricklayers and stone masons	$6.90	.35	.20		.02	
Bricklayers and stone masons on stacks or chimmeys 50' & over	7.15	.35	.20		.02	
Ironworkers:						
Structural, ornamental, machinery movers, riggers, fence erectors & reinforcing	6.80	.45	.40		.04	
Marble setters	5.55	.35	.20			
Terrazzo workers	5.55	.35	.20			
Tile setters	5.55	.35	.20			

SUPERSEDEAS DECISION

STATE: Michigan
DECISION NUMBER: AQ-3122
COUNTY: Marquette
DATE: Date of Publication
Supersedes Decision No. AQ3063, dated January 4, 1974 in 39-FR 1701
DESCRIPTION OF WORK: Building Construction (Excluding single family homes and garden type apartments up to and including 4 stories), and Heavy Construction.

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Asbestos workers	$6.85	.35	.20	g.55	.06
Boilermakers	8.48	.50	1.00	1.00	.01
Bricklayers	7.23	.35	.35	.50	.01
Carpenters (Building)	6.99	.40	.40		.01
Carpenters (Waterfront work)	7.09	.40	.40		.01
Cement masons	6.73	.35	.35	.50	.01
Electricians	8.15	.30	1%		.5%
Elevator constructors	5.885	.145	.17	1½%+a&b	.005
Elevator constructors' helpers	70%JR	.145	.17	1½ %+a&b	.005
Elevator constructors' helpers (prob.)	50%JR				
Ironworkers: Structural, ornamental & reinforcing	7.75	.25		1.30	.01
Lathers	7.79	.27	.10	.25	.01
Leadburners	8.75	.30		f	.01
Marble setters	6.98	.35	.35	.50	.01
Millwrights	7.34	.40	.40		.01
Painters:					
Commercial & industrial - multi unit housing	5.70			.80	
Swing stage & bos'n chair:					
0 to 40 ft.	6.20			.80	
Over 40 ft.	6.70			.80	
Roller with handle up to 8 ft.	5.70			.80	
Roller with handle over 8 ft.	6.70			.80	
Structural steel: To 40 Ft.	6.20			.80	
Over 40 ft.	6.70			.80	
Taper and finisher - hand or machine	6.45			.80	
Sandblasting, steam cleaning, acid cleaning and priming	6.70			.80	
Paperhangers & glaziers	5.70			.80	
Piledrivermen	7.09	.40	.40		.01
Plasterers	6.78	.35	.35	.50	.01
Plumbers	8.38	.35	.30		.02
Roofers	7.40	.35	.35		
Sheet metal workers	8.25	.32	.40		.02
Soft floor layers	6.99	.40	.40		.01
Sprinkler fitters	8.00	.20	.30		.05

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Steamfitters	8.38	.35	.30		.02
Stonemasons	6.78	.35	.35	.50	.01
Terrazzo workers	6.98	.35	.35	.50	.01
Tile setters	6.98	.35	.35	.50	a.01
Tile setters' helpers	5.43	.35		.50	
Truck drivers:					
Regular	6.02	c17.00	c10.00	a	
Heavy Duty, double axle and semi	6.15	c17.00	c10.00	a	
Euclid type equipment	6.38	c17.00	c10.00	a	
Truck repair and maintenance	6.23	c17.00	c10.00	a	
Welders - receive rate prescribed for craft performing operation to which welding is incidental.					

PAID HOLIDAYS: (WHERE APPLICABLE)
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Six paid holidays: A through F.

b. Employer contributes 4% of regular hourly rate to vacation credit for employee who has worked in business more than 5 years. Employer contributes 2% of regular hourly rate to vacation pay credit for employee who has worked in business less than 5 years.

c. Per week per employee

f. Nine paid holidays, A through F plus Washington's Birthday, Christmas Eve and Good Friday, providing employee has worked 45 full days during the 120 calendar days prior to the holiday and the regular scheduled work days immediately preceding and following the holiday.

g. Includes $.05 holiday pay.

Mich Line Construction Area III U. P.

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Othe
LINE CONSTRUCTION:						
Linemen	$6.89	.25	1%	a	.25%	
Cable Splicer	7.17	.25	1%	a	.25%	
Comb. digger Op. - Groundman	5.39	.25	1%	a	.25%	
Comb. Tractor Op. - Groundman	5.39	.25	1%	a	.25%	
Light equipment Op. - Groundman	4.74	.25	1%	a	.25%	
Distribution line truck driver operator - Groundman	4.74	.25	1%	a	.25%	
Combination Winch truck driver - Groundman						
1st year	3.96	.25	1%	a	.25%	
Over 1 Year	4.53	.25	1%	a	.25%	
Comb. Truck driver - Groundman	3.84	.25	1%	a	.25%	

PAID HOLIDAYS: (WHERE APPLICABLE)
A-New Years Day; B-Memorial Day;
C-Independence Day; D-Labor Day;
E-Thanksgiving Day; F-Christmas Day

FOOTNOTE:
a. Seven paid holidays: A through F plus Veterans Day providing the employee worked the scheduled workday preceding and the scheduled workday next following the day observed as the holiday.

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Building and Heavy Construction	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Laborers:						
CLASS A						
Construction Laborers	$5.55	.35	.30			
CLASS B						
Material mixers, mortar mixers (hand or machine), vibrator op., concrete mixer, motor driven buggy op., chipping hammers, tamping machines, green cutting (whether run by air, electric or gas), and sand blasters	5.65	.35	.30			
CLASS C						
Cement gun nozzlemen, blasters, miners drillers, buster operator, layers of all non-metallic pipe	5.95	.35	.30			
CLASS D						
Underground Work, Tunnels and Shafts: Muckers, caisson workers, miners, drillers, blasters	6.10	.35	.30			

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
POWER EQUIPMENT OPERATORS: BUILDING, HEAVY & UNDERGROUND						
CLASS A Regular equipment operator, crane, dozer, front end loader, job mechanic	$7.07	.50	.55	.22	.01	
CLASS B Air track drill, boom truck, concrete mixers, fork truck, material hoist & tugger, pumps 6" or over, pumpcrete, belt crete, squeeze crete, sweeping machine, trencher, winches, well points and freeze systems	6.68	.50	.55	.21	.01	
CLASS C Air compressor, conveyor, concrete saw, farm tractor (without attachments) generator, gurar post driver, mulching, pumps under 6", welders	6.31	.50	.55	.20	.01	
CLASS D Oiler, firemen, heater operator	5.91	.50	.55			
STEEL CONSTRUCTION:						
CLASS 1 Operator	7.31	.50	.55	.23	.01	
CLASS 2 Compressor & welder	6.83	.50	.55	.21	.01	
CLASS 3 Oiler & fireman	6.02	.50	.55	.19		

SUPERSEDEAS DECISION

STATE: Minnesota
DECISION NUMBER: AQ-3103
COUNTIES: See Below
DATE: Date of Publication
Supersedes Decisions No. AP-642, dated March 9, 1973, in 38 FR 6556 and No. AP-643, dated March 9, 1973, in 38 FR 6559.
DESCRIPTION OF WORK: Heavy and Highway Construction

COUNTIES

Aitken	Houston	Olmstead
Anoka	Isanti	Pine
Benton	Itaska	Ramsey
Blue Earth	Jackson	Rice
Carlton	Kanabec	Rock
Carver	Koochiching	Scott
Chisago	Lake	Sherburne
Cook	Le Sueur	Sibley
Crow Wing	Martin	Stearns
Dakota	Meeker	Steele
Dodge	McLeod	St. Louis
Fairbault	Mille Lacs	Wabasha
Fillmore	Morrison	Waseca
Freeborn	Mower	Washington
Goodhue	Nicollet	Winona
Hennepin	Nobles	Wright

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
CARPENTERS & PILEDRIVERMEN 1						
ZONE 1	$7.56	.40	.20	.50		
ZONE 2	7.58	.25		.30		
ZONE 3	7.33	.25				
ZONE 4	6.72			.75		
ZONE 5	6.57	.30				
ZONE 6	7.33	.40				
ZONE 7	7.13	.40	.20			
ZONE 8	7.73					
ZONE 9	6.62	.25				
ZONE 10	6.57	.30				
ZONE 11	6.87					
CEMENT MASONS 2						
ZONE 1	8.08	.30	.25			
ZONE 2	8.28	.25				
ZONE 3	7.50	.25				
ZONE 4	7.50	.40		.30		
ZONE 5	7.55					
ZONE 6	7.60					
ZONE 7	7.15		.15			
ZONE 8	7.55					
ZONE 9	7.50					
ZONE 10	6.85	.35		.35		
ZONE 11	7.55					
ZONE 12	7.55					
ZONE 13	7.55					
ZONE 14	7.44	.305	.23	.475		
ZONE 15	6.85	.35		.35		
IRONWORKERS 3						
ZONE 1	8.10	.50	.50		.02	
ZONE 2	8.25	.25	.50	.10		
ZONE 3	7.355	.30	.14		.01	
LINEMEN 4						
ZONE 1	8.29	4%	4%	11%	1.5%	
ZONE 2	8.29	4%	4%	11%	1.5%	
ZONE 3	8.30	5%	2.5%	11.5%	1.5%	
ZONE 4	8.30	6½%	4%	9%	1%	
ZONE 5	7.47	.35	1%		.04	
ZONE 6	6.94	.25	1%		.5%	
ZONE 7	7.14	.25	1%		½%	

PAINTERS 5

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
ZONE 1						
Brush	$7.60	.25	.20		.05	
Structural Steel	7.85	.25	.20		.05	
ZONE 2						
Brush	7.70					
Structural Steel	8.80					
ZONE 3						
Brush	7.68	.35	.15		.06	
Structural Steel	8.18	.35	.15		.06	
ZONE 4						
Brush	7.80	.35	.25		.04	
Structural Steel	8.30	.35	.25		.04	
ZONE 5						
Brush	5.55					
Structural Steel	6.05					
ZONE 6						
Brush	5.00					
Structural Steel	5.50					
ZONE 7						
Brush	7.55	.30	.10		.02	
Spray	8.05	.30	.10		.02	
ZONE 8						
Brush	6.80				.01	
Spray & High Work	7.30				.01	
ZONE 9						
Brush	7.55					
Spray	8.05					

LABORERS 6

ZONE 1

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CLASS 1-Unskilled Laborer; Drill Runner helper Landscape gardener; Sod Layer & Nurseryman; Powder Monkey; Rein. Steel Lab.;Rein. Steel Setter; Salamander Heater & Blower Tender; Carpenter Tender; Winch Handler	$6.15	.35	.35	.40	
CLASS 2-Laborer, Wrecking & Demolition; Bit. batcherman(stationary plant); Bit. Shoveler; Blacksmith Helper; Bottom Man(sewer, water or gas trench); Bricklayer Tender; Cement Handler Cement Coverman(batch trucks); Compaction equip. Shoveler Conc.; Batcherman Conc.; Conc. Vib. Tamper & Puddler(paving)Conc. Longitudinal Floatmen; Conduit Layer(w/o wiring); Chipping Hammer; Curb Setter(stone or precast conc.) Dumper (wagon truck, etc.); Dump man; Dump man (paver-batch truck, etc.); Formsetter(pavement) Hydrant & valve setter; Joint Filler (conc.) Kettleman (bituminous or lead); Service connection maker; Power Buggy; Joint Sawer; Sqeege man (bit. brick or block); Stabilizing batcherman (stationary plant); Stonemason Tender; Drill Runner(heavy, including churn drill	6.25	.35	.35	.40	
CLASS 3-Chainsaw man; Conc. mixer(1 bag); Jackhammer man & paving buster; Mortar Mixer; Pipe Handler; Pipe Derrickman (triped, manual	6.30	.35	.35	.40	
CLASS 4-Bottom Man(sewer, water or gas trench, more than 8' below starting level of manual work); Tunnel Lab.(atmosperic pressure) Underpinning work; Caisson work; Other work more than 8' below starting level of manual work; Open Ditch Work	6.40	.35	.35	.40	
CLASS 5-Bituminous Tamper; Pipelayer; Sand Cushion & Bedmaker	6.45	.35	.35	.40	
CLASS 6-Cement Gun (1½" & over); Leadman	6.50	.35	.35	.40	
CLASS 7- Nozzlemen (Gunnite)	6.55	.35	.35	.40	
CLASS 8- Brick or Block Paving Setter	6.58	.35	.35	.40	
CLASS 9- Bituminous Raker, Floater & Utility Man	6.60	.35	.35	.40	
CLASS 10-Tunnel Man (Air Pressure); Tunnel Miner	6.83	.35	.35	.40	
CLASS 11-Powderman	6.78	.35	.35	.40	

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ZONE 2

LABORERS: 6	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
CLASS I						
Unskilled Laborers; Laborers; wrecking & demolition; Bricklayer tender; Drill runner helper; Landscape gardener; Sod layer & nurseryman; Pipehandler (water, gas, cast iron); Salamander heater & blower tender; Carpenter tender; Stonemason tender	$6.28	.25	.15	.25		
CLASS II						
Bituminous Shoveler; Bottom man (sewer, water or gas trench); Cement handler (bulk or bag); Cement coverman (batch trucks); Chain saw man; Compaction equipment (hand operated); Concrete mixer operator (1 bag); Concrete shoveler, tamper & puddler (paving) Concrete vibrator; Conduit layers (w/o wiring); Dumper (wagon, truck, etc.); Formsetter (municipal type curb & side walk) Formsetter (pavement); Jackhammer man & paving busters; Kettleman (bituminous or lead); Mortar mixer; Power buggy; Joint sawer; Tunnel Laborer (atmospheric pressure)	6.38	.25	.15	.25		
CLASS III						
Bituminous Tamper; Cofferdam work; Caisson work	6.53	.25	.15	.25		
CLASS IV						
Drill Runner (heavy, including churn-drill)	6.58	.25	.15	.25		
CLASS V						
Bituminous Raker, Floater & Utility Man; Pipelayer (sewer, water, gas); Leadman	6.63	.25	.15	.25		
CLASS VI						
Nozzleman (Gunite)	6.68	.25	.15	.25		
CLASS VII						
Powderman	6.78	.25	.15	.25		
CLASS VIII						
Tunnel Miner	6.88	.25	.15	.25		

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ZONE 3

LABORERS: 6	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
CLASS I						
Unskilled Laborers; Laborers; wrecking & demolition; Bricklayer tender; Drill runner helper; Landscape gardener; Sod layer & nurseryman; Pipehandler (water, gas, cast iron); Salamander heater & blower tender; Carpenter tender; Stonemason tender	$6.38	.15	.15	.25		
CLASS II						
Bituminous Shoveler; Bottom man (sewer, water or gas trench); Cement handler (bulk or bag); Cement coverman (batch trucks); Chain saw man; Compaction equipment (hand operated); Concrete mixer operator (1 bag); Concrete shoveler, tamper & puddler (paving) Concrete vibrator; Conduit layers (w/o wiring); Dumper (wagon, truck, etc.); Formsetter (municipal type curb & side walk) Formsetter (pavement); Jackhammer man & paving busters; Kettleman (bituminous or lead); Mortar mixer; Power buggy; Joint sawer; Tunnel Laborer (atmospheric pressure)	6.48	.15	.15	.25		
CLASS III						
Bituminous Tamper; Cofferdam work; Caisson work	6.63	.15	.15	.25		
CLASS IV						
Drill Runner (heavy, including churn-drill)	6.68	.15	.15	.25		
CLASS V						
Bituminous Raker, Floater & Utility Man; Pipelayer (sewer, water, gas); Leadman	6.73	.15	.15	.25		
CLASS VI						
Nozzleman (Gunite)	6.78	.15	.15	.25		
CLASS VII						
Powderman	6.88	.15	.15	.25		
CLASS VIII						
Tunnel Miner	6.98	.15	.15	.25		

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	Basic Hourly Rates	Fringe Benefits Payment: H & W	Pensions	Vacation	App. Tr.	Others
LABORERS: 6						
CLASS I Bricklayer Tender; Carpenter Tender; Drill Runner Helper; Laborers; Wrecking & Demolition; Landscape Gardener; Pipe Handler (water, gas & cast iron); Salamander heater & blower tender; Sod Layer & Nurseryman; Stonemason Tender; Unskilled Laborers	$5.50	.35	.35	.40		
CLASS II Bituminous Shoveler; Bottom Man (sewer, water or gas trench); Cement Coverman (batch trucks); Cement Handler (bulk or bag); Chain Saw Man; Compaction Equipment (hand operated) Concrete Mixer (1 bag); Concrete Shoveler, Tamper & Puddler (paving) Concrete Vibrator; Conduit Layers (w/o wiring); Drill Runner (heavy incl. churn drill); Dumper (wagon truck, etc.); Formsetter (municipal type curb & sidewalk); Formsetter (pavement); Jackhammer Man; Joint Sawer; Kettleman (bituminous or lead) Mortar Mixers; Paving Buster; Power Buggy; Tunnel Laborer (atmospheric pressure)	5.60	.35	.35	.40		
CLASS III Bituminous Tamper, Caisson & Cofferdam	5.85	.35	.35	.40		
CLASS IV Bituminous Raker, Floater & Utility Man; Caisson Work; Cofferdam	5.65	.35	.35	.40		
CLASS V Nozzleman (Gunnite)	5.90	.35	.35	.40		
CLASS VI Pipelayer (sewer, water & gas)	5.95	.35	.35	.40		
CLASS VII Powderman; Tunnel Miner	6.00	.35	.35	.40		

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	Basic Hourly Rates	Fringe Benefits Payment: H & W	Pensions	Vacation	App. Tr.	Others
LABORERS: 6						
CLASS I Bricklayer Tender; Carpenter Tender; Drill Runner Helper; Laborers; Wrecking & Demolition; Landscape Gardener; Pipe Handler (water, gas & cast iron); Salamander heater & blower tender; Sod Layer & Nurseryman; Stonemason Tender; Unskilled Laborers	$6.30	.15	.15			
CLASS II Bituminous Shoveler; Bottom Man (sewer, water or gas trench); Cement Coverman (batch trucks); Cement Handler (bulk or bag); Chain Saw Man; Compaction Equipment (hand operated) Concrete Mixer (1 bag); Concrete Shoveler, Tamper & Puddler (paving) Concrete Vibrator; Conduit Layers (w/o wiring); Drill Runner (heavy incl. churn drill); Dumper (wagon truck, etc.); Formsetter (municipal type curb & sidewalk); Formsetter (pavement); Jackhammer Man; Joint Sawer; Kettleman (bituminous or lead) Mortar Mixers; Paving Buster; Power Buggy; Tunnel Laborer (atmospheric pressure)	6.40	.15	.15			
CLASS III Bituminous Tamper, Caisson & Cofferdam	6.45	.15	.15			
CLASS IV Bituminous Raker, Floater & Utility Man; Caisson Work; Cofferdam	6.55	.15	.15			
CLASS V Nozzleman (Gunnite)	6.70	.15	.15			
CLASS VI Pipelayer (sewer, water & gas)	6.75	.15	.15			
CLASS VII Powderman; Tunnel Miner	6.80	.15	.15			

ZONE 6

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
LABORERS: 6						
CLASS I						
Bricklayer Tender; Carpenter Tender; Drill Runner Helper; Laborers; Wrecking & Demolition; Landscape Gardener; Pipe Handler (water, gas & cast iron); Salamander heater & blower tender; Sod Layer & Nurseryman; Stonemason Tender; Unskilled Laborers	$5.25	.15	.15			
CLASS II						
Bituminous Shoveler; Bottom Man (sewer, water or gas trench); Cement Coverman (batch trucks); Cement Handler (bulk or bag); Chain Saw Man; Compaction Equipment(hand operated) Concrete Mixer (1 bag); Concrete Shoveler, Tamper & Puddler (paving) Concrete Vibrator; Conduit Layers (w/o wiring); Drill Runner (heavy incl. churn drill); Dumper (wagon truck, etc.); Formsetter (municipal type curb & sidewalk); Formsetter (pavement); Jackhammer Man; Joint Sawer; Kettleman (bituminous or lead) Mortar Mixers; Paving Buster; Power Buggy; Tunnel Laborer (atmospheric pressure)	5.35	.15	.15			
CLASS III						
Bituminous Tamper, Caisson & Cofferdam	5.50	.15	.15			
CLASS IV						
Bituminous Raker, Floater & Utility Man; Caisson Work; Cofferdam	5.60	.15	.15			
CLASS V						
Nozzleman (Gunnite)	5.65	.15	.15			
CLASS VI						
Pipelayer (sewer, water & gas)	5.70	.15	.15			
CLASS VII						
Powderman; Tunnel Miner	5.75	.15	.15			
CLASS VIII						
Form Setter (Municipal Type Curb and Sidewalk) Form Setter (Pavement)	5.40	.15	.15			

CLASSIFICATIONS

POWER EQUIPMENT OPERATORS

GROUP 1: Helicopter Pilot

GROUP 2: Crane w/over 135' Boom, excluding jib, Dragline and/or other similar equip. w/shovel type controls 3 cu. yds. & over Mfg. rated capacity

GROUP 3: Cableway Op., Conc. Mixer, Stationary Plant over 34E, Derrick, Dragline and/or other similar equip. w/shovel type controls up to 3 cu. yds. Mfg. rated capacity, Dredge Opr. or Eng., Dredge Opr.(power) & Eng., Front End Loader Op., 5 cu. yds. & over, Grader or Motor Patrol, Finishing Earthwork & Bit. Locomotive Crane Opr., Master Mech., Mixer (paving) Conc. Paving Opr., Road Mole Opr., incl. power supply, Mucking Mach. incl. mucking operations Conway or similar type, Refrigeration Plant Engineer, Tandem Scraper, Tractor Opr., (Boom Type), Truck Crane Opr., Tugboat Opr. 100 HP & over.

GROUP 4: Dual Tractor Opr., Elevating Grader Opr., Pumperete Opr., Scraper Opr., Struck Capacity 32 cu. yd. & over, Self Prop. Traveling Soil Stabilizer

GROUP 5: Air Track Rock Drill, Asphalt Bit. Stabilizer Plant Opr., Crushing Plant Opr., or Gravel Washing, Crushing & Screening Plant Opr., Dope Mach. Opr., Drill Rigs, Hvy. Rotary or Churn or Cable Drill, Eng. in Charge of Plant requiring 1st Class Lic., Forklift or Straddle Carr. Opr., ForkLift or Lumber Stacker, Front End Loader Opr., over 1 cu. yd. Hoist Eng., Hydraulic Tree Planter, Launcherman, Locomotive(all types) Mech. or Welder Multiple Machinesm such as A/Compressors, Welding Mach., Generators, Pumps or Crane Oilers, Paving Breaker or Tamping Mach. Opr., (power driven) Mighty Mite or similar type, Pick-up Sweeper, 1 cu. yd. & over Hopper Capacity, Pipeline Wrapping, Cleaning or Bending Mach. Opr., Power Plant Eng., Power Actuated Horizontal Boring Mach. over 6" Opr., Pugmill Opr., Roller Opr., (8 tons & over), Rubber Tired Farm Tractor, Backhoe Att., Sheepfoot Opr., Tie Tamper & Ballast Mach. Opr., Tractor Opr., over 50 HP w/o power take off, Trenching Machine Opr.,(sewer, water or gas) Tournapull Opr.,(or similar type) Well Point Installatio: Dismantling or Repair Machanic

GROUP 6: Air Compressor Opr., 375 CFM or over, Bit. Spreader & Bit. Finish. Mach. Opr., Conc. Dist. & Spreader Opr., Finishing Mach. Longitudinal Float Opr., Joint Mach. Opr., Spray Opr., Concrete Mixer Opr., 14S & Under, Conc. Saw Opr., (Mult. Blade), Curb Mach. Fine Grade Opr., Form Trench Digger, Front End Loader Opr., (up to & Incl.) 1 cu. yd. Grader Opr., (Motor Patrol), Gunnite Opr., Gunnall, Lead Greaser on truck rack, Loader Opr., Power Actuated Augars & Boring Mach, Opr., Pump Opr., Roller Opr., Self-Propelled Chip Spreader, Shouldering Mach. Opr., Stump Chipper Opr., Tractor Opr., (D-2, TD-6 or similar HP w/ power take off

GROUP 7: Brakeman, Switchman, Conveyor Opr., Deckhand, Fireman, Tank Car Heater Oprerator, Gravel Screening Plant Opr., Greaser, Levermen, Mech. Helper, Mech. Space Heater, Oiler, Self-Prop. Vib. Packer Opr., Sheepfoot Roller, Tractor Opr., 50 HP or less w/o Power take-off, Truck Crane Oiler.

TRUCK DRIVERS

GROUP 1: Truck driver (hauling machinery for employer's own use, including operator of hand & power operator winches, Truck Drain, Mechanic Welder; Tractor Trailer, Off-Road truck drivers

GROUP 2: Tri-Axle (including four axles)

GROUP 3: Bituminous Dist. Driver, Bit. Dist.(1 man operation) Tandem Axle Trucks

GROUP 4: Bit. Dist. Spray Opr. (rear end oiler) Dumpman; Greaser & Truck Servicemen; Tank Truck Helper (gas, oil, road oil & water) Teamster & Stableman; Tractor Operator (wheel type used for any purpose) Pilot Car Driver; Self-Propelled Packer, Slurry Operator; Single Axle Trucks

	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Fringe Benefits Payments			
				H & W	Pensions	Vacation	App. Tr
POWER EQUIPMENT OPERATORS [7]	ZONE 1	ZONE 2	ZONE 3				
GROUP 1	$11.60	$11.30	$11.15	.35	.25		
GROUP 2	8.31	8.01	6.87	.35	.25		
GROUP 3	8.05	7.75	6.72	.35	.25		
GROUP 4	7.93	7.63	6.58	.35	.25		
GROUP 5	7.83	7.53	6.50	.35	.25		
GROUP 6	7.15	6.85	5.97	.35	.25		
GROUP 7	6.85	6.55	5.57	.35	.25		
TRUCK DRIVERS [8]							
GROUP 1	7.05	6.52		.35	.30		
GROUP 2	6.75	6.22		.35	.30		
GROUP 3	6.65	6.12		.35	.30		
GROUP 4	6.45	5.92		.35	.30		

AREA COVERED BY VARIOUS ZONES

[1] CARPENTERS AND PILEDRIVERMEN

ZONE 1 - Counties of Anoka, Carver, Chisago, Dakota, Hennepin, Isanti, Ramsey, Scott, and Washington, Sherburne County (north of thenorthern boundry of T-34-N or west of the western boundry of R-27-W), and Wright County east of and including Minnesota Highway 25.

ZONE 2 - Counties of Aitkin, Cook, Itaska, Kanabec, Lake, Mille Lacs, and St. Louis, and Pine County south of Hinkley, Barry, Arlone, and Clover Townships.

ZONE 3 - Carlton County and the remainder of Pine County.

ZONE 4 - Benton County, the remainder of Sherburne and Wright Counties, and Stearns County east of a north-south line drawn from the intersection of Stearns, Todd and Morrison Counties.

ZONE 5 - Blue earth County (entire countyexcept N.W. corner including Cities of Butternut, Judson, and Cambria), Le Sueur County (west 2/3 of county including Cities of Cleveland, Kasota, Le Sueur, and Ottawa), Nicollet County (east 1/2 of county including Cities of New Sweden, Nicollet, Norseland, North Mankato, and St. Peter), Waseca County (N.W. corner including City of Smith Mill), and Sibley County (S.E. corner including Cities of Henderson and Rush River).

ZONE 6 - Rice County, Dodge County (N.W. portion including Cities of Clermont and West Concord), Goodhue County (along west boarder including Cities of Keyon, Dennison, Skyburg, Sogn, Stanton, and Wangs), Steele County (entire county except along south boarder including Cities of Blooming Prairie and Ellendale), Waseca County (entire county except Smith Mill in N.W. corner and along the south boarder including the Cities of Matawan and New Richland), and the remainder of Le Sueur Co.

ZONE 7 - Olmsted County, Fillmore County (the vacinity of the Cities of Chatfield, Cherrygrove, Etna, Fillmore, Fountain, Granger, Greenleafton, Harmony, Preston, Spring Valley, and Wykoff), Goodhue County (S.W. corner including Cities of Roscoe and Pine Island), Dodge County (in the vacinity of the Cities of Borne, Concord, Dodge Center, Kasson, Danesville, Eden, Manterville, and Wasioja), Mower County (N.W. corner including the City of Racine), and Wabasha County (in the vacinity of the Cities of Elgin, Hammond, Millville, Plainview, Conseption, Dunfries, Jarret, South Troy, and Theilman).

ZONE 8 - Counties of Fairbault, Freeborn, Houston, and Winona, and the remainder of Dodge, Fillmore, Goodhue, Mower, Steele, Wabasha, and Waseca Counties.

ZONE 9 - Koochiching County.

ZONE 10 - Meeker County and McLeod County (N.W. corner including the Cities of Biscay, Heatwole, and Hutchinson).

ZONE 11 - Counties of Crow Wing, Jackson, Martin, Morrison, Nobles, and Rock, and the remainder of McLeod, Sibley, and Stearns County.

[2] CEMENT MASONS

ZONE 1 - Counties of Anoka, Carver, Chisago, Dakota, Hennepin, Isanti, Kanabec, McLeod, Mille Lacs, Ramsey, Scott, Sherburne, Sibley, Washington, and Wright, and Pine County south of T-43-N.

ZONE 2 - Counties of Aitkin, Carlton, Cook, and Lake, Pine County north of T-42-N, and St. Louis County south of T-55-N.

ZONE 3 - Itaska County and St. Louis County north of T-54-N.

ZONE 4 - Counties of Crow Wing and Koochiching.

ZONE 5 - Morrison County.

ZONE 6 - Counties of Benton and Stearns.

ZONE 7 - Meeker County.

ZONE 8 - Counties of Blue Earth and Nicollet, Le Sueur County (east 1/2 including the Cities of Cleveland, Elysian, Kasato, Le Center, Le Sueur, Lexington, Ottawa, and St. Thomas), Waseca County, (east 1/2 including the Cities of Alma City, Janesville, Smith Mill, and Waldorf).

ZONE 9 - Counties of Jackson, Martin, Nobles, and Rock.

ZONE 10 - Fairbault County, and Freeborn County (west of a line running north and south from Genevia to Gordansville

CEMENT MASONS CONTINUED

ZONE 11 - Counties of Rice and Steele, the remainder of Le Sueur and Waseca Counties, and Dodge County west of Highway 56

ZONE 12 - Olmsted County, Dodge County east of Highway 56, and Fillmore County east of a line drawn north and south established east of the City of Dodge Center.

ZONE 13 - Counties of Houston and Winona, and the remainder of Fillmore County.

ZONE 14 - Counties of Goodhue and Wabasha.

ZONE 15 - Mower County and the remainder of Freeborn County

[3] IRONWORKERS

ZONE 1 - Counties of Anoka, Benton, Blue Earth, Carver, Chisago, Dakota, Dodge, Fairbault, Fillmore, Freeborn, Goodhue, Hennepin, Houston, Isanti, Le Sueur, McLeod, Martin, Meeker, Morrison, Mower, Nicollet, Olmsted, Ramsey, Rice, Scott, Sherburne, Sibley, Stearns, Steele, Wabasha, Waseca, Washington, Winona and Wright, Crow Wing County (the S.W. corner including the Cities of Crow Wing, Fort Ripley, and Shepnard), Kanabec County (excluding north 1/3 of county including Cities of Warman, Kruschel, and Woodland), Mille Lacs County (excluding N.E. corner including the Cities of Bayview, Opstead, Isle, Wahkun, Cove, and Vineland), and Pine County (the S.W. corner including the Cities of Pine City, Henriette, Greely, Rock Creek, and West Rock).

ZONE 2 - Counties of Aitkin, Carlton, Cook, Itaska, Koochiching, Lake, and St. Louis, and the remainder of Crow Wing, Kanebec, Mille Lacs, and Pine Counties.

ZONE 3 - Counties of Jackson, Nobles, and Rock.

[4] LINEMEN

ZONE 1 - Counties of Aitkin, Carlton, Cook, Crow Wing, Lake, and Morrison; Itaska County, that portion south of T-55 R-27, Bass Rock, Grand Rapids, Trout Lake, T-55 R-23 and that portion of Goodland Township south of a line west from the S.W. corner of T-55 R-23; St. Louis County, that portion south of Ault, Ellsburg, Lavell, T-55 R-14, T-55 R-15, T-55 R-18 and T-55 R-21 Townships; Kenebec County north of Ann Lake, Knife Lake, and Whited Townships; Mille Lacs County north of Daily and Mudgett Townships; and Pine County north of Brook Park, Crosby, Mission Creek, and Munch Townships.

ZONE 2 - Koochiching County and the remainder of Itaska and St. Louis Counties.

ZONE 3 - Counties of Chisago, Dakota, Isanti, Ramsey, Rice, and Washington; the remainder of Kanabec, Mille Lacs, and Pine Counties; Anoka County, the entire county except Anoka, Fridley, Grow and Ramsey Townships; Goodhue County, entire county except Pine Island, Minneola, Roscoe, and Zumbrota Townships; Le Sueur County, that portion east of Cleveland, Sharon, Tyrone, and Washongton Townships; Sherburne County, that portion east of Becker and Santiago Townships; and Wabasha County, entire county except Elgin and Plainview Townships.

ZONE 4 - Counties of Benton, Blue Earth, Carver, Fairbault, Hennepin, Jackson, McLeod, Martin, Meeker, Nicollet, Scott, Sibley, Stearns, Waseca, and Wright and the remainder of Anoka, Le Sueur, and Sherburne Counties

ZONE 5 - Counties of Dodge, Fillmore, Freeborn, Mower, Olmsted, and Steele, and the remainder of Goodhue and Wabasha Counties.

ZONE 6 - Counties of Houston and Winona.

ZONE 7 - Counties of Nobles and Rock.

[5] PAINTERS

ZONE 1 - Counties of Carlton, Cook, and Lake, Pine County north of State Route 48, Koochiching County (N.E. corner including towns of International Falls, South International Falls, Pelland, Ray, and Island View), and St. Louis County (Excluding the area north of the town of Meadowlands, south of the town of Cook, and west from these towns to the Itasca County line).

ZONE 2 - Itasca County and the remainder of Koochiching and St. Louis Counties.

ZONE 3 - Counties of Chisago, Dakota, Ramsey, and Washington, and Pine County south of State Route 48

ZONE 4 - Counties of Anoka, Carver, Hennepin, Isanti, Kanabec, McLeod, and Scott, and the eastern 2/3 of Sherburne and Wright Counties.

PAINTERS CONTINUED

ZONE 5 - Counties of Benton, Mille Lacs, Meeker, and Stearns, the western 1/3 of Sherburne and Wright Counties, and the southern 1/2 of Morrison County.

ZONE 6 - Counties of Aitkin, Crow Wing, and the northern 1/2 of Morrison County.

ZONE 7 - Counties of Dodge, Fairbault, Fillmore, Freeborn, Goodhue, Houston, Mower, Olmsted, Wabasha, and Winona.

ZONE 8 - Counties of Blue Earth, Jackson, Martin, Nicollet, Nobles, Rock, and Sibley.

ZONE 9 - Counties of Le Sueur, Rice, Steele, and Waseca.

[6] LABORERS

ZONE 1 - Counties of Anoka, Carver, Chisago, Dakota, Hennepin, Isanti, Pine, Ramsey, Scott, Sherburne, Washington, and Wright

ZONE 2 - Counties of Carlton, Cook, and Lake, and St. Louis County south of T-55

ZONE 3 - Itaska County and St. Louis County north of T-55

ZONE 4 - Counties of Benton, Kanabec, Mille Lacs, and Stearns

ZONE 5 - Counties of Blue Earth, Dodge, Fairbault, Fillmore, Freeborn, Goodhue, Houston, Le Sueur, Mower, Nicollet, Olmsted, Rice, Steele, Wabasha, Waseca, and Winona.

ZONE 6 - Counties of Aitkin, Crown Wing, Jackson, Koochiching, Mc Leod, Martin, Meeker, Morrison, Nobles, Rock, and Sibley.

[7] POWER EQUIPMENT OPERATORS

ZONE 1 - Counties of Anoka, Carver, Cook, Dakota, Hennepin, Lake, Ramsey, St. Louis, Scott, and Washington, Sherbourne County south of the northern boundry of T-33-N and east of the western boundry of R-27-W, Wright County east of and including Highway 25, Chisago County south of the northern boundry of T-34-N and that part consisting substantially of the Cities of Thompson, Colquet, Scanlon, and Carlton.

ZONE 2 - Counties of Aitkin, Blue Earth, Carlton, Dodge, Fairbault, Fillmore, Freeborn, Goodhue, Houston, Isanti, Kanabec, Le Sueur, Mille Lacs, Mower, Olmsted, Pine, Rice, Steele, Wabasha, Waseca, Winona, and Washington; the remainder of Chisago, Sherburne, and Wright Counties; Koochiching County east of a north-south line from the Canadian boarder to Pelland - the western right-of-way of U. S. Hwy. 71 from Pelland to Big Falls and Minn. Hwy. 6; Itaska County east of the western right-of-way of Minn. Hwy. 6; Crow Wing County east of the Western right-of-way of U.S. Hwy. 371; Morrison County east of the western right-of-way of U.S. Hwy. 371 and U.S. Hwy. 10 from Little Falls to the Morrison-Benton County lines; Benton County east of the western right-of-way of U.S. Hwy. 10; and in McLeod, Martin, Meeker, Nicollet, Sibley, and Stearns Counties, east of the western right-of-way of Minn. Hwy. 15. In every case the entire corporate limits of cities, towns and villages located on the boundries described as highways shall be included in ZONE 2.

ZONE 3 - Counties of Jackson, Nobles, and Rock, and the remainder of Benton, Crow Wing, Itaska, Koochiching, McLeod, Martin, Meeker, Morrison, Nicollet, Sibley, and Stearns Counties.

[8] TRUCK DRIVERS

ZONE 1 - Counties of Anoka, Carlton, Carver, Cook, Dakota, Dodge, Fillmore, Freeborn, Goodhue, Hennepin, Houston, Lake, Mower, Olmsted, Ramsey, Rice, St. Louis, Scott, Steele, Wabasha, Washington, Winona, and Wright, and Chisago County south of T-34-N.

ZONE 2 - Counties of Aitkin, Benton, Blue Earth, Crow Wing, Fairbault, Isanti, Itaska, Jackson, Kanabec, Koochoching, Le Sueur, McLeod, Martin, Meeker, Mille Lacs, Morrison, Nicollet, Nobles, Pine, Rock, Sibley, Sherburne, Stearns, and Waseca, and Chisago County north of T-34-N.

SUPERSEDEAS DECISION

STATE: Minnesota
COUNTIES: See Below
DECISION NUMBER: AQ-3104
DATE: Date of Publication
Supersedes Decision No. AP-49, dated November 25, 1972, in 37 FR 25097
DESCRIPTION OF WORK: Heavy and Highway Construction

MINN-Bec-Cas-Cla-Hub-Ota-Tod-Wad-Wil-3 A

COUNTIES: Becker, Cass, Clay, Hubbard, Ottertail, Todd, Wadena & Wilkin	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LABORERS	$4.30				
TRUCK DRIVERS:					
Truck Drivers (Tandem)	5.55	.15	.15		
Truck Drivers (Semi)	5.75	.15	.15		
POWER EQUIPMENT OPERATORS:					
Asphalt Distributor	5.55	.15	.15		
Asphalt Plant	5.55	.15	.15		
Bulldozer	6.10	.15	.15		
Crusher-Screening Plant	6.10	.15	.15		
Loader	6.10	.15	.15		
Mechanic	6.10	.15	.15		
Motor Patrol	6.35	.15	.15		
Oiler-Greaser	5.55	.15	.15		
Rollers:					
Base	4.97				
Finish	5.27				
Scraper	5.52				
Tractor	5.20	.15	.15		

SUPERSEDEAS DECISION

STATE: Minnesota — COUNTIES: See Below
DECISION NUMBER: AQ-3105 — DATE: Date of Publication
Supersedes Decision No. AP-50, dated November 25, 1972, in 37 FR 25098
DESCRIPTION OF WORK: Heavy and Highway Construction

MINN-BST-CHI-DOU-GRA-KAND-LQP-POP-STEV-SWI-TRA-3

COUNTIES: Big Stone, Chippewa, Grant, Douglas, Kandiyohi, Lac Qui Parle, Pope, Stevens, Swift & Traverse	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LABORERS	$4.30				
TRUCK DRIVERS:					
Truck Drivers (Tandem)	5.55	.15	.15		
Truck Drivers (Semi)	5.75	.15	.15		
POWER EQUIPMENT OPERATORS:					
Asphalt Distributor-Spreader	6.10	.15	.15		
Asphalt Plant	6.10	.15	.15		
Bulldozer	6.10	.15	.15		
Crusher-Screening Plant	6.10	.15	.15		
Loader, Front End	6.10	.15	.15		
Mechanic	6.10	.15	.15		
Motor Patrol	6.35	.15	.15		
Roller	5.55	.15	.15		
Scraper	6.10	.15	.15		
Tractor	5.20	.15	.15		

SUPERSEDEAS DECISION

STATE: Missouri
DECISION NO: AQ-85 DATE: Date of Publication
Supersedes Decision Nos. AQ-81, dated February 22, 1974, in 39 FR 6987. AP-506, dated October 13, 1972, in 37 FR 21774. AP-507, dated October 13, 1972, in 37 FR 21776. AP-508, dated October 13, 1972, in 37 FR 21779. AP-509, dated October 13, 1972, in 37 FR 21783.
DESCRIPTION OF WORK AND LOCATION:
Highway Construction
Statewide except Jasper County
Heavy Construction

Adair	Gasconade	Montgomery
Andrew	Gentry	Morgan
Atchison	Greene	Newton
Audrain	Grundy	Nodaway
Barton	Harrison	Osage
Bates	Henry	Perry
Benton	Hickory	Pettis
Bollinger	Holt	Phelps
Boone	Howard	Pike
Buchanan	Jackson	Platte
Caldwell	Jefferson	Polk
Callaway	Johnson	Pulaski
Camden	Knox	Putnam
Cape Girardeau	Laclede	Ralls
Carroll	Lafayette	Randolph
Cass	Lawrence	Ray
Cedar	Lewis	St. Charles
Chariton	Lincoln	St. Clair
Clark	Linn	St. Francois
Clay	Livingston	St. Louis
Clinton	McDonald	Ste. Genevieve
Cole	Macon	Saline
Cooper	Madison	Schuyler
Crawford	Maries	Scotland
Dade	Marion	Shelby
Dallas	Mercer	Sullivan
Daviess	Miller	Vernon
DeKalb	Moniteau	Warren
Franklin	Monroe	Washington
		Worth

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
CARPENTERS & PILEDRIVERMEN:						
Franklin, Jefferson and St. Charles Counties	$8.66	.30	.30		.03	
Clay, Jackson, Platte and Ray Counties	8.12	.33	.30	.25	.05	
St. Louis County	8.66	.30	.30			
Lincoln, Pike, St. Francois, Warren & Washington Counties	8.66	.30	.30		.03	
Cass and Lafayette County	8.37	.33	.30		.03	
Atchison, Andrew, Barry, Barton, Bates, Buchanan, Caldwell, Camden, Carroll, Cedar, Christian, Clinton, Dade, Dallas, Daviess, DeKalb, Douglas, Gentry, Greene, Grundy, Harrison, Henry, Hickory, Holt, Johnson, Laclede, Lawrence, Livingston, McDonald, Mercer, Newton, Nodaway, Ozark, Polk, St. Clair, Saline, Stone, Taney, Vernon, Webster, Worth & Wright Counties	7.77	.33	.30		.03	
Crawford, Dent, Gasconade, Iron, Madison, Maries, Montgomery, Phelps, Pulaski, Reynolds, Shannon and Texas Counties	7.80	.30	.30		.03	
Boone, Cooper & Howard Counties	8.20	.20			.03	
Adair, Audrain, Benton, Callaway, Chariton, Clark, Cole, Knox, Lewis, Linn, Macon, Marion, Miller, Moniteau, Monroe, Morgan, Osage, Pettis, Putnam, Ralls, Randolph, Schuyler, Scotland, Shelby and Sullivan Counties	8.07	.33			.03	
Bollinger, Butler, Cape Girardeau, Carter, Dunklin, Howell, Mississippi, New Madrid, Oregon, Pemiscot, Perry, Ripley, Ste. Genevieve, Scott, Stoddard and Wayne Counties	7.97	.23			.03	
CEMENT MASONS:						
Bates, Carroll, Cass and Lafayette Counties	8.275	.20	.25			
Crawford, Franklin, Iron, Jefferson, Lincoln, Madison, Reynolds, Shannon, St. Charles, St. Francois, St. Louis, Ste. Genevieve, Warren, & Washington Counties	8.20	.60	.40			

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CEMENT MASONS: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Crawford, Iron, Madison, Reynolds, Shannon, St. Francois, Ste. Genevieve and Washington Counties on projects less than $75,000.00	$6.95	.60	.40			
Clay, Jachson, Platte, and Ray Counties	8.905	.20	.45	.50	.05	
Bollinger, Butler, Cape Girardeau, Carter, Dunklin, Mississippi, New Madrid, Oregon, Pemiscot, Perry, Ripley, Scott, Stoddard and Wayne Counties	6.20	.65		.25		
Cedar, Christian, Dade, Dallas, Douglas, Greene, Howell, Laclede, Ozark, Polk, Stone, Taney, Webster and Wright Counties	6.75					
Dent, Phelps, Pulaski and Texas Counties	6.30					
Benton, Henry, Hickory, Johnson, Morgan, Pettis, Saline and St. Clair Counties	7.375	.275				
Adair, Audrain, Boone, Callaway, Camden, Chariton, Cole, Cooper, Gasconade, Howard, Knox, Linn, Macon, Maries, Miller, Moniteau, Monroe, Montgomery, Osage, Randolph, Shelby and Sullivan Counties	8.25					
Barry, Barton, Lawrence, McDonald, Newton and Vernon Counties	6.60					
Andrew, Atchison, Buchanan, Caldwell Clinton, Daviess, DeKalb, Gentry, Grundy, Harrison, Holt, Livingston, Mercer, Nodaway and Worth Counties	7.20					

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ELECTRICIANS	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Adair, Audrain (that part east of Highway 19), Clark, Knox, Lewis, Linn, Macon, Marion, Monroe, Montgomery, Pike, Putnam, Ralls, Schuyler, Scotland, Shelby and Sullivan Counties:						
Electrical contracts over $5,000.00	$8.05	4%	1%	6-1/2%+5%		
Electrical contracts $5,000.00 and under	6.75	4%	1%	6-1/2%+5%		
Western half of Clay & Jackson Cos. not including Blue Springs; Northern half of Platte Co.; North Western portion of Cass Co. not including Pleasant Hill:	8.69	.23	1%+27	.80	.03	
Remainder of Clay, Jackson, Platte & Cass Counties:						
Electrical contracts over $5,000.00	8.67	.23	1%+27	.80	.03	
Electrical contracts 5,000.00 and under	8.15	.23	1%+27	.80	.03	
Bates, Benton, Henry, Johnson, Lafayette and Pettis Counties:						
Electrical contracts over $5,000.00	8.67	.23	1%+27	.80	.03	
Electrical contracts $5,000.00 and under	8.15	.23	1%+27	.80	.03	
Carroll, Cooper, Morgan, Ray & Saline Counties:						
Electrical contracts over $5,000.00	8.67	.23	1%+27	.80	.03	
Electrical contracts $5,000.00 and under	7.57	.23	1%+27	.80	.03	
Franklin, Jefferson, Lincoln, St. Charles, and Warren Counties	8.19	5%	1%+5½%	11%+4½%	1%	
Bollinger, Butler, Cape Girardeau, Carter, Dunklin, Iron, Madison, Mississippi, New Madrid, Pemiscot, Perry, Reynolds, Ripley, Scott, St. Francois, Ste. Genevieve, Stoddard, Washington and Wayne Counties:						
Electrical contracts over $5,000.00	8.19	5%	1%+5½%	11%+4½%	1%	

ELECTRICIANS (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Bollinger, Cape Girardeau, Perry, St. Francois and Ste. Genevieve Counties:						
Electrical contracts $5,000.00 and under	$5.97	5%	1%+5½%	11%+4½%	1%	
Iron, Madison, Reynolds, Washington, and Wayne Counties:						
Electrical contracts $5,000.00 and under	5.85	5%	1%+5½%	11%+4½%	1%	
Butler, Carter, Mississippi, New Madrid, Ripley, Scott and Stoddard Counties:						
Electrical contracts $5,000.00 and under	5.73	5%	1%+5½%	11%+4½%	1%	
Dunklin and Pemiscot Counties:						
Electrical contracts $5,00.00 and under	5.60	5%	1%+5½%	11%+4½%	1%	
Christian, Dallas, Douglas, Greene, Hickory, Howell, Laclede, Oregon, Ozark, Polk, Shannon, Stone, Taney Texas, Webster and Wright Counties	8.02	.30	1%	6%	.01	
Pulaski County	8.47	.30	1%	6%	.01	
Andrew, Buchanan, Clinton and DeKalb Counties	8.44	.35	1%	7%	.01	
Caldwell, Daviess, Gentry, Holt and Nodaway Counties:						
Electrical contracts over $10,00000	8.67	.35	1%	7%	.01	
Electrical contracts $10,000.00 and under	8.44	.35	1%	7%	.01	
Atchinson, Grundy, Harrison, Livingston, Mercer and Worth Counties:						
Electrical contracts over $10,00000	9.03	.35	1%	7%	.01	
Barry, Barton, Cedar, Dade, Lawrence, McDonald, Newton, St. Clair and Vernon Counties:						
Electricians	7.50	.25	1%		.005	
Cable splicers	7.85	.25	1%		.005	

ELECTRICIANS: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Audrain (except Cuivre Township), Boone, Callaway, Camden, Chariton, Cole, Crawford, Dent, Gasconade, Howard, Maries, Miller, Moniteau, Osage, Phelps and Randolph Counties:						
Electricians	8.00	.25	1%	7%+.25	1/4%	
Cable splicers	8.25	.25	1%	7%+.25	1/4%	
IRONWORKERS:						
Audrain, Boone, Callaway, Cole, Crawford, Dent, Franklin, Gasconade, Iron, Jefferson, Lincoln, Madison, Maries, Miller, Montgomery, Osage, Perry, Phelps, Pike, Pulaski, Reynolds, Shannon, St. Charles, St. Francois, St. Louis, Ste. Genevieve, Texas, Warren, Washington and Wright Counties:						
Structural; ornamental; & reinforcing	8.625	.50	.60		.05	
Andrew, Atchison, Barton, Bates, Benton, Buchanan, Caldwell, Camden, Carroll, Cass, Cedar, Chariton, Clay, Clinton, Cooper, Dallas, Daviess, DeKalb, Gentry, Grundy, Harrison, Henry, Hickory, Holt, Howard, Jackson, Johnson, Laclede, Lafayette, Linn, Livingston, Mercer, Moniteau, Morgan, Nodaway, Pettis, Platte, Polk, Putnam, Randolph, Ray, St. Clair, Saline, Sullivan, Vernon and Worth Counties:						
Structural; Ornamental; & reinforcing	8.50	.50	.55	.80	.05	
Christian, Dade, Douglas, Greene and Webster Counties:						
Structural; ornamental; & reinforcing	8.375	.50	.55	.80	.05	

IRONWORKERS: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Barry, Lawrence, McDonald, Newton and Stone Counties:						
Structural; ornamental; & reinforcing	$7.74	.30	.35		.05	
Adair, Clark, Knox, Lewis, Macon, Marion, Monroe, Ralls, Schuyler, Scotland and Shelby Counties:						
Structural; ornamental; & reinforcing	7.65	.30	.30			
Howell, Oregon, Ozark and Taney Cos.						
Structural; ornamental; & reinforcing	6.58	.25	.25		.02	
Butler, Bollinger, Carter, Cape Girardeau, Dinklin, Mississippi, New Madrid, Pemiscot, Ripley, Scott, Stoddard and Wayne Counties;						
Structural; ornamental; & reinforcing	7.25	.15	.50		.02	
LABORERS:						
St. Louis County						
Unskilled	7.025	.30	.50		.02	
Wrecking	6.90	.30	.50		.02	
Plasterers tenders	7.675	.25	.20			
Plumbers laborers	7.60	.30	.30			
Mason tenders (hod carriers)	6.45	.30	.50			
Dynamiter or powderman	7.525	.30	.50		.02	
LINE CONSTRUCTION:						
Bates, Benton, Carroll, Cass, Clay, Henry, Johnson, Jackson, Lafayette, Pettis, Platte, Ray and Saline Counties:						
Lineman	8.71	.35	1%+.15		1/2%	
Heavy equipment operator	8.10	.35	1%+.15		1/2%	
Groundman Powderman	6.04	.35	1%+.15		1/2%	
Groundman	5.73	.35	1%+.15		1/2%	
Groundman (1st year)	4.91	.35	1%+.15		1/2%	

LINE CONSTRUCTION: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Andrew, Atchison, Barry, Barton, Buchanan, Caldwell, Cedar, Christian, Clinton, Dade, Dallas, Daviess, DeKalb, Douglas, Gentry, Greene, Grundy, Harrison, Hickory, Holt, Laclede, Lawrence, Livingston, McDonald, Mercer, Newton, Nodaway, Ozark, Polk, St. Clair, Stone, Taney, Vernon, Webster, Worth and Wright Counties:						
Lineman	$8.32	.35	1%+.15		1/2%	
Heavy Equipment Operator	7 93	.35	1%+.15		1/2%	
Groundman Powderman	5.76	.35	1%+.15		1/2%	
Groundman	5.32	.35	1%+.15		1/2%	
Groundman (1st year)	4.04	.35	1%+.15		1/2%	
Crawford, Franklin, Iron, Jefferson, Reynolds, St. Charles, St. Francois, St. Louis and Washington Counties:						
Lineman & Cable Splicers	8.07	3%	1%	12 1/2%	1/2%	
Groundman - winch driver	6.03	3%	1%	12 1/2%	1/2%	
Groundman - driver	5.83	3%	1%	12 1/2%	1/2%	
Equipment operator	7.25	3%	1%	12 1/2%	1/2%	
Groundman - 1st 6 mos.	4.73	3%	1%	12 1/2%	1/2%	
Groundman - next 12 mos.	4.92	3%	1%	12 1/2%	1/2%	
Groundman - next 12 mos.	5.37	3%	1%	12 1/2%	1/2%	
Groundman - thereafter	5.83	3%	1%	12 1/2%	1/2%	
Adair, Audrain, Boone, Callaway, Camden, Carter, Chariton, Clark, Cole, Cooper, Dent, Gasconade, Howard, Howell, Knox, Lewis, Lincoln, Linn, Macon, Maries, Marion, Miller, Moniteau, Monroe, Motgomery, Morgan, Oregon, Osage, Perry, Phelps, Pike, Pulaski, Putnam, Ralls, Randolph, Ripley, Ste. Genevieve, Schuyler, Scotland, Shannon, Shelby, Sullivan, Texas and Warren Counties:						
Lineman & Cable Splicers	7.80	3%	1%	12 1/2%	1/2%	
Groundman - winch driver	5.68	3%	1%	12 1/2%	1/2%	
Groundman - driver	5.40	3%	1%	12 1/2%	1/2%	
Equipment Operator	7.01	3%	1%	12 1/2%	1/2%	
Groundman - 1st 6 mos.	4.23	3%	1%	12 1/2%	1/2%	

LINE CONSTRUCTION: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Others
Adair, Audrain, Boone, Callaway, Camden, Carter, Chariton, Clark, Cole, Cooper, Dent, Gasconade, Howard, Howell, Knox, Lewis, Lincoln, Linn, Macon, Maries, Marion, Miller, Moniteau, Monroe, Montgomery, Morgan, Oregon, Osage, Perry, Phelps, Pike, Pulaski, Putnam, Ralls, Randolph, Ripley, Ste. Genevieve, Schuyler, Scotland, Shannon, Shelby, Sullivan, Texas and Warren Counties: (Cont'd)						
Groundman - next 12 mos.	$4.43	3%	1%	12 ½%	1/2%	
Groundman - next 12 mos.	4.96	3%	1%	12 ½%	1/2%	
Groundman - thereafter	5.41	3%	1%	12 ½%	1/2%	
Bollinger, Butler, Cape Girardeau, Dunklin, Madison, Mississippi, New Madrid, Pemiscot, Scott, Stoddard, and Wayne Counties:						
Lineman	8.41	.25	1%		.25%	
Groundman - Class I	7.18	.25	1%		.25%	
Groundman - Class II	5.88	.25	1%		.25%	
Groundman - Class A	5.36	.25	1%		.25%	
Groundman - 1st 6 mos.	5.12	.25	1%		.25%	
PAINTERS:						
Bates, Caldwell, Carroll, Cass, Clay, Clinton, Daviess, Grundy, Harrison, Henry, Jackson, Johnson, Lafayette, Livingston, Mercer, Platte, and Ray Counties:						
Brush	7.77	.30	.35			
Spray	8.77	.30	.35			
Bollinger, Cape Girardeau, Dunklin, Scott, Stoddard, Mississippi, New Madrid and Pemiscot Counties:						
Brush	5.95		.10			
Spray	6.70		.10			
Lincoln and Pike Counties:						
Brush	6.05					
Spray	6.35					

PAINTERS: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Others
Camden, Crawford, Dent, Laclede, Maries, Miller, Phelps, Pulaski and Texas Counties:						
Brush or roller	$6.50	.35	.20			
Spray, Structural steel and Sandblasting	9.75	.35	.20			
Benton, Cooper, Moniteau, Morgan, Pettis and Saline Counties:						
Brush	5.25					
Spray	6.25					
Taping machine; Swing Stages; Window Jacks; Storage bins & storage tanks under ground or above ground over 40 ft. in depth; Sandblasting; All work performed on bridges	6.00					
Bridges 75 ft. in height	6.25					
All structural steel over 50 ft. in height	6.00					
Andrew, Atchison, Buchanan, DeKalb, Gentry, Holt, Nodaway and Worth Counties:						
Brush	7.25	.20	.35			
Spray	8.00	.20	.35			
Structural steel 30 ft. or more	7.65	.20	.35			
Adair, Knox, Linn, Macon, Putnam, Schuyler, Scotland, Shelby and Sullivan Counties:						
Brush	5.25					
Spray	5.75					
Contracts under $35,000.00:						
Brush	3.25					
Spray	3.60					
Barry, Barton, Cedar, Dade, Lawrence, McDonald, Newton, St. Clair and Vernon Counties	5.95	.15				
Audrain, Boone, Callaway, Chariton, Cole, Gasconade, Howard, Monroe, Montgomery, Osage and Randolph Counties:						
Brush	7.40		.20			
Spray	7.90		.20			
Jefferson, St. Charles and St. Louis Counties:						
Brush	7.635	.20	.30	.21		
Spray	9.135	.20	.30	.21		

PAINTERS: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Others
Christian, Dallas, Douglas, Greene, Hickory, Howell, Ozark, Polk, Stone, Taney, Webster and Wright Counties:						
Brush; bridge & construction steel	$7.15					
Spray	7.65					
TRUCK DRIVERS:						
St. Louis County						
Truck or trailers of a water level capacity of 11.99 cu. yds. or less; fork lift trucks; job site ambulances; pick-up trucks; flat bed trucks	$6.99	a	b	c&d		
Truck or trailers of a water level capacity of 12.0 cu. yds. up to 22.0 cu. yds. including euclids, speedace & similar equipment of same capacity	7.19	a	b	c&d		
Truck or trailers of a water level capacity of 22.0 cu. yds. & over including euclids, speedace & all floats, flat bed trailers & boom trucks & similar equipment of same capacity	7.29	a	b	c&d		

FOOTNOTES:
a - Employer contribution of $12.50 per week.
b - Employer contribution of $12.00 per week.
c - Paid Holidays: New Year's Day; Memorial Day; Independence Day; Labor Day; Veterans Day; Thanksgiving Day; Friday After Thanksgiving Day; Christmas Day.
d - Paid vacation of 3 days for 600 hours of service in any one contract year; 4 days paid vacation for 800 hours of service in any one contract year; 5 days paid vacation for 1,000 hours of service in any one contract year.

LABORERS:	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Others
Buchanan, Cass and Lafayette Counties						
General Labor						
Carpenter Tenders; Salamander Tenders; Dump Man and Ticket Takers on Stock Piles; Flagmen; Loading Trucks under Bins, Hoppers and Conveyors; Track Men and all other General Laborers	$7.175	.40	.40		.10	
First Semi-Skill						
Air Tool Operator; Cement Handler - Bulk or Sack; Dump Man on Earth Fill; Georgie Buggie Man; Material Batch Hopper Man; Scale Man; Spreader on Asphalt Machine; Material Mixer Man (except on manholes); Coffer Dams; Riprap Pavers - Rock, Block or Brick; Signal Man; Scaffolds over Ten Feet not Self-Supported from Ground Up; Skipman on Concrete Paving; Wire Mesh Setters on Concrete Paving; All Work in Connection with Sewer, Water, Gas, Gasoline, Oil, Drainage Pipe, Conduit Pipe, Tile & Duct Lines and all other pipe lines; Power Tool Operator; All Work in connection with Hydraulic or General Dredging Operations; Form Setter Helpers; Puddlers (paving only); Straw Blower Nozzleman.	7.325	.40	.40		.10	
Second Semi-Skill						
Asphalt Plant Platform Man; Chuck Tender; Crusher Feeder; Men Handling Creosote Ties or Creosote Materials; Men Working With and Handling Epoxy Material or Materials (where special protection is required); Head Pipe Layer on Sewer Work; Topper of Standing Trees; Batter Board Man on Pipe and Ditch Work; Vibrator Man; Feeder Man on Wood Pulverizers; Board and Willow Mat Weavers and Cable Tiers on River Work; Deck Hands; Pile Dike and Revetment Work; All Laborers working on underground tunnels less than 25 feet where compressed air is not used; Abutment and Pier Hole Men working six (6) feet or more below ground; Men Working in Coffer Dams for Bridge Piers and Footings in the River	7.475	.40	.40		.10	

LABORERS: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Buchanan, Cass and Lafayette Counties						
Third Semi-Skill						
Laser Beam Man; Asphalt Raker; Barco Tamper; Jackson or any other similar Tamp; Wagon Driller; Churn Drills; Air Track Drills and all other similar Drills; Cutting Torch Man; Form Setters; Liners and Stringline Men on Concrete Paving, Curb, Gutters, etc.; Hot Mastic Kettleman; Hot Tar Applicator; Hand Blade Operators; Manhole Builder Helpers and Mortar Men on Brick or Block Manholes; Sand Blasting and Gunite Nozzle Men; Rubbing Concrete; Air Tool Operator in Tunnels; Caulker and Lead Man; Screed Man on Asphalt Machine; Chain or Concrete Saw; Cliff Scalers working from scaffolds, Bosuns' Chairs or Platforms on Dams or Power Plants over Ten (10) Feet above Ground; Grade Checker on Cuts and fills.	7.675	.40	.40		.10	
Fourth Semi-Skill						
Manhole Builders - Brick or Block; Dynamite and Powder Men; Welder	7.925	.40	.40		.10	

LABORERS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Andrew, Barton, Bates, Benton, Caldwell, Carroll, Cedar, Christian, Clinton, Dade, Dallas, DeKalb, Greene, Henry, Johnson, Laclede, Lawrence, Livingston, Newton, Pettis, Polk, St. Clair, Saline, Vernon, Webster and Wright Counties						
General Labor						
Carpenter Tenders; Salamander Tenders; Dump Man and Ticket Takers on Stock Piles; Flagmen; Loading Trucks under Bins, Hoppers and Conveyors; Track Men and all other General Laborers	$ 6.075	.40	.40		.10	
First Semi-Skill						
Air Tool Operator; Cement Handler - Bulk or Sack; Dump Man on Earth Fill; Georgie Buggie Man; Material Batch Hopper Man; Scale Man; Spreader on Asphalt Machine; Material Mixer Man (except on manholes); Coffer Dams; Riprap Pavers - Rock, Block or Brick; Signal Man; Scaffolds over Ten Feet not Self-Supported from Ground Up; Skipman on Concrete Paving; Wire Mesh Setters on Concrete Paving; All Work in Connection with Sewer, Water, Gas, Gasoline, Oil, Drainage Pipe, Conduit Pipe, Tile & Duct Lines and all other pipe lines; Power Tool Operator; All Work in connection with Hydraulic or General Dredging Operations; Form Setter Helpers; Puddlers (paving only); Straw Blower Nozzlemen	6.225	.40	.40		.10	
Second Semi-Skill						
Asphalt Plant Platform Man; Chuck Tender; Crusher Feeder; Men Handling Creosote Ties or Creosote Materials; Men Working With and Handling Epoxy Material or Materials (where special protection is required); Head Pipe Layer on Sewer Work; Topper of Standing Trees; Batter Board Man on Pipe and Ditch Work; Vibrator Man; Feeder Man on Wood Pulverizers;						

LABORERS: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Andrew, Barton, Bates, Benton, Caldwell, Carroll, Cedar, Christian, Clinton, Dade, Dallas, DeKalb, Greene, Henry, Johnson, Laclede, Lawrence, Livingston, Newton, Pettis, Polk, St. Clair, Saline, Vernon, Webster and Wright Counties						
Second Semi-Skill (Cont'd)						
Board and Willow Mat Weavers and Cable Tiers on River Work; Deck Hands; Pile Dike and Revetment Work; All Laborers working on underground tunnels less than 25 feet where compressed air is not used; Abutment and Pier Hole Men working six (6) feet or more below ground; Men Working in Coffer Dams for Bridge Piers and Footings in the River.	6.375	.40	.40		.10	
Third Semi-Skill						
Laser Beam Man; Asphalt Raker; Barco Tamper; Jackson or any other similar Tamp; Wagon Driller; Churn Drills; Air Track Drills and all other similar Drills; Cutting Torch Man; Form Setters; Liners and Stringline Men on Concrete Paving, Curb, Gutters, etc.; Hot Mastic Kettleman; Hot Tar Applicator; Hand Blade Operators; Manhole Builder Helpers and Mortar Men on Brick or Block Manholes; Sand Blasting and Gunnite Nozzle Men; Rubbing Concrete; Air Tool Operator in Tunnels; Caulker and Lead Man; Screed Man on Asphalt Machine; Chain or Concrete Saw; Cliff Scalers working from scaffolds, Bosuns' Chairs or Platforms on Dams or Power Plants over Ten (10) Feet above Ground; Grade Checker on Cuts and Fills.	6.575	.40	.40		.10	
Fourth Semi-Skill						
Manhole Builders - Brick or Block; Dynamite and Powder Men; Welder	6.825	.40	.40		.10	

LABORERS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Atchison, Barry, Camden, Daviess, Douglas, Gentry, Grundy, Harrison, Hickory, Holt, McDonald, Mercer, Morgan, Nodaway, Ozark, Stone, Taney and Worth Counties						
General Labor						
Carpenter Tenders; Salamander Tenders; Dump Man and Ticket Takers on Stock Piles; Flagmen; Loading Trucks under Bins, Hoppers and Conveyors; Track Men and all other General Laborers	$5.325	.40	.40		.10	
First Semi-Skill						
Air Tool Operator; Cement Handler - Bulk or Sack; Dump Man on Earth Fill; Georgie Buggie Man; Material Batch Hopper Man; Scale Man; Spreader on Asphalt Machine; Material Mixer Man (except on manholes); Coffer Dams; Riprap Pavers - Rock, Block or Brick; Signal Man; Scaffolds over Ten Feet not Self-Supported from Ground Up; Skipman on Concrete Paving; Wire Mesh Setters on Concrete Paving; All Work in Connection with Sewer, Water, Gas, Gasoline, Oil, Drainage Pipe, Conduit Pipe, Tile & Duct Lines and all other pipe lines; Power Tool Operator; All Work in connection with Hydraulic or General Dredging Operations; Form Setter Helpers; Puddlers (paving only); Straw Blower Nozzleman	5.475	.40	.40		.10	
Second Semi-Skill						
Asphalt Plant Platform Man; Chuck Tender; Crusher Feeder; Men Handling Creosote Ties or Creosote Materials; Men Working With and Handling Epoxy Material or Materials (where special protection is required); Head Pipe Layer on Sewer Work; Topper of Standing Trees; Batter Board Man on Pipe and Ditch Work; Vibrator Man; Feeder Man on Wood Pulverizers;						

LABORERS: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Atchison, Barry, Camden, Daviess, Douglas, Gentry, Grundy, Harrison, Hickory, Holt, McDonald, Mercer, Morgan, Nodaway, Ozark, Stone, Taney and Worth Counties						
Second Semi-Skill (Cont'd)						
Board and Willow Mat Weavers and Cable Tiers on River Work; Deck Hands; Pile Dike and Revetment work; All Laborers working on underground tunnels less than 25 feet where compressed air is not used; Abutment and Pier Hole Men working six (6) feet or more below ground; Men Working in Coffer Dams for Bridge Piers and Footings in the River.	5.625	.40	.40		.10	
Third Semi-Skill						
Laser Beam Man; Asphalt Raker; Barco Tamper; Jackson or any other similar Tamp; Wagon Driller; Churn Drills; Air Track Drills and all other similar Drills; Cutting Torch Man; Form Setters; Liners and Stringline Men on Concrete Paving, Curb, Gutters, etc.; Hot Mastic Kettleman; Hot Tar Applicator; Hand Blade Operator; Manhole Builder Helpers and Mortar Men on Brick or Block Manholes; Sand Blasting and Gunnite Nozzle Men; Rubbing Concrete; Air Tool Operator in Tunnels; Caulker and Lead Man; Screed Man on Asphalt Machine; Chain or Concrete Saw; Cliff Scalers working from scaffolds, Bosuns' Chairs or Platforms on Dams or Power Plants over Ten (10) Feet above Ground; Grade Checker on Cuts and Fills.	5.825	.40	.40		.10	
Fourth Semi-Skill						
Manhole Builders - Brick or Block; Dynamite and Powder Men; Welder	6.075	.40	.40		.10	

LABORERS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Franklin, Jefferson, Lincoln, St. Charles, Warren and Washington Counties						
General Labor						
Carpenter Tenders; Salamander Tenders; Dump Man and Ticket Takers on Stock Piles; Flagmen; Loading Trucks under Bins, Hoppers and Conveyors; Track Men and all other General Laborers	6.925	.30	.40		.10	
First Semi-Skill						
Air Tool Operator; Cement Handler - Bulk or Sack; Dump Man on Earth Fill; Georgie Buggie Man; Material Batch Hopper Man; Scale Man; Spreader on Asphalt Machine; Material Mixer Man (except on manholes); Coffer Dams; Riprap Pavers - Rock, Block or Brick; Signal Man; Scaffolds over Ten Feet not Self-Supported from Ground Up; Skipman on Concrete Paving; Wire Mesh Setters on Concrete Paving; All Work in Connection with Sewer, Water, Gas, Gasoline, Oil, Drainage Pipe, Conduit Pipe, Tile & Duct Lines and all other pipe lines; Power Tool Operator; All Work in connection with Hydraulic or General Dredging Operations; Form Setter Helpers; Puddlers (paving only); Straw Blower Nozzleman	7.075	.30	.40		.10	
Second Semi-Skill						
Asphalt Plant Platform Man; Chuck Tender; Crusher Feeder; Men Handling Creosote Ties or Creosote Materials; Men Working With and Handling Epoxy Material or Materials (where special protection is required); Head Pipe Layer on Sewer Work; Topper of Standing Trees; Batter Board Man on Pipe and Ditch Work; Vibrator Man; Feeder Man on Wood Pulverizers; Board and Willow Mat Weavers and Cable Tiers on River Work; Deck						

LABORERS: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Franklin, Jefferson, Lincoln, St. Charles, Warren and Washington Counties						
Second Semi-Skill (Cont'd)						
Hands; Pile Dike and Revetment Work; All Laborers working on underground tunnels less than 25 feet where compressed air is not used; Abutment and Pier Hole Men working six (6) feet or more below ground; Men Working in Coffer Dams for Bridge Piers and Footings in the River.	7.225	.30	.40		.10	
Third Semi-Skill						
Laser Beam Man; Asphalt Raker; Barco Tamper; Jackson or any other similar Tamp; Wagon Driller; Churn Drills; Air Track Drills and all other similar Drills; Cutting Torch Man; Form Setters; Liners and Stringline Men on Concrete Paving, Curb, Gutters, etc.; Hot Mastic Kettleman; Hot Tar Applicator; Hand Blade Operators; Manhole Builder Helpers and Mortar Men on Brick or Block Manholes; Sand Blasting and Gunnite Nozzle Men; Rubbing Concrete; Air Tool Operator in Tunnels; Caulker and Lead Man; Screed Man on Asphalt Machine; Chain or Concrete Saw; Cliff Scalers working from scaffolds, Bosuns' Chairs or Platforms on Dams or Power Plants over Ten (10) Feet above Ground; Grade Checker on Cuts and Fills.	7.425	.30	.40		.10	
Fourth Semi-Skill						
Manhole Builders - Brick or Block; Dynamite and Powder Men; Welder	7.675	.30	.40		.10	

LABORERS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Audrain, Bollinger, Boone, Callaway, Cape Girardeau, Chariton, Cole, Cooper, Crawford, Dent, Gasconade, Howard, Iron, Madison, Maries, Marion, Miller, Mississippi, Moniteau, Monroe, Montgomery, New Madrid, Osage, Pemiscot, Perry, Phelps, Pike, Pulaski, Ralls, Randolph, Reynolds, St. Francois, Ste. Genevieve and Scott Counties						
General Labor						
Carpenter Tenders; Salamander Tenders; Dump Man and Ticket Takers on Stock Piles; Flagmen; Loading Trucks under Bins, Hoppers and Conveyors; Track Men and all other General Laborers.	$6.025	.30	.40		.10	
First Semi-Skill						
Air Tool Operator; Cement Handler - Bulk or Sack; Dump Man on Earth Fill; Georgie Buggie Man; Material Batch Hopper Man; Scale Man; Spreader on Asphalt Machine; Material Mixer Man (except on manholes); Coffer Dams; Riprap Pavers - Rock, Block or Brick; Signal Man; Scaffolds over Ten Feet not Self-Supported from Ground Up; Skipman on Concrete Paving; Wire Mesh Setters on Concrete Paving; All Work in Connection with Sewer, Water, Gas, Gasoline, Oil, Drainage Pipe, Conduit Pipe, Tile & Duct Lines and all other pipe lines; Power Tool Operator; All Work in connection with Hydraulic or General Dredging Operations; Form Setter Helpers; Puddlers (paving only); Straw Blower Nozzleman.	6.175	.30	.40		.10	
Second Semi-Skill						
Asphalt Plant Platform Man; Chuck Tender; Crusher Feeder; Men Handling Creosote Ties or Creosote Materials; Men Working With and Handling Epoxy Material or Materials (where special protection is required); Head Pipe Layer on Sewer Work; Topper of						

LABORERS: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Audrain, Bollinger, Boone, Callaway; Cape Girardeau, Chariton, Cole, Cooper, Crawford, Dent, Gasconade, Howard, Iron, Madison, Maries, Marion, Miller, Mississippi, Moniteau, Monroe, Montgomery, New Madrid, Osage, Pemiscot, Perry, Phelps, Pike, Pulaski, Ralls, Randolph, Reynolds, St. Francois, Ste. Genevieve and Scott Counties						
Second Semi-Skill (Cont'd)						
Standing Trees; Batter Board Man on Pipe and Ditch Work; Vibrator Man; Feeder Man on Wood Pulverizers; Board and Willow Mat Weavers and Cable Tiers on River Work; Deck Hands; Pile Dike and Revetment Work; All Laborers working on underground tunnels less than 25 feet where compressed air is not used; Abutment and Pier Hole Men working six (6) feet or more below ground; Men Working in Coffer Dams for Bridge Piers and Footings in the River.	6.325	.30	.40		.10	
Third Semi-Skill						
Laser Beam Man; Asphalt Raker; Barco Tamper; Jackson or any other similar Tamp; Wagon Driller; Churn Drills; Air Track Drills and all other similar Drills; Cutting Torch Man; Form Setters; Liners and Stringline Men on Concrete Paving, Curb, Gutters, etc.; Hot Mastic Kettleman; Hot Tar Applicator; Hand Blade Operators; Manhole Builder Helpers and Mortar Men on Brick or Block Manholes; Sand Blasting and Gunnite Nozzle Men; Rubbing Concrete; Air Tool Operator in Tunnels; Caulker and Lead Man; Screed Man on Asphalt Machine; Chain or Concrete Saw; Cliff Scalers working from scaffolds, Bosuns' Chairs or Platforms on Dams or Power Plants over Ten (10) Feet above Ground; Grade Checker on Cuts and Fills.	6.525	.30	.40		.10	
Fourth Semi-Skill						
Manhole Builders - Brick or Block; Dynamite and Powder Men; Welder	6.775	.30	.40		.10	

LABORERS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Adair, Butler, Carter, Clark, Dunklin, Howell, Knox, Lewis, Linn, Macon, Oregon, Putnam, Ripley, Schuyler, Scotland, Shelby, Shannon, Stoddard, Sullivan, Texas and Wayne Counties						
General Labor						
Carpenter Tenders; Salamander Tenders; Dump Man and Ticket Takers on Stock Piles; Flagmen; Loading Trucks under Bins, Hoppers and Conveyors; Track Men and all other General Laborers.	$5.725	.30	.40		.10	
First Semi-Skill						
Air Tool Operator; Cement Handler - Bulk or Sack; Dump Man on Earth Fill; Georgie Buggie Man; Material Batch Hopper Man; Scale Man; Spreader on Asphalt Machine; Material Mixer Man (except on manholes); Coffer Dams; Riprap Pavers - Rock, Block or Brick; Signal Man; Scaffolds over Ten Feet not Self-Supported from Ground Up; Skipman on Concrete Paving; Wire Mesh Setters on Concrete Paving; All Work in Connection with Sewer, Water, Gas, Gasoline, Oil, Drainage Pipe, Conduit Pipe, Tile & Duct Lines and all other pipe lines; Power Tool Operator; All Work in connection with Hydraulic or General Dredging Operations; Form Setter Helpers; Puddlers (paving only); Straw Blower Nozzleman.	5.875	.30	.40		.10	
Second Semi-Skill						
Asphalt Plant Platform Man; Chuck Tender; Crusher Feeder; Men Handling Creosote Ties or Creosote Materials; Men Working With and Handling Epoxy Material or Materials (where special protection is required); Head Pipe Layer on Sewer Work; Topper of Standing Trees; Batter Board Man on Pipe and Ditch Work; Vibrator Man; Feeder Man on Wood Pulverizers; Board and Willow Mat Weavers and Cable Tiers on River Work; Deck Hands; Pile						

LABORERS: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Adair, Butler, Carter, Clark, Dunklin, Howell, Knox, Lewis, Linn, Macon, Oregon, Putnam, Ripley, Schuyler, Scotland, Shelby, Shannon, Stoddard, Sullivan, Texas and Wayne Counties						
Second Semi-Skill (Cont'd)						
Dike and Revetment Work; All Laborers working on underground tunnels less than 25 feet where compressed air is not used; Abutment and Pier Hole Men working six (6) feet or more below ground; Men Working in Coffer Dams for Bridge Piers and Footings in the River.	6.025	.30	.40		.10	
Third Semi-Skill						
Laser Beam Man; Asphalt Raker; Barco Tamper; Jackson or any other similar Tamp; Wagon Driller; Churn Drills; Air Track Drills and all other similar Drills; Cutting Torch Man; Form Setters; Liners and Stringline Men on Concrete Paving, Curb, Gutters, etc.; Hot Mastic Kettleman; Hot Tar Applicator; Hand Blade Operators; Manhole Builder Helpers and Mortar Men on Brick or Block Manholes; Sand Blasting and Gunnite Nozzle Men; Rubbing Concrete; Air Tool Operator in Tunnels; Caulker and Lead Man; Screed Man on Asphalt Machine; Chain or Concrete Saw; Cliff Scalers working from scaffolds, Bosuns' Chairs or Platforms on Dams or Power Plants over Ten (10) Feet above Ground; Grade Checker on Cuts and Fills.	6.225	.30	.40		.10	
Fourth Semi-Skill						
Manhole Builders - Brick or Block; Dynamite and Powder Men; Welder	6.475	.30	.40		.10	

POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Franklin, Jefferson, Lincoln, St. Charles and Warren Counties						
Asphalt finishing machine & Trench Widening Spreader; Autograder; Backhoe; Blade Operator - all types; Boat Operator; Boilers - 2; Central Mix Concrete Plant Operator; Clamshell Operator; Concrete Mixer Paver; Crane Operator; Derrick or Derrick Trucks; Ditching Machine; Dozer Operator; Dragline Operator; Dredge Engineman; Dredge Operator; Drill Cat with Compressor mounted on Cat; Drilling or Boring Machine Rotary Self-propelled; Highloader; Hoisting Engine - 2 active drums; Launchhammer Wheel; Locomotive Operator - standard gauge; Mechanics and Welders; Mucking Machine; Piledriver Operator; Pitman Crane Operator; Sideboom Cats; Skimmer Scoop Operator; Trenching Machine Operator; Truck Crane	8.50	.35	.40		.02	
A-Frame; Asphalt Roller Operator; Asphalt Plant Man; Asphalt Plant Mixer Operator; Backfiller Operator; Barber-Greene Loader, Boat Operator (bridge & dams); Chip Spreader; Compressor Maintenance Operator - 2; Concrete Mixer Operator - Skip Loader; Concrete Plant Operator; Concrete Pump Operator; Crusher Operator; Dredge Oiler; Elevating Grader Operator; Fork lift; Greaser-Fleet; Hoisting Engine - 1; Locomotive Operator - narrow gauge; Multiple Compactor; Pavement breaker; Powerbroom - self-propelled; Rooter; Slip Form Finishing Machine; Stumpcutter Machine; Throttle Man; Tractor Operator (over 50 H.P.); Welding Machine Maintenance Operator - 2 Winch Truck	8.30	.35	.40		.02	

POWER EQUIPMENT OPERATORS (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Others
Franklin, Jefferson, Lincoln, St. Charles and Warren Counties						
Boilers - 1; Chip Spreader (front man); Churn Drill Operator; Clef Plane Operator; Compressor Maintenance Operator - 1; Conveyor Operator; Curb Finishing Machine; Distributor Operator; Finishing Machine Operator; Fireman-Rig; Flex Plane Operator; Float Operator; Form Grader Operator; Generator-Maintenance Operator; Light Plant Maintenance Operator; Maintenance Operator; Pump Maintenance Operator; Roller Operator, other than high type asphalt; Screening & Washing Plant Operator; Siphons & Jets; Subgrading Machine Operator; Spreader Box Operator, Self-propelled (not asphalt); Tank Car Heater Operator (combination Boiler & Booster); Asphalt Plant Fireman (drum or boiler); Ulmac, Ulric or similar spreader; Vibrating Machine Operator, not hand; Welding Machine Maintenance Operator - 1; Concrete Saw Operator (self-propelled); Tractor Operator (50 H.P. or less)	8.10	.35	.40		.02	
Oiler	7.50	.35	.40		.02	
Dragline Operator - 3 yds. & over; Shovel - 3 yds. & over; Clamshell - 3 yds. & over; Crane, rigs or piledrivers, 100' to 200' of boom (incl. jib); Hoists - each additional active drum over 2 drums	8.75	.35	.40		.02	
Tandem Scoop Operator; Crane, rigs or Piledrivers, 200' of boom or over (incl. jib)	9.00	.35	.40		.02	

POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Others
Buchanan, Cass, Clinton and Lafayette Counties						
Asphalt finishing machine & Trench Widening Spreader; Autograder; Backhoe; Blade Operator - all types; Boat Operator; Boilers - 2; Central Mix Concrete Plant Operator; Clamshell Operator; Concrete Mixer Paver; Crane Operator; Derrick or Derrick Trucks; Ditching Machine; Dozer Operator; Dragline Operator; Dredge Engineman; Dredge Operator; Drill Cat with Compressor mounted on Cat; Drilling or Boring Machine Rotary Self-propelled; Highloader; Hoisting Engine - 2 active drums; Launchhammer Wheel; Locomotive Operator - standard gauge; Mechanics and Welders; Mucking Machine; Piledriver Operator; Pitman Crane Operator; Sideboom Cats; Skimmer Scoop Operator; Trenching Machine Operator; Truck Crane	9.30	.50	.50		.05	
A-Frame; Asphalt Roller Operator; Asphalt Plant Man; Asphalt Plant Mixer Operator; Backfiller Operator; Barber-Greene Loader; Boat Operator (bridge & dams); Chip Spreader; Compressor Maintenance Operator - 2; Concrete Mixer Operator - Skip Loader; Concrete Plant Operator; Concrete Pump Operator; Crusher Operator; Dredge Oiler; Elevating Grader Operator; Fork lift; Greaser-Fleet; Hoisting Engine - 1; Locomotive Operator - narrow gauge; Multiple Compactor; Pavement breaker; Powerbroom - self-propelled; Rooter; Slip Form Finishing Machine; Stumpcutter Machine; Throttle Man; Tractor Operator (over 50 H.P.); Welding Machine Maintenance Operator - 2 Winch Truck	9.10	.50	.50		.05	

POWER EQUIPMENT OPERATORS: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Buchanan, Cass, Clinton and Lafayette Counties						
Boilers - 1; Chip Spreader (front man); Churn Drill Operator; Clef Plane Operator; Compressor Maintenance Operator - 1; Conveyor Operator; Curb Finishing Machine; Distributor Operator; Finishing Machine Operator; Fireman - Rig; Flex Plane Operator; Float Operator; Form Grader Operator; Generator-Maintenance Operator; Light Plant Maintenance Operator; Maintenance Operator; Pump Maintenance Operator; Roller Operator, other than high type asphalt; Screening & Washing Plant Operator; Siphons & Jets; Subgrading Machine Operator; Spreader Box Operator, Self-propelled (not asphalt); Tank Car Heater Operator (combination Boiler & Booster); Asphalt Plant Fireman (drum or boiler); Ulmac, Ulric or similar spreader; Vibrating Machine Operator, not hand; Welding Machine Maintenance Operator-1; Concrete Saw Operator (self-propelled); Tractor Operator (50 H.P. or less)	8.90	.50	.50		.05	
Oiler	8.15	.50	.50		.05	
Dragline Operator - 3 yds. & over; Shovel - 3 yds. & over; Clamshell - 3 yds. & over; Crane, rigs or piledrivers, 100' to 200' of boom (incl. jib); Hoists - each additional active drum over 2 drums	9.55	.50	.50		.05	
Tandem Scoop Operator; Crane, rigs or Piledrivers, 200' of boom or over (incl. jib)	9.80	.50	.50		.05	

POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Christian, Greene, Lawrence and Taney Counties						
Asphalt finishing machine & Trench Widening Spreader; Autograder; Backhoe; Blade Operator - all types; Boat Operator; Boilers - 2; Central Mix Concrete Plant Operator; Clamshell Operator; Concrete Mixer Paver; Crane Operator; Derrick or Derrick Trucks; Ditching Machine; Dozer Operator; Dragline Operator; Dredge Engineman; Dredge Operator; Drill Cat with Compressor mounted on Cat; Drilling or Boring Machine Rotary Self-propelled; Highloader; Hoisting Engine - 2 active drums; Launchhammer Wheel; Locomotive Operator - standard gauge; Mechanics and Welders; Mucking Machine; Piledriver Operator; Pitman Crane Operator; Sideboom Cats; Skimmer Scoop Operator; Trenching Machine Operator; Truck Crane	$8.05	.40	.25		.02	
A-Frame; Asphalt Roller Operator; Asphalt Plant Man; Asphalt Plant Mixer Operator; Backfiller Operator; Barber-Greene Loader; Boat Operator (bridge & dams); Chip Spreader; Compressor Maintenance Operator - 2; Concrete Mixer Operator - Skip Loader; Concrete Plant Operator; Concrete Pump Operator; Crusher Operator; Dredge Oiler; Elevating Grader Operator; Fork lift; Greaser-Fleet; Hoisting Engine - 1; Locomotive Operator - narrow gauge; Multiple Compactor; Pavement breaker; Powerbroom - self-propelled; Rooter; Slip Form Finishing Machine; Stumpcutter Machine; Throttle Man; Tractor Operator (over 50 H.P.); Welding Machine Maintenance Operator - 2 Winch Truck	7.70	.40	.25		.02	

POWER EQUIPMENT OPERATORS: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Christian, Greene, Lawrence and Taney Counties						
Boilers - 1; Chip Spreader (front man); Churn Drill Operator; Clef Plane Operator; Compressor Maintenance Operator - 1; Conveyor Operator; Curb Finishing Machine; Distributor Operator; Finishing Machine Operator; Fireman - Rig; Flex Plane Operator; Float Operator; Form Grader Operator; Generator-Maintenance Operator; Light Plant Maintenance Operator; Maintenance Operator; Pump Maintenance Operator; Roller Operator, other than high type asphalt; Screening & Washing plant Operator; Siphons & Jets; Subgrading Machine Operator; Spreader Box Operator, Self-propelled (not asphalt); Tank Car Heater Operator (combination Boiler & Booster); Asphalt Plant Fireman (drum or boiler); Ulmac, Ulric or similar spreader; Vibrating Machine Operator, not hand; Welding Machine Maintenance Operator-1; Concrete Saw Operator (self-propelled); Tractor Operator (50 H.P. or less)	7.50	.40	.25		.02	
Oiler	6.75	.40	.25		.02	
Dragline Operator - 3 yds. & over; Shovel - 3 yds. & over; Clamshell - 3 yds. & over; Crane, rigs or piledrivers, 100' to 200' of boom (incl. jib); Hoists - each additional active drum over 2 drums	8.30	.40	.25		.02	
Tandem Scoop Operator; Crane, rigs or Piledrivers, 200' of boom or over (incl. jib)	8.55	.40	.25		.02	

POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Andrew, Atchison, Bates, Benton, Caldwell, Carroll, Chariton, Cooper, Daviess, DeKalb, Gentry, Grundy, Harrison, Henry, Holt, Howard, Johnson, Linn, Livingston, Mercer, Nodaway, Pettis, Saline, Sullivan and Worth Counties						
Asphalt finishing machine & Trench Widening Spreader; Autograder; Backhoe; Blade Operator - all types; Boat Operator; Boilers - 2; Central Mix Concrete Plant Operator; Clamshell Operator; Concrete Mixer Paver; Crane Operator; Derrick or Derrick Trucks; Ditching Machine; Dozer Operator; Dragline Operator; Dredge Engineman; Dredge Operator; Drill Cat with Compressor mounted on Cat; Drilling or Boring Machine Rotary Self-propelled; Highloader; Hoisting Engine - 2 active drums; Launchhammer Wheel; Locomotive Operator - standard gauge; Mechanics and Welders; Mucking Machine; Piledriver Operator; Pitman Crane Operator; Sideboom Cats; Skimmer Scoop Operator; Trenching Machine Operator; Truck Crane	$8.35	.40	.40		.05	
A-Frame; Asphalt Roller Operator; Asphalt Plant Man; Asphalt Plant Mixer Operator; Backfiller Operator; Barber-Greene Loader; Boat Operator (bridge & dams); Chip Spreader; Compressor Maintenance Operator - 2; Concrete Mixer Operator - Skip Loader; Concrete Plant Operator; Concrete Pump Operator; Crusher Operator; Dredge Oiler; Elevating Grader Operator; Fork lift; Greaser-Fleet; Hoisting Engine - 1; Locomotive Operator - narrow gauge; Multiple Compactor; Pavement breaker; Powerbroom - self-propelled; Rooter; Slip Form Finishing Machine; Stumpcutter Machine; Throttle Man; Tractor Operator (over 50 H.P.); Welding Machine Maintenance Operator - 2 Winch Truck	8.00	.40	.40		.05	

POWER EQUIPMENT OPERATORS: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Andrew, Atchison, Bates, Benton, Caldwell, Carroll, Chariton, Cooper, Daviess, DeKalb, Gentry, Grundy, Harrison, Henry, Holt, Howard, Johnson, Linn, Livingston, Mercer, Nodaway, Pettis, Saline, Sullivan and Worth Counties						
Boilers - 1; Chip Spreader (front man); Churn Drill Operator; Clef Plane Operator; Compressor Maintenance Operator - 1; Conveyor Operator; Curb Finishing Machine; Distributor Operator; Finishing Machine Operator; Fireman-Rig; Flex Plane Operator; Float Operator; Form Grader Operator; Generator-Maintenance Operator; Light Plant Maintenance Operator; Maintenance Operator; Pump Maintenance Operator; Roller Operator; other than high type asphalt; Screening & Washing plant Operator; Siphons & Jets; Subgrading Machine Operator; Spreader Box Operator, Self-propelled (not asphalt); Tank Car Heater Operator (combination Boiler & Booster); Asphalt Plant Fireman (drum or boiler); Ulmac, Ulric or similar spreader; Vibrating Machine Operator, not hand; Welding Machine Maintenance Operator - 1; Concrete Saw Operator (self-propelled); Tractor Operator (50 H.P. or less)	7.80	.40	.40		.05	
Oiler	7.30	.40	.40		.05	
Dragline Operator - 3 yds. & over; Shovel - 3 yds. & over; Clamshell - 3 yds. & over; Crane, rigs or piledrivers, 100' to 200' of boom (incl. jib); Hoists - each additional active drum over 2 drums	8.60	.40	.40		.05	
Tandem Scoop Operator; Crane, rigs or Piledrivers, 200' of boom or over (incl. jib)	8.85	.40	.40		.05	

POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Adair, Audrain, Bollinger, Boone, Butler, Callaway, Cape Girardeau, Carter, Clark, Cole, Crawford, Dent, Dunklin, Gasconade, Howell, Iron, Knox, Lewis, Macon, Madison, Maries, Marion, Miller, Mississippi, Moniteau, Monroe, Montgomery, Morgan, New Madrid, Oregon, Osage, Pemiscot, Perry, Phelps, Pike, Pulaski, Putnam, Ralls, Randolph, Reynolds, Ripley, St. Francois, Ste. Genevieve, Schuyler, Scotland, Scott, Shannon, Shelby, Stoddard, Texas, Washington and Wayne Counties						
Asphalt finishing machine & Trench Widening Spreader; Autograder; Backhoe; Blade Operator - all types; Boat Operator; Boilers - 2; Central Mix Concrete Plant Operator; Clamshell Operator; Concrete Mixer Paver; Crane Operator; Derrick or Derrick Trucks; Ditching Machine; Dozer Operator; Dragline Operator; Dredge Engineman; Dredge Operator; Drill Cat with Compressor mounted on Cat; Drilling or Boring Machine Rotary Self-propelled; Highloader; Hoisting Engine - 2 active drums; Launchhammer Wheel; Locomotive Operator - standard gauge; Mechanics and Welders; Mucking Machine; Piledriver Operator; Pitman Crane Operator; Sideboom Cats; Skimmer Scoop Operator; Trenching Machine Operator; Truck Crane	$ 8.05	.35	.40		.02	
A-Frame; Asphalt Roller Operator; Asphalt Plant Man; Asphalt Plant Mixer Operator; Backfiller Operator; Barber-Greene Loader; Boat Operator (bridge & dams); Chip Spreader; Compressor Maintenance Operator - 2; Concrete Mixer Operator - Skip Loader; Concrete Plant Operator; Concrete Pump Operator; Crusher Operator; Dredge Oiler; Elevating Grader Operator; Fork lift; Greaser-Fleet; Hoisting Engine - 1; Locomotive Operator - narrow gauge; Multiple Compactor; Pavement Breaker; Powerbroom - self-propelled; Rooter; Slip Form Finishing Machine; Stumpcutter Machine;						

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POWER EQUIPMENT OPERATORS: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Adair, Audrain, Bollinger, Boone, Butler, Callaway, Cape Girardeau, Carter, Clark, Cole, Crawford, Dent, Dunklin, Gasconade, Howell, Iron, Knox, Lewis, Macon, Madison, Maries, Marion, Miller, Mississippi, Moniteau, Monroe, Montgomery, Morgan, New Madrid, Oregon, Osage, Pemiscot, Perry, Phelps, Pike, Pulaski, Putnam, Ralls, Randolph, Reynolds, Ripley, St. Francois, Ste. Genevieve, Schuyler, Scotland, Scott, Shannon, Shelby, Stoddard, Texas, Washington and Wayne Counties						
Throttle Man; Tractor Operator (over 50 H.P.); Welding Machine Maintenance Operator - 2 Winch Truck	7.70	.35	.40		.02	
Boilers - 1; Chip Spreader (front man); Churn Drill Operator; Clef Plane Operator; Compressor Maintenance Operator - 1; Conveyor Operator; Curb Finishing Machine; Distributor Operator; Finishing Machine Operator; Fireman-Rig; Flex Plane Operator; Float Operator; Form Grader Operator; Generator-Maintenance Operator; Light Plant Maintenance Operator; Maintenance Operator; Pump Maintenance Operator; Roller Operator; other than high type asphalt; Screening & Washing plant Operator; Siphons & Jets; Subgrading Machine Operator; Spreader Box Operator, Self-propelled (not asphalt); Tank Car Heater Operator (combination Boiler & Booster); Asphalt Plant Fireman (drum or boiler); Ulmac, Ulric or similar spreader; Vibrating Machine Operator, not hand; Welding Machine Maintenance Operator - 1; Concrete Saw Operator (self-propelled); Tractor Operator (50 H.P. or less)	7.50	.35	.40		.02	
Oiler	6.65	.35	.40		.02	
Dragline Operator - 3 yds. & over; Shovel - 3 yds. & over; Clamshell - 3 yds. & over; Crane, rigs or piledrivers, 100' to 200' of boom (incl. jib); Hoists - each additional active drum over 2 drums	8.30	.35	.40		.02	

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POWER EQUIPMENT OPERATORS: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Adair, Audrain, Bollinger, Boone, Butler, Callaway, Cape Girardeau, Carter, Clark, Cole, Crawford, Dent, Dunklin, Gasconade, Howell, Iron, Knox, Lewis, Macon, Madison, Maries, Marion, Miller, Mississippi, Moniteau, Monroe, Montgomery, Morgan, New Madrid, Oregon, Osage, Pemiscot, Perry, Phelps, Pike, Pulaski, Putnam, Ralls, Randolph, Reynolds, Ripley, St. Francois, Ste. Genevieve, Schuyler, Scotland, Scott, Shannon, Shelby, Stoddard, Texas, Washington and Wayne Counties						
Tandem Scoop Operator; Crane, rigs or Piledrivers, 200' of boom or over (incl. jib)	8.55	.35	.40		.02	

POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Barry, Barton, Camden, Cedar, Dade, Dallas, Douglas, Hickory, Laclede, McDonald, Newton, Ozark, Polk, St. Clair, Stone, Vernon, Webster and Wright Counties						
Asphalt finishing machine & Trench Widening Spreader; Autograder; Backhoe; Blade Operator - all types; Boat Operator; Boilers - 2; Central Mix Concrete Plant Operator; Clamshell Operator; Concrete Mixer Paver; Crane Operator; Derrick or Derrick Trucks; Ditching Machine; Dozer Operator; Dragline Operator; Dredge Engineman; Dredge Operator; Drill Cat with Compressor mounted on Cat; Drilling or Boring Machine Rotary Self-propelled; Highloader; Hoisting Engine - 2 active drums; Launchhammer Wheel; Locomotive Operator - standard gauge; Mechanics and Welders; Mucking Machine; Piledriver Operator; Pitman Crane Operator; Sideboom Cats; Skimmer Scoop Operator; Trenching Machine Operator; Truck Crane	$8.05	.40	.25		.02	
A-Frame; Asphalt Roller Operator; Asphalt plant Man; Asphalt Plant Mixer Operator; Backfiller Operator; Barber-Greene Loader; Boat Operator (bridge & dams); Chip Spreader; Compressor Maintenance Operator - 2; Concrete Mixer Operator - Skip Loader; Concrete Plant Operator; Concrete Pump Operator; Crusher Operator; Dredge Oiler; Elevating Grader Operator; Fork lift; Greaser-Fleet; Hoisting Engine - 1; Locomotive Operator - narrow gauge; Multiple Compactor; Pavement breaker; Powerbroom - self-propelled; Rooter; Slip Form Finishing Machine; Stumpcutter Machine; Throttle Man; Tractor Operator (over 50 H.P.); Welding Machine Maintenance Operator - 2 Winch Truck	7.70	.40	.25		.02	

POWER EQUIPMENT OPERATORS: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Barry, Barton, Camden, Cedar, Dade, Dallas, Douglas, Hickory, Laclede, McDonald, Newton, Ozark, Polk, St. Clair, Stone, Vernon, Webster and Wright Counties						
Boilers - 1; Chip Spreader (front man); Churn Drill Operator; Clef Plane Operator; Compressor Maintenance Operator - 1; Conveyor Operator; Curb Finishing Machine; Distributor Operator; Finishing Machine Operator; Fireman-Rig; Flex Plane Operator; Float Operator; Form Grader Operator; Generator-Maintenance Operator; Light Plant Maintenance Operator; Maintenance Operator; Pump Maintenance Operator; Roller Operator; other than high type asphalt; Screening & Washing plant Operator; Siphons & Jets; Subgrading Machine Operator; Spreader Box Operator, Self-propelled (not asphalt); Tank Car Heater Operator (combination Boiler & Booster); Asphalt Plant Fireman (drum or boiler); Ulmac, Ulric or similar spreader; Vibrating Machine Operator, not hand; Welding Machine Maintenance Operator - 1; Concrete Saw Operator (self-propelled); Tractor Operator (50 H.P. or less)	7.50	.40	.25		.02	
Oiler	6.75	.40	.25		.02	
Dragline Operator - 3 yds. & over; Shovel - 3 yds. & over; Clamshell - 3 yds. & over; Crane, rigs or piledrivers, 100' to 200' of boom (incl. jib); Hoists - each additional active drum over 2 drums	8.30	.40	.25		.02	
Tandem Scoop Operator; Crane, rigs or Piledrivers, 200' of boom or over (incl. jib)	8.55	.40	.25		.02	

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TRUCK DRIVERS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Franklin, Jefferson and St. Charles Counties						
Flat bed trucks - single axle	$ 8.50					
Flat bed trucks - tandem axle	8.65					
Station wagons	8.50					
Pickup trucks	8.50					
Material trucks - single axle	8.50					
Material trucks - tandem axle	8.65					
Semi and/or pole trailers	8.72					
Winch, fork and steel trucks	8.72					
Distributor drivers and operators	8.72					
Agitator and transit mix trucks	8.61					
Tank wagon - single axle	8.50					
Tank wagon - semi-trailer	8.72					
Tank wagon - tandem axle	8.65					
Insley wagons, dumpsters, half tracks, speedace, euclids, and other similar equipment	8.72					
A-frame and derrick trucks	8.72					
Float or low boy	8.72					
Warehouseman	8.40					

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TRUCK DRIVERS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Lincoln and Warren Counties						
Flat bed trucks - single axle	$ 7.95					
Flat bed trucks - tandem axle	8.10					
Station wagons	7.95					
Pickup trucks	7.95					
Material trucks - single axle	7.95					
Material trucks - tandem axle	8.10					
Semi and/or pole trailers	8.17					
Winch, fork and steel trucks	8.17					
Distributor drivers and operators	8.17					
Agitator and transit mix trucks	8.06					
Tank wagon - single axle	7.95					
Tank wagon - semi-trailer	8.17					
Tank wagon - tandem axle	8.10					
Insley wagons, dumpsters, half tracks, speedace, euclids, and other similar equipment	8.17					
A-frame and derrick trucks	8.17					
Float or low boy	8.17					
Warehouseman	7.85					

TRUCK DRIVERS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Buchanan, Cass and Lafayette Counties						
Flat bed trucks - single axle	$7.94	.50	.50			
Flat bed trucks - tandem axle	8.09	.50	.50			
Station wagons	7.94	.50	.50			
Pickup trucks	7.94	.50	.50			
Material trucks - single axle	7.94	.50	.50			
Material trucks - tandem axle	8.09	.50	.50			
Semi and/or pole trailers	8.16	.50	.50			
Winch, fork and steel trucks	8.16	.50	.50			
Distributor drivers and operators	8.16	.50	.50			
Agitator and transit mix trucks	8.05	.50	.50			
Tank wagon - single axle	7.94	.50	.50			
Tank wagon - semi-trailer	8.16	.50	.50			
Tank wagon - tandem axle	8.09	.50	.50			
Insley wagons, dumpsters, half tracks, speedace, euclids, and other similar equipment	8.16	.50	.50			
A-frame and derrick trucks	8.16	.50	.50			
Float or low boy	8.16	.50	.50			
Warehouseman	7.84	.50	.50			

TRUCK DRIVERS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Johnson County						
Flat bed trucks - single axle	$ 7.94	.50	.50			
Flat bed trucks - tandem axle	8.09	.50	.50			
Station wagons	7.94	.50	.50			
Pickup trucks	7.94	.50	.50			
Material trucks - single axle	7.94	.50	.50			
Material trucks - tandem axle	8.09	.50	.50			
Semi and/or pole trailers	8.16	.50	.50			
Winch, fork and steel trucks	8.16	.50	.50			
Distributor drivers and operators	8.16	.50	.50			
Agitator and transit mix trucks	8.05	.50	.50			
Tank wagon - single axle	7.94	.50	.50			
Tank wagon - semi-trailer	8.16	.50	.50			
Tank wagon - tandem axle	8.09	.50	.50			
Insley wagons, dumpsters, half tracks, speedace, euclids, and other similar equipment	8.16	.50	.50			
A-frame and derrick trucks	8.16	.50	.50			
Float or low boy	8.16	.50	.50			
Warehouseman	7.84	.50	.50			

TRUCK DRIVERS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Andrew, Bates, Benton, Caldwell, Carroll, Chariton, Cooper, Daviess, DeKalb, Henry, Howard, Linn, Livingston, Pettis and Saline Counties						
Flat bed trucks - single axle	$7.08	.50	.50			
Flat bed trucks - tandem axle	7.23	.50	.50			
Station wagons	7.08	.50	.50			
Pickup trucks	7.08	.50	.50			
Material trucks - single axle	7.08	.50	.50			
Material trucks - tandem axle	7.23	.50	.50			
Semi and/or pole trailers	7.35	.50	.50			
Winch, fork and steel trucks	7.35	.50	.50			
Distributor drivers and operators	7.35	.50	.50			
Agitator and transit mix trucks	7.24	.50	.50			
Tank wagon - single axle	7.08	.50	.50			
Tank wagon - semi-trailer	7.35	.50	.50			
Tank wagon - tandem axle	7.23	.50	.50			
Insley wagons, dumpsters, half tracks, speedace, euclids, and other similar equipment	7.35	.50	.50			
A-frame and derrick trucks	7.35	.50	.50			
Float or low boy	7.35	.50	.50			
Warehouseman	6.98	.50	.50			

TRUCK DRIVERS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Clinton County						
Flat bed trucks - single axle	$ 7.08	.50	.50			
Flat bed trucks - tandem axle	7.23	.50	.50			
Station wagons	7.08	.50	.50			
Pickup trucks	7.08	.50	.50			
Material trucks - single axle	7.08	.50	.50			
Material trucks - tandem axle	7.23	.50	.50			
Semi and/or pole trailers	7.35	.50	.50			
Winch, fork and steel trucks	7.35	.50	.50			
Distributor drivers and operators	7.35	.50	.50			
Agitator and transit mix trucks	7.24	.50	.50			
Tank wagon - single axle	7.08	.50	.50			
Tank wagon - semi-trailer	7.35	.50	.50			
Tank wagon - tandem axle	7.23	.50	.50			
Insley wagons, dumpsters, half tracks, speedace, euclids, and other similar equipment	7.35	.50	.50			
A-frame and derrick trucks	7.35	.50	.50			
Float or low boy	7.35	.50	.50			
Warehouseman	6.98	.50	.50			

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TRUCK DRIVERS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Audrain, Barton, Bollinger, Boone, Callaway, Camden, Cape Girardeau, Carter, Cedar, Christian, Cole, Crawford, Dade, Dallas, Dent, Douglas, Gasconade, Greene, Hickory, Iron, Laclede, Lawrence, Macon, Madison, Maries, Marion, Miller, Mississippi, Moniteau, Monroe, Montgomery, Morgan, New Madrid, Newton, Osage, Pemiscot, Perry, Phelps, Pike, Polk, Pulaski, Ralls, Randolph, Reynolds, St. Clair, St. Francois, Ste. Genevieve, Scott, Shannon, Shelby, Stoddard, Texas, Vernon, Washington, Wayne, Webster and Wright Counties						
Flat bed trucks - single axle	$ 7.00	.50	.50			
Flat bed trucks - tandem axle	7.15	.50	.50			
Station wagons	7.00	.50	.50			
Pickup trucks	7.00	.50	.50			
Material trucks - single axle	7.00	.50	.50			
Material trucks - tandem axle	7.15	.50	.50			
Semi and/or pole trailers	7.27	.50	.50			
Winch, fork and steel trucks	7.27	.50	.50			
Distributor drivers and operators	7.27	.50	.50			
Agitator and transit mix trucks	7.16	.50	.50			
Tank wagon - single axle	7.00	.50	.50			
Tank wagon - semi-trailer	7.27	.50	.50			
Tank wagon - tandem axle	7.15	.50	.50			
Insley wagons, dumpsters, half tracks, speedace, euclids, and other similar equipment	7.27	.50	.50			
A-frame and derrick trucks	7.27	.50	.50			
Float or low boy	7.27	.50	.50			
Warehouseman	6.90	.50	.50			

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TRUCK DRIVERS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Adair, Barry, Butler, Clark, Dunklin, Howell, Knox, Lewis, McDonald, Oregon, Ozark, Putnam, Ripley, Schuyler, Scotland, Stone and Taney Counties						
Flat bed trucks - single axle	$ 6.35	.50	.50			
Flat bed trucks - tandem axle	6.50	.50	.50			
Station wagons	6.35	.50	.50			
Pickup trucks	6.35	.50	.50			
Material trucks - single axle	6.35	.50	.50			
Material trucks - tandem axle	6.50	.50	.50			
Semi and/or pole trailers	6.62	.50	.50			
Winch, fork and steel trucks	6.62	.50	.50			
Distributor drivers and operators	6.62	.50	.50			
Agitator and transit mix trucks	6.51	.50	.50			
Tank wagon - single axle	6.35	.50	.50			
Tank wagon - semi-trailer	6.62	.50	.50			
Tank wagon - tandem axle	6.50	.50	.50			
Insley wagons, dumpsters, half tracks, speedace, euclids, and other similar equipment	6.62	.50	.50			
A-frame and derrick trucks	6.62	.50	.50			
Float or low boy	6.62	.50	.50			
Warehouseman	6.25	.50	.50			

TRUCK DRIVERS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Atchison, Gentry, Grundy, Harrison, Holt, Mercer, Nodaway, Sullivan and Worth Counties						
Flat bed trucks - single axle	$ 6.33	.50	.50			
Flat bed trucks - tandem axle	6.48	.50	.50			
Station wagons	6.33	.50	.50			
Pickup trucks	6.33	.50	.50			
Material trucks - single axle	6.33	.50	.50			
Material trucks - tandem axle	6.48	.50	.50			
Semi and/or pole trailers	6.60	.50	.50			
Winch, fork and steel trucks	6.60	.50	.50			
Distributor drivers and operators	6.60	.50	.50			
Agitator and transit mix trucks	6.49	.50	.50			
Tank wagon - single axle	6.33	.50	.50			
Tank wagon - semi-trailer	6.60	.50	.50			
Tank wagon - tandem axle	6.48	.50	.50			
Insley wagons, dumpsters, half tracks, speedace, euclids, and other similar equipment	6.60	.50	.50			
A-frame and derrick trucks	6.60	.50	.50			
Float or low boy	6.60	.50	.50			
Warehouseman	6.23	.50	.50			

LABORERS 10 - Missouri - LAB - 2,3 (1-2)

Clay, Jackson, Platte and Ray Counties	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
General Laborer Carpenter Tenders; Salamander Tenders; Dump Man & Ticket Takers on Stock Piles; Flagmen; Loading Trucks under Bins, Hoppers and Conveyors; Track men and all other General Laborers	$7.00	.40	.40	.50	.10
First Semi-Skill Air Tool Operator; Cement Handler (Bulk or Sack); Chain or Concrete Saw; Deck Hands; Dump man on Earth Fill; Grade Checkers on Cuts and Fills; Georgie Buggies Man; Material Batch Hopper Man; Scale Man; Material Mixer Man (except on Manholes, Coffer Dams, Abutments and PierHole men working below ground); Riprap Pavers Rock, Block or Brick; Signal Man; Scaffolds over 10 ft. not self-supported from ground up; Skipman on concrete paving; Vibrator man; Wire mesh setters on concrete paving; all work in connection with Sewer, Water, Gas, Gasoline, Oil, Drainage Pipe, Conduit Pipe, Tile & Duct lines and all other pipe lines; Power Tool Operator; all work in connection with Hydraulic or General Dredging Operations; Form Setter Helpers; Pudlers (paving only)	7.15	.40	.40	.50	.10
Second Semi-Skill Crusher Feeder; Men handling creosote ties or creosote materials; Men working with and handling epoxy materials (where special protection is required); Head Pipe Layer on Sewer work; Topper of Standing trees; Batter Board man on Pipe & Ditch work; Feeder Man on Wood Pulverizers; Board and Willow Mat Weavers and Cable Tiers on River work; all Laborers working on underground tunnels where compressed air is not used	7.30	.40	.40	.50	.10

LABORERS (CONTD.)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Clay, Jackson, Platte and Ray Counties					
Third Semi-Skill					
Spreader or Screed man on Asphalt Machine; Asphalt Raker; Laser Beam Man; Barco Tamper; Jackson or any other similar Tamp; Wagon Driller, Churn Drills, Air Track Drill and all other similar drills; Cutting Torch Man; Form Setter; Liners and Stringline Men on Concrete Paving, Curb, Gutters and etc.; Hot Mastic Kettleman; Hot Tar Applicator; Hand Blade Operators; Manhole Builders Helpers and Mortar Men on Brick or Block Manholes; Sand Blasting and Gunnite Nozzle Men; Rubbing Concrete; Air Tool Operator in Tunnels	7.50	.40	.40	.50	.10
Fourth Semi-Skill					
Manhole Builder (Brick or Block); Dynamite and Powder Men;	7.80	.40	.40	.50	.10

POWER EQUIPMENT OPERATORS

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Clay, Jackson, Platte and Ray Counties					
Group I					
Asphalt Paver and Spreader; Asphalt Plant Console Operator; Auto Grader; Back Hoe; Blade Operator, all types; Boilers-2; Booster Pump on Dredge; Boring Machine (Truck or Crane Mounted); Bulldozer Operator; Clamshell Operator; Compressor Maintenance Operator-2; Concrete Plant Operator, Central Mix; Concrete Mixer Paver; Crane Operator; Derrick or Derrick Trucks; Ditching Machine; Dragline Operator; Dredge Engineman; Dredge Operator; Drillcat with Compressor Mounted on Cat; Drilling or Boring Machine, Rotary, Self-propelled; High Loader-Fork Lift; Hoisting Engine-2 active drums; Locomotive Operator, Standard Gauge; Mechanics and Welders, Field or Shop; Maintenance Operator; Mucking Machine; Pile Driver Operator; Pitman Crane Operator; Pump-2; Quad-Trac; Scoop Operator-all types; Scoops in Tandem; Self-Propelled Rotary Drill (Leroy or Equal-not Air Trac); Shovel Operator; Side Discharge Spreader; Sideboom Cats; Skimmer Scoop Operator; Slip-form Paver (CMI, REX, or Equal); Throttle Man; Truck Crane; Welding Machine Maintenance Operator-2	$8.80	.50	.50	.50	.10
Group II					
"A" Frame Truck; Asphalt Hot Mix Silo; Asphalt Plant Fireman, Drum or Boiler; Asphalt Plant Mixer Operator; Asphalt Plant Man; Asphalt Roller Operator; Backfiller Operator; Chip Spreader; Concrete Batch Plant, Dry, Power Operated; Concrete Mixer Operator, Skip Loader; Concrete Pump Operator; Crusher Operator; Elevating Grader Operator; Greaser; Hoisting Engine-1 drum; LaTourneau Rooter; Multiple Compactor; Pavement Breaker, Self-Propelled, of the Hydra-Hammer or Similar Type; Power Shield; Pug Mill Operator; Stump Cutting Machine; Towboat Operator; Tractor Operator-Over 50 HP	8.55	.50	.50	.50	.10

10 - Missouri - PEO - 2,3 (2-2)

POWER EQUIPMENT OPERATORS (CONTD.) Clay, Jackson, Platte and Ray Counties	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Group III						
Rollers - 1; Chip Spreader (Front Man); Churn Drill Operator; Compressor Maintenance Operator - 1; Concrete Saws, Self-Propelled; Conveyor Operator; Distributor Operator; Finishing Machine Operator; Fireman, Rig; Float Operator; Form Grader Operator; Oiler Driver, all types; Pump; Pump Maintenance Operator, other than Dredge; Roller Operator, other than high type asphalt; Screening and Washing Plant Operator; Self Propelled Street Broom or Sweeper; Siphons and Jets, Sub-Grading Machine Operator; Tank Car Heater Operator - Combination Boiler and Booster; Tractor, 50 HP or less, without attachments; Vibrating Machine Operator, not hand; Welding Machine Maintenance Operator - 1	$8.30	.50	.50	.50	.10	
Group IV						
Mechanic's Helper, Oiler	7.80	.50	.50	.50	.10	
Clamshells, 3 yd. capacity or over, Crane or rigs, 80 ft. of boom or over (including jib); Draglines, 3 yd. capacity or over; Pile Drivers, 80 ft. of boom or over (including jib); Shovels, 3 yd. capacity or over	9.05	.50	.50	.50	.10	
Crane or rigs, over 200 ft. of boom (including jib)	9.30	.50	.50	.50	.10	
Men working in tunnels or shafts (not air shafts or coffer dams) of twenty-five (25) ft. or more in length or depth will be paid fifty cents (50¢) per hour above the regular classification.						

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TRUCK DRIVERS Clay, Jackson, Platte and Ray Counties	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
One Team; Station Wagons; Pickups, Material, Single Axle; Tank Wagon, Single Axle	$7.39	.50	.50	.50	
Two Teams; Material, Tandem; Semi-Trailers; Winch; Fork, Distributor Drivers and Operators; Agitator and Transit Mix; Tank Wagon, Tandem or Semi-Trailer; Insley Wagons; Dump; Excavating, 5 cu. yds. & over; Dumpsters; Half-Tracks; Speedace; Euclids and other similar excavating equipment	7.59	.50	.50	.50	
A-Frame; Low Boy; Boom	7.90	.50	.50	.50	
Mechanics & Welders	8.05	.50	.50	.50	
Mechanic's Helpers, Oilers & Greasers	7.165	.50	.50	.50	

POWER EQUIPMENT OPERATORS

St. Louis County

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Group I Backhoe; cableway; crane, crawler or truck; Crane, Hydraulic-truck or cruiser mounted - 16 tons & over; Crane, locomotive; derrick, steam; Derrick car & derrick boat; Dragline; Dredge; Gradeall, crawler or tire mounted; Locomotive, gas, steam & other powers; Pile driver, land or floating; Scoop, skimmer; Shovel, power (steam, gas, electric or other powers) Switch boat; Whirley	$8.52	.35	.40		
Group II Air tugger w/air compressor; Anchor placing barge; Asphalt spreader; Athey force feed loader (self-propelled); Backfilling machine; Boat operator-push boat or tow boat (job site); Boiler, high pressure breaking in period; Boom truck, placing or erecting; Boring machine footing foundation; Bullfloat; Cherry picker; Combination concrete hoist & mixer such as mixermobile; Compressors, two, not more than 20 ft. apart; Compressors, not more than five ft. apart; Compressor-welder combination; Concrete breaker (truck or tractor mounted); Concrete pump, such as a pumpcrete machine; Concrete spreader; Conveyor, large (not self-propelled) hoisting or moving brick and concrete into, or into and on floor level, one or both; Crane, hydraulic-rough terrain, self-propelled; Crane hydraulic-truck or cruiser mounted-under 16 tons; Drilling machines, self-powered, used for earth or rock drilling or boring (wagon drills and any hand drills obtaining power from other sources including concrete breakers, jackhammers and Barco equipment - no engineer required); Elevating grader; Engine man, dredge; Excavator or powerbelt machine; Finishing machine,					

POWER EQUIPMENT OPERATORS (CONTD)

St. Louis County

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Group II (Cont'd) self-propelled oscillating screed; Forklift; Grader, road with power blade; Highlift; Hoist, concrete and brick (brick cages on concrete skips operating in or on tower, towermobile, or similar equipment); Hoist, stack; Hydro-hammer; Lad-A-Vator, hoisting brick or concrete; Loading machine (such as Barber-Greene); Mechanic, on job site; Mixer, paving; Mixermobile; Mucking machine; Pipe Cleaning machine; Pipe wrapping machine; Plant asphalt; Plant, concrete producing or ready-mix job site; Plant, heating-job site; Plant mixing-job site; Plant, power, generating-job site; Pump, self-powered, over 2" (one operator will operate two); Pumps, electric submersible, one through three, over 4"; Quad-track; Roller, asphalt, top or subgrade; Scoop, tractor drawn; Spreader box; Sub-grader; Tie tamper; Tractor-crawler, or wheel type with or without power unit, power take-offs, and attachments regardless of size; Trenching machine; Tunnel boring machine; Vibrating machine, automatic, automatic propelled; Welding machines (gasoline or diesel) more than one but not over four (regardless of size); Well drilling machine	$8.52	.35	.40			
Group III Air tugger w/plant air; Boiler, for power or heating on construction projects; Boiler, temporary; Compressor, air-one; Compressor, air (mounted on truck); Concrete saw, self-propelled; Conveyor, large (not self-propelled); Conveyor, large (not self-propelled) moving brick and concrete (distributing) on floor level; Curb finishing machine; Ditch paving machine; Elevator (building construction or alteration); Endless chain hoist; Fireman; Form grader; Generator, one over 30						

POWER EQUIPMENT OPERATORS (CONTD)

St. Louis County

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Group III (Cont'd)						
KW or any number developing over 30 KW; Greaser; Hoist, one drum regardless of size (except brick or concrete); Lad-A-Vator, other hoisting; Manlift; Mixer, asphalt, over 8 cu. ft. capacity; Mixer, if two or more mixers of one bag capacity or less are used by one employer on job, an operator is required; Mixer, with outside loader, 2 bag capacity or more; Mixer, with side loader, regardless of size, not paver; Oiler on dredge; Oiler on truck crane; Pug mill operator; Pump, sump-self-powered, automatic controlled over 2" during use in connection with construction work; Sweeper, street; Welding machine, one over 400 amp.; Winch operating from truck	$7.97	.35	.40			
Group IV						
Boat operator-outboard motor (job site); Conveyor (such as Con-vay-it) regardless of how used; Oiler; Sweeper, floor	7.52	.35	.40			
Group V						
Air pressure; Oiler engineer; Operating under ten pounds	9.32	.35	.40			
Air pressure; Oiler engineer operating over ten pounds	10.07	.35	.40			
Air pressure engineer operating under ten pounds	10.52	.35	.40			
Air pressure engineer operating over ten pounds	11.27	.35	.40			
Crane-pile driving with leads; Crane using rock socket tool; Dragline - 7 cu. yds. & over; Shovel, power - 7 cu. yds. and over; Crane, climbing (such as Linden); Derrick, diesel, gas, electric hoisting material and erecting steel - 150' or more above						

POWER EQUIPMENT OPERATORS (CONTD)

St. Louis County

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Group V (Cont'd)					
ground; Hoist, three or more drums; Scoop, tandem; Tractor, tandem crawler	$9.02	.35	.40		
Heaters	8.02	.35	.40		
Crane, with boom (including jib) over 100' from pin to pin (add 1¢ per foot to maximum of 75¢) above basic rate for crane.					
Mud jack (where mud jack is used in conjunction with an air compressor, operator)	8.52	.35	.40		
Work in tunnel or tunnel shaft, .25¢ above base rate					

STATE: New Mexico
DECISION NO.: AQ-82
COUNTY: Statewide
DATE: Date of Publication
Supersedes Decision No. AQ-35 dated October 12, 1973 in 38 FR 28529
DESCRIPTION OF WORK: General Building (including Residential in McKinley, Santa Fe, San Juan and Bernalillo Counties) and Heavy Engineering Construction.

GENERAL BUILDING AND HEAVY ENGINEERING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos workers (Statewide, except Union, Harding, Lea, Roosevelt, Curry, and Quay Counties)	$7.50	.50	72a		.03	
Asbestos workers (Union, Harding, Lea, Roosevelt, Curry and Quay Counties)	7.50	.30	.25		.02	
Boilermakers	7.00	.60	.75		.02	
Bricklayers (Union, Harding, Santa Fe, Valencia, Torrence, Taos, Socorro, Sierra, Mora, McKinley, Colfax, Catron, San Miguel, San Juan, Sandoval, Rio Arriba, Bernalillo and Los Alamos Counties:						
From basing point of Albuquerque Main Post Office:						
Zone (1) - 0 to 25 road miles	7.52	.38	.40		.02	
Zone (2) - 25 to 50 raod miles	8.02	.38	.40		.02	
Zone (3) - Over 50 road miles	8.52	.38	.40		.02	
Bricklayers - Stonemasons:						
Chaves County	7.84	.38				
Lincoln County	8.34	.38				
Bricklayers - Stonemasons:						
Curry and Roosevelt Counties	7.84	.38				
DeBaca, Guadalupe and Quay Counties	7.84	.38				
Bricklayers - Stonemasons:						
Lea and Eddy Counties	7.84	.38				
Bricklayers - Stonemasons (Otero County)	7.84	.38				
Bricklayers - Stonemasons:						
Dona Ana, Luna, Grant, Hidalgo, and Sierra Counties	6.59	.38				

GENERAL BUILDING AND HEAVY ENGINEERING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
CARPENTERS (LOS ALAMOS COUNTY)	$7.19	.47	.45		.12	
CARPENTERS (STATEWIDE EXCEPT LOS ALAMOS COUNTY):						
From nearest basing points of the following cities or towns: Alamogordo, Albuquerque, Artesia, Bayard, Belen, Carlsbad, Clovis, Deming, Espanola, Eunice, Farmington, Gallup, Grants, Hobbs, Las Cruces, Las Vegas, Lordsburg, Lovington, Portales, Raton, Roswell, Ruidoso, Santa Fe, Santa Rosa, Silver City, Socorro, Taos, & Tucumcari:						
ZONE (1) - 0 to 15 road miles from nearest basing point:						
ZONE (2) - 15 to 35 road miles from nearest basing point:						
ZONE (3) - Over 35 road miles from nearest basing point:						
CARPENTERS:						
Dwelling houses and apartments not to exceed two stories in height:						
Zone (1)	6.44	.47	.45		.12	
Zone (2)	7.19	.47	.45		.12	
Zone (3)	7.44	.47	.45		.12	
Dwelling houses and apartments over two stories in height:						
Zone (1)	6.94	.47	.45		.12	
Zone (2)	7.69	.47	.45		.12	
Zone (3)	7.94	.47	.45		.12	
MILLWRIGHTS & PILEDRIVERMEN (STATEWIDE) (EXCEPT LOS ALAMOS COUNTY):						
From nearest basing points of the following cities or towns: Albuquerque City Limits; Santa Fe City limits; the Main Post Office at Las Cruces and Carlsbad:						
ZONE(1) - 0 to 15 road miles from nearest basing point	7.19	.47	.45		.12	
ZONE(2) - 15 to 35 road miles from nearest basing point	7.94	.47	.45		.12	
ZONE(3) - Over 35 road miles from nearest basing point	8.19	.47	.45		.12	
MILLWRIGHTS & PILEDRIVERMEN (LAS ALAMOS COUNTY)	7.44	.47	.45		.12	

GENERAL BUILDING AND HEAVY ENGINEERING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
CEMENT MASONS:						
Dwelling houses and apartments not to exceed two stories in height:						
Cement Mason	$5.62	.38	.20			
Dwelling houses and apartments over two stories in height:						
Cement Mason	5.82	.38	.20			
Composition or Mastic	6.07	.38	.20			
Electricians:						
Bernalillo, Santa Fe, Torrance, Debaca, Guadalupe, Quay, San Miguel, Mora, Harding, Union, Colfax, Taos, Rio Arriba, Sandoval, Valencia, Socorro, Catron, Sierra and Grant Counties and all San Juan County excluding the Navajo Indian Reservation.						
From nearest basing point cities or towns and mileage from main post office in the following towns:						
Albuquerque - 15 miles						
Santa Fe - 10 miles						
Las Vegas - 8 miles						
Farmington - 8 miles						
Raton - 6 miles						
Socorro - 6 miles						
Zone (1) Shall be established at each of these locations which shall comprise an area as designated from the main post office in the town:						
Electricians	8.20	.25	1% + .30		1/7%	
Cable splicers	9.02	.25	1% + .30		1/7%	
Zone (2) Shall extend up to 20 miles beyond Zone 1						
Electricians	8.77	.25	1% + .30		1/7%	
Cable splicers	9.59	.25	1% + .30		1/7%	
Zone (3) Shall extend up to 30 miles beyond Zone 1:						
Electricians	9.27	.25	1% + .30		1/7%	
Cable splicers	10.09	.25	1% + .30		1/7%	
Zone (4) Any area beyond 30 miles from Zone 1:						
Electricians	9.84	.25	1% + .30		1/7%	
Cable splicers	10.66	.25	1% + .30		1/7%	
Electricians (Los Alamos County):						
Electricians	9.27	.25	1% + .30		1/7%	
Cable Splicers	10.09	.25	1% + .30		1/7%	

GENERAL BUILDING AND HEAVY ENGINEERING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
ELECTRICIANS (Single or multiple, family dwelling or apartments up to and including 26 units under one roof not exceeding two stories in height):						
Bernalillo, Santa Fe, Counties, and all of San Juan County excluding the Navajo Indian Reservation	$5.40	.25	1%		1/7%	
Electricians (Chaves, Curry, Lincoln and Roosevelt Counties):						
The following zones shall be designated from the main post office of Roswell, Ruidoso, Portales and Carrizozo:						
Zone (a) 0 to 12 miles from main PO:						
Electricians	6.90		1%		1/10%	
Cable splicers	7.25		1%		1/10%	
Zone (b) 12 to 22 miles from main PO:						
Electricians	7.15		1%		1/10%	
Cable splicers	7.50		1%		1/10%	
Zone (c) Anything beyone 22 miles from main post office:						
Electricians	7.30		1%		1/10%	
Cable splicers	7.65		1%		1/10%	
Electricians:						
Zone I - Within 5 mile radius from the Post Office in Las Cruces and Alamogordo:						
Electricians	7.05	.25	1%		1/2%	
Cable splicers	8.05	.25	1%		1/2%	
Zone II - Dona Ana, Otero, Luna and Hidalgo Counties (Except that area specified in Zone I)						
Electricians	7.80	.25	1%		1/2%	
Cable splicers	8.05	.25	1%		1/2%	
Electricians (McKinley County and that Part of San Juan County, New Mexico which comprises part of the Navajo Indian Reservation.						
Zone (a) Includes that City of Gallup and extending 10 road miles from Main Post Office:						
Electricians	7.65	.25	1%		1/2%	
Cable splicers	8.42	.25	1%		1/2%	
Zone (b) extending up to 20 road miles beyond Zone (a):						
Electricians	8.19	.25	1%		1/2%	
Cable splicers	8.96	.25	1%		1/2%	
Zone (c) extending up to 30 road miles beyond Zone (a):						
Electricians	8.64	.25	1%		1/2%	
Cable splicers	9.45	.25	1%		1/2%	

GENERAL BUILDING AND HEAVY ENGINEERING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Electricians (McKinley County and that Part of San Juan County, New Mexico which comprises part of the Navajo Indian Reservation (Cont'd)					
Zone (d) anything extending 30 road miles beyond Zone (a):					
Electricians	$9.18	.25	1%		1/2%
Cable splicers	9.95	.25	1%		1/2%
Electricians (Eddy and Lea Counties)					
The following zones shall be designated from the main post office of Artesia, Carlsbad, Hobbs and Lovington:					
Zone (a) 0 to 12 miles from main PO:					
Electricians	7.35	.25	1%		.01
Cable splicers	7.70	.25	1%		.01
Zone (b) 12 to 22 miles from main PO:					
Electricians	7.70	.25	1%		.01
Cable Splicers	8.05	.25	1%		.01
Zone (c) 22 to 40 miles beyond main PO:					
Electricians	7.85	.25	1%		.01
Cable splicers	8.20	.25	1%		.01
Zone (d) 40 miles and beyond main PO:					
Electricians	8.10	.25	1%		.01
Cable splicers	8.45	.25	1%		.01
Elevator Constructors:					
Bernalillo, Catron, Colfax, Curry, DeBaca, Guadalupe, Harding, Lincoln, Los Alamos, McKinley, Mora, Quay, Rio Arriba, Roosevelt, Sandoval, San Juan, San Miguel, Santa Fe, Socorro, Taos, Torrance, Union and Valencia Counties:					
Elevator constructors	7.20	.345	.23	2%+b+c	.015
Elevator constructors helper	70%JR	.345	.23	2%+b+c	.015
Elevator constructors prob.	50%JR				
Chaves, Hidalgo, Dona Ana, Eddy, Grant, Lea, Luna, Otero and Sierra Counties:					
Elevator constructors	5.41	.195	.20	2%+b+c	
Elevator constructors helper	70%JR	.195	.20	2%+b+c	
Elevator constructors prob.	50%JR				
Glaziers:					
Dona Ana, Luna, Otero and Quay Cos.	5.07	.24			
Remaining Counties	6.09				.02

GENERAL BUILDING AND HEAVY ENGINEERING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Ironworkers:						
Bernalillo, Catron, Colfax, DeBaca, Guadalupe, Lincoln, Los Alamos, McKinley, Mora, Rio Arriba, Sandoval, San Juan, San Miguel, Santa Fe, Socorro, Taos, Torrance, and Valencia Counties	$7.09	.40	.65			
Dona Ana County with the exception of that portion of the county that lies within the White Sands Missile Range: Chaves County; Eddy County except the Potash Basin and defined as the area 10 road miles on Highway 62 and Highway 180, east of Carlsbad	7.19	.40	.50			
Curry, Harding, Quay, Union, Hidalgo, Grant, Lea, Luna, Otero and Sierra Counties: also Potash Basin, White Sands and McGregor Missile Ranges	8.19	.40	.50			
Lathers:						
Lathers (Catron, Grant, Bernalillo, Roosevelt, Union, Sandoval, San Juan, Socorro, Torrance and Valencia Counties)	6.195	.38		.50	.02	
Lathers (Colfax, Los Alamos, Mora, Rio Arriba, San Miguel, Santa Fe and Taos Counties)	5.70				.01	
Marble, Tile and Terrazzo workers:						
Bernalillo, Sandoval, Santa Fe, and Valencia Counties with the exception of a 15 mile radius from the center of the city of Cuba in Sandoval County and Grants in Valencia	6.075	.30				
Catron, Chaves, Colfax, Curry, DeBaca, Dona Ana, Eddy, Grant, Guadalupe, Harding, Hidalgo, Lea, Lincoln, Los Alamos, Luna, McKinley, Mora, Otero Quay, Rio Arriba, Roosevelt, San Juan, San Miguel, Sierra, Socorro, Taos, Torrance and Union Counties, and 15 mile radius from the center of the city of Cuba in Sandoval and Grants in Valencia	7.20	.30				
Marble, Tile and Terrazzo helpers:						
Bernalillo, Sandoval, Santa Fe and Valencia Counties with the exception of a 15 mile radius from the center of the city of Cuba in Sandoval						

GENERAL BUILDING AND HEAVY ENGINEERING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Marble, Tile & Terrazzo helpers: (Cont.)						
County and Grants in Valencia	$4.30	.25				
Catron, Chaves, Colfax, Curry, DeBaca, Dona Ana, Eddy, Grant, Guadalupe, Harding, Hidalgo, Lea, Lincoln, Los Alamos, Luna, McKinley, Mora, Otero, Quay, Rio Arriba, Roosevelt, San Juan, San Miguel, Sierra, Socorro, Taos, Torrance, Union and 15 mile radius from the center of the city of Cuba in Sandoval and Grants in Valencia	5.425	.25				
Painters:						
San Juan, McKinley, Bernalillo, Torrance, Guadalupe, Quay, Catron, Socorro, Lincoln, DeBaca, Roosevelt, Chaves, Valencia, Sierra, Grant, Hidalgo and Curry Counties:						
Painters, roller and Hand texture	5.67	.30	.20		.01	
Painters, spray, sandblasting, painter on steel bridges, tanks, towers, pipes and structural	6.17	.30	.20		.01	
Paperhanger	5.92	.30	.20		.01	
Drywall finisher: Ames tool operator	6.25	.30	.20		.01	
Hand finisher machine texture	6.00	.30	.20		.01	
Painting 30 to 75 feet above ground or floor	6.32	.30	.20		.01	
Painting 75 feet or more above ground or gloor - 1/2 cent per foot above the 75 foot scale.		.30	.20		.01	
Painters:						
Colfax, Harding, Los Alamos, Mora, Sandoval, San Miguel, Rio Arriba, Taos, Union and Santa Fe Counties:						
Painters and roller	5.30					
Paperhangers	5.55					
Spray; sandblast; pressure roller, and gunnite operator	5.95					
Steel painter; bridges, structural steel, machinery tank, towers, pipes boiler rooms and power plant-brush and spray	5.80					
Dry wall finisher:						
Hand finisher	5.80					
Ames tool operator and machine finishing	6.05					
High pay:						
30 to 75 feet	5.80					
75 to 100 feet	6.30					
100 feet and over	7.30					

GENERAL BUILDING AND HEAVY ENGINEERING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Painters: (Cont'd)						
Painters (Luna, Otero and Dona Ana Counties)						
Brush	$5.59	.24				
Spray, swing stage, sand water blasting spray and blasting on stage	6.015	.24				
Ames tool	5.735	.24				
Tapers	5.59	.24				
Steel brush	5.735	.24				
Stripping machine	6.015	.24				
Radio towers, water tanks, smoke stacks:						
Over 100 feet	6.44	.24				
200 to 300 feet	6.69	.24				
Painters (Lea and Eddy Counties):						
Zone (A) - a 40 mile radius from the courthouse in Carlsbad:						
Brush, roller & dry wall finisher	5.00	.30				
Paperhanger & Sandblaster	5.25	.30				
Spray	5.50	.30				
Zone (B) - the remainder of Eddy & Lea Counties:						
Brush, roller & dry wall finisher	5.75	.30				
Spray	6.25	.30				
Paperhanger & Sandblaster	6.00	.30				
Plasterers	6.50	.38	.20		.06	
Plumbers - Pipefitters:						
Basing Point Cities or Towns:						
Albuquerque, Alamogordo, Anthony, Artesia, Belen, Carlsbad, Clovis, Deming, Espanola, Farmington, Gallup, Grants, Hobbs, Las Cruces, Las Vegas, Lordsburg, Lovington, Portales, Raton, Roswell, Ruidoso, Santa Fe, Silver City, Sant Rosa, Taos, Trucumcari, Truth or Consequences						
Zone (1) Shall extend a distance of five(5) road miles inclusive beyond the city or town limits of any of the basing point cities or towns as set forth above	8.00	.42	.75		.09	
Zone (2) Shall extend a distance of eight (8) road miles inclusive beyond the outer perimeter of Zone (1)	8.25	.42	.75		.09	

GENERAL BUILDING AND HEAVY ENGINEERING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Zone (3) Shall extend a distance of ten (10) miles inclusive beyond the perimeter of Zone (2)	$8.50	.42	.75		.09	
Zone (4) Shall extend a distance of twelve (12) road miles inclusive beyond the outer perimeter of Zone (3)	8.75	.42	.75		.09	
Zone (5) Shall extend a distance of ten (10) road miles inclusive beyond the outer perimeter of Zone 4	9.25	.42	.75		.09	
Zone (6) Shall apply to all areas not within Zones 1, 2, 3, 4 or 5	9.50	.42	.75		.09	
Plumbers - Pipefitters: Los Alamos, White Rock, South Mesa, McGregor Range, White Sands Missile Range and/or Proving Grounds, Atlas Missile Complex sites in Chaves and Lincoln Counties, and the Oro Grande Camp in Dona Ana and Otero Counties	8.63	.42	.75		.09	
Roofers	5.70					
Sheet Metal Workers: Bernalillo, Catron, Chaves, Colfax, Curry, DeBaca, Guadalupe, Harding, Lincoln, McKinley, Mora, Quay, Rio Arriba, Roosevelt, Sandoval, San Miguel, Santa Fe, Socorro, Union, Taos, Torrance and Valencia Counties	7.11	.31	.25		.02	
Sheet Metal Workers: Kirtland Air Force Base, Sandia Base and Los Alamos County	7.11	.31	.25		.02	
Sheet Metal Workers: San Juan County	7.11	.31	.25		.02	
Sheet Metal Workers: Dona Ana, Eddy, Grant, Hidalgo, Lea, Luna, Sierra and Otero Counties	7.30	.29	.10		.005	
Sheet Metal Workers: Holloman Air Force Base, White Sands and McGregor Ranges	8.35	.20			.05	
Soft Floor Layers: Dona Ana, Luna and Otero Counties	5.61	.24				
Remainder of State	5.75	.30			.02	
Sound Installers: Bernalillo County	6.75	.25	1%		1/7%	
Sound Installers: Valencia, Sandoval, Santa Fe, Torrance and Socorro Counties	7.49	.25	1%		1/7%	

GENERAL BUILDING AND HEAVY ENGINEERING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Sounnd Installers: Guadalupe, DeBaca, Quay, Mora, San Miguel, Harding, Union, Taos, Colfax, Rio Arriba, Catron, Sierra, Grant, Los Alamos and San Juan Counties excluding the Navajo Indian Reservation in the State of New Mexico	8.98	.25	1%		1/7%	
Sprinkler Fitters	8.35	.30	.50		.05	

WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental.

FOOTNOTES:

a. Includes $0.07 contribution to the Occupational Health Fund.
b. 1st. 6 mos. - none; 6 mos. to yrs., 2%; over 5 yrs., 4% of basic hourly rate.
c. Paid Holidays: A through F.

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

GENERAL BUILDING, HEAVY ENGINEERING AND RESIDENTIAL CONSTRUCTION (Dwelling Houses and Apartments over two stories in height.)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
LABORERS						
UNSKILLED: Building and Common Laborers, Carpenter tenders, Concrete workers, Chainmen-stakedrivers, Concrete buggy operators, hand	$4.57	.26	.20			
SEMISKILLED: Air and power tool operator, Asphalt rakers, Demolition, Gunite rebound men, Fog Machine Operator, Power Buggy Operators, Rodmen, Sand blasterers (pot men), Nozzlemen, Window washer, wagon, core and diamond drillers tenders outside	4.87	.26	.20			
Wagon Core, Diamond Drillers	4.97	.26	.20			
MISCELLANEOUS: Concrete Burner, Cement mason tenders, Hodcarriers, Mortar mixers, Plaster spreader operators Plaster tenders, Gunite nozzlemen, Pipe layer, Pumpcrete nozzlemen	5.175	.26	.20			
Powdermen and Blasterers	5.325	.26	.20			

RESIDENTIAL CONSTRUCTION (Dwelling houses and Apartments not to exceed two stories in height.)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
LABORERS						
UNSKILLED: Building and Common Laborers, Carpenter tenders, Concrete workers, Chainmen-stakedrivers, Concrete buggy operators, hand	$4.12	.26	.20			
SEMISKILLED: Air and power tool operator, Asphalt rakers, Demolition, Gunite rebound men, Fog Machine Operator, Power Buggy Operators, Rodmen, Sand blasterers (pot men), Nozzlemen, Window washer, wagon, core and diamond drillers tenders outside	4.42	.26	.20			
Wagon Core, Diamond Drillers	4.52	.26	.20			
MISCELLANEOUS: Concrete Burner, Cement mason tenders, Hodcarriers, Mortar mixers, Plaster spreader operators Plaster tenders, Gunite nozzlemen, Pipe Layer, Pumpcrete nozzlemen	4.725	.26	.20			
Powdermen and Blasterers	4.875	.26	.20			

RESIDENTIAL & GENERAL BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
POWER EQUIPMENT OPERATORS						
GROUP I						
Fireman, Oiler, Helpers-Mechanic Welders, Greaser Truck, Screedman Scale Operator such a (Bin-A-Batch), Rubber Tired Farm-Type Tractor, Tractors under 50 HP W/O Attachments, Breakman, Concrete Paving Curing Machine (Bridge Type)	$5.18	.25	.20		.06	
GROUP II						
Rollers, Sheepsfoot or Pneumatic Self propelled W/O Dozer, Concrete Conveyor, Service Truck Operator (Head Oiler), Air Compressor (300 CFM and Over), Pumps (6" and over), Screening Plants, Concrete Mixers (under 1CY), Concrete Saw or Grinder-Span Type, Hoists, 1 drum, Air Tugger, Elevating Belt Type Loaders, Forklift Lumber Stacker, Tractor-Farm Type (under (50HP W/Attachments) Motor man and Industrial Locomotive Operator, Winch Trucks, Fron End Loader (Under 2 CY), Power Plants which generate over 15 KW, Welding Machines	5.72	.25	.20		.06	
GROUP III						
Bituminous Distributors Boilers, Retort and Hot Oil Heaters, Concrete Paver-Single Drum), Drilling Equipment, Motor Graders (Rough), Shaft and Tunnel Equipment-Refrigeration, Slusher, jumbo form, Trenching Machines (all types), Pump Crete and Gunite Machines, slifform Paver, Mechanical Bullfloats, Concrete slab, Spreading Machine, Concrete Slab Finishing Machine, Asphalt Plants, Bituminous Finishing Machines, Crushing Plants	5.80	.25	.20		.06	
GROUP IV						
Front End Loader (2 thru 10CY), Rollers Steel Wheeled-All Types, Bulldozers, Scrapers, (Motor or Towed), Elevating Graders, Concrete Batching Plants, Self Propelled Rollers-Equipped with Dozer, Twin-Bowl Scrapers and Quad 8 or 9 Pushers (35¢ over basic rate) Three Bowl Scrapers (60¢ over basic rate)	5.86	.25	.20		.06	

RESIDENTIAL & GENERAL BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
POWER EQUIPMENT OPERATORS (Cont'd)						
GROUP V						
Hydraulic Cranes-with less than 50 ft. of Boom (20 tons and under), Concrete Paver-Double Drum, Cat Cranes, Hysters, Side and Swingboom Cats, Hoist-2 drum, Auto Fine Grader	$5.92	.25	.20		.06	
GROUP VI						
Mucking Machines-All types, Motor Grader-Finish, Mechanic-Welder	6.02	.25	.20		.06	
GROUP VII						
Steam Engineers, Loader (Front End over 10 CY)	6.12	.25	.20		.06	
GROUP VIII						
All Shovel Type Equipment: Cranes, Draglines, Backhoes, Derricks, Guy and Stiff Leg, Pipemoble (No. 20p.) Pile Driver, Hydraulic Cranes (20 tons and over), Mine Hoist (Belt Loader "C.M.I." Type), Cranes, Drag-Lines-with Booms and Jib over 150 ft. 25¢ per hour additional	6.30	.25	.20		.06	
GROUP IX						
Shovel (Wheel Type), Boring Machine (Tunnel or Shaft Mole), Pipe Mobile	7.10	.25	.20		.06	
Shaft and Tunnel work-15¢ per hour: above regular rate.						

HEAVY ENGINEERING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Power Equipment Operators:					
GROUP I					
Fireman, Oiler, Helpers-Mechanic, Welder, Grease Truck, Screedman, Scale operator such as (Bin-a-Batch), Rubber tired farm-type tractor, Tractos (under 50 HP W/O attachments), Breakman, concrete paving curing machine, (bridge type)	5.13	.25	.20		.06
GROUP II					
Rollers, Sheepsfoot or Pneumatic, Self propelled W/O Dozer, Concrete Conveyor, Service Truck Operator (Head Oiler), Air Compressor (300 CFM and Over), Pumps (6" and over), Screening Plants, Concrete Mixers (Under 1 CY), Concrete Saw or Grinder-Span Type, Hoists, 1 drum, Air Tugger, Elevating, Belt Type Loaders, Forklift Lumber Stacker, Tractor-Farm Type (Under 50 HP W/ Attachments), Motorman and Industrial Locomotive Operator, Winch Truck, Front End Loader (Under 2 CY), Power Plants which generate over 15 KW, Welding Machines	5.67	.25	.20		.06
GROUP III					
Bituminous Distributors, Boilers, Retort and Hot Oil Heaters, Concrete Mixers (1 CY and over), Concrete Paver-Single Drum, Drilling Equipment, Motor Graders (Rough), Shaft and Tunnel Equipment-Refrigeration, Slusher, Jumbo Form, Trenching Machines-All types, Pump Crete and Gunite Machines, Slipform Paver, Mechanical Bullfloats, Concrete Slab finishing machine, Asphalt Plants, Bituminous Finishing Machines, Crushing Plants	5.75	.25	.20		.06
GROUP IV					
Front End Loader (2 thru 7 CY), Rollers, Steel Wheeled-All Types, Bulldozers, Scrapers, (Motor or Towed), Scrapers, (Motor or Towed), Elevating Graders, Concrete Batching Plants, Self-Propelled Rollers-Equipped with Dozer, Twin-Bowl Scrapers and Quad 8 or 9, Pushers (35¢ over basic rate) Three Bowl Scrapers (60¢ over basic rate)	5.81	.25	.20		.06

HEAVY ENGINEERING CONSTRUCTION (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
POWER EQUIPMENT OPERATOR:						
GROUP V						
Front End Loader (over 7 thru 10 CY), Hydraulic Cranes-With less than 50 ft. of boom (20 tons and under), Concrete paver-double drum, Cat Cranes, Hysters, Side and Swingboom Cats, Hoist-2 Drum, Auto Fine Grader	$5.87	.25	.20		.06	
GROUP VI						
Mucking Machines-All types (blade-motor grader-finish), Mechanic-Welder	5.97	.25	.20		.06	
GROUP VII						
Steam Engineers, Loader (Front End over 10 CY)	6.07	.25	.20		.06	
GROUP VIII						
All Shovel Type Equipment: Cranes, Draglines, Backhoes, Derricks, Guy & Stiff Leg, Pipemobile (No. 2 Operator), Pile driver, Hydraulic Cranes (20 tons and Over), Mine Hoist (Belt Loader)	6.25	.25	.20		.06	
GROUP IX						
Shovel (Wheel Type), Boring Machine (Tunnel or Shaft Mole), Pipe Mobile	7.05	.25	.20		.06	

GENERAL BUILDING AND RESIDENTIAL CONSTRUCTION (Dwelling Houses and Apartment over two stories in height)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Truck Drivers:						
Group I						
Pickup 3/4 ton and under; light tire repair or washer; swamper or riding helper; Teamster 2 or 4 up;	$4.60	.38	.15			
Group II						
Bus or taxi driver; dump or batch truck under 8 C.Y.W.L.C.; flatbed (bobtail) 2 ton & under; warehousemen including material checker; mechanic & welder helper; Forklift, under 5 ton MRC	4.72	.38	.15			
Group III						
Dump trucks (including all highway and off-highway) 8 up to 16 C.Y.W.L.C.; water, fuel or oil trucks less than 3,000 gal.; flatbed (bobtail) over 2 tons	4.80	.38	.15			
Group IV						
Distributor driver; heavy tire repair; lumber carrier driver; young buggy or similar equipment transit mix or agitator 2 or 3 axle bobtail equipment; scissor truck; bulk cement bobtail 2 or 3 axles; semi-trailer driver (flatbed or van single axle); forklift 5 ton and over M.R.C.; field equipment serviceman	4.92	.38	.15			
Group V						
Dumpster and dumpcrete driver; water, fuel or oil truck, 3,000 to 6,000 gal. capacity; lowboy, light equipment driver; Euclid type tank wagon under 6,000 gal.	4.97	.38	.15			
Group VI						
Vacuum truck; dump trucks (including all highway and off-highway 16 up to 22 C.Y.W.L.C.	5.07	.38	.15			
Group VII						
Transit mix or agitator semi or 4 axle Equipment driver; Flaherty truck type spreader box driver; slurry trucks 4 axle bobtail; winch truck and "A" frame dump trucks (including all highway and off-highway) 22 C.Y. up to 35 C.Y.W.L.C., head field equipment serviceman	5.17	.38	.15			

GENERAL BUILDING AND RESIDENTIAL CONSTRUCTION (Dwelling Houses and Apartments over two Stories in Height)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Truck Drivers (Cont'd)						
Group VIII						
Euclid dieseal powered turnarocker; terra cobra; DW 10; DW 20; LeTourneau pulls & similar diesel powered equipment when used to haul materials and assigned to a Teamster; lowboy heavy equipment driver; water, fuel or oil trucks 6,000 gal. and over (including tank wagon drivers); semi-trailer driver (flatbed or van tandems); light equipment mechanic; dump trucks (including all highway and off-highway) 35 C.Y.W.L.C. and over; truck and trailer or semi-trailer (flatbed eject all)	$5.31	.38	.15			
Group IX						
Lowboy (heavy equipment, double gooseneck); heavy equipment mechanic; welder (body and fender man)	5.46	.38	.15			
TEAMSTERS CLASSIFICATION not listed, shall be paid a rate comparable to classification listed.						

RESIDENTIAL CONSTRUCTION (Dwelling houses and apartments not to exceed two stories in height)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Truck Drivers:						
GROUP I						
Pick-up 3/4 ton and under; light tire repair or washer; swamper or riding helper; Teamster 2 or 4 up	$4.30	.38	.15			
GROUP II						
Bus or taxi driver; dump or batch truck under 8 C.Y.W.L.C.: flatbed (bobtail) 2 ton and under; warehousemen including material checker; mechanic and welder helper; forklift, under 5 ton MRC	4.42	.38	.15			
GROUP III						
Dump truck (including all highway and off-highway) 8 up to 16 C.Y.W.L.C.; water fuel or oil trucks less than 3,000 gallon; flatbed (bobtail) over 2 tons	4.50	.38	.15			
GROUP IV						
Distributor driver; heavy tire repair; lumber carrier driver; young buggy or similar equipment transit mix or agitator 2 or 3 axle bobtail equipment; scissor truck; bulk cement bobtail 2 or 3 axles; semi-trailer driver (flatbed or van single axle); forklift 5 ton and over M.R.C.; field equipment servicemen	4.62	.38	.15			
GROUP V						
Dumpster and dumpscrete driver; water fuel or oil truck, 3,000 to 6,000 gallon capacity; lowboy, light equipment driver; Euclid type tank wagon under 6,000 gal.	4.67	.38	.15			
GROUP VI						
Vacuum truck; dump truck (including all highway and off-highway 16 up to 22 C.Y.W.L.C.	4.77	.38	.15			

RESIDENTIAL CONSTRUCTION (Dwelling houses and Apartments not to exceed two stories in height.)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Truck Drivers (Cont'd)						
GROUP VII						
Transit mix or agitator semi or 4 axle; equipment driver; Flaherty truck type spreader box driver; slurry trucks 4 axle bobtail winch truck and "A" frame dump trucks (including all highway and off-highway) 22 C.Y. up to 35 C.Y.W.L.C., head field equpment servicemen	$4.87	.38	.15			
GROUP VIII						
Euclid diesel powered turnarocker; terra cobra; DW 10; DW 20; LeTourneau pulls & similar diesel powered equipment when used to haul materials and assigned to a teamster; lowbou heavy equipment driver; water fuel or oil trucks 6,000 gallons and over (including tank wagon drivers); semi-trailer driver (flabed or van tandems); light equipment mechanic; dump truck (including all highway and off-highway) 35 C.Y.W.L.C. and over; truck and trailer or semi-trailer (flatbed eject all)	5.01	.38	.15			
GROUP IX						
Lowboy (heavy equipment, double gooseneck); heavy equipment mechanic; welder (body and fender man)	5.16	.38	.15			
TEAMSTER CLASSIFICATION not lisetd shall be paid a rate comparable to classification listed.						

HEAVY ENGINEERING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Truck Drivers:						
Group I Pickup 3/4 ton and under; light tire repair or washer; swamper or riding helper; Teamster 2 or 4 up	$4.75	.38	.10			
Group II Bus or taxi driver; dump or batch truck, under 8 C.Y.W.L.C.; flatbed (bobtail) 2 ton and under; warehouseman including material checker; mechanic and welder helper; forklift, under 5 ton MRC	4.87	.38	.10			
Group III Dump trucks (including all highway and off-highway) 8 up to 16 C.Y.W.L.C.; water, fuel or oil trucks less than 3,000 gal.; flatbed (bobtail) over 2 tons	4.95	.38	.10			
Group IV Distributor driver; heavy tire repair; lumber carrier driver; young buggy or similar equipment; transit mix or agitator 2 or 3 axle bobtail equipment; scissor truck; bulk cement bobtail 2 or 3 axles; semi-trailer driver (flat bed or van single axle); forklift 5 ton and over M.R.C.; field equipment servicemen	5.07	.38	.10			
Group V Dumpster & dumpcrete driver; water; fuel or oil truck, 3,000 to 6,000 gal. capactity; lowboy, light equipment driver; Euclid type tank wagon under 6,000 gal.	5.12	.38	.10			
Group VI Vacuum truck; dump trucks (including all high and off-highway) 16 up to 22 C.Y.W.L.C.	5.22	.38	.10			

HEAVY ENGINEERING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Truck Driver (Cont'd)						
Group VII Transit mix or agitator semi or 4 axle equipment driver; Flaherty truck type spreader box driver; slurry truck driver; bulk cement driver; semi doubles; 4 axle bobtail; winch truck and "A" frame; dump trucks (including all highway & off highway) 22 C.Y. up to 35 C.Y.W.L.C., head field equipment serviceman	$5.32	.38	.10			
Group VIII Euclid diesel powered turnarocker; terra coba; DW 10; DW 20; LeTourneaupulls and similar diesel powered equipment when used to haul materials and assigned to a Teamster; Lowboy heavy equipment driver; water, fuel or oil trucks 6,000 gal. & over (including tank wagon drivers); semi-trailer driver (flatbed or van tandems); light equipment mechanic; dump trucks (including all highway and off-highway) 35 C.Y.W.L.C. & over; truck & trialer or semi-trailer (flatbed) eject all	5.46	.38	.10			
Group IX Lowboy (heavy equipment, double gooseneck); heavy equipment mechanic; welder (body and fender man)	5.61	.38	.10			
Teamster classification not listed, shall be paid a rate comparable to classifications listed.						

AO-82 - P. 23 NM-Line Construction #1

STATEWIDE (EXCEPT BERNALILLO COUNTY)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
CABLE SPLICERS	$7.82	.25	1%		1/2%	
LINEMEN	7.29	.25	1%		1/2%	
TECHNICIANS	7.29	.25	1%		1/2%	
EQUIPMENT OPERATORS	6.93	.25	1%		1/2%	
EQUIPMENT MECHANICS	6.34	.25	1%		1/2%	
POWDERMEN	6.34	.25	1%		1/2%	
GROUNDMEN & JACKHAMMER OPERATORS:						
1st 6 months	3.85	.25	1%		1/2%	
2nd 6 months	4.37	.25	1%		1/2%	
Experienced	5.11	.25	1%		1/2%	

AO-82 - P. 24 NM-LINE CONSTRUCTION #2

Bernalillo County	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
CABLE SPLICERS	$7.16	.25	1%		1/2%	
LINEMEN	6.66	.25	1%		1/2%	
TECHNICIANS	6.66	.25	1%		1/2%	
EQUIPMENT OPERATORS	6.34	.25	1%		1/2%	
EQUIPMENT MECHANICS	5.81	.25	1%		1/2%	
POWDERMAN	5.81	.25	1%		1/2%	
GROUNDMEN & JACKHAMMER OPERATORS:						
1st 6 months	3.52	.25	1%		1/2%	
2nd 6 months	4.00	.25	1%		1/2%	
Experienced	4.67	.25	1%		1/2%	

SUPERSEDEAS DECISION

STATE: Pennsylvania COUNTIES: Armstrong, Blair, Crawford, Indiana, Venango, Warren & McKean

DECISION NO.: AQ-2,058 DATE: Date of Publication

Supersedes Decision No. AP-831, dated May 25, 1973, in 38 FR 14055.

DESCRIPTION OF WORK: Heavy and Highway Construction.

PA-42-Lab-2-3-A 1 of 2

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Laborers:					
Construction laborer (including tenders handling salamanders, L.P. gas heaters or similar, etc.), Air or electric impactor wrench, Air tamper operator, Asphalt tampers, Batcherman (weigh), Blaster's helper, Blower man (bulk cement), Brakeman, Coffer dam, Concrete pitman, puddler including vibrator operator, Drill runner's helper (includes drill mounted on truck, track or similar and Davey drills (spots-clean-up & helps to maintain), Fence construction, Form stripper and mover, Hydro-Jet blaster nozzlemen, Manually moved emulsion sprayer, Radio actuated traffic control operator (non-automatic), Rip rap work, Scaffolds and runways (as per agreement of record), Sheeters and shorers, structural concrete top surfacer, Walk behind street sweeper, Welder's helper (pipeline), Wood chipper	$5.99	.30	.30		
Asphalt, batch and concrete plant operator (manually operated), Asphalt rakers, Burner, Caisson men (open air), carryable pumps, Chain saw operator, Chipping hammer or similar (air or otherwise), Combination tamper and vibrator, Concrete buster (paving breaker), Cribbing (concrete or steel), Curb machine operator (asphalt and concrete) (walk behind), Earth drill, Fork lift (walk behing), Form setter (road forms line man), Handyman, Highway slab reinforcement placers (incl. joint and basket setter), Hydraulic pipe pusher, Jack hammer operator, Liner plates (tile or vitrified clay), Manually operated diamond head core drill, Mechanical joint sealer, Dope pot, and Tar kettle, Mortar mixer (ahnd or machine), Pin drivers or puller (power-highway), Pipe layers, Plant set-up, Maintenance men, Portable single unit conveyor, Post hole auger (2 or 4 cycle (hand operated), Power fence operator, Power wheelbarrows and buggies, Rail porter, or similar, Screed operator					

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Laborers (cont'd):					
Signal man, Whacker	6.21	.30	.30		
All Railroad Track Work:					
Adzing machine, Ballast router, Bolting machine, Power jacks, Rail drills, Railroad brakemen, Rail saws, Spike drivers, Spike pullers, Tamping machine	6.21	.30	.30		
Cement mortar lining car pusher, Cement mortar mixer (pipe relining), Cement saw operator (walk behind), Form setter (road forms-lead man), Grout machine operator, Gunnite (nozzle and machine man), Paving block rammers, Wagon drill (air track or similar) operators, Walk behind power rollers (1 or 2 barrel), Walk behind roller and tamper, Walk behind ditching machine (trencher or similar)	6.50	.30	.30		
Blacksmith, Blaster, Brick and block pavers (wood, belgain and asphalt), Curb cutters and setters, Manhole or catch basin builder (brick, block, concrete or any prefabrication)	6.64	.30	.30		
Multi-plate pipe (aligning and securing) Placing wire mesh on gunite projects, Reinforcing steel placers (bending, aligning and securing)	6.95	.30	.30		
Welder (pipeline)	8.10	.30	.30		
Tunnel and Shaft Work (Inside):					
Change house attandant	5.97	.30	.30		
Muckers, Brakemen and all other labor (inlcudes installation of utility lines), Signal man, Drill runner helper	6.21	.30	.30		
Miners and drillers (including lining, supporting and form workmen, setting of shields, miscellaneous equipment & jumbos)	6.50	.30	.30		
Caisson and tunnel men under pressure (0-18 pounds)	6.64	.30	.30		
Reinforcing steel placers (bending, aligning and securing)	6.95	.30	.30		
Carpenters by Counties:					
Armstrong	7.81	6%	6%		
Blair, Crawford, Indiana, McKean, Venango and Warren	7.47	6%	6%		
Carpenter-Welder by Counties:					
Armstrong	8.04	6%	6%		
Blair, Crawford, Indiana, McKean, Venango & Warren	7.70	6%	6%		
Cement masons	7.525	.4515	.75++.4515		
Piledrivermen	8.79	5%	5%		

HEAVY & HIGHWAY CONSTRUCTION

POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Austin Western or Similar (25 ton & over) Austin Western or Similar (under 25 ton) Autograder (C.M.I. & similar) Backfiller, Backhoe - 360° Swing, Cableway, Caisson Drill (Similar to Hugh Williams) Central Mix Plant, Cooling Plant, Concrete Paving Mixer, Cranes, Cranes (Tower - Stationary-Climbing Tower Crane) Derrick, Derrick Boat, Dragline, Dredge, Dredge Hydraulic (1 Leverman - 1 Oiler - Apprentice) Elevating Grader, Franki Pile Machine, Gradall (Remote control or otherwise) Grader (Power-Fine Grade) Guard Rail Post Driver (Truck Mtd.) Guard Rail Post Driver (Skid Type) (Self Propelled - Arrow or similar) Helicopter (over 1500 lb. lift) Helicopter (under 1500 lb. lift) Hilift (4cy. and over) Hoists 2 Drums or more (in one unit) Kocal, Koering Skooper, Lead Mechanic, Locomotive (std. Guage) Mix Mobile, Mix Mobile (with self loading Attachment) Mucking Machine (Tunnel) Pile Driver Machine, Pipe Extrusion Machine, Presplitter Drill (Self Contained) Quad Nine, Refrigeration Plant (Soil stabilization) Scraper (Multi-bowl) Shovel - Power, Slip Form Paver C.M.I. and similar) Trenching Machine (30,000 lb. and over) Trenching Machine (under 30,000 lb.) Tunnel Machine (Mark XXI Jarva or similar) Whirley	$8.23	.35	.50		.04
Asphalt Paving Machine (Spreader) Asphalt Plant Operator, Athey Loader, Auger (Tractor Mtd,) Auger (Truck Mtd.) Backhoe (Rear Pivotal Swing) (180° Swing) Boring Machine, Cable Placer or Layer, Compactor with blade, Concrete Batch Plant (Electronically Synchronized) Concrete Belt Placer (C.M.I. and Similar) Concrete Mixer (over 1 cy.) Concrete Pump, Core Drill (Truck or skid Mtd. - similar to Penn Drill) Dozer, Euclid Loader, Grader - Power, Grease Unit Operator (Head) Hilift (under 4 cy,) Job Work Boat (Powered)					

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Jumbo Operator, Locomotive (narrow guage) Mechanic, Minor Equipment Operator (Accumulative four units) Mucking Machine, Over-head Crane, Roller-power-asphalt, Ross Carrier, Scraper, Side Boom or tractor mounted boom, stone Crusher (Screening-Washing Plants) Stone Spreader (Self-propelled Truck Mounted Drill (Davey or similar) Welder and Repairman, Well Point Pump Operator	$ 7.97	.35	.50		.04
Compactors/Rollers (Static or Vibratory) (Self-propelled) Minor Equipment Operator (Two to three units) Soil Stabilizer Machine, Tire Repairman Tube Finisher (C.M.I. or similar) Well Driller and Horizontal	5.61	.35	.50		.04
Ballast Regulator, Compressor, Concrete Finishing Machine and Spreader, Concrete Mixer (1 cy. and under with Skip) Concrete Saw (Ridden or self-propelled) Conveyor, Curb Builder (Self-propelled) Elevator (Material hauling only) Forklift (Ridden or self-propelled) Form line Machine, Generator, Crout Pump, Heater (Mechanical) Hoist (single drum) Ladavator, Light Plant, Mulching Machine, Pavement Breaker (self-propelled or ridden) Personnel Boat (Powered) Pulverizer, Pumps, Seeding Machine, Spray Cure Machine (Power driven) Subgrader, Tie Puller, Tie Tamper (Multi-head) Tractor-snaking and hauling, Tugger, Welding Machine (Gas or Diesel) Winch or Hydraulic Boom Truck (when hoisting and placing)	5.16	.35	.50		.04
Deck Hand, Farm Tractor, Fireman on Boiler, Mechanic's Helper, Oiler, Power Broom, Side Delivery Shoulder Spreader	5.01	.35	.50		.04

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HEAVY & HIGHWAY CONSTRUCTION TRUCK DRIVERS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Trucks under 33,000 lbs. gross load category (including all types of trucks such as fuel, dump, flat bottom, pick-up, and similar equipment, parts man and warehousemen)	$6.40	7.3%	4.2%		
Trucks over 33,000 lbs. gross load category (including all types of trucks such as fuel, dump (tandem), flat bottom, scissors, and combination fuel and grease)	6.55	7.3%	4.2%		
Tri-axle trucks	6.64	7.3%	4.2%		
Heavy equipment whose capacity exceeds that for which state licenses are issued - specifically refers to units in excess of 8 ft. width (such as euclids: end or belly dump, single twin-engined or tandem: athey wagon: pay loader, tournawagons, and similar equipment when not self-loaded rated under forty-five tons)	6.64	7.3%	4.2%		
Heavy off-the-road equipment (rated at forty-five tons or over)	6.73	7.3%	4.2%		
Heavy duty trailer, such as low boy, hi-boy, pole trailer, A-Frames (when used for transporting materials), dumpsters, ross carriers, form trucks, dual-purpose trucks (when load has been loaded or unloaded with truck winch, loading, hauling and unloading), mechanical tailgate trucks, bucket self-loading trucks, farm tractors (when pulling and hauling), fork lift trucks (in storage areas and warehouses)	6.71	7.3%	4.2%		
Single-axle Ready-Mixed Concrete Trucks (such as agitators, barrel, redi-mix concrete trucks, etc.)	6.46	7.3%	4.2%		
Tandem-axle Ready-Mixed Concrete Trucks (such as agitators, barrel, redi-mix concrete trucks, etc.)	6.55	7.3%	4.2%		
Tri-axle Ready-Mixed Concrete Trucks (such as agitators, barrel, redi-mix concrete trucks, etc.)	6.64	7.3%	4.2%		
Ready-mixed Concrete Trucks with towed or built-in attachments (10¢ per hour additionsl to respecitve size truck					
Tar and Asphalt Distributing trucks (all liquid tank trucks, straight and semi, including water, sprinkler, oil trucks, etc.)	6.55	7.3%	4.2%		
Tar and Asphalt Trailer Trucks	6.64	7.3%	4.2%		
Trucks with Dolly or Trailer	6.50	7.3%	4.2%		
Bottom or Belly-Dump Trucks	6.73	7.3%	4.2%		

SUPERSEDEAS DECISION

STATE: Pennsylvania COUNTIES: Bedford, Cameron, Clarion, Clinton, Elk, Franklin, Forest, Fulton, Huntingdon, Mifflin & Potter

DECISION NO.: AQ-2,060

Supersedes Decision No. AP-832, dated May 25, 1973, in 38 FR 14058.

DESCRIPTION OF WORK: Heavy and Highway Construction.

PA-5-Lab-2-3-N 1 of 2

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Laborers:					
Construction laborer (including tenders handling salamanders, L.P. gas heaters or similar, etc.), Air or electric impactor wrench, Air tamper operator, Asphalt tampers, Batcherman (weigh), Blaster's helper, Blower man (bulk cement), Brakeman, Coffer dam, Concrete pitman, puddler including vibrator operator, Drill runner's helper (includes drill mounted on truck, track or similar and Davey drills (spots-clean-up & helps to maintain), Fence construction, Form stripper and mover, Hydro-Jet blaster nozzlemen, Manually moved emulsion sprayer, Radio actuated traffic control operator (non-automatic), Rip rap work, Scaffolds and runways (as per agreement of record), Sheeters and shorers, structural concrete top surfacer, Walk behind street sweeper, Welder's helper (pipeline), Wood chipper	$5.79	.30	.30		
Asphalt, batch and concrete plant operator (manually operated), Asphalt rakers, Burner, Caisson men (open air), carryable pumps, Chain saw operator, Chipping hammer or similar (air or otherwise), Combination tamper and vibrator, Concrete buster (paving breaker), Cribbing (concrete or steel), Curb machine operator (asphalt and concrete) (walk behind), Earth drill, Fork lift (walk behing), Form setter (road forms line man), Handyman, Highway slab reinforcement placers (incl. joint and basket setter), Hydraulic pipe pusher, Jack hammer operator, Liner plates (tile or vitrified clay), Manually operated diamond head core drill, Mechanical joint sealer, Dope pot, and Tar kettle, Mortar mixer (ahnd or machine), Pin drivers or puller (power-highway), Pipe layers, Plant set-up, Maintenance men, Portable single unit conveyor, Post hole auger (2 or 4 cycle (hand operated), Power fence operator, Power wheelbarrows and buggies, Rail porter, or similar, Screed operator					

PA-5-Lab-2-3 -N 2 of

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Laborers (cont'd):					
Signal man, Whacker	6.04	.30	.30		
All Railroad Track Work:					
Adzing machine, Ballast router, Bolting machine, Power jacks, Rail drills, Railroad brakemen, Rail saws, Spike drivers, Spike pullers, Tamping machine	6.04	.30	.30		
Cement mortar lining car pusher, Cement mortar mixer (pipe relining), Cement saw operator (walk behind), Form setter (road forms-lead man), Grout machine operator, Gunnite (nozzle and machine man), Paving block rammers, Wagon drill (air track or similar) operators, Walk behind power rollers (1 or 2 barrel), Walk behind roller and tamper, Walk behind ditching machine (trencher or similar)	6.33	.30	.30		
Blacksmith, Blaster, Brick and block pavers (wood, belgain and asphalt), Curb cutters and setters, Manhole or catch basin builder (brick, block, concrete or any prefabrication)	6.45	.30	.30		
Multi-plate pipe (aligning and securing) Placing wire mesh on gunite projects, Reinforcing steel placers (bending, aligning and securing)	6.95	.30	.30		
Welder (pipeline)	8.10	.30	.30		
Tunnel and Shaft Work (Inside):					
Change house attandant	5.76	.30	.30		
Muckers, Brakemen and all other labor (inlcudes installation of utility lines), Signal man, Drill runner helper	6.04	.30	.30		
Miners and drillers (including lining, supporting and form workmen, setting of shields, miscellaneous equipment & jumbos)	6.33	.30	.30		
Caisson and tunnel men under pressure (0-18 pounds)	6.45	.30	.30		
Reinforcing steel placers (bending, aligning and securing)	6.95	.30	.30		
Carpenters	7.47	6%	6%		
Cement masons	7.525	.4515	.75%+.4515		
Piledrivermen	8.79	5%	7%		
Carpenter - Welder	7.70	6%	6%		

HEAVY AND HIGHWAY CONSTRUCTION POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefit Payments			
		H & W	Pensions	Vacation	App. Tr.
Austin-Western or similar (25 ton & over) Austin-Western or similar (under 25 ton) autograder (C.M.I. & similar) backfiller, backhoe - 360° swing, cableway, caisson drill (similar to Hugh Williams) central mix plant, cooling plant, concrete paving mixer, cranes, cranes (tower-stationary-climbing tower crane) derrick, derrick boat dragline, dredge, dredge hydraulic (1 leverman - 1 oiler - 1 apprentice) elevating grader, franki pile machine, gradall (remote control or otherwise) grader (power - fine grade) guard rail post driver (truck Mtd.) guard rail post driver (skid type) (self-propelled-Arrow or similar) helicopter (over 1500 lb. lift) Helicopter (under 1500 lb. lift) hi-lift (4 cy. and over) hoist 2 drums or more (in one unit) kocal, koering skooper, lead mechanic, locomotive (std. guage) mix mobile, mix mobile (with self-loading attachment) mucking machine (tunnel) pile driver machine, pipe extrusion machine, presplitter drill (self-contained) quad nine, refrigeration plant (soil stabilization) scraper (multi-bowl) shovel - power, slip form paver (C.M.I. and similar) trenching machine (30,000 lbs. and over) trenching machine (under 30,000 lbs.) tunnel machine (Mark XXI Jarva or similar) Whirley	$7.94	.35	.50		.04
Asphalt paving Machine (Spreader) asphalt plant op., athey loader auger (tractor Mtd.) auger (truck Mtd.) backhoe (rear pivotal swing) (180° swing) boring machine, cable placer or layer, compactor with blade, concrete batch plant (electronically synchronized) concrete belt placer (C.M.I. and similar) concrete mixer (over 1 cy.) concrete pump, core drill (truck or skid Mtd. - similar to Penn drill) dozer, euclid loader, grader-power, grease unit operator (head) hi-lift (under 4 cy.) job work boat (powered), jumbo operator, locomotive (narrow guage)					

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
mechanic, minor equipment operator (accumulative four units) mucking machine, over-head crane, roller - power - asphalt ross carrier scraper side boom or tractor mounted boom stone crusher (screening - washing plants) stone spreader (self-propelled) truck mounted drill (Davey or similar) welder and repairman, well point pump operator	$7.66	.35	.50		.04
Compactors/Rollers (static or vibratory) (self-Propelled) minor equipment operator (two to three units) soil stabilizer machine, tire repairman, tube finisher (C.M.I. or similar) well driller and horizontal	5.32	.35	.50		.04
Ballast regulator, compressor, concrete finishing machine and spreader, concrete mixer (1 cy. and under with skip) Concrete saw (ridden or self-propelled) elevator (material hauling only) forklift (ridden or self-propelled) form line machine, generator, crout pump, heater (mechanical) hoist (single drum) ladavator, light plant, mulching machine, pavement breaker (self-propelled or ridden) personnel boat (powered) pulverizer, pumps, seeding machine, spray cure machine (power driven) subgrader tie puller, tie tamper (multi-head) tractor - sanking and hauling, tugger welding machine (gas or diesel) winch or hydraulic boom truck (when hoisting and placing)	4.83	.35	.50		.04
Deck hand, farm tractor, fireman on boiler, mechanic's helper, oiler, power broom, side delivery shoulder spreader	4.72	.35	.50		.04

HEAVY & HIGHWAY CONSTRUCTION

PA-5-TD-2-3-H

TRUCK DRIVERS:

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Trucks under 33,000 lbs. gross load category (including all types of trucks such as fuel, dump, flat bottom, pick-up, and similar equipment, parts man and warehouseman)	$6.15	7.3%	4.2%		
Trucks over 33,000 lbs. gross load category (including all types of trucks such as fuel, dump (tandem), flat bottom, scissors, and combination fuel and grease)	6.35	7.3%	4.2%		
Tri-axle trucks	6.46	7.3%	4.2%		
Heavy equipment whose capacity exceeds that for which state licenses are issued - specifically refers to units in excess of 8 ft. width (such as euclids: end or belly dump, single twin-engined or tandem: athey wagon: pay loader, tournawagons, and similar equipment when not self-loaded rated under forty-five tons)	6.46	7.3%	4.2%		
Heavy off-the-road equipment (rated at forty-five tons or over)	6.55	7.3%	4.2%		
Heavy duty trailer, such as low boy, hi-boy, pole trailer, A-Frames (when used for transporting materials), dumpsters, ross carriers, form trucks, dual-purpose trucks (when load has been loaded or unloaded with truck winch, loading, hauling and unloading) mechanical tailgate trucks, bucket self-loading trucks, farm tractors (when pulling and hauling), fork lift trucks (in storage areas and warehouses)	6.51	7.3%	4.2%		
Single-axle Ready-Mixed Concrete Trucks (such as agitators, barrel, redi-mix concrete trucks, etc.)	6.20	7.3%	4.2%		
Tandem-axle Ready-Mixed Concrete Trucks (such as agitators, barrel, redi-mix concrete trucks, etc.)	6.30	7.3%	4.2%		
Tri-axle Ready-Mixed Concrete Trucks (such as agitators, barrel, redi-mix concrete trucks, etc.)	6.46	7.3%	4.2%		
Ready-mixed Concrete Trucks with towed or built-in attachments (10¢ per hour additional to respective size truck					
Tar and Asphalt Distributing trucks (all liquid tank trucks, straight and semi, including water, sprinkler, oil trucks, etc.)	6.35	7.3%	4.2%		
Tar and Asphalt Trailer Trucks	6.46	7.3%	4.2%		
Trucks with Dolly or Trailer	6.31	7.3%	4.2%		
Bottom or Belly-Dump Trucks	6.55	7.3%	4.2%		

SUPERSEDEAS DECISION

STATE: Pennsylvania COUNTY: Franklin
DECISION NO.: AQ-2071 DATE: Date of Publication
Supersedes Decision #AP-843 dated June 8, 1973, in 38 FR 15352
DESCRIPTION OF WORK: Building construction, (excluding single family homes and garden type apartments up to and including 4 stories).

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos workers	$8.16	.42	.30		.01	
Boilermakers	9.12	.50	1.00	.25	.01	
Bricklayers & Stonemasons	5.60					
Bricklayers (underground work)	5.85					
Carpenters	8.04	5%	5%	5%	1%	
Cement masons	7.715	.25	.25			
Electricians	8.76	.35	1%+.11		½%	
Glaziers	5.64	.20	.10		.01	
Ironworkers, Structural	8.46	.64	1.06		.05	
Ironworkers, Ornamental	8.46	.64	1.06		.05	
Ironworkers, Reinforcing	8.46	.64	1.06		.05	
Laborers:						
Laborers	5.78	.40	.40			
Plasterers' tenders	5.83	.40	.40			
Blasters	6.38	.40	.40			
Lathers	7.71	.25	.25		.01	
Line Construction:						
Linemen and cable splicers	8.42	.15	1%		.5%	
Groundmen	5.05	.15	1%		.5%	
Winch truck operator	5.89	.15	1%		.5%	
Marble setters	5.60					
Millwrights	7.66	5%	2½%	26%	1%	
Painters:						
Townships of Metal, Letterkenny, Hamilton, Greene, S. Hampton, Lurgan and Fannett, Chambersburg and Shippensburg, Orinda & Tempo Boroughs:						
Brush	7.03	.20	.15			
Structural steel	7.48	.20	.15			
Spray	7.78	.20	.15			
Tank, bridge and stack	8.28	.20	.15			
Painters (Remainder of County):						
Brush	6.25	.25	.15			
Structural steel	6.80	.25	.15			
Spray	6.80	.25	.15			
Plasterers	7.75	.25	.25		.01	
Plumbers	8.90	.30	.40		.12	
Piledrivermen	9.27	5%	7%		.50%	
Roofers:						
Roofers	5.55	.35	.30			
Precast slabs	6.35	.35	.30			
Slate and tile	6.00	.35	.30			
Sheet metal workers	6.35	.35	.30			
Asphalt and asbestos shinglers	6.00	.35	.30			
Wood block layers	6.35	.35	.30			

BUILDING CONSTRUCTION (CONT'D)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Sheet metal workers	$8.43	.52	.50			
Soft floor layers	8.04	5%	5%	5%	1%	
Steamfitters	8.90	.30	.40		.12	
Sprinkler fitters	9.05	.40	.60		.07	
Welders - receive rate prescribed for craft performing operation to which welding is incidental.						

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
POWER EQUIPMENT OPERATORS:					
Austin-Western or similar type up to 25 ton, auto grader (CMI or similar), backhoe, batch plant, cableway, caisson drill, central mix plant, cranes (excluding overhead), cranes tower (mobile), crane tower (stationary), crane tower (climbing type), derrick traveler (self-propelled), derrick (all types), derrick boats, dragline, dredge, engineer-maintenance franki or similar type pile driver, gradall (remote control or otherwise), helicopter & helicopter hoist when used for erection purposes), hi-lift 4 yds. or over, hoist-hod (2 cages up to 10 floors), hoist-single cage with Chicago boom attached, hoist (50 ft. or over), hoist (slipform jobs), hop-to or similar type with 180 swing, hop-to or similar type with 360 swing, kocal, koehring scooper, metro chip harvester or similar type, mix mobile or similar type (with self-loading attachment), mix mobile or similar type, mucking machine (tunnel), multiple bowl machines, pile driver (sonic or similar type), post driver-guard rail (truck mounted), post driver-guard rail (skid type), pumpkrete-mobile or similar type, Quad Nine, shovels (all type), slip form paver (CMI or similar), tractors-boom mounted (all types), tractors (all types with hydraulic backhole attached), tug boat, Whirley	$9.175	.35	.50		.04
Austin-Western or similar type up to 25 ton with jib, Austin-Western or similar type 25 tons or over with jib, cranes (boom or mast 100 ft. or over up to & including 150 ft.), cranes-mobile (any type 15 ton or over placed on any building structure	9.425	.35	.50		.04
Cranes (boom or mast over 150 ft. up to & including 200 ft.) engineer-lead	9.675	.35	.50		.04
Cranes (boom or mast over 200 ft.)	9.925	.35	.50		.04

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
POWER EQUIPMENT OPERATORS (CONT'D):					
Asphalt plant op., athoy loader, auger-truck, truck or tractor mounted, back filling machine, boat-material or personnel carrying (powered), boat-job work (inboard or outboard), bulldozer, cable layer, compactor with blade, compressors-2, compressor and air pump, compressor and air tugger, compressor & gunnite machine (combination), compressor & sandblasting machine (combination), concrete bolt placer, crane-overhead, crushing and scrooning plants, drillcore (truck or skid mounted), drill-Davey or similar type, drill-well &core (truck mounted), elevator euclid loader, excavating equipment (all other), forklift-bull or similar, generators-2, grader, grader-elevating, greaser-equipment (hoad), hi-liftless than 4 yds., hoist-one drum (4 floors or over), hoist-hod (bldgs., 4 floors or more), hoist (2 drums or more in one unit), jumbo op., locomotive, lift slab machine (hydraulic), mixer-paving musking machine, pipe cleaning machine, refrigeration plant, ross carrier (or similar type), scoop (single bowl) self-powered & tractor drawn), spreader-concrete, asphalt and stone, tower mobile (hoisting or lowering material, trencher, welding machines (up to two small machines, grout pump (10 H.P. or over) paver op., asphalt (spreader), pumpkrete machine op., (stationary), tire repairman, welder (repairman)	$9.025	.35	.50		.04
Conveyors 4 units or more	8.55	.35	.50		.04
Oiler, compactor (ridden or self-propelled) concrete finishing machine & spreader, crane, carry, curb builder (self-propelled), drill well drill and horzontal (self-propelled and self-contained, elevator, forklifts (ridden or self-propelled, hoist one drum (regardless of power used), pavement breaker (self propelled or ridden), pipe dream, rolle- saw concrete, soil					

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
POWER EQUIPMENT OPERATORS (CONT'D):					
stabilizer (pump type), stone crusher, stone spreader self-propelled, tractors (when used for snaking and hauling), tube finisher C.M.I. or similar type, tugger, truck winch truck or hydraulic boom (when hoisting and placing), all other minor equipment	8.05	.35	.50		.04
Ballast regulator, boring machine, broom power (except push type), compressor-single (regardless of power used), conveyor-over 1 and up to 3 units (regardless of power used), form line machine, generator (over 5KW) hoists monorail (regardless of power used), hoist roof (regardless of power used), hunk machine or similar type, mixer concrete (regardless of power used), mixer mortar-over 10 c.f. (regardless of power used) pump (over 1-½" discharge, regardless of power (used) spray cure machine (power driven) steam Jenny (or similar type) syphon (steam or air) welding machine single (300 Amp or over) plant, private or industrial air or stream valve	7.80	.35	.50		.04
Compressor - 65 c.f. or under (regardless of power used) conveyor 1 unit (regardless of power used) heat-up to & including 6, jack motor, hydraulic (single type) power driven, ladavator, mixer mortar (10 c.f. or under, mulching machine, pin puller (powered), pulverizer, pump-1½" discharge or less, seeding machine, spreader side delivery shoulder (attachment tie tamper (multiple heads), tractor farm (when used on landscaping) water blaster, oilertruck crane 50 ton or over brake man, deck hand, helicopter, signalman, oiler, mechanic helper	7.05	.35	.50		.04
Crane truck oiler and fireman	7.15	.35	.50		.04
Oiler - truck crane 50 ton or over	7.30	.35	.50		.04

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