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Title 3—The President

EXECUTIVE ORDER 11774

Amending Executive Order No. 11768, Placing Certain Positions in Levels IV and V of the Executive Schedule

By virtue of the authority vested in me by section 5317 of title 5 of the United States Code, as amended, section 1 of Executive Order No. 11768,[1] of February 20, 1974, placing certain positions in level IV of the Executive Schedule, is amended by deleting "(7) Director of Program Analysis and Evaluation, Department of Defense." and inserting in lieu thereof "(7) Director of Telecommunications and Command and Control Systems, Department of Defense.".

Richard Nixon

THE WHITE HOUSE,
March 26, 1974.

[FR Doc. 74-7290 Filed 3-26-74; 1:56 pm]

[1] 39 FR 6693, February 22, 1974.

EXECUTIVE ORDER 11775

Abolishing the Energy Policy Office

Executive Order No. 11726 of June 29, 1973, established in the Executive Office of the President an Energy Policy Office. Executive Order No. 11748 of December 4, 1973, established in the Executive Office of the President a Federal Energy Office. In order to permit an orderly transition, the Energy Policy Office was continued in being on an interim basis. That transition has been successfully completed and the Energy Policy Office should now be abolished.

NOW, THEREFORE, by virtue of the authority vested in me as the President of the United States of America it is hereby ordered as follows:

SECTION 1. The Energy Policy Office is hereby abolished and Executive Order No. 11726 of June 29, 1973, is hereby superseded.

SEC. 2(a). Section 8 of Proclamation No. 3279, as amended, is hereby amended to read as follows:

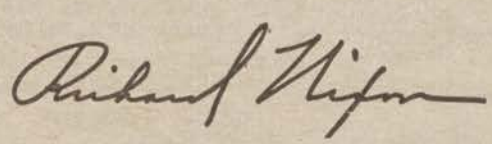
"SEC. 8. The Oil Policy Committee shall consist of the Administrator of the Federal Energy Office as Chairman, and the Secretaries of State, the Treasury, Defense, the Interior, Agriculture, Commerce, and Transportation, the Attorney General, the Chairman of the Council of Economic Advisers, and the Administrator of the Environmental Protection Agency. The President may, from time to time, designate other officials to serve as members of the Committee."

(b) The Oil Policy Committee, as reconstituted by the amendment made by subsection (a) of this section, is hereby continued.

(c) So much of the personnel, property, records, and unexpended balances of appropriations, allocations, and other funds employed, used, held, available, or to be made available in connection with the functions transferred by the amendment made by subsection (a) of this section from the Director of the Energy Policy Office, to the Administrator of the Federal Energy Office, as Chairman of the Oil Policy Committee, as the Director of the Office of Management and Budget shall determine, in conformity with section 202(b) of the Budget and Accounting Act of 1950 (31 U.S.C. 581c(b)), shall be transferred at such time or times as he shall direct for use in connection with the functions transferred.

(d) Executive Order No. 11743 of October 23, 1973, is hereby superseded.

SEC. 3. The Administrator of General Services shall take such steps as may be necessary to wind up the affairs of the Energy Policy Office, and unobligated funds, if any, that may remain available to defray the expenses of that Office shall be returned to the Emergency Fund of the President.



THE WHITE HOUSE,
March 26, 1974.

[FR Doc.74-7291 Filed 3-26-74;1:56 pm]

Rules and Regulations

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

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

Title 13—Business Credit and Assistance

CHAPTER I—SMALL BUSINESS ADMINISTRATION

[Revision 1, Amendment 2]

PART 106—SBA RULES AND REGULATIONS

Lease Guarantee

On January 28, 1974, there was published in the FEDERAL REGISTER (39 FR 3573) a notice that the Small Business Administration proposed to amend 13 CFR Part 106. A proposed addition to § 106.12 permits SBA, as insurer, to postpone the requirement that the lessor evict the defaulting tenant to obtain claim payments for defaulted rent, where such action is in the best interest of SBA and the small business tenant. The revisions to § 106.11 bring this section into conformance with the change to § 106.12. The new § 106.18 sets forth the rights and obligations of any assignee of the lease guarantee insurance policy. The change to § 106.10 permits the use of deductible period up to 6 months where it is in the interest of the insurer.

Prior to adoption of the amendments, a period of thirty (30) days from the date of publication was given for comments from interested parties. Since no comments have been received, 13 CFR Part 106 is hereby amended.

1. Revise § 106.10(a)(2) as follows:

§ 106.10 Minimizing the risk.

(a) * * *

(2) The lessor shall accept an insurance policy providing for a deduction of from three (3) to six (6), months rent due after the date of default as the amount of loss to be borne by the lessor, as determined by the insurer.

2. Revise § 106.11 (c), (d), and (h) as follows:

§ 106.11 Lessor's duties to lessee and insurers.

* * * * *

(c) Unless such default is corrected by amicable agreement of the lessee and lessor on or before 30 days from date of notice, the lessor will take prompt action to terminate the occupancy of the lessee, to make such repairs to the property as are necessary to restore it to its original condition, ordinary wear and tear excepted, and to deliver vacant possession to the insurer unless the requirement for vacant possession is postponed pursuant to § 106.12(c): *Provided, however,* This shall not be construed to prohibit improvements in the premises permitted by the lease.

(d) If such default is not corrected by the lessee, the lessor shall utilize the entire period for which there are funds available in escrow for the payment of rental claims (or the deductible period) in reasonably diligent efforts to eliminate or minimize losses by rerenting the property covered by the lease to another lessee subject to the approval of the insurer for the purpose of retaining the insurance coverage unless vacant possession has been postponed pursuant to § 106.12(c).

* * * * *

(h) Upon filing a claim for guaranteed rent in default, the lessor will continue to make reasonably diligent effort to minimize losses by assisting the insurer to locate a prospective lessee. Upon such filing and the exhaustion of the escrowed fund or the expiration of the deductible period, the lessor shall deliver vacant possession to the insurer with the right to rerent the premises unless vacant possession has been postponed pursuant to § 106.12(c).

3. Add the following paragraph (c) to § 106.12:

§ 106.12 Insurer's rights.

* * * * *

(c) The insurer may pay claims for the guaranteed rent where the lessor has been notified by the insurer, in writing, to postpone dispossession of the lessee, if in the judgment of the insurer it would be in the best interest of the insurer or the lessee and consistent with SBA's statutory purpose to permit the lessee to continue to occupy the property.

4. Add the following new § 106.18:

§ 106.18 Rights and obligations of assignees of the lease rerental guarantee insurance policy.

An assignee of a lease rental guarantee insurance policy becomes a loss payee for its interest in rental payments made by the insurer after default by the tenant through an assignment of interest endorsement to the policy. Such rental payments will be made only when the lessor, or the assignee acting as lessor, is in compliance with the provisions of the policy and 106.11 of these regulations.

Effective date. This amendment shall become effective on March 28, 1974.

THOMAS S. KLEPPE,
Administrator.

[FR Doc.74-7118 Filed 3-27-74;8:45 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Airspace Docket No. 73-EA-108]

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

Alteration of Airways

On January 17, 1974, a notice of proposed rule making (NPRM) was published in the FEDERAL REGISTER (39 FR 2107) stating that the Federal Aviation Administration (FAA) was considering an amendment to Part 71 of the Federal Aviation Regulations that would realign V-123 and V-467 southwest of LaGuardia, N.Y.

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

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t. May 23, 1974, as hereinafter set forth.

Section 71.123 (39 FR 307) is amended as follows:

a. In V-123 "Robbinsville; LaGuardia, N.Y.;" is deleted and "Robbinsville; INT Robbinsville 044° and LaGuardia, N.Y., 209° radials; LaGuardia;" is substituted therefor.

b. In V-467 "Millville, INT Millville 037° and LaGuardia, N.Y., 211° radials;" is deleted and "Millville; INT Millville 037° and LaGuardia, N.Y., 209° radials;" is substituted therefor.

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

Issued in Washington, D.C., on March 21, 1974.

RAYMOND M. MCINNIS,
Acting Chief, Airspace and Air Traffic Rules Division.

[FR Doc.74-7151 Filed 3-27-74;8:45 am]

[Airspace Docket No. 73-NW-18]

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

Designation and Redesignation of Federal Airways

On January 29, 1974, a notice of proposed rule making (NPRM) was pub-

lished in the FEDERAL REGISTER (39 FR 3686) stating that the Federal Aviation Administration (FAA) was considering an amendment to Part 71 of the Federal Aviation Regulations that would extend VOR Federal Airway No. 121 from Eugene, Oreg., to McCall, Idaho, and redesignate the segment of V–121 between Eugene, Oreg., and Redmond, Oreg., as V–121N.

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

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., May 23, 1974, as hereinafter set forth.

Section 71.123 (39 FR 307) is amended as follows:

In V–121 "INT Eugene 070° and Redmond, Oreg., 281° radials; Redmond." is deleted and "Redmond, Oreg.; including a N alternate via Eugene 070° and Redmond 281° radials; Kimberly, Oreg.; Baker, Oreg.; to McCall, Idaho." is substituted therefor.

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

Issued in Washington, D.C., on March 22, 1974.

RAYMOND M. MCINNIS,
Acting Chief, Airspace and Air Traffic Rules Division.

[FR Doc.74–7152 Filed 3–27–74;8:45 am]

[Airspace Docket No. 73–AL–21]

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

Alteration of Federal Airway and Designation of Transition Area

On January 29, 1974, a notice of proposed rule making (NPRM) was published in the FEDERAL REGISTER (39 FR 3687) stating that the Federal Aviation Administration (FAA) was considering an amendment to Part 71 of the Federal Aviation Regulations that would realign VOR Federal Airway No. 317S between Johnstone Point, Alaska, and Anchorage, Alaska, and designate a 700-foot transition area in the vicinity of Johnstone Point, Alaska.

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

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., May 23, 1974, as hereinafter set forth.

1. Section 71.125 (39 FR 340) is amended as follows:

In V–317 "Anchorage, including a south alternate via Johnstone Point 275° and Anchorage 130° radials" is deleted and "Anchorage, including a south alternate via INT Johnstone Point 271° and Anchorage 130° radials" is substituted therefor.

2. Section 71.181 (39 FR 440) is amended by adding:

JOHNSTONE POINT, ALASKA

That airspace extending upward from 700 feet above the surface within 4 miles north and 5 miles south of the Johnstone Point VORTAC 286° and the 106° radials, extending from 5 miles east to 23 miles west of the VORTAC; within a 35 mile radius of the Johnstone Point VORTAC, extending clockwise from the north edge of V–317 to the 332° radial of the VORTAC; and within 5 miles northeast of the Johnstone Point VORTAC 332° radial extending from the VORTAC to 23 miles northwest of the VORTAC.

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

Issued in Washington, D.C., on March 22, 1974.

RAYMOND M. MCINNIS,
Acting Chief, Airspace and Air Traffic Rules Division.

[FR Doc.74–7071 Filed 3–27–74;8:45 am]

Title 15—Commerce and Foreign Trade

CHAPTER III—DOMESTIC AND INTERNATIONAL BUSINESS ADMINISTRATION, DEPARTMENT OF COMMERCE

SUBCHAPTER B—EXPORT REGULATIONS

PART 379—TECHNICAL DATA

Export Administration Regulations

Before exporting technical data relating to certain processes and commodities to Country Groups T and V under the provisions of General License *GTDR*, the exporter must obtain from the importer a written assurance that neither the technical data nor the direct product thereof is intended to be shipped, directly or indirectly, to a destination in Country Group Q, W, Y, or Z.

The export of technical data and services related to those processes and commodities listed in §§ 379.4(e)(1)(i) and (ii) no longer requires a written assurance since these commodities have been decontrolled to the SZ level and may now be exported under General License *G–DEST* to Country Group Q, W, or Y.

Accordingly, §§ 379.4(e)(1)(i) and 379.4(e)(1)(ii) of the Export Administration Regulations are deleted and reserved for future use.

Effective Date: March 20, 1974.

RAUER H. MEYER,
Director, Office of Export Administration.

[FR Doc.74–7234 Filed 3–27–74;8:45 am]

Title 17—Commodity and Securities Exchanges

CHAPTER II—SECURITIES AND EXCHANGE COMMISSION

PART 239—FORMS PRESCRIBED UNDER THE SECURITIES ACT OF 1933

Correction

In Release No. 33–5100 dated November 12, 1970, which was published in the FEDERAL REGISTER for November 24, 1970 at 35 FR 17992, the Commission announced certain revisions in the instructions and items to Form S–7 (17 CFR 239.26). The effect of such revisions was not reflected in an amendment to 17 CFR 239.26 through an oversight. Accordingly, current editions of Title 17 of the Code of Federal Regulations should be corrected by revising § 239.26 of Chapter II thereof to read as follows:

§ 239.26 Form S–7, for registration under the Securities Act of 1933 of securities of certain issuers to be offered for cash.

Any registrant which meets the following conditions may use this form for registration under the Securities Act of 1933 of any securities which are offered for cash by or on behalf of the registrant or any other person, in a rights offering or otherwise:

(a) The registration meets either of the following conditions:

(1) Has a class of equity securities registered pursuant to Section 12(b) of the Securities Exchange Act of 1934; or

(2) Is organized under the laws of the United States or any State or Territory or the District of Columbia, has its principal business operations in the United States or its Territories and has a class of equity securities registered pursuant to section 12(g) of the above Act.

(b) The registrant has been subject to and has complied in all respects, including timeliness, with the requirements of sections 13 and 14 of the Securities Exchange Act of 1934 for a period of at least three fiscal years immediately preceding the filing of the registration statement on this form.

(c) A majority of the existing board of directors of the registrant have been directors of the registrant or a predecessor of the registrant from the beginning of the registrant's last three fiscal years to the date of filing the registration statement on this form.

(d) The registrant and its subsidiaries have not during the past ten years defaulted in the payment of any dividend or sinking fund installment on preferred stock, or in the payment of any principal, interest or sinking fund installment on any indebtedness or borrowed money, or in the payment of rentals under long term leases.

(e) The registrant and its consolidated subsidiaries had a net income, after taxes but before extraordinary items net of tax effect, of at least $500,000 for each of the last five fiscal years.

(f) If the securities to be registered are common stock or securities convertible into common stock, the registrant earned in each of the last five fiscal years any dividends, including the fair market value of any stock dividends, paid in each such year on all classes of securities. If the registrant paid a stock dividend in any of such fiscal years, the aggregate amount transferred from additional capital to capital in respect of each such dividend was charged only to retained earnings account and was equal to the aggregate fair market value of the stock issued as such dividend.

For the Commission, by the Division of Corporation Finance pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

MARCH 11, 1974.

[FR Doc.74-7126 Filed 3-27-74;8:45 am]

Title 20—Employees' Benefits

CHAPTER III—SOCIAL SECURITY ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

[Reg. No. 5, further amended]

PART 405—FEDERAL HEALTH INSURANCE FOR THE AGED AND DISABLED

Certification Procedure for Providers and Suppliers of Services; Redesignation of Subpart

On January 17, 1974, there were published in the FEDERAL REGISTER amendments to Part 405 of Chapter III of Title 20 (39 FR 2237). These amendments included the addition of Subpart T of Part 405 relating to certification procedure for providers and suppliers of services under the Medicare program. The new subpart contains sections numbered §§ 405.1901–405.1910.

At present, there are 18 subparts in Regulations No. 5, designated by letters A through Q and T. Subparts R and S are reserved. In order to reserve the Subpart R and T designations (rather than R and S) for corresponding section numbers series § 405.1801 et seq. and § 405.-2001 et seq., Part 405 (20 CFR Part 405) is amended as follows:

Subpart T, Certification Procedure for Providers and Suppliers of Services, is redesignated Subpart S.

(Sec. 1871, 79 Stat. 331; 42 U.S.C. 1395hh)

Effective date. This amendment is effective on March 28, 1974.

Dated: March 12, 1974.

J. B. CARDWELL, *Commissioner of Social Security.*

Approved: March 21, 1974.

CASPAR W. WEINBERGER, *Secretary of Health, Education, and Welfare.*

[FR Doc.74-7182 Filed 3-27-74;8:45 am]

Title 41—Public Contracts and Property Management

CHAPTER 5A—FEDERAL SUPPLY SERVICE, GENERAL SERVICES ADMINISTRATION

PART 5A-11—FEDERAL, STATE, AND LOCAL TAXES

Exemptions From Federal Excise Taxes

This revision sets forth instructions to exempt from payment of Federal excise taxes GSA stock tires and tubes items which are ordered for direct delivery to overseas destinations.

Section 5A-11.270 is amended as follows:

§ 5A-11.270 Federal excise taxes.

* * * * *

(a) Except when a contract is made on behalf of AID and the GSA Form 1246, GSA Supplemental Provisions (AID Procurement), is used as provided in § 5A-2.201-70(f) definite quantity contracts for nonstock items shall provide for the price to be exclusive of any Federal excise tax only if it is estimated that the amount of the tax will exceed $200. When making a definite quantity contract and it is estimated that the amount of the Federal excise tax will exceed $200 the clause set forth in § 1-11.401-3(b) shall be used.

(b) Where export delivery orders are issued under requirements type contracts which expressly set forth the Federal excise tax (e.g., as in contracts for tires and tubes), such orders shall exclude the Federal excise tax and the statement "For export or shipment to a possession" shall be entered on such orders. Where the Federal excise tax is not expressly set forth in the contract, purchase orders placed against such contracts shall be written including the Federal excise tax except where it is known (or estimated and the precise amount can be obtained from the contracting office) that the Federal excise tax exceeds $200, in which case the order shall exclude this tax.

(Sec. 205(c), 63 Stat. 390 (40 U.S.C. 486(c)); 41 CFR 5-1.101(c))

Effective date. This regulation is effective on March 14, 1974.

Dated: March 14, 1974.

M. J. TIMBERS, *Commissioner, FSS.*

[FR Doc.74-7164 Filed 3-27-74;8:45 am]

PART 5A-30—CONTRACT FINANCING

The following is to update the procedures and to add instructions on contract financing.

The table of contents for Part 5A-30 is revised to read as follows:

Subpart 5A-30.1—Forms of Financing

Sec.
5A-30.109 Partial payments—description.

Subpart 5A-30.2—Basic Policies

5A-30.212 Coordination before contract award.

Subpart 5A-30.4—Advance Payments

5A-30.403 Interest.
5A-30.405 Statutory requirements.
5A-30.406 Responsibility—delegation of authority.
5A-30.410 Findings, determinations, and authorization.
5A-30.412 Action by contracting officer.
5A-30.414 Agreement for special bank account and contract provisions.
5A-30.414-2 Contract provisions for advice payments.
5A-30.450 Procedure for approval.

Subpart 5A-30.5—Progress Payments Based on Costs

5A-30.503 Customary progress payments—standards.
5A-30.503-50 Use of benchmarks with progress payments based on costs.
5A-30.504 Formal advertising — small business restricted advertising.
5A-30.504-1 Progress payment provision in invitation for bids.
5A-30.504-4 Notice to bidders.
5A-30.505 Unusual progress payments—standards—procedure.
5A-30.510 Contract clauses.
5A-30.511 General instructions for progress payment clauses.
5A-30.511-2 Variation in percentages.
5A-30.512 Progress payment liquidation.
5A-30.517 Contract financing office clearance.
5A-30.521 Administration—general.
5A-30.524 Suspension or reduction of payments—general.
5A-30.525 Government title.
5A-30.550 Eligibility for progress payments.
5A-30.551 Explanation of limitations and illustrations of their application.
5A-30.551-1 Total costs basis.
5A-30.551-2 Direct labor and materials costs basis.
5A-30.551-3 Illustrations.

Subpart 5A-30.7—Assignment of Claims

5A-30.702 Conditions governing assignment of claims.
5A-30.702-70 Requirements-type and indefinite quantity contracts.
5A-30.703 Contract clause—assignment of claims.
5A-30.703-70 Requirements-type and indefinite quantity contracts for use by more than one agency.
5A-30.703-71 Definite quantity contracts and requirements-type or indefinite quantity contracts for use only by GSA.
5A-30.706 Procedures upon receipt of notice of assignment and instrument of assignment.
5A-30.706-70 Requirements-type and indefinite quantity contracts for use by more than one agency.
5A-30.706-71 Definite quantity contracts and requirements-type or indefinite quantity contracts for use only by GSA.
5A-30.707 Further assignments and reassignments.

Subpart 5A-30.1 is added as follows:

Subpart 5A-30.1—Forms of Financing

§ 5A-30.109 Partial payments—description.

Partial payments shall be made as provided in § 1-7.102-7 and Clause 7 of Standard Form 32, General Provisions (Supply Contract).

Subpart 5A-30.2 is added as follows:

Subpart 5A-30.2—Basic Policies

§ 5A-30.212 Coordination before contract award.

(a) *Definitions.* As used in this § 5A-30.212, the following terms shall have the meanings set forth below:

(1) "Financial provisions" means provisions for payments (generally), partial payments, progress payments, advance payments, insurance provisions, or any other financial terms and conditions contained in or proposed to be included in an invitation for bids, solicitation of proposals, or resultant contract.

(2) "Standard financial provisions" means financial provisions which have been formally prescribed by the FPR, GSPR, or otherwise authorized by the Administrator, Assistant Administrator for Administration, a Regional Adminis-

trator, or a Regional Director of Administration, as appropriate.

(3) "Nonstandard financial provisions" means financial provisions (or proposed additions, deletions, or other modifications with respect to standard financial provisions) which have not been formally prescribed in accordance with § 5A–30.212(a)(2).

(4) "Appropriate financial office" means the Director of Finance, OAD, or the regional Director, Finance Division, for regional contracts.

(b) *Assistance in development of financial provisions.* It is imperative that adequate and appropriate financial provisions are developed or properly used in accordance with Part 1–30 and this Part 5A–30. The appropriate financial office shall, upon request, provide technical advice and assistance in the development of all financial aspects of invitations for bids, solicitations of proposals, and resultant contracts. In addition, although there is no requirement to do so, advice may be requested by the procuring activity as to the adequacy of proposed contracts containing standard financial provisions.

(c) *Clearances.* Invitations for bids, requests for proposals, and amendments of existing contracts involving nonstandard financial provisions shall be forwarded to the appropriate financial office for review as early as possible during the procurement process. In all cases such review shall be prior to execution or submission of a contract to higher authority for clearance or approval. In cases of proposed additions, deletions, or other modification regarding standard financial provisions, applicable deviation procedures (§ 5A–1.109) must also be followed.

(d) *Action by appropriate financial office.* Where a matter has been referred to a financial office for review or clearance, that office shall immediately notify the contracting officer as to the sufficiency of the financial provisions. If financial provisions are proposed which are inadequate or improper, such deficiencies will be explained together with recommended remedial measures which must be taken.

Subpart 5A–30.4 is added as follows:

Subpart 5A–30.4—Advance Payments

§ 5A–30.403 Interest.

The Office of Finance, OAD, will inform procuring activities of the interest rate to be charged on the unliquidated balance of all advances payments.

§ 5A–30.405 Statutory requirements.

The determination required under § 1–30.405(c) shall be prepared by the contracting officer in cooperation with the appropriate legal counsel and representatives of the Director of Finance, OAD, or the regional Finance Division for regional contracts.

§ 5A–30.406 Responsibility—delegation of authority.

The responsibility and authority for making findings and determinations with respect to advance payments, and in each case for approval of contract provisions for advance payments, or for approval of the terms and conditions thereof, shall be exercised by the appropriate Commissioner or his designee.

§ 5A–30.410 Findings, determinations, and authorization.

The findings, determinations, and authorizations for advance payments provided under § 1–30.410 shall be made by the appropriate Commissioner or his designee in accordance with § 5A–30.406.

§ 5A–30.412 Action by contracting officer.

See § 5A–30.450.

§ 5A–30.414 Agreement for special bank account and contract provisions.

§ 5A–30.414–2 Contract provisions for advance payments.

The contracting officer shall prepare contract provisions for advance payments after coordination with the appropriate legal counsel and representatives of the Director of Finance, OAD, or the regional Director, Finance Division, for regional contracts.

§ 5A–30.450 Procedure for approval.

The required findings and determinations, proposed advance payments clauses, supporting data and recommendation (see § 1–30.412), and an indication of compliance with the procedures of Subpart 1–30.4 shall be submitted by the contracting officer after coordination in accordance with §§ 5A–30.405 and 5A–30.414–2 to the appropriate Commissioner, or his designee for review and approval.

Subpart 5A–30.5 is added as follows:

Subpart 5A–30.5—Progress Payments Based on Costs

§ 5A–30.503 Customary progress payments—standards.

§ 5A–30.503–50 Use of benchmarks with progress payments based on costs.

In unusual circumstances it may be desirable for progress payments based on costs (see § 1–30.501) to provide for the achievement of specified benchmarks prior to the receipt of progress payments where payments prior to the achievement of such benchmarks are not in the best interest of the Government. For example, such a benchmark might be the submission and acceptance of a preproduction or pilot model.

(a) The making of progress payments based on costs under any individual contract or class of contracts may be conditioned, in unusual circumstances, upon the achievement of specified benchmarks during the performance of the contract where the appropriate Commissioner determines in writing, based on all relevant facts, that the use of benchmarks is in the best interest of the Government. Where such a determination has been made, an appropriate provision establishing one or more such benchmarks shall be included in the invitation for bids or request for proposals and each resulting contract.

(b) Benchmarks may not be used in such a manner that their effect is to convert progress payments based on costs into progress payments based on a percentage or stage of completion. Where the use of progress payments based on a percentage or stage of completion is desired, such use shall be approved by the appropriate Commissioner as provided in § 1–30.501.

§ 5A–30.504 Formal advertising—small business restricted advertising.

§ 5A–30.504–1 Progress payment provision in invitation for bids.

(a) Where the contracting officer determines that the time between starting performance (usually immediately following date of award) and delivery of the first end items will be of short duration (6 months or less), the need for progress payments will ordinarily be obviated.

(b) Upon written determination by the contracting officer, provision for progress payments may be included in an invitation for bids even though one or more of the criteria enumerated in § 1–30.504–1(a)(2) or in (a) of this § 5A–30.504–1 may apply. Such determination must demonstrate that provision for progress payments is practical or reasonably necessary by documenting compliance with the appropriate standards and procedure concerning unusual progress payments set forth in § 1–30.505.

§ 5A–30.504–4 Notice to bidders.

When the notice set forth in § 1–30.504–4(b) is included in an invitation to bid, such notice shall include the following statement as an additional part thereof:

If a bidder desires progress payments, and accompanies his bid with a written request therefor, he shall also check the appropriate box below:

☐ Progress payments are desired but bid is not conditioned on receiving progress payments.

☐ Bid is conditioned on receiving progress payments.

(NOTE.—1. If a bid is conditioned on the availability of progress payments and bidder is found ineligible for such payments, the bid will be rejected. 2. Submission of a bid without requesting progress payments does not preclude the bidder from later requesting progress payments in accordance with applicable regulations, prior to or after award of the contract.)

§ 5A–30.505 Unusual progress payments—standards—procedure.

The appropriate Commissioner or his designee shall exercise responsibility for the approval or disapproval of requests for unusual progress payments on a case-by-case basis.

§ 5A–30.510 Contract clauses.

The contracting officer shall select the appropriate progress payment clause to be used in a particular contract after coordinating the matter with appropriate legal counsel and the Director of

Finance, OAD, or regional Director, Finance Division, for regional contracts.

§ 5A–30.511 General instructions for progress payment clauses.

For general explanation and illustrations of the limitations (expressed in terms of the percentages specified in §§ 1–30.511–2, 1–30.511–3, and 1–30.511–4) on amounts of payments and liquidation incorporated in the progress payments clauses, see § 5A–30.551.

§ 5A–30.511–2 Variation in percentages.

Provision for progress payments based on costs at rates in excess of 70 percent of total costs or 85 percent of direct labor and material costs (either or both), as stated in paragraph (a) (1) of the clauses in §§ 1–30.510–1 and 1–30.510–2, or in excess of the respective percentages applicable to contracts with small business concerns (see §§ 1–30.503, 1–30.504–2, and 1–30.504–3), shall be made only with the approval of the appropriate Commissioner or his designee and the Director of Finance, OAD, or the Regional Director of Administration for regional contracts in accordance with the standards and procedures set forth in § 1–30.505.

§ 5A–30.512 Progress payment liquidation.

Recovery at rates lower than those specified in paragraph (b) of the clauses in §§ 1–30.510–1 and 1–30.510–2 may be made only with the approval of the appropriate Commissioner or his designee and the Director of Finance, OAD, or the Regional Director of Administration for regional contracts. The Office of Finance or the regional Director, Finance Division, in the case of regional contracts, will provide assistance to contracting officers in estimating costs for the purpose of establishing the liquidation rate.

§ 5A–30.517 Contract financing office clearance.

The contract financing office clearance required by § 1–30.517 shall be the responsibility of the Director of Finance, OAD, or the Regional Director of Administration for regional contracts.

§ 5A–30.521 Administration—general.

The Office of Finance, OAD, shall establish adequate administrative and fiscal procedures to ensure the accomplishment of the fiscal aspects of § 1–30.521. The Director of Finance, OAD, or the regional Director, Finance Division, for the appropriate regional accounting center, shall promptly report to the contracting officer the date and amount of each progress payment to a contractor and shall provide the contracting officer with written recommendations whenever findings are made which warrant action by the Government. (See § 1–30.216)

§ 5A–30.524 Suspension or reduction of payments—general.

Action recommended by the contracting officer under § 1–30.524 shall be submitted to the appropriate Commissioner or his designee for approval after coordination with the appropriate legal counsel and representatives of the Director of Finance, OAD, or the regional Director, Finance Division, for regional contracts. The circumstances and decision shall be documented in an appropriate finding as provided in § 1–30.524.

§ 5A–30.525 Government title.

In the interest of clarifying the provision of § 1–30.525, it should be noted that (a) the clauses in §§ 1–30.510–1(a) and 1–30.510–2(a) provide for the passage of title to property to the Government as of the date of the contract, and (b) the clauses in §§ 1–30.510–1(b) and 1–30.510–2(b) provide for the passage of title to property to the Government when any progress payment is made under the contract.

§ 5A–30.550 Eligibility for progress payments.

(a) Contracting officers shall determine the eligibility of contractors or prospective contractors to receive progress payments. The determination shall be approved by the appropriate Commissioner or his designee and the contractor or prospective contractor and the Office of Finance, OAD, or the regional Director, Finance Division, as appropriate, for regional contracts, shall be so notified. (See § 1–30.507) Contract files shall include appropriate documentation which supports such determinations.

(b) To be eligible to receive a progress payment, a contractor or prospective contractor must:

(1) Have submitted a written request therefor;

(2) Have been found responsible under the provisions of §§ 1–1.1200, 5A–1.1205, and 1–30.210; and

(3) Have an accounting system and controls adequate for the proper administration of the Progress Payments clause as described in § 1–30.506.

§ 5A–30.551 Explanation of limitations and illustrations of their application.

In accordance with § 1–30.510, all progress payment clauses must include limitations expressed in terms of percentages controlling the total amount of each progress payment, the aggregate amount of progress payments, the rate of liquidation of progress payments, and the amount of unliquidated progress payments. These limitations are described in (a) through (d) of this § 5A–30.551.

(a) A limitation on the total amount of each progress payment, expressed in terms of the cumulative costs to the contractor which are allocable to the contract (referred to in this § 5A–30.551 as percentage A), and included in paragraph (a) (1) of the clauses set forth in §§ 1–30.510–1 and 1–30.510–2.

(b) A limitation on the aggregate amount of progress payments, expressed in terms of a percentage of the total contract price (referred to in this § 5A–30.551 as percentage B), and included in paragraph (a) (4) of the clauses set forth in §§ 1–30.510–1 and 1–30.510–2(a) and in the second percentage space indicated in paragraph (a) (3) of the clause set forth in § 1–30.510–2(b).

(c) A limitation, expressed in terms of a percentage, prescribing the minimum portion of the payments for delivered items which must be applied toward the reduction of unliquidated progress payments (referred to in this § 5A–30.551 as percentage C), and included in paragraph (b) of the clauses set forth in §§ 1–30.510–1 and 1–30.510–2.

(d) A limitation on the amount of unliquidated progress payments at any one time, expressed in terms of the percentage specified in paragraph (a) (3) of the clauses set forth in §§ 1–30.510–1 and 1–30.510–2(a) and in the first percentage space indicated in paragraph (a) (3) of the clause set forth in § 1–30.510–2(b) (referred to in this § 5A–30.551 as percentage D), which provides that the amount of such unliquidated progress payments shall not exceed the lesser of the specified percentage (percentage D) of either (1) the contractor's total costs or costs of direct labor or material, as the case may be, plus any unliquidated progress payments to subcontractors, both of which are applicable only to the supplies and services not yet delivered and invoiced to and accepted by the Government, or (2) the total contract price of supplies and services not yet delivered and invoiced to and accepted by the Government, less unliquidated advance payments.

§ 5A–30.551–1 Total costs basis.

When either of the total costs type progress payments clauses set forth in § 1–30.510–1 is used, the maximum payments made (percentage A) may not ordinarily exceed 70 percent of the cumulative total costs allocable to the contract (see § 5A–30.511–2 regarding use of higher percentages). Under these clauses, percentage A is established first, and percentages B, C, and D are always the same as percentage A, except that a lower percentage for percentage C may be established pursuant to § 1–30.512–2. A discussion of these percentages and related computations are set forth in detail in §§ 1–30.511–3 and 1–30.512.

§ 5A–30.551–2 Direct labor and materials costs basis.

When the progress payment clause is based on costs of direct labor and materials (or based on narrower and more limited costs such as direct labor only or specified direct costs other than direct labor and material costs) utilizing the types of clauses set forth in § 1–30.512–2, the maximum progress payments made (percentage A) may not ordinarily exceed 85 percent of the cumulative direct labor and materials costs (or other specified costs) allocable to the contract. Under these types of clauses, percentage A is established first. (See § 5A–30.511–2 regarding the use of higher percentages.) The percentage used for B, C, and D equals the percentage which is to percentage A as the amount of estimated costs forming the basis for the progress

payments is to the amount of the estimated total costs. (For a percentage C lower than the percentage computed pursuant to this method and § 1–30.512–1(b), see § 1–30.512–2.) A discussion of the percentages and related computations for these clauses are set forth in detail in §§ 1–30.511–4, 1–30.511–5, and 1–30.512.

§ 5A–30.551–3 Illustrations.

(a) In paragraphs (b) and (c) of this section, the following hypothetical contract values are used to illustrate the computation and application of the limiting percentages described in this § 5A–30.551:

(1) Total contract value: $100,000.

(2) Total costs: $90,000.

(3) Costs of direct labor and materials: $63,000.

(4) Value of delivered items at contract prices: $60,000.

(5) Value of undelivered items at contract prices: $40,000.

(6) Value of invoice submitted for payment of delivered items: $60,000.

(7) Percentage A (total costs basis): 70%.

(8) Percentage A (direct labor and materials costs basis): 85%.

(b) Under a total costs clause, percentage A is 70 percent by hypothesis (see § 5A–30.551–3(a)(7)) and percentages B, C, and D are 70 percent by definition. Accordingly, the dollar values of the factors corresponding to the limiting percentages are as follows:

Factor limited by percentage	Computation	Limit value of factor
A	$90,000×70%	$63,000
B	$100,000×70%	70,000
C	$60,000×70%	42,000
D	$40,000×70%	28,000

(c) Under a direct labor and materials costs clause, percentage A is 85 percent by hypothesis. (See § 5A–30.551–3(a)(8).) By definition, percentages B, C, and D are computed:

(1) By establishing a ratio as follows:

(B, C, or D)[1] : Percentage A = Costs of direct labor and materials : Total costs
(B, C, or D)[1] : 0.85 = $63,000 : $90,000

(2) Calculating the percentages as follows:

$$(B, C, \text{ or } D) = 0.85 \times \frac{63,000}{90,000}$$
$$(B, C, \text{ or } D) = 0.85 \times 0.70$$
$$(B, C, \text{ or } D) = 0.60 \text{ or } 60\%$$

(Percentage rounded off for purposes of this illustration.)

Factor limited by percentage	Computation	Limit value of factor
A	$63,000×85%	$53,550
B	$100,000×60%	60,000
C	$60,000×60%	36,000
D	$40,000×60%	24,000

Subpart 5A–30.7—Assignment of Claims

1. Section 5A–30.706 is added as follows:

§ 5A–30.706 Procedures upon receipt of notice of assignment and instrument of assignment.

When complying with the procedures set forth in §§ 1–30.706(a)(3) and 1–30.707 with respect to the acknowledgement of an assignment or reassignment of claims in proper form, the contracting officer shall at the same time notify the contractor (assignor) that all future invoices or other requests for payment under the contract shall specify the name and address of the assignee and include a notation that payments due thereunder have been duly assigned and should be made to the named assignee.

2. Section 5A–30.707 is added as follows:

§ 5A–30.707 Further assignments and reassignments.

See § 5A–30.706.

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

[1] Percentages.

Effective date. These regulations are effective on the date shown below.

Dated: March 15, 1974.

M.J. TIMBERS,
Commissioner,
Federal Supply Service.

[FR Doc.74–7174 Filed 3–27–74;8:45 am]

CHAPTER 14H—BUREAU OF INDIAN AFFAIRS, DEPARTMENT OF THE INTERIOR

PART 14H—GENERAL

Designation of Contracting Officer Positions

Chapter 14H of 41 CFR was published in the FEDERAL REGISTER for August 26, 1969, at 38 FR 13659. Chapter 14H contains the Bureau of Indian Affairs Procurement Regulations (BIAPR). Section 14H–1.451–2 of Chapter 14H was subsequently amended, most recently on page 32258 of the November 23, 1973, FEDERAL REGISTER (38 FR 32258).

Pursuant to the authority contained in the Act of November 2, 1921, Ch. 115, 42 Stat. 208 (25 U.S.C. 13) and 41 CFR 14–1.008, 41 CFR 14H–1.451–2 is being amended to reflect organization and title changes and to add several positions to the list of contracting officer positions. The position of Property and Supply Officer, Administrative Services Center, Albuquerque, New Mexico has been abolished. In lieu of that position, the Administrative Officer and the Procurement Officer at the Administrative Services Center in Albuquerque are designated as contracting officer positions. In addition, the Director of Southeastern Agencies is also designated as a contracting officer position.

Since this amendment involves internal Bureau procedures, advance notice and public procedure thereon have been deemed unnecessary and are dispensed with under the exception provided in subsection (b)(B) of 5 U.S.C. 553 (1970).

Since delay in the amendment becoming effective could delay the internal processing of contracts in the Bureau with resultant delay in providing services to the Indian and Alaskan Native people, the 30-day deferred effective date is dispensed with under the exception provided in subsection (d)(3) of 5 U.S.C. 553 (1970). Accordingly, these regulations will become effective March 28, 1974.

As amended, 41 CFR 14H–1.451–2 reads as follows:

§ 14H–1.451–2 Designation of contracting officer positions.

(a) Each of the following organizational titles are designated as contracting officer positions:

(1) Headquarters Office Officials:

(i) Commissioner.

(ii) Deputy Commissioner.

(iii) Director, Office of Administration.

(iv) Chief, Division of Contracting Services.

(v) Chief, Division of Procurement and Property Management.

(vi) Chief, Division of Facilities Engineering, Albuquerque, New Mexico.

(vii) Chief, Indian Technical Assistance Center, Denver, Colorado.

(viii) Administrative Officer, Administrative Services Center, Albuquerque, New Mexico.

(ix) Procurement Officer, Administrative Services Center, Albuquerque, New Mexico.

(2) Area Office Officials:

(i) Area Director.

(ii) Deputy Area Director.

(iii) Assistant Area Director, Minneapolis and Sacramento Area Offices.

(iv) Assistant Area Director for Administration.

(v) Area Administrative Officer.

(vi) Area Property and Supply Officer.

(vii) Director, Seattle Liaison Office, Seattle, Washington.

(viii) Director of Southeastern Agencies.

LAFOLLETTE BUTLER,
Acting Deputy Commissioner
of Indian Affairs.

MARCH 18, 1974.

[FR Doc.74–7120 Filed 3–27–74;8:45 am]

Title 47—Telecommunications

CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

[FCC 74–34; Docket No. 19493]

PART 1—PRACTICE AND PROCEDURE

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

PART 21—DOMESTIC PUBLIC RADIO SERVICES (OTHER THAN MARITIME MOBILE)

PART 43—REPORTS OF COMMUNICATION COMMON CARRIERS AND CERTAIN AFFILIATES

In the matter of amendments of Parts 1, 2, 21, and 43 of the Commission's rules

and regulations to provide for licensing and regulation of common carrier radio stations in the Multipoint Distribution Service.

1. The Commission has before it a Motion for Extension of Time filed March 18, 1974 by Counsel for Microband Corporation of America and ten other MDS applicants requesting a one month extension of time (through April 19, 1974), for filing amendments to pending applications in compliance with the Report and Order, released January 18, 1974 (FCC 74-34), appearing at 39 FR 2760, Jan. 24, 1974, and corrected at 39 FR 7134, Feb. 25, 1974. It is stated that this extension is required to allow sufficient time to prepare complete and meaningful amendments to bring numerous MDS applications presently pending into compliance with the new rules.

2. We recognize that some attorneys and consulting engineers are directly involved with revision of a large number of applications. Therefore, we believe a 30 day extension would be equitable and reasonable. However, at the end of such period we will review all applications to determine if they have been amended. It is anticipated that those that have not be amended by such date (or the Commission otherwise notified that no amendment is required to bring them into compliance with the rules) will be dismissed.

3. *Accordingly, it is hereby ordered,* Pursuant to the authority of Section 0.303 (e) of the Commission's Rules, that the time for filing amendments to applications as specified in paragraphs 26 and 28 of said Report and Order, supra, is extended to and including April 19, 1974.

Adopted: March 19, 1974.

Released: March 21, 1974.

[SEAL] KELLEY E. GRIFFITH,
Acting Chief,
Common Carrier Bureau.

[FR Doc.74-7181 Filed 3-27-74;8:45 am]

Title 49—Transportation

SUBTITLE A—OFFICE OF THE SECRETARY OF TRANSPORTATION

[OST Docket No. 1; Amdt. 1-91]

PART 1—ORGANIZATION AND DELEGATION OF POWERS AND DUTIES

Assistant Secretary for Environment, Safety, and Consumer Affairs

The Assistant Secretary for Environment, Safety and Consumer Affairs has previously been delegated, at 49 CFR 1.58 (d) (1), functions vested in the Secretary by the Natural Gas Pipeline Safety Act of 1968 (August 12, 1968, Pub. L. 90-481, 82 Stat. 720; 49 U.S.C. 1671 et seq.). In 1972 the Act was amended (August 22, 1972, Public Law 92-401, 86 Stat. 616). The purpose of this amendment is to clarify that it is those functions which are vested by the Act as amended which are delegated to the Assistant Secretary.

Since this amendment relates to Departmental management, procedures, and practices, notice and public procedure thereon are unnecessary and it may be made effective in fewer than 30 days after publication in the FEDERAL REGISTER.

In consideration of the foregoing, 49 CFR 1.58(d)(1) is revised to read as follows:

§ 1.58 Delegations to Assistant Secretary for Environment, Safety and Consumer Affairs.

(d) * * *

(1) The Natural Gas Pipeline Safety Act of 1968, as amended (49 U.S.C. 1671 et seq.).

Effective date. This amendment is effective March 28, 1974.

(Sec. 9(e), Department of Transportation Act (49 U.S.C. 1657(e)); 49 CFR 1.59(m).)

Issued in Washington, D.C., on March 21, 1974.

RODNEY E. EYSTER,
General Counsel.

[FR Doc.74-7150 Filed 3-27-74;8:45 am]

CHAPTER I—DEPARTMENT OF TRANSPORTATION

SUBCHAPTER A—HAZARDOUS MATERIALS REGULATIONS BOARD

[Docket No. HM-86; Amdt. Nos. 173-76, 177-28, 178-29]

PART 173—SHIPPERS

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

PART 178—SHIPPING CONTAINER SPECIFICATIONS

Cargo Tank Use and Testing, Compressed Gases in Portable and Cargo Tanks, and Specification MC 331

On October 5, 1973, the Hazardous Materials Regulations Board ("the Board") published Amendment Nos. 173-76, 177-28, 178-29 (38 FR 27595) under Docket No. HM-86 which deleted obsolete requirements, updated the regulations, made editorial changes pertaining to the specification for the MC 331 cargo tank, and amended the requirements for the use and testing of portable and cargo tanks. A petition has been received to delay the effective date for § 178.337-11 (c).

Included in the amended regulations was a requirement for a remotely controlled internal shut-off valve on each liquid and vapor discharge opening in a tank used for a flammable liquid, flammable compressed gas, or anhydrous ammonia. The Board has received a petition from the National LP-Gas Association to extend until October 1, 1974, the effective date for mandatory compliance with the requirement for an internal shut-off valve having a 1¼-inch diameter on liquefied petroleum gas tank trucks that have water capacities of 3,500 gallons or less. The amendments to the regulations were to become mandatorily effective March 31, 1974.

The reason for this requested delay is that the National LP-Gas Association states that it has been advised by manufacturers of internal valves that there is not a sufficient supply of 1¼-inch diameter internal shut-off valves available to meet the sudden demand brought about by § 178.337-11(c), as amended. The Association states that a six months extension of time for mandatory compliance would alleviate this temporary shortage condition.

The Board considers that the request for delay of the effective date for § 178.337-11(c) for cargo tanks of 3500 gallons or less to be reasonable and valid. In consideration of the foregoing, the Board has revised the next to the last paragraph of FR Doc. 73-21252 (38 FR 27595) to read as follows:

Amendment Nos. 173-76, 177-28, 178-29, except for § 178.337-11(c) as it pertains to cargo tanks having a water capacity of 3500 gallons or less, are effective March 31, 1974, and are effective in their entirety on September 30, 1974. However, compliance with the regulations, as amended therein, is authorized immediately.

(Transportation of Explosives Act (18 U.S.C. 831-835), section 6 of the Department of Transportation Act, (49 U.S.C. 1655); Title VI and section 902(h) of the Federal Aviation Act of 1958, (49 U.S.C. 1421-1430, 1472 (h), and 1655(c)))

Issued in Washington, D.C. on March 25, 1974.

ALAN I. ROBERTS,
Secretary.

[FR Doc.74-7210 Filed 3-27-74;8:45 am]

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

[Docket No. 71-10; Notice 5]

PART 571—MOTOR VEHICLE SAFETY STANDARDS

New Pneumatic Tires: Revised Performance Requirements; Response to Petitions for Reconsideration

This notice responds to petitions for reconsideration received in response to the notice, published September 28, 1973 (38 FR 27050), revising the performance requirements of Motor Vehicle Safety Standard No. 109 (49 CFR 571.109). That notice modified the criteria for tire failure when tires are subjected to the high speed performance and endurance tests of the standard.

Timely petitions for reconsideration were received from five parties: The Firestone Tire and Rubber Company, Rubber Manufacturers' Association, Uniroyal Tire Company, B. F. Goodrich Tire Company, and the General Tire and Rubber Company. The petitions requested the agency to reconsider the definition of "innerliner separation" and the requirement that the tire be removed from the test wheel for inspection immediately after the prescribed tests are completed.

The petitions have argued that the definition of "innerliner separation" (a "parting of the innerliner from the carcass") is inconsistent with the defini-

tion of "carcass" ("the tire structure, except tread and sidewall rubber"), for the former unlike the latter creates the inference that the innerliner is not part of the carcass. One petitioner (B. F. Goodrich) argued that innerliner should not be considered part of the carcass and would redefine carcass to so specify. The NHTSA agrees with the comments which argue that the definition of "innerliner separation" should reflect that the innerliner is part of the carcass. That definition is accordingly modified as recommended by the petitions to mean a separation of the innerliner from the cord material of the carcass. The NHTSA believes no ascertainable benefit would be achieved by further distinctions within the definition of "carcass." The requirement prohibiting the separation of the innerliner from the carcass cord material is the same whether or not the definition of "carcass" is further refined.

The petitions also state that innerliner is frequently composed of more than one layer of material. The definition of innerliner is revised to take this into account. However a separation of one innerliner layer from another does not constitute "innerliner separation" under the standard. That term means only a separation of the innerliner from the carcass cord material. The requirements specify that "visual evidence" of enumerated conditions will constitute a failure to the standard. The NHTSA believes the visual test, which has been consistently used in the past, to be satisfactory. However, in the case of innerliner separation, the visual evidence may not reflect an actual separation of the cord material from the innerliner. In such cases the standard is not intended to preclude a more detailed examination of the condition, including a cutting of the tire. This procedure has been afforded to manufacturers in past NHTSA enforcement efforts, and is considered consistent with the revised requirements.

The petitions also requested modification of the requirement that each tested tire be removed from the test wheel for inspection immediately after its testing is completed. The petitions argue that rapid deflation of a hot tire can cause innerliner separation. While several petitions recommended that the tire be allowed to cool to ambient temperature, Uniroyal has indicated that a one-hour period had been found sufficient to eliminate the chance that artificially caused separations will occur. The NHTSA agrees with the comment from Uniroyal that a one-hour period is adequate for the tire to cool and has amended the standard accordingly.

The Rubber Manufacturers' Association has argued that minor nicks and tears in the tread which would not grow in size during service might be improperly considered "chunking" under the standard. RMA alludes to the discussion of the micro-siping process in the preamble to the notice of September 28, 1974, claiming it recognizes that small pieces of the tread can be broken away which do not affect performance. The standard is clear that chunking in a new tire before testing will be considered a failure. A minor tear in the tread does not appear to involve a removal of rubber from the tire, and is not within the definition of chunking. Whether a "nick" in the tread represents chunking would necessarily be based on its size. As in micro-siping, minor tread loss resulting from the manufacturing process that is evident before test does not constitute a failure. Any loss resulting from the laboratory wheel test is a failure.

In light of the above, Motor Vehicle Safety Standard No. 109, "New Pneumatic Tires," appearing at 49 CFR 571.109, is amended as set forth below.

1. Paragraph S3., *Definitions,* is amended by revising the definitions of "innerliner" and "innerliner separation," as follows:

"Innerliner" means the layer(s) forming the inside surface of a tubeless tire that contains the inflating medium within the tire.

"Innerliner separation" means the parting of the innerliner from cord material in the carcass.

2. Identical paragraphs S5.4.2.4 and S5.5.5 are amended to read:

Immediately after running the tire the required time, measure its inflation pressure. Allow the tire to cool for one hour. Then deflate the tire, remove it from the test rim, and inspect it for the conditions specified in S4.2.2.5(a).

Effective date: March 29, 1974. This amendment modifies slightly amendments whose effective date was originally established as the above date on September 28, 1973. As these amendments relieve restrictions, provide clarification, and impose no additional burden on any person, good cause is found for an effective date less than 30 days from publication.

(Secs. 103, 110, 201, and 202, Pub. L. 89-563, 80 Stat. 718, 15 U.S.C. 1392, 1407, 1421, and 1422; delegation of authority at 49 CFR 1.51)

Issued on March 25, 1974.

JAMES B. GREGORY,
Administrator.

[FR Doc.74-7293 Filed 3-27-74;8:45 am]

CHAPTER X—INTERSTATE COMMERCE COMMISSION

SUBCHAPTER C—ACCOUNTS, RECORDS AND REPORTS

[No. 32155 (Sub-No. 3)]

PART 1207—UNIFORM SYSTEM OF ACCOUNTS FOR CLASS I AND CLASS II COMMON AND CONTRACT MOTOR CARRIERS OF PROPERTY

Revenue and Expense Accounts

At a general session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 20th day of March 1974.

Upon consideration of the record in the above-entitled proceeding, including the prior report and order of the Commission, 344 I.C.C. 373 (1973); and

(1) Joint petition of Household Goods Carriers' Bureau and American Movers Conference for reconsideration, filed December 14, 1973;

(2) Petition of Movers Round Table for leave to intervene, embracing tendered petition for reconsideration, filed December 27, 1973; and

It appearing, that Movers Round Table should be allowed to intervene; and that the petitions provide sufficient and adequate basis for waiving the requirement for authorized carriers to obtain a detailed schedule of revenues and expenses from their agents for the calendar year preceding the date of an agency agreement as set forth in 49 CFR Part 1207, Instruction 2 Records, paragraph (f)(i);

It further appearing, that, as noted in the prior report in this proceeding, 344 I.C.C. 373, 381, and in Household Goods—Agency Relationships, 115 M.C.C. 628 (1972), principal carriers are required to use due diligence and to exercise reasonable care in selecting and maintaining agents because the principals, holding the certficates of public convenience and necessity, are fully liable for all acts or omissions of their agents which relate to the performance of interstate transportation held out in the name of the principals or where shippers are misled to believe the transportation would be performed by the principals; that, accordingly, the Commission looks only to the principal carriers whose responsibility it is to see to it that their agents keep the same records as the principals, and that where an agent experiences reporting difficulties, it is the principal's responsibility to resolve the matter by aiding the agent in its recordkeeping activities or terminating the agency where the agent is unable or unwilling to provide the principal with the appropriate records;

It further appearing, that the petitions therefore, except as noted above, set forth no material facts or arguments in addition to those previously considered in this proceeding; that the findings and conclusions in the prior report and order herein, except as modified in this order, are adequately supported by the record; and that no basis has been demonstrated for the relief sought other than as noted; and good cause appearing therefor:

It is ordered, That Movers Round Table be, and it is hereby, permitted to intervene and to participate fully in all future aspects of this proceeding.

It is further ordered, That the petitions, except to the extent granted herein be, and they are hereby denied.

It is further ordered, That 49 CFR Part 1207, Instruction 2, Records, paragraph (f)(i) be, and it is hereby, amended as set forth below.

It is further ordered, That this order shall become effective upon its date of service.

And it is further ordered, That service of this order shall be made on all parties to the proceeding; and that notice of this order shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and filing a copy with the Director, Office of the

Federal Register, for publication in the FEDERAL REGISTER.

(49 Stat. 546, as amended, 563 as amended, and 564, as amended, (49 U.S.C. 304, 320, and 322))

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

In 49 CFR Part 1207, in Instruction 2 *Records*, paragraph (f) is amended to read as follows:

2. Records.

* * * * *

(f) Carriers classified as household goods carriers shall also comply with the following requirements.

(1) As evidence of the financial condition of agents required in § 1056.19(b) of this chapter, Required Filings Relating to Agency Agreements, the authorized carrier shall acquire from each of its agents (i) an income statement for the calendar year preceding the effective date of the agency agreement and (ii) a balance sheet as of the last day of said year. Annually thereafter, for each year an agency agreement is in effect th authorized carrier shall acquire the required statements and a detailed schedule of operating revenues and expenses, from each of its agents no later than the time for the filing of the authorized carrier's annual report with the Commission. The required financial statements shall be prepared in accordance with the prescribed schedules for such statements in the annual report form filed with the Commission by the authorized carrier.

(2) The agents' annual financial statement shall be retained by the authorized carrier in a separate file as part of its required records for a period of 3 years.

[FR Doc.74-7214 Filed 3-27-74;8:45 am]

Title 6—Economic Stabilization

CHAPTER I—COST OF LIVING COUNCIL

PART 150—COST OF LIVING COUNCIL PHASE IV PRICE REGULATIONS

Acute Care Hospitals and Long-Term Care Institutions, Extension of Time To File Notices of Election To Be Governed Under Subpart O or Subpart R

The purpose of these amendments is to extend from April 1, 1974, to April 15, 1974, the deadline for acute care hospitals and long term care institutions to file notices of their election to be governed under Phase II/III regulations (Subpart O of Part 150) or under Phase IV regulations (Subpart R of Part 150).

The original filing date deadline of March 31, 1974, was included in the Phase IV regulations pertaining to health care (Subpart R) issued on January 16, 1974, 39 FR 2670 (January 23, 1974). Because March 31 falls on a Sunday, the date was changed to April 1 as part of a series of recent amendments to those regulations issued on March 20, 1974, 39 FR 11371 (March 27, 1974). To provide an opportunity for consideration of health regulation refinements incorporated in the March 20 amendments and because reporting forms relating to those regulations were not available to all concerned hospitals and institutions until mid-March, the Council, in response to a number of requests, has decided to allow additional time for the hospitals and institutions concerned to make their elections and file the required notices. These amendments to the filing dates do not change the references to April 1, 1974, in § 150.701(a)(2) or § 150.769(a)(2) with regard to fiscal years.

Since these amendments merely grant additional time for complying with previously prescribed election and filing requirements, the Council finds that publication of notice for public comment is not required and that the amendments can be made effective in less than 30 days after publication.

In consideration of the foregoing 6 CFR 150.701 and 150.769 are amended as set forth below, effective March 26, 1974.

(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 Number 14, 38 FR 1489)

Issued in Washington, D.C., on March 26, 1974.

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

1. In 6 CFR 150.701(b), the second sentence is amended to read as follows:

§ 150.701 Scope and applicability.

* * * * *

(b) * * * The written notice of election must be filed with the Administrator, Office of Health, Cost of Living Council, 2000 M Street, NW., Washington, D.C. 20508, not later than April 15, 1974, or mailed to the Administrator by certified or registered mail (return receipt requested) postmarked not later than April 15, 1974. * * *

* * * * *

2. In 6 CFR 150.769(b), the second sentence is amended to read as follows:

§ 150.769 Scope and applicability.

* * * * *

(b) * * * The written notice of election must be filed with the Administrator, Office of Health, Cost of Living Council, 2000 M Street, NW., Washington, D.C. 20508, not later than April 15, 1974, or mailed to the Administrator by certified or registered mail (return receipt requested) postmarked not later than April 15, 1974. * * *

* * * * *

[FR Doc.74-7301 Filed 3-26-74;3:30 pm]

PART 150—COST OF LIVING COUNCIL PHASE IV PRICE REGULATIONS

PART 152—COST OF LIVING COUNCIL PHASE IV PAY REGULATIONS

Cordage and Twine; Price and Pay Exemptions

The purpose of these amendments is to exempt the sale of cordage and twine by firms which manufacture those products and to add a parallel exemption to the Phase IV pay regulations.

In accordance with the Council's objective to remove controls selectively where conditions permit, the Council has decided to exempt the sale by manufacturers of cordage and twine products listed in the Standard Industrial Classification Manual, 1972 edition, under Industry No. 2298. The products listed include rope, cable, cordage, twine, and related products manufactured from abaca, sisal, henequen, hemp, cotton, paper, jute, flax, man-made fibers including glass, and other fibers.

The cordage and twine industry faces serious shortages of both raw materials and processed fibers. For example, the supply of agricultural twine to be used in baling the 1974 hay crop is expected to fall 15 to 20 percent short of the projected demand. Hay baling is the primary use for natural cordage and twine in the U.S. (about 90 percent of the annual hay crop is now baled, and of this less than one-fifth is baled with wire). Unless relieved, this projected shortage could reduce the supply of hay used for feed and have a detrimental effect on the dairy industry.

Approximately 90 percent of finished cordage and twine used in the U.S. is imported, and over 90 percent of the domestic industry's output of natural fiber twine is made from imported raw materials such as sisal and abaca. With world demand for raw fibers outstripping supply (the entire U.S. stockpile of sisal was sold in 1973), the Council expects that this exemption will encourage expanded domestic production of synthetic products such as polypropylene twine. In the short run, the exemption should also encourage domestic production of natural fibers. Currently, the U.S. produces only 7 to 10 percent of its raw material requirements for natural baling twine.

Only the sale by the manufacturer of products listed under Industry No. 2298 is exempt. Other items which may be generically similar but are not listed do not come within the scope of these amendments.

Under §§ 150.11(e) and 150.161(b), a firm with revenues in its most recent fiscal year from the sale of exempt items remains subject to the profit margin constraints and reporting provisions of the Phase IV program unless 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 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 cordage and twine industry. The exemption is set forth in new § 152.391. *Establishment in the cordage and twine industry* is defined as an establishment classified in the Standard Industrial Classification Manual, 1972 edition, under Industry No. 2298

(Cordage and Twine) and primarily engaged in the manufacture of products classified under such Industry Number. The exemption is inapplicable to any 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 employee whose duties and responsibilities are not of a type exclusively performed in or related to the cordage and twine 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. The exemption is further inapplicable to employees who are part of an appropriate employee unit where 25 percent or more of the members of such unit are not engaged on a regular and continuing basis in the operation of an establishment in the cordage and twine industry or in support thereof. 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, PO. Box 672, Washington, D.C. 20044.

As with all exemptions from Phase IV controls, firms subject to these amendments remain subject to review for compliance with appropriate regulations in effect prior to this exemption. A firm affected by these amendments 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.

The Council retains the authority to reestablish price and wage controls over the industry exempted by these amendments if price or wage behavior is inconsistent with the policies of the Economic Stabilization Program. The Council also has the authority, 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 rule making procedure is impracticable and that good cause exists for making these amendments effective in less than 30 days. Interested persons may submit written comments regarding these amendments. 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, 6 CFR Parts 150 and 152 are amended as set forth herein, effective March 26, 1974.

Issued in Washington, D.C., on March 26, 1974.

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

1. In 6 CFR Part 150, § 150.58 is amended to add a new paragraph (h) to read as follows:

§ 150.58 Additional price adjustments.

* * * * * *

(h) *Cordage and twine.* The prices which manufacturers of the following products charge for those products are exempt: The products listed in the Standard Industrial Classification Manual, 1972 edition, under Industry No. 2298 (Cordage and Twine).

2. In 6 CFR Part 152, Subpart D is amended by adding thereto a new § 152.39i to read as follows:

§ 152.39i Cordage and twine industry.

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

(b) *Establishment in the cordage and twine industry.* For purposes of this section, "Establishment in the cordage and twine industry" means an establishment classified in the Standard Industrial Classification Manual, 1972 edition, under Industry Number 2298 and primarily engaged in the manufacture of products classified under such Industry Number.

(c) *Covered employees.* For purposes of this section, an employee is considered to be engaged on a regular and continuing basis in the operation of an establishment in the cordage and twine industry or in support of such operation only if such employee is employed at an establishment in the cordage and twine industry and only if such employee is employed by the firm which operates such establishment.

(d) *Limitations.* 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 th 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 cordage and twine industry and whose pay adjustments are—

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

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

(4) Employees who are members of an appropriate employee unit if 25 percent or more of the employees who are members of such unit are not engaged on a regular and continuing basis in the operation of an establishment in the cordage and twine industry or in support of such operation.

(e) *Effective date.* The exemption provided in this section shall be applicable to pay adjustments with respect to work performed on and after March 26, 1974.

[FR Doc.74-7302 Filed 3-26-74;3:30 pm]

Title 7—Agriculture

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

[Navel Orange Reg. 318]

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 29-April 4, 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.

§ 907.618 Navel Orange Regulation 318.

(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 was easier during the past week. Prices f.o.b. averaged $3.31 a carton on a reported sales volume of 1,421 carlots last week, compared with an average f.o.b. price of $3.36 per carton and sales of 1,569 carlots a week earlier. Track and rolling supplies at 831 cars were up 41 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 regulation until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this 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 and supporting information for regulation, 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 Navel oranges; it is necessary, in order to effectuate the declared policy of the act, to make this regulation effective during the period herein specified; and compliance with this regulation 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 26, 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 29, 1974, through April 4, 1974, are hereby fixed as follows:

(i) District 1: 1,260,000 cartons;

(ii) District 2: 140,000 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 27, 1974.

FLOYD F. HEDLUND,
Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc.74-7359 Filed 3-27-74;10:20 am]

[Valencia Orange Reg. 457]

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

Limitation of Handling

This regulation fixes the quantity of California-Arizona Valencia oranges that may be shipped to fresh market during the weekly regulation period Mar. 29–Apr. 4, 1974. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 908. The quantity of Valencia oranges so fixed was arrived at after consideration of the total available supply of Valencia oranges, the quantity of Valencia oranges currently available for market, the fresh market demand for Valencia oranges, Valencia orange prices, and the relationship of season average returns to the parity price for Valencia oranges.

§ 908.757 Valencia Orange Regulation 457.

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

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

(i) The committee has submitted its recommendation with respect to the quantities of Valencia oranges that should be marketed during the next succeeding week. Such recommendation, designed to provide equity of marketing opportunity to handlers in all districts, resulted from consideration of the factors enumerated in the order. The committee reports that prices f.o.b. averaged $2.61 per carton on a reported sales volume of 67 carlots last week, compared with an average f.o.b. price of $2.74 per carton and sales of 64 carlots a week earlier.

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

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public 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 Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require

any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on March 26, 1974.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period March 29, 1974, through April 4, 1974, are hereby fixed as follows:

(i) District 1: Unlimited;

(ii) District 2: Unlimited;

(iii) District 3: 125,000 cartons.

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

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

Dated: March 27, 1974.

FLOYD F. HEDLUND,
Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc.74-7360 Filed 3-27-74;10:23 am]

Proposed Rules

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

DEPARTMENT OF THE TREASURY

Customs Service

[19 CFR Part 4]

VESSELS IN FOREIGN AND DOMESTIC TRADES

Provision of Information Relative to Collection of Navigation Fee

Notice is hereby given that under the authority of 5 U.S.C. 301, R.S. 251, as amended (19 U.S.C. 66), R.S. 2654, as amended (19 U.S.C. 58), R.S. 4382, as amended (46 U.S.C. 330), sections 440, 624, 46 Stat. 712, as amended, 759 (19 U.S.C. 1440, 1624), and section 501, 65 Stat. 290 (31 U.S.C. 483a), it is proposed to amend § 4.98 of the Customs Regulations to set forth additional information relative to the collection of navigation fee number 5, which is collected whenever an American or foreign vessel is required to file a post entry covering merchandise or baggage which was not included in or did not agree with the manifest. Section 4.98 presently sets forth additional information regarding the collection of each of the eight navigation fees listed in that section, except fee number 5. As a result, some uncertainty has arisen with respect to the proper collection procedures for fee number 5.

Consequently, in order to provide additional information regarding the collection of fee number 5, it is proposed to amend § 4.98, Customs Regulations, by adding a new paragraph (e–1) between paragraphs (e) and (f) to read as follows:

§ 4.98 Navigation fees.

* * * * *

(e–1) Fee 5 shall be collected from a foreign or American vessel at each port where the vessel is required to file a post entry in accordance with the provisions of § 4.12(a)(3). An original post entry may be supplemented by additional post entries in instances where items were omitted from the original post entry. A separate fee shall be collected for each supplemental post entry made to the original post entry.

* * * * *

Data, views, or arguments with respect to the foregoing proposal may be addressed to the Commissioner of Customs, Attention: Regulations Division, Washington, D.C. 20229. To insure consideration of such communications, they must be received on or before April 29, 1974.

Written material or suggestions submitted will be available for public inspection in accordance with § 103.8(b) of the Customs Regulations (19 CFR 103.8(b)), at the Regulations Division, Headquarters, United States Customs Service, Washington, D.C., during regular business hours.

[SEAL] G. R. DICKERSON,
Acting Commissioner of Customs.

Approved: March 19, 1974.

JAMES B. CLAWSON
Acting Assistant Secretary of the Treasury.

[FR Doc.74–7212 Filed 3–27–74;8:45 am]

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[50 CFR Part 251]

FINANCIAL AID PROGRAM PROCEDURES

Fishery for Salmon in Alaska

MARCH 21, 1974.

Notice is hereby given that the Director, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, has under consideration an amendment to the regulations (50 CFR Part 251) which sets forth financial aid program procedures.

It is the intent of Part 251 of this chapter that financial assistance programs will not be made available when upon review of situations and conditions at hand, as well as prospective developments, the Director deems that the use of such financial assistance programs would not be consistent with the wise use and with the development, advancement, management, conservation, and protection of fisheries resources.

The proposed amendment, as set forth below, would incorporate in subpart B of the regulation a new § 251.21 to classify the "fishery for salmon in Alaska" as a Conditional Fishery as the term is defined in § 251.1(i).

The principal situations and conditions under consideration for determining that the "fishery for salmon in Alaska" is in need of regulation under Part 251 of this chapter are described in the following Explanatory Statement.

Federal and State agencies as well as the public will be given time and opportunity to comment on this proposed amendment. Comments that are received will be evaluated giving full consideration to the national interest and the multiplicity of environmental, biological, economic, social, and other situations and conditions as the Director may deem relevant. Upon evaluation of all comments and available information the Director will take action as may be appropriate and will continue to monitor and assess situations and conditions related to the "fishery for salmon in Alaska" to determine the continued need for regulation. This proposed amendment is published pursuant to the authority contained in section 4 of the Fish and Wildlife Act, 1956, as amended, Title XI of the Merchant Marine Act, 1936, as amended, Section 607 of the Merchant Marine Act, 1936, as amended, the National Environmental Policy Act, and Reorganization Plan No. 4 of 1970.

Written views, data, or arguments on this proposed amendment should be submitted to the Director, National Marine Fisheries Service, Washington, D.C. 20235. All communications received on or before June 26, 1974, will be considered before action is taken with respect to adoption of the proposed amendment. No public hearing is contemplated at this time; however, any persons desiring a public hearing may request such a hearing by writing to the Director, National Marine Fisheries Service, Washington, D.C. 20235. In the event that a public hearing is found necessary, an appropriate notice to that effect will be published in the FEDERAL REGISTER.

By order of the Administrator, National Oceanic and Atmospheric Administration.

ROBERT M. WHITE,
Administrator.

Explanatory statement. The Director considers it necessary to classify the "fishery for salmon in Alaska" as a Conditional Fishery for regulation under Part 251 of this chapter. The necessary situations and conditions for such classification follow.

The "fishery for salmon in Alaska" is controlled by two regulatory agencies, the Alaska Department of Fish and Game and the Alaska Commercial Fisheries Entry Commission. These agencies consider that the number of fishermen participating in the harvest of salmon has reached acute levels in many areas. Thus, even though Alaska has developed a substantially improved biological management program for its salmon fishery, this fishery is not as healthy as it should be because a steadily increasing number of fishermen are participating in the harvest, including high seas fishing for salmon by foreign fleets. Consequently, from the dual perspective of adequate economic return to fishermen and manageability of the fishery, it is considered that there are presently too many units of salmon fishing gear being used in almost every salmon management area of Alaska.

The Alaska Department of Fish and Game has compared the number of units of salmon fishing gear registered in each management area with estimates of the optimum number required to fully harvest the resource. In almost every area existing levels of gear were found to be substantially above optimum levels necessary for a healthy fishery. This agency also determined that there were a growing number of instances where too much concentrated fishing pressure made sound management of the salmon fishery difficult, if not impossible. Therefore, in view of these situations and conditions involving excess fishing capacity, Alaska established the Alaska Commercial Fisheries Entry Commission to control future participation in its salmon fisheries. All fishermen will be required to obtain a permanent entry permit to fish in a "distressed fishery" after January 1, 1975. A "distressed fishery," as defined by Alaska, is a fishery where excessive numbers of gear detrimentally affect the ability to manage this fishery, or where returns to capital and labor are severely depressed. Once a fishery is declared distressed, the Commission will seek to reduce the number of entry permits to a level which will be manageable and wil provide a reasonable average rate of return to labor and capital. Alaska plans that a reduction of entry permits will be achieved through a voluntary buy-back program. It is recognized that fishing pressure for salmon in Alaska has increased to a level at which reductions, not additions, of vessels and gear are needed for Alaska to achieve its management and conservation objectives.

Consequently, the Director is considering that the "fishery for salmon in Alaska" should be a Conditional Fishery in accordance with Part 251 of this chapter as it now appears that the use of financial assistance programs to add vessel capacity to this fishery would not be consistent with the needs and objectives of management.

It is proposed to amend Part 251 of this chapter, Subpart B—Conditional Fisheries, to add a new § 251.21 as follows:

§ 251.21 Fishery for salmon in Alaska.

[FR Doc.74-7122 Filed 3-27-74;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 1]

DRUGS IN BULK PACKAGES

Exemption for Processing, Repacking, or Manufacture

Section 1.106(l) of Part 1 (21 CFR 1.106(l)) sets forth certain requirements for drugs in bulk packages intended for a use in manufacture, processing, or repacking which causes the finished article to be a new drug.

The Commissioner of Food and Drugs, having been petitioned by Merck, Sharp & Dohme, Division of Merck & Co., Inc., West Point, PA 19486, to amend § 1.106 (l), has determined that there may be occasions prior to approval of a new drug application where these provisions could be unduly restrictive, could cause unnecessary delay in production of drugs, and are not in the public interest. For example, the present provisions preclude interstate shipment of a new drug active ingredient for manufacture into final dosage form, thus increasing by several weeks or months the time that it may take for a useful new drug to be marketed after approval of a new drug application. The Commissioner has therefore concluded that this regulation should be amended to provide for an exemption from these requirements, conditioned upon the requirements that there may be no shipment of the finished drug product after it is manufactured. This exemption will not apply to exports. Pertinent background material has been filed with the Hearing Clerk, Food and Drug Administration, Room 6-86, 5600 Fishers Lane, Rockville, MD 20852.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 201(n), 502, 505, 507, 701, 52 Stat. 1041, 1050-1053 as amended, 1055-1056 as amended by 70 Stat. 919 and 72 Stat. 948, 59 Stat. 463 as amended; 21 U.S.C. 321(n), 352, 355, 357, 701) and under authority delegated to him (21 CFR 2.120), the Commissioner proposes to amend Part 1 in § 1.106(l) by changing the period at the end of subparagraph (2) to a semicolon and by adding the word "or" immediately thereafter such semicolon, and by adding a new subparagraph (3). Section 1.106(l) is revised to read as follows:

§ 1.106 Drugs and devices; directions for use.

* * * * *

(l) * * *

(2) If no application is approved with respect to such new drug or new animal drug, the label statement "Caution: For manufacturing, processing, or repacking" is immediately supplemented by the words "in the preparation of a new drug or new animal drug limited by Federal law to investigational use," and the delivery is made for use only in the manufacture of such new drug or new animal drug limited to investigational use as provided in § 130.3 or § 135.3 of this chapter; or

(3) A new drug application covering the use of the drug substance in the production and marketing of a finished drug product has been submitted but not yet approved or disapproved, the bulk drug is not exported, and the finished drug product is not further distributed after it is manufactured.

* * * * *

Interested persons may, on or before May 28, 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 22, 1974.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.74-7167 Filed 3-27-74;8:45 am]

Public Health Service

[42 CFR Part 62]

PUBLIC HEALTH AND NATIONAL HEALTH SERVICE CORPS SCHOLARSHIP PROGRAM

Award of Scholarships

Section 225 of the Public Health Service Act, as added by section 5 of the Emergency Health Personnel Act Amendments of 1972 (Pub. L. 92-585) directs the Secretary of Health, Education, and Welfare to establish a scholarship program to obtain trained physicians, dentists, nurses and other health-related specialists for the National Health Service Corps and other units of the Public Health Service. The section further provides that any person who receives a scholarship under this program is obligated to serve as a commissioned officer in the Service or as a civilian in the National Health Service Corps on a year for year basis with at least one-half of such service spent providing health care and services in an underserved (shortage) area.

Notice is hereby given that the Assistant Secretary for Health, with the approval of the Secretary of Health, Education, and Welfare, proposes to amend Title 42, Code of Federal Regulations by adding a new Part 62 which sets forth the conditions and procedures for the award of scholarships to obtain trained health specialists for the National Health Service Corps and other units of the Public Health Service.

Interested persons are invited to submit written comments, suggestions, or objectives regarding the proposed regulations to the Director, Office of Personnel Management, Public Health Service, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20852. Presently potential health professionals, for whom this program is designed, are completing their academic training and making decisions concerning their future employment. Delay in the adoption of the rules governing this program could not only deprive such persons of the opportunity for a scholarship but also adversely affect the Department's initial recruitment effort. In view of the foregoing, comments must be submitted on or before April 12, 1974. All comments received in response to this request will be available for public inspection in Room 18A-33 Parklawn Building, between the hours of 8:30 a.m. and 5 p.m., Monday through Friday.

It is therefore proposed to issue a new Part 62 as set forth below to be effective

on the date of its republication in the FEDERAL REGISTER.

Dated: March 20, 1974.

CHARLES C. EDWARDS,
Assistant Secretary for Health.

Approved: March 25, 1974.

CASPAR W. WEINBERGER,
Secretary.

PART 62—PUBLIC HEALTH AND NATIONAL HEALTH SERVICE CORPS SCHOLARSHIP PROGRAM

Sec.
62.1 Applicability.
62.2 Definitions.
62.3 Eligibility.
62.4 Application and selection.
62.5 Scholarship and tuition.
62.6 Designation of health related specialties and stipend amount.
62.7 Service obligation.
62.8 Failure to perform.
62.9 Waiver or suspension.

AUTHORITY: Section 5, 86 Stat. 1293 (42 U.S.C. 234).

§ 62.1 Applicability.

The regulations in this part are applicable to scholarships awarded pursuant to section 225 of the Public Health Service Act, which authorized the Secretary to award scholarships in order to obtain trained physicians, dentists, nurses and other health-related specialists for the National Health Service Corps and other Units of the Public Health Service.

§ 62.2 Definitions.

As used in this part, the following terms shall have the following meanings:

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

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

(c) "School" means a public or private, school or medicine, osteopathy, dentistry, pharmacy, nursing or other health related specialty which provides a course of study, or a portion thereof, which leads respectively to a degree of Doctor of Medicine, Doctor of Osteopathy, Doctor of Dental Surgery or an equivalent degree, Bachelor of Science in pharmacy, an associate degree, diploma, or baccalaureate degree in nursing or an appropriate degree for the particular health specialty and which is accredited or assured accreditation by an accrediting agency or association that is recognized for such purpose by the United States Commissioner of Education, or where appropriate by the Secretary.

(d) "Full time student" means a student who is enrolled in a school pursuing a course of study leading to a degree or diploma and who is enrolled for a sufficient number of credit hours in any semester or other academic term to enable such student to complete the course of study within not more than the number of semesters or other academic terms normally required therefor at the school in which such person it enrolled.

(e) "Service" means the United States Public Health Service.

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

(g) "Corps" means the National Health Service Corps.

§ 62.3 Eligibility.

To be eligible for a scholarship under this subpart an applicant must:

(a) Be accepted for enrollment, or be enrolled, as a full-time student in a school in the United States or its territories or possessions;

(b) Maintain an acceptable level of academic standing. For the purpose of this paragraph acceptable level of academic standing means the eligibility of a student to continue in attendance at the school where the student is enrolled in accordance with the school's standards and practices;

(c) Be eligible for, or hold, an appointment as a commissioned officer in the Regular or Reserve Corps of the Service or be selected for civilian service in the National Health Service Corps;

(d) Agree in writing to serve, as described in § 62.7 in the Commissioned Corps of the Service or as a civilian member of the National Health Service Corps;

(e) Be a citizen of the United States.

§ 62.4 Application and selection.

(a) An application for a scholarship under this subpart shall be submitted in such form and at such time as the Secretary may require.

(b) Applicants in the health-related specialties so designated by the Secretary pursuant to section 62.6 will be evaluated and selected by the Secretary taking into consideration (1) academic performance, (2) faculty recommendations, (3) work experience, and (4) relative need of the Service for particular health-related specialties.

§ 62.5 Scholarship and tuition.

(a) The Secretary may award scholarships for each approved academic year of training not to exceed four years for any individual recipient. The amount of the scholarship stipend which will be paid monthly shall be an amount not in excess of the basic pay and allowances of a commissioned officer, without dependents, on active duty in pay grade 0–1 with less than two years of service as established by the Secretary pursuant to § 62.6.

(b) The Secretary will contract or otherwise arrange for the payment of those tuition and other educational fees necessarily incurred by a full time student.

§ 62.6 Designation of health related specialties and stipend amount.

(a) The Secretary will from time to time designate and publish in the FEDERAL REGISTER those health-related specialties for which the Service has need and for which support under this subpart will be available.

(b) The Secretary will also from time to time determine and publish in the FEDERAL REGISTER the amount of the scholarship stipend for each health-related specialty for which support under this subpart will be available.

§ 62.7 Service obligation.

(a) A scholarship recipient is obligated to serve on active duty for one year as a Commissioned Officer in the Service or as a civilian member of the National Health Service Corps following completion of academic training, for each academic year of support or fraction thereof received under this program: *Provided, however,* That in no event shall a recipient serve less than two years.

(b) At least one-half the total period of service required by paragraph (a) of this section to be performed by each recipient shall be spent providing health care and services: (1) In an area designated under section 329(b) of the Act, as a critical health manpower shortage area; (2) as a member of the Indian Health Service or Federal Health Programs Service and in an area determined by the Secretary (under section 329 of the Act or otherwise) to have a health manpower shortage; or (3) in connection with any program designated by the Secretary, for the provision of health care and services in such an area.

(c) For recipients receiving a degree from a school of medicine, osteopathy, or dentistry, the commencement of a period of obligated service may be deferred for a period of time not to exceed one year for internship (or equivalent training) and for good cause shown, at the option of the Secretary for an additional period of time for residency training. Such periods of internship and residency shall not be creditable in satisfying an active duty service obligation, unless such internship and residency is served in a facility of the Public Health Service, or other facility of the National Health Service Corps.

(d) For recipients receiving degrees in other health-related specialties the obligated service period will commence upon completion of their academic training.

§ 62.8 Failure to perform.

(a) If, for any reason, a participant fails to complete an active duty service obligation, such participant shall be liable for the payment of an amount equal to the scholarship payments, tuition and other educational fees paid, plus interest at the maximum legal prevailing rate running from the date such payments were made. Any amount which the United States is entitled to recover under this paragraph, shall within the three year period beginning on the date on which it is determined that a breach occurred, be paid to the United States. For the purpose of this paragraph maximum legal prevailing rate of interest shall mean the maximum

permissible rate prescribed by the District of Columbia Code on the day of breach applicable to this type of debt.

(b) When a person undergoing training in the program terminates academic training, he shall be liable for repayment to the United States for an amount equal to the cost of tuition and other educational expenses paid to or for such person from Federal funds plus any scholarship payments received by such person under the program. Repayment of such amount shall be within three years of the date of termination.

§ 62.9 Waiver or suspension.

(a) A person who fails to complete an active duty service obligation or who fails to complete academic training may seek waiver or suspension of any obligation incurred pursuant to § 62.7 upon written request to the Secretary setting forth the basis, circumstances and causes which support the requested action.

(b) The Secretary may waive or suspend any obligation under § 62.7 with respect to any individual whenever compliance by such individual:

(1) Is impossible or

(2) Would involve extreme hardship to such individual and if enforcement of such obligation with respect to any such individual would be against equity and good conscience.

(c) For the purpose of paragraph (b) (1) of this section compliance with an obligation by an individual will be deemed impossible, and such compliance will be waived, where the Secretary determines, on the basis of such information and documentation as he may require that the individual has died or suffers from a physical or mental disability that results in the inability of such individual to perform the services or other activities which would be necessary in order to comply with the obligation.

(d) For the purpose of paragraph (b) (2) of this section in determining whether to waive or suspend any or all of indebtedness or service obligation of an individual as imposing an undue hardship and being against equity and good conscience, the Secretary on the basis of such information and documentation as he may require, will take into consideration the following:

(1) The individual's present financial resources and obligations;

(2) The individual's estimated future financial resources and obligations;

(3) The extent to which the individual is practicing the profession for which support was provided in a manner which is similar to and consistent with the position which such individual would have occupied in the Public Health Service or the Corps;

(4) The extent to which the individual has problems of a personal nature, e.g. physical or mental disability, terminal illness in the immediate family, which so intrude on the individual's ability to perform as to raise a presumption that the individual will be unable to perform the obligations incurred.

[FR Doc.74-7194 Filed 3-27-74;8:45 am]

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[29 CFR Part 1928]

[S-74-3]

GUARDING OF AGRICULTURAL EQUIPMENT

Extension of Comment Period

On February 8, 1974, pursuant to section 6(b) of the Williams-Steiger Occupational Safety and Health Act of 1970 (29 U.S.C. 655), Secretary of Labor's Order No. 12-71 (36 FR 8754), a proposal concerning the guarding of farm field equipment, farmstead equipment and cotton gins was published in the FEDERAL REGISTER (39 FR 4925). Notice was given that all written data, arguments, and views with respect to the proposal would be considered if received before April 9, 1974. On the basis of requests for additional time to submit such material, I hereby extend the period during which such comments will be received until June 10, 1974. Such written comments should be submitted by mail to the following address: Office of Standards Development, Occupational Safety and Health Administration, U.S. Department of Labor, 1726 M Street, NW., Washington, D.C. 20210.

Signed at Washington, D.C. this 22nd day of March, 1974.

JOHN STENDER,
Assistant Secretary of Labor.

[FR Doc.74-7200 Filed 3-27-74;8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 74-AL-5]

CONTROL ZONE

Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations which would alter the Fort Yukon, Alaska, control zone by increasing the effective period from six to seven days per week. The Fort Yukon, Alaska, control zone is presently effective from 0800 to 1700 local time daily except Sunday.

A review of the present and the projected traffic activities anticipated at the Fort Yukon Airport, indicates the need for part-time control zone designation seven days per week.

Therefore, it is proposed to change the effective period of the control zone to 0800 to 1700 local time daily.

This proposed action will enhance the level of safety of flight operations conducted during the hours from 0800 to 1700 local time Sundays.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Division, Alaskan Region, Federal Aviation Administration, 632 Sixth Avenue, Anchorage, Alaska 99501. All communications received on or before April 29, 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 Chief, Air Traffic Division. 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.

The official docket will be available for examination by interested persons at the office of the Regional Counsel, Federal Aviation Administration, 632 Sixth Avenue, Anchorage, Alaska 99501.

It is proposed to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth.

1. In § 71.171 (39 FR 354) the Fort Yukon control zone is amended by deleting the words ". . . except Sunday . . ."

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

Issued in Anchorage, Alaska, on March 20, 1974.

LYLE K. BROWN,
Director, Alaska Region.

[FR Doc.74-7156 Filed 3-27-74;8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 74-AL-3]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering amendments to Part 71 of the Federal Aviation Regulations which would alter the Fairbanks, Alaska, terminal airspace structure.

Interested persons are invited to 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, Air Traffic Division, Alaskan Region, Federal Aviation Administration, 632 Sixth Avenue, Anchorage, Alaska 99501. All communications received on or before April 29, 1974, will be considered before action is taken on the proposed amendments. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Air Traffic Division. 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.

The official docket will be available for examination by interested persons at the office of the Regional Counsel, Federal

Aviation Administration, 632 Sixth Avenue, Anchorage, Alaska.

Application of the U.S. Standard Terminal Instrument Procedures (TERPS) revised criteria for establishment of terminal airspace require amendments to the Fairbanks, Alaska, terminal airspace structure. Additionally, refined coordinates of the Fort Wainwright Airport Reference Point and an editorial change correcting the airport name from Wainwright to Fort Wainwright are contained in this docket.

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

1. In § 71.171 (39 FR 354) the Fairbanks, Alaska, control zone is amended to read:

FAIRBANKS, ALASKA (EIELSON AFB)

Within a 5-mile radius of Eielson AFB (latitude 64°39'55" N., longitude 147°05'55" W.); within 2 miles each side of the Eielson localizer S course extending from the 5-mile radius zone to the Eielson outer marker; and within 2 miles each side of the Eielson Tacan 324° radial extending from the Eielson 5-mile radius zone to 6 miles NW of the Tacan.

FAIRBANKS, ALASKA (FAIRBANKS INTERNATIONAL/FORT WAINWRIGHT AAF)

Within a 5-mile radius of Fairbanks International Airport (latitude 64°49'09" N., longitude 147°51'14" W.); within a 5-mile radius of Fort Wainwright AAF (latitude 64°50'13" N., longitude 147°36'52" W.); within 2 miles each side of the Fairbanks localizer NE course, extending from the Fairbanks 5-mile radius zone to the outer marker; within 2 miles each side of the Fairbanks localizer SW course, extending from the Fairbanks 5-mile radius zone to 5 miles SW of the localizer antenna (latitude 64°48'11" N., longitude 147°53'01" W.); and within 2 miles each side of the Fairbanks RR E course, extending from the Fort Wainwright 5-mile radius zone to 5 miles E of the RR.

2. In § 71.181 (39 FR 440) the Fairbanks, Alaska, transition area is amended to read:

FAIRBANKS, ALASKA

That airspace extending upward from 700 feet above the surface within 9.5 miles W and 4.5 miles E of the Eielson localizer S course extending from the Eielson VOR to 18.5 miles S of the VOR; within 2 miles NW and 4.5 miles SE of the Fairbanks localizer NE course, extending from the Fairbanks outer marker to Fox RBN; within 4.5 miles SE and 9.5 miles NW of the Fairbanks localizer NE course extending from Fox RBN to 18.5 miles NE of the RBN; within 4.5 miles NW and 9.5 miles SE of the Fairbanks localizer SW course, extending from 5 miles SW of the localizer antenna (latitude 64°48'11" N., longitude 147°53'01" W.) to 18.5 miles SW of the localizer antenna; within 4.5 miles N and 9.5 miles S of the Fairbanks RR E course, extending from Fairbanks RR to 18.5 miles E of the RR; and that airspace extending upward from 1,200 feet above the surface beginning at latitude 68°00'00" N., longitude 153°00'00" W.; to 68°00'00" N., 144°00'00" W.; to 63°10'00" N., 144°00'00" W.; to 62°38'00" N., 145°41'00" W.; to 62°45'00" N., 148°48'00" W.; to 62°59'00" N., 150°15'00" W.; to 63°00'00" N., 151°10'00" W.; to 64°00'00" N., 153°00'00" W.; to points of beginning, excluding the portion within Restricted Areas R2202B and R2206.

The action proposed herein would alter the Fairbanks International, Fort Wainwright AAF, and Eielson AFB control zones to comply with new criteria. The configuration of the 700-foot transition area would be altered and reduced to accommodate revised instrument approach procedures at Eielson AFB, and the proposed instrument landing system (ILS) serving runway 01 at Fairbanks International Airport.

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

Issued in Anchorage, Alaska on March 20, 1974.

LYLE K. BROWN,
Director, Alaskan Region.

[FR Doc.74-7157 Filed 3-27-74;8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 74-NE-4]

TRANSITION AREA

Proposed Designation

The Federal Aviation Administration is considering amending § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a Highgate, Vermont, 700-foot Transition Area.

A standard instrument approach procedure has been established for Franklin County State Airport, Highgate, Vermont. This new procedure requires the designation of a Highgate, Vermont, 700-foot Transition Area in order to provide controlled airspace protection for aircraft executing this new procedure.

Interested persons may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, New England Region, Attention: Chief, Air Traffic Division, Department of Transportation, Federal Aviation Administration, 12 New England Executive Park, Burlington, Massachusetts 01803. All communications received on or before April 29, 1974, will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements may be made for informal conferences with Federal Aviation Administration officials by contacting the Chief, Operations, Procedures and Airspace Branch, New England Region.

Any data or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Federal Aviation Administration, 12 New England Executive Park, Burlington, Massachusetts.

The Federal Aviation Administration, having completed a review of the airspace requirements for the terminal area of Highgate, Vermont, proposes the airspace action hereinafter set forth:

1. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to delete the description of the Highgate, Vermont, 700-foot Transition Area and insert the following in lieu thereof:

That airspace extending upward from 700 feet above the surface within an arc of a 5-mile radius circle centered on Franklin County State Airport, Highgate, Vermont (Lat. 44°56'26" N., 73°05'54" W.) extending clockwise between the 305° and 050° bearings from the Franklin County State Airport; within an arc of a 7-mile radius circle centered on Franklin County State Airport, extending clockwise between the 050° and 305° bearings of Franklin County State Airport; within 6.5 miles northwest and 4 miles southeast of Plattsburgh, New York VORTAC 060° radial extending from the radius area to the VORTAC, excluding that portion of the Plattsburgh, New York, 700-foot Transition Area.

This amendment is proposed under sec. 307(a) of the Federal Aviation Act of 1958, 72 Stat. 749 (U.S.C. 1348) and sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Burlington, Massachusetts, on March 15, 1974.

W. E. CROSBY,
Acting Director,
New England Region.

[FR Doc.74-7153 Filed 3-27-74;8:45 am]

[14 CFR Part 75]

[Airspace Docket No. 74-SO-22]

JET ROUTES

Proposed Designation and Extension

The Federal Aviation Administration (FAA) is considering an amendment to Part 75 of the Federal Aviation Regulations that would designate J-165 from Charleston, S.C., to Richmond, Va., and extend J-121 from Norfolk, Va., to Charleston, S.C.

Interested persons may participate in the proposed rule making by submitting such written data, views or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Southern Region, Attention: Chief, Air Traffic Division, Federal Administration, P.O. Box 20636, Atlanta, Ga. 30320.

All communications received on or before April 29, 1974, will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue, SW, Washington, D.C. 20591. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

A ten-day traffic survey indicated 55 daily flights from Charleston direct Richmond, and 39 daily flights from

Charleston direct Norfolk. In order to reduce pilot/controller communications and to simplify flight planning, it is proposed to designate jet routes over these frequently used route segments.

During those times when Special Operating Areas (SOA) are in use in the vicinity of these proposed jet routes, the FAA would clear en route traffic at or above FL 240.

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 sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655 (c)).

Issued in Washingon, D.C., on March 21, 1974.

RAYMOND M. MCINNIS,
Acting Chief, Airspace and Air Traffic Rules Division.

[FR Doc.74-7154 Filed 3-27-74;8:45 am]

[14 CFR Part 75]

[Airspace Docket No. 74-WA-6]

JET ROUTE

Proposed Establishment

The Federal Aviation Administration (FAA) is considering an amendment to Part 75 of the Federal Aviation Regulations that would realign Jet Route No. 595 between London, Ontario, Canada, and Plattsburgh, N.Y.

Interested persons may participate in the proposed rule making by submitting such written data, views or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Great Lakes Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, 2300 East Devon, Des Plaines, Ill. 60018. All communications received on or before April 29, 1974, will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue, SW, Washington, D.C. 20591. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

The proposed amendment would realign J-595 from London, Ontario, Canada, via the new Ash, Ontario, Canada, VORTAC (43°19'40" N., 80°01'30" W.) direct to Plattsburgh, N.Y. The centerline of the proposed jet route lies within Canadian airspace until entering United States' airspace north of Watertown, N.Y.; however, near Buffalo, N.Y., the route's airspace to be protected would overlap into United States' airspace for a longitudinal distance of approximately 43 miles and a lateral penetration of 6 miles or less. A letter of agreement would be executed which would give the Canadian Toronto ARTCC air traffic control jurisdiction of the airspace to be protected within the United States. Realignment of J-595 would provide a shorter route for aircraft proceeding over London to Canadian eastern provinces.

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 sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Washington, D.C., on March 21, 1974.

RAYMOND M. MCINNIS,
Acting Chief, Airspace and Air Traffic Rules Division.

[FR Doc.74-7155 Filed 3-27-74;8:45 am]

ATOMIC ENERGY COMMISSION

[10 CFR Parts 31 and 32]

BYPRODUCT MATERIAL CONTAINED IN CERTAIN DEVICES; REVISION OF GENERAL LICENSE

Notice of Public Meeting

On February 5, 1974 the Atomic Energy Commission published in the FEDERAL REGISTER (39 FR 4583) a notice of proposed changes in its regulations pertaining to the use of byproduct material in certain gauges and similar devices. The proposed changes, among other things, would require the user to register with the Commission prior to receiving byproduct material for use under the general license in § 31.5 of the Commission's regulation, 10 CFR Part 31, General Licenses for Byproduct Material. Related changes would be made in the requirements imposed on persons specifically licensed under 10 CFR 32.51 to distribute byproduct material in devices for use under the general license. Interested persons were invited to submit written comments or suggestions in connection with the proposed amendments by March 18, 1974. That date was later extended to April 17, 1974.

On April 16, 1974, the Commission will hold a public meeting on the proposed changes to the general license in § 31.5 and related sections, beginning at 9:30 a.m. in Conference Room P-118, U.S. Atomic Energy Commission, 7920 Norfolk Avenue, Bethesda, Maryland. Interested persons are invited to attend the meeting and present oral or written statements on the proposed changes. The meeting will be conducted informally and as expeditiously as practicable, consistent with affording a reasonable opportunity for presentation of views. Written statements may be received for the record. Anyone desiring to make a statement should notify the Director of Regulatory Standards, U.S. Atomic Energy Commission, Washington, D.C. 20545 by April 11, 1974. It is expected that such statements will be limited to 10 minutes. Written summaries or copies of oral presentations are encouraged. Depending on the time available, discussion of the pertinent points raised by the participants may be undertaken by the regulatory staff.

A transcript of the meeting will be made and a copy of the transcript, together with copies of documents presented at the meeting, will be placed in the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C., where they will be available for inspection by members of the public.

Persons desiring additional information regarding the meeting should contact Mr. R. F. Barker of the Commission's Directorate of Regulatory Standards, telephone 301-443-6910.

(5 U.S.C. 552(a))

Dated at Rockville, Maryland this twenty-first day of March 1974.

For the Atomic Energy Commission.

LESTER ROGERS,
Director of Regulatory Standards.

[FR Doc.74-7116 Filed 3-27-74;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 122]

THERMAL DISCHARGES

Proposed Procedures for the Imposition of Alternative Effluent Limitations

Notice is hereby given that the Environmental Protection Agency proposes to add a new Part 122 to Chapter I of Title 40 of the Code of Federal Regulations to implement section 316(a) of the Federal Water Pollution Control Act, as amended, 33 USC 1251, 1326(a).

Section 316(a) authorizes the Administrator to impose alternative effluent limitations for the control of the thermal component of a discharge if the owner or operator of a point source has demonstrated to the satisfaction of the Administrator that effluent limitations proposed with respect to the thermal component of the discharge are more stringent than necessary to assure the protection and propagation of a balanced indigenous population of shellfish, fish and wildlife in and on the body of water into which the discharge is to be made. This authority has been delegated to the Regional Administrator in EPA Order of Delegation 1270.4.

Section 316(a) requires that any such alternative effluent limitation imposed by the Administrator assure the protection and propagation of a balanced indigenous population of shellfish, fish and wildlife in and on that body of water into which the discharge is to be made.

Section 316(a) authorizes alternative effluent limitations to be imposed by a State (in those cases in which it is appropriate) upon an identical demonstration to the satisfaction of the State, and requires that any such alternative effluent limitation also assure the protection and propagation of a balanced, indigenous aquatic population.

The regulations proposed today would establish the procedures for the imposition of alternative effluent limitations, on the thermal component of discharges, authorized by section 316(a).

The following features of the proposed regulations should be noted:

(1) The proposed regulations establish substantially identical procedures for the imposition of alternative effluent limitations by the Administrator (in those cases in which the Environmental Protection Agency is to make the determinations) or by the Director of a State water pollution control agency (in those cases in which the determinations are to be made by a State participating in the National Pollution Discharge Elimination System pursuant to a State program approved by the Administrator).

(2) The proposed regulations are intended to assure that requests for imposition of alternative thermal effluent limitations are made at the earliest feasible time in the process of applying for a discharge permit and that the determination of the propriety of such effluent limitations is coordinated, wherever possible, with the resolution of all other issues involved in the permit application. Accordingly, the proposed regulations require the applicant to notify the Regional Administrator at the time an application for an NPDES permit is filed that imposition of alternative thermal effluent limitations is requested under section 316(a) and to submit evidence in support of this request. Any person desiring a hearing to consider more fully the effluent limitations proposed must request a hearing within 30 days after issuance of the public notice of the permit application, which notice will contain the proposed thermal effluent limitations as well as all other proposed terms and conditions of the permit.

(3) In addition, the regulations would provide that proposed alternative effluent limitations may themselves be included in the public notice of the permit application, in addition to effluent limitations which would be applicable apart from Section 316(a), in certain instances. Thus, where an applicant can produce sufficient evidence to demonstrate to the satisfaction of the Regional Administrator or the Director that no appreciable harm has resulted from the previous operation of an existing source and that its thermal discharge has not disturbed the balanced indigenous population in the receiving waters, alternative effluent limitations may be proposed initially, subject to later deletion or revision on the basis of information received during the public comment period or evidence submitted at any hearing held to consider the permit. Moreover, in those cases in which an applicant can demonstrate that the discharge will assure the protection and propagation of one or more "representative, important species" selected by the Regional Administrator after consultation with the State Director, alternative effluent limitations could be proposed. Evidence that the discharge will comply with maximum temperature tolerance levels specified by the Administrator under section 304(a) outside appropriately limited mixing zones would thereafter allow imposition of alternative effluent limitations unless subsequently received information casts doubt upon the correctness of the species selected; the sufficiency of the temperature tolerance levels employed to calculate the alternative effluent limitations; or the size, volume, location or configuration of the zone allowed.

(4) The Agency recognizes that, in some cases, the final resolution of all issues may not be possible in a single proceeding because the applicant will not possess sufficient data, at the time the hearing under section 316(a) must be requested, to permit a knowledgeable determination of the issues pertinent to a request for a section 316(a) determination. Since the Act clearly imposes the burden of proof on the applicant, the Agency is not empowered in such instances to issue a permit containing less stringent thermal limitations. Nevertheless, its seems probable that at least some plants in this category would be able, in a relatively short additional time, to assemble sufficient data for an informed determination to be made. Accordingly the regulation provides that, in appropriate cases, the Regional Administrator may issue a permit including the thermal effluent limitations which would otherwise be applicable under the Act but with a proviso allowing the permittee to request their modification at a subsequent 316(a) hearing, to be held after the engineering and biological studies necessary to develop the required information have been held. Such a deferred hearing must be held sufficiently in advance of the final compliance date in the permit to allow the applicant to install the technology required to comply should the 316(a) request ultimately be denied.

(5) The proposed regulations are also designed to ensure that adequate publicity is given to proposed effluent limitations on thermal components and that the public is afforded an opportunity to participate in the process of deciding whether or not alternative thermal effluent limitations are justified in a particular case. Thus, the proposed regulations would require that the public notice of a permit application include, where appropriate, information on the thermal effluent limitations proposed and indicate whether or not they are less stringent than limitations which would be required under sections 301 or 306 of the Act. If they are less stringent, the public notice must advise that all the data submitted by the applicant are available for inspection, and that comments may be submitted and a hearing requested by members of the public or that a hearing will be held at the instance of the Regional Administrator. If they are not less stringent, the public notice must advise that the applicant is entitled to request a hearing to consider imposition of alternative thermal effluent limitations.

(6) Hearings held by the Regional Administrator to consider imposition of alternative thermal effluent limitations normally will be conducted as adjudicatory hearings in accordance with 40 CFR 125.34(c). State held hearings are, of course, a matter of State law. Appeal from decisions of the Regional Administrator is to the Administrator and his review of the former's decision is to be conducted in accordance with the provisions of 40 CFR Part 125 prescribing review of permit decisions generally. State decisions concerning thermal effluent limitations are to be transmitted to and reviewed by the Regional Administrator in the same fashion as are other permit decisions, i.e., in accordance with the provisions of 40 CFR Part 124.

(7) The regulations contain a list of important biological characteristics which typify "balanced, indigenous" populations and a description of certain features of aquatic populations which are compatible with its being balanced and indigenous and of other features which are incompatible.

The description in the regulations recognizes that an "indigenous" population may contain species not historically native to the area which have resulted from major irreversible modifications to the water body (such as hydroelectric dams) or to the contiguous land area (such as deforestation attributable to urban or agricultural development) or from deliberate introduction in connection with a program of wildlife management. To qualify for an exemption under section 316(a) it is therefore not necessary to show that the discharge is compatible with a population which may have existed in a pristine environment but which has not persisted.

On the other hand, a "balanced" population would not, under the description contained in the regulations, include a population dominated by pollution-tolerant species whose dominance is attributable to polluted water conditions. The opposite position (i.e., determining the indigenous population in all cases by reference to that presently existing) would unfairly reward dischargers located on heavily polluted waters for their past neglect. In areas of poor water quality, modification of thermal limitations would be appropriate only if they would assure protection of those species which could be expected to exist if the receiving water met water quality criteria designed to protect fish, shellfish and wildlife.

During the interagency review period of these regulation, the Agency received several suggestions many of which are incorporated in the regulations as proposed. Others because of the pressures of time resulting from the necessity to publish these regulations in conjunction with the proposed effluent limitations guidelines for steam electric powerplants, are not reflected in the proposed 316(a) regulations. They will, however, receive careful consideration during the public comment period. Included in this category are suggestions for coordinating decisions under section 316(a) with decisions of the Atomic Energy Commission, which has statutory responsibility for licensing the construction or operation of nuclear-fueled electric generating facilities, and

other Federal agencies with statutory responsibilities for the production of electrical energy of the protection of wildlife.

The most significant suggestions proffered during the interagency review process concern the relationship of existing State water quality standards to section 316(a) determinations. The Agency concurs in the view that section 316(a) permits imposition of effluent limitations, in particular cases, less stringent than those which would otherwise be applicable under section 301(b)(1)(C) of the Act. Effluent limitations derived from the technology-based guidelines issued under sections 304(b) and 306 are subject to modification upon a showing that they are more stringent than necessary to protect the relevant aquatic community. In addition, however, effluent limitations derived from water quality standards are similarly subject to section 316(a) review and modification when they have been demonstrated to be excessively stringent. Section 122.7(c) of the proposed regulation, concerning State certification, is intended to make this position.

In addition, it was urged forcefully that the section 316(a) regulations should provide that a demonstration that a discharge presently complies or will comply with existing water quality standards for fish and aquatic life uses approved by the Administrator under sections 303 (a) and (c), with water quality standards promulgated or proposed for promulgation under section 303 (b) or (c), or (when no such standards exist) with water quality standards in effect prior to passage of the 1972 Amendments to the Federal Water Pollution Control Act give rise to a presumption that the requirements of section 316(a) are satisfied. It was suggested that compliance with water quality standards may be demonstrated by submitting evidence of a previous determination by appropriate Federal or State agencies that the discharge in question does comply with the relevant standards. The presumption arising from this showing would be rebuttable, though the burden would of course be upon parties other than the applicant to produce substantial evidence that the water quality standards relied upon are less stringent than necessary to assure protection and propagation of a balanced indigenous aquatic population.

The Agency is uncertain as to the precise effect of such a provision and has not, accordingly, included it in the proposed regulation. This procedure, however, is receiving careful consideration. The Agency therefore solicits comments, not only on all aspects of the regulation as proposed, but on the desirability of this alternative, and the specific methods in which it should, if adopted, be implemented.

Interested members of the public may participate in this rulemaking by submitting written comments, in triplicate, to the Office of the General Counsel, Water Quality Division, Environmental Protection Agency, Washington, D.C. 20460. All comments received on or before May 28, 1974, will be considered prior to promulgation of the regulations in final form.

In consideration of the foregoing, it is proposed to amend Chapter I of Title 40, Code of Federal Regulations, by adding a new Part 122, to read as set forth below.

Dated: March 21, 1974.

JOHN QUARLES,
Acting Administrator.

PART 122—THERMAL DISCHARGES

Subpart A—General

Sec.
122.1 Definitions.
122.2 Scope and purpose.
122.3 Law authorizing alternative effluent limitations.
122.4 Delegation of authority.

Subpart B—EPA Determination of Alternative Effluent Limitations

122.5 Application for determination under section 316(a).
122.6 Public notice.
122.7 State certification.
122.8 Proposal of alternative effluent limitations.
122.9 Determination of alternative effluent limitations.
122.10 Public hearings.

Subpart C—State Determination of Alternative Effluent Limitations

122.11 Application for determination under section 316(a).
122.12 Public notice.
122.13 Proposal of alternative effluent limitations.
122.14 Determination of alternative effluent limitations.
122.15 Public hearings.
122.16 Transmission to regional administrator of proposed effluent limitations.
122.17 Transmission to regional administrator of issued effluent limitations.

AUTHORITY: 33 U.S.C. 1251, 1326(a).

Subpart A—General

§ 122.1 Definitions.

Except as otherwise specifically provided:

(a) The term "Act" means the Federal Water Pollution Control Act, as amended, 33 U.S.C. 1251, et seq.

(b) The term "Administrator" means the Administrator of the U.S. Environmental Protection Agency.

(c) The term "alternative effluent limitations" means effluent limitations for the control of the thermal component of any discharge which are imposed pursuant to section 316(a) of the Act and these regulations in lieu of effluent limitations or standards of performance otherwise applicable under sections 301 or 306 of the Act.

(d) The term "Director" means the chief administrative officer of a State water pollution control agency or interstate agency. In the event responsibility for water pollution control and enforcement is divided among two or more State or interstate agencies, the term "Director" means the administrative officer authorized to perform the particular procedure to which reference is made.

(e) The term "Environmental Protection Agency" means the U.S. Environmental Protection Agency.

(f) The term "Regional Administrator" means one of the Regional Administrators of the Environmental Protection Agency.

(g) The term "Representative, important species" means one or more species which are representative, in terms of biological needs, of a balanced, indigenous population of shellfish, fish and wildlife in the body of water into which discharge of heat is made.

(h) The term "balanced, indigenous population" refers to a population typically characterized by diversity at all trophic levels, the capacity to sustain itself through cyclic seasonal changes, presence of necessary food chain species and non-domination of pollution-tolerant species. Such a population may include historically non-native species introduced in connection with a program of wildlife management and species whose presence or abundance results from substantial, irreversible environmental modifications. Normally, however, such a population will not include species whose presence or abundance is attributable to the introduction of pollutants.

(i) The term "water quality standards" means applicable water quality standards which have been (1) approved or permitted to remain in effect by the Administrator pursuant to sections 303(a) or 303(c) of the Act, or (2) promulgated or proposed from promulgation by the Administrator pursuant to sections 303(b) or 303(c) of the Act, as of the date any notice is issued pursuant to § 122.6(a) or § 122.12(a) of this part.

(j) The term "section 316(a)" shall mean section 316(a) of the Act.

(k) The definitions of the following terms contained in section 502 of the Act shall be applicable to such terms as used in this part unless the context otherwise requires: "State water pollution control agency," "interstate agency," "State," "person," "pollutant," "navigable waters," "territorial seas," "contiguous zone," "ocean," "effluent limitations," "discharge of a pollutant," "point source," "discharge," and "pollution."

§ 122.2 Scope and purpose.

(a) The regulations in this part prescribe the procedures to be followed in connection with the imposition of alternative effluent limitations, pursuant to section 316(a), upon the thermal component of discharges from point sources otherwise subject to sections 301 and 306 of the Act.

(b) The regulations in this part prescribe the procedures for the imposition of such alternative effluent limitations in conjunction with applications both for permits which are issued by the Administrator pursuant to section 402(a) of the Act and for permits which are issued by the Director of a State water pollution control agency or interstate

agency which is authorized to issue permits pursuant to a program approved by the Administrator under section 402 of the Act and Part 124 of this chapter.

§ 122.3 Law authorizing alternative effluent limitations.

(a) Section 316(a) provides that:

With respect to any point source otherwise subject to the provisions of section 301 or section 306 of this Act, whenever the owner or operator of any such source, after opportunity for public hearing, can demonstrate to the satisfaction of the Administrator (or, if appropriate, the State) that any effluent limitation proposed for the control of the thermal component of any discharge from such source will require effluent limitations more stringent than necessary to assure the protection and propagation of a balanced, indigenous population of shellfish, fish, and wildlife in and on the body of water into which the discharge is to be made, the Administrator (or, if appropriate, the State) may impose an effluent limitation under such sections for such plant, with respect to the thermal component of such discharge (taking into account the interaction of such thermal component with other pollutants), that will assure the protection and propagation of a balanced indigenous population of shellfish, fish, and wildlife in and on that body of water.

§ 122.4 Delegation of authority.

(a) Subject to the appeal provisions of § 125.34 of this chapter and the national security responsibility provisions of § 125.34(c) of this chapter, the Regional Administrator is hereby delegated the authority, for the area which he administers, to impose alternative effluent limitations to control the thermal component of discharges in accordance with the provisions of section 316(a).

(b) This authority may be redelegated to the Director, Enforcement Division, of each region.

Subpart B—EPA Determination of Alternative Effluent Limitations

§ 122.5 Application for determination under section 316(a).

(a) (1) The owner or operator of any point source who desires the Regional Administrator to impose alternative effluent limitations pursuant to section 316(a) shall so notify the Regional Administrator and the appropriate State or interstate agency empowered to issued section 401 certifications in writing upon the filing of an application for a permit pursuant to § 125.12 of this chapter.

(2) Notice pursuant to paragraph (a)(1) of this section shall, in the case of any point source for which a discharge permit application has been filed prior to the publication of these proposed regulations, be given not later than 60 days after promulgation of these regulations or 60 days after promulgation of effluent limitations guidelines under section 304 or standards of performance under section 306 applicable to that point source, whichever is later.

(b) The owner or operator shall submit to the Regional Administrator within 60 days thereafter such data and other information as are available to it and, as soon as practicable thereafter, such other data as it wishes to be considered in support of its application for alternative effluent limitations.

§ 122.6 Public notice.

(a) In addition to the information required by § 125.32(c) of this chapter, the public notice of any application for a permit for a discharge which is subject, pursuant to sections 301 or 306 of the Act, to effluent limitations controlling its thermal component and for which an application has been filed pursuant to § 122.5 of this part shall include:

(1) A statement that the thermal component of the discharge is subject to effluent limitations pursuant to sections 301 or 306 of the Act and a brief description (which shall include a quantitative statement) of the thermal effluent limitations proposed pursuant to section 301 or 306; and

(2) A statement that such an application has been filed and that alternative (and less stringent) effluent limitations may be imposed on the thermal component of the discharge pursuant to section 316(a), and a brief description (which shall include a quantitative statement) of the proposed alternative effluent limitations, if any.

(b) (1) If no proposed alternative effluent limitations are described in the public notice of the application, it shall include, in addition to the statements required by paragraph (a) of this section, a statement that the applicant is entitled, at any time within 30 days of the issuance of the public notice, to request a hearing pursuant to § 125.34(c) of this chapter in order to demonstrate, pursuant to sec. 316(a) and these regulations, that the proposed effluent limitations are more stringent than necessary to assure the protection and propagation of a balanced, indigenous population of shellfish, fish and wildlife in and on the body of water into which the discharge is to be made.

(2) If proposed alternative effluent limitations are described in the public notice of the permit application (in addition to the limitations applicable pursuant to sections 301 or 306 of the Act), the notice shall include, in addition to the statements required by paragraph (a) of this section, a statement that the applicant has submitted evidence in support of its request for alternative effluent limitations which warrants further consideration and that the Regional Administrator is considering imposition of such alternative limitations. The notice shall state that all data submitted by the applicant, as well as a summary thereof, are availble at the office of the Regional Administrator for public inspection during office hours. The notice shall also state that any person may comment in writing upon these proposed alternative effluent limitations in accordance with the provisions of § 125.32(c)(6) of this chapter and may request a hearing pursuant to § 125.34 of this chapter.

(c) The public notice of any hearing held pursuant to § 122.10(a) of this part shall include the information required by § 125.32(d) of this chapter.

(d) Nothing in this section shall be construed to relieve the applicant of the burden of demonstrating to the satisfaction of the Regional Administrator, after opportunity for public hearing afforded by § 122.10 of this part, that the effluent limitations proposed pursuant to sections 301 or 306 of the Act are more stringent than necessary to assure the protection and propagation of a balanced, indigenous population of shellfish, fish and wildlife.

§ 122.7 State certification.

(a) Notification pursuant to § 122.5(a) of this part to a state or interstate agency empowered to issue section 401 certifications shall be deemed a withdrawal of any pending application for certification as to the compliance of the thermal component of the discharge with sections 301, 302, 306 and 307 of the Act. Such notification shall, as to the thermal component of the discharge, toll the running of the period of time within which the state or interstate certifying agency must act.

(b) When the Regional Administrator, (or the Administrator pursuant to § 125.34(p) of this chapter) has made a final determination as to the effluent limitations to be imposed on the thermal component of the discharge, he shall within 10 days thereafter notify the State or interstate certifying agency in writing of that determination. Such notification shall be deemed a resubmission of any application for certification as to the thermal component of the discharge under section 401 of the Act and the period of time within which the certifying agency must act shall resume upon receipt of such notification.

(c) Any alternative effluent limitation established pursuant to section 316(a) shall constitute the applicable thermal provisions of sections 301, 302, 306, and 307 of the Act for purposes of section 401 of the Act.

§ 122.8 Proposal of alternative effluent limitations.

(a) The Regional Administrator may include in the public notice of the permit application proposed alternative effluent limitations on the thermal component of the discharge if the owner or operator satisfies the requirements of either paragraph (a)(1) or (a)(2) of this section.

(1) *Demonstration of absence of prior harm.* In the case of a point source which has commenced operation and discharge prior to the filing of the notice required by § 122.5(a) of this Part, alternative effluent limitation may be included in the public notice of the permit application if the owner or operator has demonstrated, to the satisfaction of the Regional Administrator, that no appreciable harm has resulted from the thermal component of the discharge (taking into account the interaction of such thermal component with other pollutants and the additive effect of other thermal sources) to the species of shellfish, fish, and wildlife in and on the body of water into

which the discharge has been made, and therefore that the thermal component of the discharge has not disturbed a balanced, indigenous population of such species. In determining whether or not appreciable harm or disturbance has occurred, the Regional Administrator shall consider evidence demonstrating compliance during the period of operation and discharge with water quality standards designed to protect fish and aquatic life together with any additional evidence submitted by the owner or operator.

(2) *Protection of representative important species.* (i) In the case of any source, whether or not it has commenced operation and discharge prior to the filing of the notice required by § 122.5(a) of this Part, alternative effluent limitations may be included in the public notice of the permit application if the owner or operator has demonstrated, to the satisfaction of the Regional Administrator, that the discharge will assure the protection and propagation of representative, important species (selected in accordance with paragraph (2)(ii) of this section) whose protection and propagation, if assured, will assure the protection and propagation of a balanced, indigenous population of shellfish, fish and wildlife in and on that body of water. In determining whether or not the protection and propagation of such species will be assured, the Regional Administrator shall consider evidence demonstrating that the discharge will comply with the temperature requirements for growth, reproduction and survival of the selected species, as specified in the water quality criteria and water quality information published by the Administrator pursuant to section 304(a) of the Act, together with any additional information submitted by the owner or operator or required by the Regional Administrator.

(ii) (A) Whenever an applicant proposes to include a demonstration pursuant to this paragraph as an element of its support for an application for a determination pursuant to section 316(a), it shall so notify the Regional Administrator at the time the application is filed. The Regional Administrator shall promptly seek the advice and recommendation of the director as to the species whose protection and propagation in and on the receiving water body will, if assured, satisfy the requirements of paragraph (2)(i) of this section. Any species included in the State's approved water quality standards shall be selected, together with such additional species as the Regional Administrator considers appropriate. The Regional Administrator shall advise the applicant of the species selected within 60 days after receipt of notification under this paragraph.

(B) If the available information is insufficient to enable the Regional Administrator to select one or more representative, important species, the applicant may, at the request of the Regional Administrator, conduct such studies and furnish such evidence as may be necessary to select appropriate species. In such cases, the applicant shall have the burden of proving the appropriateness of the species as well as that its discharge will assure the protection and propagation of such species.

(C) Compliance with the temperature levels referred to in paragraph (a)(2)(i) of this section shall be determined outside a mixing zone whose temporal and spatial (area, volume, configuration and location) distribution will assure the protection and propagation of a balanced, indigenous population of shellfish, fish and wildlife in and on the receiving water body.

(b) If an applicant is unable to demonstrate to the satisfaction of the Regional Administrator either that no appreciable harm has resulted from the thermal component of a discharge (pursuant to paragraph (a)(1) of this section) or that a discharge will assure the protection and propagation of any species selected (pursuant to paragraph (a)(2) of this section), the Regional Administrator shall not include proposed alternative effluent limitations in the public notice of the permit application. However, the applicant may thereafter request a hearing pursuant to § 122.10 of this Part at which evidence may be submitted in support of the application for a determination under section 316(a). Such evidence may consist of evidence intended to satisfy the requirements of paragraphs (a)(1) or (a)(2) of this section, or any other new or historical biological data, physical monitoring data, engineering or diffusion models, or other relevant evidence.

(c) Determinations of the Regional Administrator made pursuant to paragraphs (a)(1) and (a)(2) of this section may be reconsidered in any hearing held pursuant to § 122.10 of this Part.

§ 122.9 Determination of alternative effluent limitations.

(a) The Regional Administrator may impose alternative effluent limitations included in the public notice of the permit application pursuant to § 122.8(a)(1) of this Part (or appropriate modifications thereof) unless:

(1) Information received during the period provided for public comment under § 125.34(b) of this chapter or evidence introduced at any hearing held to consider the permit indicates that appreciable harm has occurred as a result of the thermal component of the discharge (taking into account the interaction of such thermal component with other pollutants) or that the thermal discharge has disturbed the balanced, indigenous population of shellfish, fish and wildlife; and

(2) The applicant does not demonstrate that, despite the occurrence of such previous harm or disturbance, the alternative effluent limitations proposed (or appropriate modifications thereof) will nevertheless assure the protection and propagation of a balanced, indigenous population of shellfish, fish and wildlife in and on the body of water into which the discharge is made.

(b) The Regional Administrator may impose alternative effluent limitations included in the public notice of the permit application pursuant to § 122.8(a)(2) of this Part (or appropriate modifications thereof) unless:

(1) Information received during the period provided for public comment under § 125.34(b) of this chapter or evidence introduced at any hearing held to consider the permit indicates: (i) that the species selected by the Regional Administrator is or are not representative, in terms of biological needs, of a balanced, indigenous population in the receiving water body; or (ii) that the temperature requirements employed in calculating the proposed alternative effluent limitations are not adequate to assure the protection and propagation of those species in and on the receiving water body; or (iii) that the temporal or spatial (area, volume, location and configuration) distribution of the mixing zone permitted is excessively large or otherwise inconsistent with the purposes of section 316(a); and

(2) This evidence is not rebutted.

§ 122.10 Public hearings.

(a) *Requests for hearings.* (1) If alternative effluent limitations are proposed any person may, within 30 days following the issuance of the public notice of the permit application containing such proposed limitations, submit to the Regional Administrator a request for a hearing pursuant to § 125.34 of this chapter to consider whether the alternative effluent limitations will assure the protection and propagation of a balanced, indigenous population of shellfish, fish and wildlife in and on the body of water into which the discharge is to be made.

(2) If effluent limitations or alternative effluent limitations are proposed any person may, within 30 days following the issuance of the public notice of the permit application, or, if a public hearing is held pursuant to § 125.34(b), of this chapter, within 20 days following issuance of the notice provided in § 125.34(b)(4), submit to the Regional Administrator a request for a hearing pursuant to § 125.34(c) to consider any issues concerning the permit application including whether the effluent limitations or the alternative effluent limitations proposed are more stringent than necessary to assure the protection and propagation of a balanced indigenous population of shellfish, fish and wildlife in and on the body of water into which the discharge is to be made.

(3) Any request for a hearing made pursuant to paragraph (a)(2) of this section shall include the issue of proposed effluent limitations and/or proposed alternative effluent limitations on the thermal component of the discharge in the statement of issues proposed to be considered at the hearing, as provided by § 125.34(c)(3), of this chapter.

(4) If a request for a hearing to consider the proposed effluent limitations or the proposed alternative effluent limitations on the thermal component of the

discharge is granted, the Regional Administrator shall consolidate this issue with other issues, if any, relating to the proposed permit and its conditions raised by the owner or operator, or by any other person, which are included in the list or lists of issues submitted pursuant to § 125.34(c)(3) of this chapter and shall consider and resolve all such issues in a single hearing, unless he determines to defer the hearing on issues related to the proposed effluent limitations or proposed alternative effluent limitations on the thermal component pursuant to paragraph (b) of this section or deems such a procedure to be inappropriate for other reasons.

(5) Any hearing, other than a hearing held pursuant to § 125.34(b) of this chapter, held pursuant to this section shall be conducted in accordance with the provisions of sections 34 (a) and (c) through (o) of Part 125 of this chapter.

(6) The Regional Administrator may not impose an alternative effluent limitation on the thermal component of any discharge which is less stringent than the effluent limitations otherwise required by sections 301 or 306 of the Act unless the owner or operator has demonstrated that the effluent limitations otherwise required are more stringent than necessary to assure the protection and propagation of a balanced, indigenous population of shellfish, fish, and wildlife.

(7) The Regional Administrator may impose an alternative effluent limitations with respect to the thermal component of any discharge only if he is satisfied that such alternative effluent limitation (taking into account the interaction of such thermal component with other pollutants) will assure the protection and propagation of a balanced, indigenous population of shellfish, fish and wildlife in and on the body of water into which the discharge is to be made.

(8) The Regional Administrator may hold a hearing pursuant to § 125.34 of this chapter in any case or class of cases in which he deems it appropriate.

(b) *Deferral of hearings.* (1) In any case in which the Regional Administrator determines, after reviewing the evidence which the owner or operator proposes to present at the hearing, that sufficient information is likely not to be available upon which to base a knowledgeable determination of whether or not the proposed effluent limitations on the thermal component of the discharge are more stringent than necessary, he may order that the hearing requested pursuant to section 316(a) be severed from the hearing scheduled pursuant to section 402 of the Act and be deferred until the owner or operator has completed such engineering and biological studies as the Regional Administrator may consider necessary.

(2) If the studies required under paragraph (b)(1) of this section have not been completed at the conclusion of the hearing held pursuant to section 402 of the Act and Part 125 of this chapter, the Regional Administrator shall issue a permit which is for a term of up to five years and which requires that the point source achieve the effluent limitations initially proposed for the control of the thermal component of the discharge no later than the date specified in applicable effluent limitations guidelines issued pursuant to sections 304(b) or 306 of the Act but which affords the permittee an opportunity to request a hearing under section 316(a) after having conducted biological and engineering studies in order to develop information sufficient for the Regional Administrator to make a knowledgeable determination as to whether alternative effluent limitations may be imposed pursuant to section 316(a).

(3) Any hearing scheduled under paragraph (b)(2) of this section shall be publicized in accordance with the requirements of § 125.32(b) of this chapter and shall be held sufficiently in advance of the final compliance date specified in the permit to allow the permittee to take necessary measures to comply by that date in the event its request for modification of thermal limits is denied after the hearing is concluded.

(c) *Appeal or review of decision of Regional Administrator.* (1) Any party shall have the right to appeal to the Administrator from a decision of the Regional Administrator imposing effluent limitations or alternative effluent limitations on the thermal component of a discharge following a hearing held pursuant to § 125.34(c) of this chapter. The Administrator may, on his own motion, review any decision of the Regional Administrator. Such appeal or review shall be conducted in accordance with the provisions of § 125.34(p) of this chapter.

(2) If an owner or operator did not request a hearing pursuant to paragraph (a) of this section in order to consider whether effluent limitations proposed for the control of the thermal component of a discharge are more stringent than necessary to assure the protection and propagation of a balanced, indigenous population of shellfish, fish and wildlife in and on the body of water into which discharge is to be made, he may raise this issue on appeal to the Administrator only if:

(i) The public notice also contained proposed alternative effluent limitations less stringent than those otherwise required under sections 301 or 306 of the Act; and

(ii) The decision of the Regional Administrator after the hearing imposed effluent limitations or alternative effluent limitations with respect to the thermal component of the discharge more stringent than those contained in the public notice of the application.

Subpart C—State Determination of Alternative Effluent Limitations

§ 122.11 Application for determination under section 316(a).

(a) (1) The owner or operator of any point source who desires the Director to impose alternative effluent limitations pursuant to section 316(a) shall so notify the Director in writing upon the filing of an application for a NPDES permit.

(2) Notice pursuant to paragraph (a)(1) of this section shall, in the case of any point source for which a discharge permit application has been filed prior to the publication of these proposed regulations, be given not later than 60 days after promulgation of these regulations or 60 days after promulgation of effluent limitations guidelines under section 304 or standards of performance under section 306 applicable to that point source, whichever is later.

(b) The owner or operator shall submit to the Director within 60 days thereafter such data and other information as are available to it; and as soon as practicable thereafter, such other data as it wishes to be considered in support of its application for alternative effluent limitations.

§ 122.12 Public notice.

(a) In addition to the information required by § 124.32(c) of this chapter, the public notice of any application for a permit for a discharge which is subject, pursuant to sections 301 or 306 of the Act, to effluent limitations controlling its thermal component and as to which an application has been filed pursuant to § 122.11 of this Part shall include:

(1) a statement that the thermal component of the discharge is subject to effluent limitations pursuant to sections 301 or 306 of the Act and a brief description (which shall include a quantitative statement) of the thermal effluent limitations proposed pursuant to section 301 or 306; and

(2) a statement that such an application has been filed and that alternative (and less stringent) effluent limitations may be imposed on the thermal component of the discharge pursuant to section 316(a), and a brief description (which shall include a quantitative statement) of the proposed alternative effluent limitations, if any.

(b) (1) If no proposed alternative effluent limitations are described in the public notice of the application, it shall include, in addition to the statements required by paragraph (a) of this section, a statement that the applicant is entitled, at any time within 30 days of the issuance of the public notice, to request a hearing pursuant to § 124.36 of this chapter in order to demonstrate, pursuant to section 316(a) and these regulations, that the proposed effluent limitations are more stringent than necessary to assure the protection and propagation of a balanced, indigenous population of shellfish, fish and wildlife in and on the body of water into which the discharge is to be made.

(2) If proposed alternative effluent limitations are described in the public notice of the permit application (in addition to the limitations applicable pursuant to sections 301 or 306 of the Act), the notice shall include, in addition to the statements required by paragraph (a) of this section, a statement that the applicant has submitted evidence in support of its request for alternative effluent limitations which warrants further consideration and that the Director is considering

imposition of such alternative limitations. The notice shall state that all data submitted by the applicant, as well as a summary thereof, are available at the Office of the Director for public inspection during office hours. The notice must also state that any person may comment in writing upon these proposed alternative effluent limitations in accordance with the provisions of § 124.32 of this chapter and may request a hearing pursuant to § 124.36 of this chapter.

(c) The public notice of any hearing held pursuant to § 122.15(a) of this Part shall include the information required by § 124.37 of this chapter.

(d) Nothing in this section shall be construed to relieve the applicant of the burden of demonstrating to the satisfaction of the Director, after opportunity for public hearing afforded by § 122.15 of this part, that the effluent limitations proposed pursuant to sections 301 or 306 of the Act are more stringent than necessary to assure the protection and propagation of a balanced, indigenous population of shellfish, fish and wildlife.

§ 122.13 Proposal of alternative effluent limitations.

(a) The Director may include in the public notice of the permit application proposed alternative effluent limitations on the thermal component of the discharge if the owner or operator satisfies the requirements of either paragraph (a)(1) or (a)(2) of this section.

(1) *Demonstration of absence of prior harm.* In the case of a point source which has commenced operation and discharge prior to the filing of the notice required by § 122.11(a) of this Part, alternative effluent limitations may be included in the public notice of the permit application if the owner or operator has demonstrated, to the satisfaction of the Director, that no appreciable harm has resulted from the thermal component of the discharge (taking into account the interaction of such thermal component with other pollutants and the additive effect of other thermal sources) to the species of shellfish, fish and wildlife in and on the body of water into which the discharge has been made, and that therefore the thermal component of the discharge has not disturbed a balanced, indigenous population of such species. In determining whether or not appreciable harm or disturbance has occurred, the Director shall consider evidence demonstrating compliance during the period of operation and discharge with water quality standards designed to protect fish and aquatic life, together with any additional evidence submitted by the owner or operator.

(2) *Protection of representative, important species.* (i) In the case of any source, whether or not it has commenced operation and discharge prior to the filing of the notice required by § 122.11(a) of this Part, alternative effluent limitations may be included in the public notice of the permit application if the owner or operator has demonstrated, to the satisfaction of the Director, that the discharge will assure the protection and propagation of representative, important species (selected in accordance with paragraph (a)(2)(i) of this section) whose protection and propagation, if assured, will assure the protection and propagation of a balanced, indigenous population of shellfish, fish and wildlife in and on that body of water. In determining whether or not the protection and propagation of such species will be assured, the Director shall consider evidence demonstrating that the discharge will comply with the temperature requirements for growth, reproduction and survival of the selected species, as specified in the water quality criteria and water quality information published by the Administrator pursuant to section 304(a) of the Act, together with any additional information submitted by the owner or operator or required by the Director.

(ii) (A) Whenever an applicant proposes to include a demonstration pursuant to this paragraph as an element of its support for an application for a determination pursuant to section 316(a), it shall so notify the Director at the time the application is filed. The Director shall promptly select the species whose protection and propagation in and on the receiving water body will, if assured, satisfy the requirements of paragraph (a)(2)(i) of this section. Any species included in the State's approved water quality standards shall be selected, together with such additional species as the Director considers appropriate. The Director shall advise the applicant of the species selected within 60 days after receipt of notification under this subparagraph.

(B) If the available information is insufficient to enable the Director to select one or more representative, important species, the applicant may, at the request of the Director, conduct such studies and furnish such evidence as may be necessary to select appropriate species. In such case, the applicant shall have the burden of proving the appropriateness of the species as well as that its discharge will assure the protection and propagation of such species.

(C) Compliance with the temperature levels referred to in paragraph (a)(2)(i) of this section shall be determined outside a mixing zone whose temporal and spatial (area, volume, configuration and location) distribution will assure the protection and propagation of a balanced, indigenous population of shellfish, fish and wildlife in and on the receiving water body.

(b) If an applicant is unable to demonstrate to the satisfaction of the Director either that no appreciable harm has resulted from the thermal component of a discharge (pursuant to paragraph (a)(1) of this section) or that a discharge will assure the protection and propagation of any species selected (pursuant to paragraph (a)(2) of this section), the Director shall not include proposed alternative effluent limitations in the public notice of the permit application. However, the applicant may thereafter request a hearing pursuant to § 122.15 of this Part at which evidence may be submitted in support of the application for a determination under section 316(a). Such evidence may consist of evidence intended to satisfy the requirements of paragraphs (a)(1) or (a)(2) of this section, or any other new or historical biological data, physical monitoring data, engineering or diffusion models, or other relevant evidence.

(c) Determinations of the Director made pursuant to paragraphs (a)(1) and (a)(2) of this section may be reconsidered in any hearing held pursuant to § 122.15 of this Part.

§ 122.14 Determination of alternative effluent limitations.

(a) The Director may impose alternative effluent limitations included in the public notice of the permit application pursuant to § 122.13(a)(1) of this Part (or appropriate modifications thereof) unless: information received during the period provided for public comment under § 124.34 of this chapter or evidence introduced at any hearing held to consider the permit indicates that appreciable harm has occurred as a result of the thermal component of the discharge (taking into account the interaction of such thermal component with other pollutants) or that the thermal discharge has disturbed the balanced, indigenous population of shellfish, fish and wildlife and the applicant does not demonstrate that, despite the occurrence of such previous harm or disturbance, the alternative effluent limitations proposed (or appropriate modifications thereof) will nevertheless assure the protection and propagation of a balanced, indigenous population of shellfish, fish and wildlife in and on the body of water into which the discharge is to be made.

(b) The Director may impose alternative effluent limitations included in the public notice of the permit application pursuant to § 122.14(a)(2) of this Part (or appropriate modifications thereof) unless:

(1) Information received during the period provided for public comment under § 124.34 of this chapter or evidence introduced at any hearing held to consider the permit indicates (i) that the species selected by the Director is or are not representative, in terms of biological needs, of a balanced, indigenous population in the receiving water body, or (ii) that the temperature requirements employed in calculating the proposed alternative effluent limitations are not adequate to assure the protection and propagation of those species in and on the receiving water body; or (iii) that the temporal and spatial (area, volume, location and configuration) distribution of the mixing zone permitted are excessively large or otherwise inconsistent with the purposes of section 316(a).

§ 122.15 Public hearings.

(a) *Requests for hearings.* (1) If alternative effluent limitations are proposed any person may, within 30 days following the issuance of the public notice of the permit application containing

such proposed limitations, submit to the Director a request for a hearing pursuant to § 124.32(b) of this chapter to consider whether the alternative effluent limitations will assure the protection and propagation of a balanced indigenous population of shellfish, fish and wildlife in and on the body of water into which the discharge is to be made.

(2) If effluent limitations or alternative effluent limitations are proposed any person may, within 30 days following the issuance of the public notice of the permit application, submit to the Director a request for a hearing pursuant to § 124.36 of this chapter to consider any issues concerning the permit application including whether the effluent limitations or the alternative effluent limitations proposed are more stringent than necessary to assure the protection and propagation of a balanced indigenous population of shellfish, fish and wildlife in and on the body of water into which the discharge is to be made.

(3) If a request for a hearing to consider the proposed effluent limitations or the proposed alternative effluent limitations on the thermal component of the discharge is granted, the Director shall consolidate this issue with other issues, if any, relating to the proposed permit and its conditions raised by the owner or operator, or by any other person, and shall consider and resolve all such issues in a single hearing, unless he determines to defer the hearing on issues related to the proposed effluent limitations or proposed alternative effluent limitations on the thermal component pursuant to paragraph (b) of this section or deems such a procedure to be inappropriate for other reasons.

(4) The Director may not impose an alternative effluent limitation on the thermal component of any discharge which is less stringent than the effluent limitations otherwise required by sections 301 or 306 of the Act unless the owner or operator has demonstrated that the effluent limitations otherwise required are more stringent than necessary to assure the protection and propagation of a balanced, indigenous population of shellfish, fish and wildlife.

(5) The Director may impose an alternative effluent limitation with respect to the thermal component of any discharge only if he is satisfied that such alternative effluent limitation (taking into account the interaction of such thermal component with other pollutants) will assure the protection and propagation of a balanced, indigenous population of shellfish, fish and wildlife in and on the body of water into which the discharge is to be made.

(b) *Deferral of hearings.* The provisions of § 122.10(b) of this part are applicable in any case in which the Director determines, after reviewing the evidence which the owner or operator proposes to present at the hearing, that sufficient information is likely not to be available upon which to base a knowledgeable determination of whether or not the proposed effluent limitations on the thermal component of the discharge are more stringent than necessary.

§ 122.16 Transmission to regional administrator of proposed effluent limitations.

(1) Any State or interstate agency whose permit program has been approved pursuant to section 402 of the Act and Part 124 of this chapter which proposes to issue a permit containing effluent limitations on the thermal component of a discharge less stringent than those otherwise required by sections 301 or 306 shall, if transmittal of such permit to the Regional Administrator is required under the agreement provided for in § 124.46 of this part, indicate to the Regional Administrator that the proposed effluent limitations are less stringent and shall set forth the grounds upon which they were proposed.

(2) The Regional Administrator may comment upon, object to or make recommendations with respect to such proposed effluent limitations pursuant to any agreement entered into under § 124.46 and may request a public hearing to consider them pursuant to § 124.36.

§ 122.17 Transmission to regional administrator of issued effluent limitations.

Any State or interstate agency which has issued a permit containing effluent limitation with respect to the thermal component of a discharge shall, in transmitting a copy of the permit to the Regional Administrator pursuant to § 124.47 of this chapter, indicate whether or not such effluent limitations are less stringent than would otherwise be required under sections 301 or 306 of the Act and, if they are less stringent, shall also transmit the evidence (including the record of any hearing) upon which they were determined.

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SECURITIES AND EXCHANGE COMMISSION

[17 CFR Part 240]

[Release No. 34-10681, IC-8275, File No. S7-516]

SALES OF SHARES OF REGISTERED OPEN-END INVESTMENT COMPANIES TO PARTICIPANTS IN GROUP PLANS AND QUALIFIED INDIVIDUAL PENSION PLANS

Notice is hereby given that the Securities and Exchange Commission has under consideration the amendment of Rule 15c1-4 [17 CFR 240.15c1-4] under the Securities Exchange Act of 1934 ("Act") [15 U.S.C. 78a et seq.] to modify the confirmation requirements with respect to the sale of shares of registered open-end investment companies in connection with certain group plans and qualified individual pension plans. The amendment to Rule 15c1-4 is proposed pursuant to sections 15(c)(1) and 23(a) of the 1934 Act [15 U.S.C. 78o, 78w].

Rule 15c1-4 presently requires brokers and dealers to give or send to their customers written confirmations of transactions effected with or for the account of such customers at or before the completion of each such transaction. Representatives of the mutual fund industry have brought to the Commission's attention the need for an amendment to Rule 15c1-4 to make it economically more feasible for registered open-end investment companies to sell shares to participants in group plans and qualified individual pension plans involving small and often frequent purchases. The need for this amendment is considered to be especially important in view of the pending pension plan legislative which would permit the use of mutual funds as investment media for tax qualified individual and group pension plans. Because of the costs of preparing and mailing confirmations for each purchase of mutual fund shares mutual fund underwriters suggest that it is presently uneconomic for them to offer these plans to small investors purchasing under an individual or group investment plan.

Proposed new paragraph (b) of Rule 15c1-4 of the 1934 Act. The proposed amendment to Rule 15c1-4 would modify the present confirmation requirements under Rule 15c1-4 by redesignating present Rule 15c1-4 as paragraph (a) and adding a new paragraph (b) of Rule 15c1-4. Proposed new paragraph (b) would permit mutual funds, principal underwriters or their agents to send confirmations for purchases of mutual fund shares by participants in a group plan to a person designated by the group to receive the confirmations and to distribute them to plan participants. Under the proposed amendment, the designated person would be required to remit payments for mutual fund shares collected from members of any group promptly but in no event could such monies be accumulated for more than 30 days. Principal underwriters would be expected to obtain reasonable assurances that funds received for investment were remitted on a timely basis as contemplated by the rules.

For investors purchasing mutual fund shares under a group pension or profit-sharing plan qualified under Section 401 [26 U.S.C. 401] of the Internal Revenue Code and other employer-sponsored plans, principal underwriters or their agents would be permitted under the amendment to delay sending confirmations for mutual fund share purchases for as long as 90 days after payment is received. For investors purchasing mutual fund shares under individual retirement plans which may be qualified under proposed Section 408 of the Code as contemplated by the pending pension plan legislation or group purchase plans other than plans sponsored by employers for their employees, mutual funds, principal underwriters or their agents would be permitted under the amendment to delay sending confirmations for mutual fund share purchases for as long as 30 days after payment is received. For such non employer-employee groups, confirmations could be sent to a designated agent for distribution to members

of the group. In either case, confirmations would cover the details of all transactions within the previous 90-day or 30-day period and would include an explanation of all information included in each statement.

The purpose of this amendment is to reduce the economic burden of the confirmation requirements with respect to mutual fund investment plans without, at the same time significantly lessening investor protections.

The present proposal is limited to group and individual pension and retirement plans funded by purchases of securities issued by registered investment companies. However, the concepts embodied in the rule amendment may well be applicable to other investment plans or to brokerage services which involve the accumulation of relatively small payments toward purchases of securities. The Commission specifically requests comments on the desirability or possible disadvantages of extending the proposed liberalization of the confirmation rules to such other investment plans or services.

The Commission also specifically requests comments with respect to the appropriate length of the extended time period within which mutual fund group or individual plan investors would receive confirmations under the proposed amendment.

The present Rule 15c1–4, which will be designated as paragraph (a) if the proposed new paragraph (b) is adopted, requires any broker or dealer effecting a transaction for the account of a customer to provide, at or before the completion of the transaction, a written notification of the capacity in which he has acted in the transaction, and, if he has acted as a broker, certain other specified information including the amount of any compensation received by him.

Commission action. Accordingly the Securities and Exchange Commission, pursuant to authority given to it in sections 15(c)(1) and 23(a) of the Securities Exchange Act of 1934, hereby proposes to amend 17 CFR Part 240 by amending § 240.15c1–4. The present provisions of § 15c1–4 will be redesignated as paragraph (a) and the amendment herein proposed will be added thereafter as paragraph (b) and, as so amended, will read as follows:

§ 240.15c1–4 Confirmation of transactions.

(a) The term "manipulative, deceptive, or other fraudulent device or contrivance," as used in section 15(c)(1) of the act is hereby defined to include any act of any broker or dealer designed to effect with or for the account of a customer any transaction in, or to induce the purchase or sale by such customer of, any security (other than United States Tax Savings Notes, United States Defense Savings Stamps, or United States Defense Savings Bonds, Series E, F, and G) unless such broker or dealer, at or before the completion of each transaction, gives, or sends to such customer written notification disclosing (1) whether he is acting as a broker for such customer, as a dealer for his own account, as a broker for some other person, or as broker for both such customer and some other person; and (2) in any case in which he is acting as a broker for such customer or both such customer and some other person, either the name of the person from whom the security was purchased or to whom it was sold for such customer and the date and time when such transaction took place or the fact that such information will be furnished upon the request of such customer, and the source and amount of any commission or other remuneration received or to be received by him in connection with the transaction.

(b) Notwithstanding paragraph (a) of this section, any broker or dealer which is a principal underwriter as defined in section 2(a)(29) of the Investment Company Act of 1940 (15 U.S.C. 80a–2(a)(29)), for a registered open-end investment company, may effect with or for the account of any customer the purchase of securities issued by such registered open-end investment company without giving or sending to such customer at or before the completion of each such transaction a written notification as required by paragraph (a) of this section provided that:

(1) The amounts paid by such customer pursuant to a group plan for the purchase of securities of a registered open-end investment company received by the broker or dealer as soon as practicable but in no event more than 30 days after the receipt of such amounts by a person designated by the group of which such customer is a member to collect and remit such amounts to the broker or dealer or an agent of the broker or dealer; and

(2)(i) If such securities are purchased by the customer pursuant to a group pension or profit sharing plan qualified under section 401 of the Internal Revenue Code, or other employer-sponsored plan, a written notification as required by paragraph (a) of this section is given or sent to such customer within 90 days of the completion of each such transaction, or

(ii) If such securities are purchased by the customer pursuant to an individual purchase plan qualified under section 408 of the Internal Revenue Code, or a group purchase plan other than a plan sponsored by an employer, a written notification as required by paragraph (a) of this section is given or sent to such customer within 30 days of the completion of each such transaction.

(3) The written notifications referred to in paragraph (b)(2)(i) and (iii) of this section may be given in bulk within such period to an employer or other person designated by the group for distribution to such customer.

(Sec. 2, 15 Stat. 1075, 15 U.S.C. 78o; sec. 15(c)(1), 23(a), 48 Stat. 895, 901 as amended 49 Stat. 1377, 15 U.S.C. 78o(c)(1), 78w(a).)

All interested persons are invited to submit their written views and comments on the proposed amendment to George A. Fitzsimmons, Secretary, Securities and Exchange Commission, Washington, D.C. 20549, on or before May 3, 1974.

All communications in this regard should refer to File No. S7–516, and will be available for public inspection.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

MARCH 15, 1974.

[FR Doc.74–7225 Filed 3–27–74;8:45 am]

VETERANS ADMINISTRATION

[38 CFR Part 3]

EFFECTIVE DATES OF AWARDS

Clarification

The Administrator of Veterans' Affairs proposes a regulatory change to clarify certain provisions relating to effective dates of awards of increased benefits on account of dependents.

Additional disability compensation is payable to veterans with dependents who are rated 50 percent or more disabled. No additional amount is payable when the rating is less than 50 percent.

Section 3010(f) of 38 U.S.C. provides that an award of additional compensation on account of dependents based on establishment of a disability rating at the requisite percentage evaluation will be effective from the effective date of the rating if proof of dependency is received within 1 year from the date of notification of the rating action. Under this provision where a veteran with dependents was previously rated at less than 50 percent disabled and current rating action increases the evaluation to 50 percent or more, additional compensation may be paid from the effective date of the increased evaluation if proof of dependency is already on file or is submitted within 1 year from the date he is notified of the increased disability evaluation. The regulatory provision related to this statutory provision is phrased in general terms and its intended application is not always realized. The proposed change rewords this provision to more specifically relate to the statutory provision on which it is based. This change is for clarification only and does not in any way affect benefits payable. To effect the change it is proposed to amend 38 CFR Part 3, as set forth below.

In addition minor editorial changes have been made in §§ 3.400(w) and 3.401(c) and the note following § 3.401(d) designed to reflect agency policy to avoid any appearance of seeming to preclude benefits for female veterans, dependents, or beneficiaries. No substantive change affecting benefits is involved.

Interested persons are invited to submit written comments, suggestions, or objections regarding the proposal to the Administrator of Veterans' Affairs (27H), Veterans Administration, 810 Vermont Avenue NW., Washington, D.C. 20420. All relevant material received before April 29, 1974, will be considered. All written comments received will be available for public inspection at the above address

only between the hours of 8 a.m. and 4:30 p.m. Monday through Friday (except holidays), during the mentioned 30-day period and for 10 days thereafter. Any person visiting Central Office for the purpose of inspecting any such comments will be received by the Central Office Veterans Assistance Unit in room 132. Such visitors to any field station will be informed that the records are available for inspection only in Central Office and furnished the address and the above room number.

Notice is given that the proposed amendment to § 3.401(b) would be effective the date of final approval.

1. In § 3.400, the heading of paragraph (w) is amended to read as follows:

§ 3.400 General.

* * * * *

(w) *Termination of remarriage of widow (widower) (38 U.S.C. 3010 (a), (k); 38 U.S.C. 103(d)(2) and 3010(1), effective January 1, 1971; § 3.55).*

* * * * *

2. In § 3.401, paragraphs (b) and (c) and the Note following paragraph (d)(1) are amended to read as follows:

§ 3.401 Veterans.

* * * * *

(b) *Dependent, additional compensation or pension for.* Latest of the following dates:

(1) Date of claim. This term means the following, listed in their order of applicability:

(i) Date of veteran's marriage, or birth of his or her child, or, adoption of a child, if the evidence of the event is received within 1 year of the event; otherwise,

(ii) Date notice is received of the dependent's existence, if evidence is received within 1 year of the Veterans Administration request.

(2) Date dependency arises.

(3) Effective date of the qualifying disability rating provided evidence of dependency is received within 1 year of notification of such rating action. (38 U.S.C. 3010(f))

(4) Date of commencement of veteran's award. (38 U.S.C. 3010 (f), (n)) (Other increases, see § 3.400(o). For school attendance see § 3.667.)

(c) *Divorce of veteran and wife (husband).* See § 3.501(d).

(d) * * *

NOTE.—If apportionment under §§ 3.452 (c) and 3.454 is in order or payment under § 3.850(a), Personal Funds of Patients account will not be set up but difference withheld for dependents.

* * * * *

Approved: March 22, 1974.

By direction of the Administrator.

[SEAL] R. L. ROUDEBUSH,
Deputy Administrator.

[FR Doc.74-7178 Filed 3-27-74;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

Customs Service

[T.D. 74-110]

FOREIGN CURRENCIES

Certification of Rates

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372 (c)), has certified the following rates of exchange which varied by 5 per centum or more from the quarterly rate published in Treasury Decision 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:

Switzerland franc:	
Mar. 11, 1974	$0.3248
Mar. 12, 1974	.3238
Mar. 13, 1974	.3241
Mar. 14, 1974	.3210
Mar. 15, 1974	.3218

[SEAL] R. N. MARRA,
Director,
Duty Assessment Division.

[FR Doc.74-7211 Filed 3-27-74;8:45 am]

Office of the Secretary

[Treasury Dept. Order 190-2]

DEPUTY ASSISTANT SECRETARY FOR TAX POLICY (TAX LEGISLATION)

Delegation of Authority

By virtue of authority vested in the Secretary of the Treasury, which authority has been delegated to me as Assistant Secretary for Tax Policy by Treasury Department Order No. 190 (Revision 9), I hereby delegate to the Deputy Assistant Secretary for Tax Policy (Tax Legislation) authority to act on requests for changes in accounting for the investment credit in financial reports to Federal agencies, as required by section 101 (c) of the Revenue Act of 1971 (P.L. 92-178). This authority may be exercised by him in his own capacity and under his own title, and he shall be responsible for referring to the Assistant Secretary for Tax Policy any requests for changes in accounting for the investment credit on which action should appropriately be taken by him.

Dated: March 22, 1974.

[SEAL] FREDERIC W. HICKMAN,
Assistant Secretary for Tax Policy.

[FR Doc.74-7177 Filed 3-27-74;8:45 am]

DEPARTMENT OF DEFENSE

Department of the Army

U.S. ARMY TRANSPORTATION SCHOOL BOARD OF VISITORS

Notice of Meeting

MARCH 21, 1974.

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), announcement is made of the following committee meeting.

The U.S. Army Transportation School Board of Visitors will meet during the period 24-27 April 1974 in Room 2, Wylie Hall, Fort Eustis, Virginia. Sessions on Wednesday, Thursday and Friday will commence at 8:30 a.m. and conclude approximately 4:30 p.m. The Saturday session will begin at 8:30 a.m. and conclude approximately 10 a.m. Agenda subjects will be as follows:

U.S. Army Transportation School Trends & Developments.
Briefing & Discussion of Officer Personnel Management Systems.
Briefing & Discussion of Transportation Officer Advanced and Transportation Officer Basic Course programs of instruction.
Briefing & Discussion of Combat & Training Development Projects.
Observation of TOBC Instruction in the Field (FTX).
Briefing & Discussion of Enlisted Personnel Management Systems.
Noncommissioned Officers' Education System—Briefing & Discussion.
The Station of Choice Program—Briefing & Discussion.
The Army Education Center & Volunteer Army Briefing & Tour of Facilities.
Briefing & Discussion of Industry Accreditation Program.
Observation of Enlisted Instruction.
Observation of Student Oriented Learning Environment (SOLE).
Discussion of Findings & Preparation of Report.

This meeting is open to the public. Any interested person may attend, appear before, or file statements with the committee at the time and in the manner permitted by the committee.

Any additional information concerning the meeting may be obtained from Dr. H. Jackson Darst, Special Assistant to the Commandant—Educational Advisor, Fort Eustis, Virginia, (804) 927-4400.

By authority of the Secretary of the Army.

R. B. BELNAP,
Special Advisor to TAG.

[FR Doc.74-7121 Filed 3-27-74;8:45 am]

Office of the Secretary

DEFENSE INTELLIGENCE AGENCY SCIENTIFIC ADVISORY COMMITTEE

Notice of Closed Meetings

Pursuant to the provisions of section 10 of Pub. L. 92-463, effective January 5, 1973, notice is hereby given that closed meetings of the DIA Scientific Advisory Committee will be held as follows:

Tuesday, 2 April 1974 at Los Angeles, Calif.
Wednesday & Thursday, 3 & 4 April 1974 at Denver, Colorado. Changed from 8-9 April to 3-4.

These meetings commencing at 9 a.m. will be to discuss classified matters.

MAURICE W. ROCHE,
Director, Correspondence and Directives OASD (Comptroller).

MARCH 25, 1974.

[FR Doc.74-7184 Filed 3-27-74;8:45 am]

INDUSTRIAL COLLEGE OF THE ARMED FORCES

Notice of Advisory Committee Meeting

The annual meeting of the Board of Advisers of the Industrial College of the Armed Forces will be held in the Conference Room of the College, at Fort McNair, Washington, D.C. 20319, on Friday, 5 April 1974, from 0830 to 1600.

The agenda will include a report on educational program activities and curricular changes, a discussion of educational policies and methods, student presentations on academic assignments, and observation of student discussion of a case study.

This meeting is open to the public, and the limited space available for observers will be allocated on a first-come, first-served basis. Interested persons should call the College (693-3134) to reserve space.

MAURICE W. ROCHE,
Director, Correspondence and Directives OASD (Comptroller).

MARCH 25, 1974.

[FR Doc.74-7148 Filed 3-27-74;8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Serial Number AR 04855]

ARIZONA

Termination of Proposed Withdrawal and Reservation of Lands

Notice of application AR 04855, filed by the Corps of Engineers, United States Army, for withdrawal and reservation of lands to provide a site for the construction of a dam across the basin of the Gila

River, to provide a reservoir and flowage area and a flood control channel, and for other purposes appurtenant to and necessary for the establishment and maintenance of the Painted Rock Reservoir Project, was published as FR Doc. 60–999, on page 882 of the FEDERAL REGISTER for February 2, 1960. The applicant agency has canceled its application insofar as it affects the following described lands. Therefore, pursuant to the regulations contained in 43 CFR 2091.2–5, such lands, at 10 a.m. on April 11, 1974, will be relieved of the segregative effect of the above mentioned application. However, the lands herein involved are included in Multiple Use Classification A 922 for the Fred Weiler Green Belt and will remain segregated as provided in that classification. The lands are also subject to the Cooperative Agreement dated February 16, 1974, between the Corps of Engineers and the Bureau of Land Management, serial No. A 7944.

GILA AND SALT RIVER MERIDIAN

T. 4 S., R. 4 W.,
Sec. 20, S½SE¼;
Sec. 29, NE¼.
T. 5 S., R. 4 W.,
Sec. 5, lot 2, SW¼NE¼, SE¼NW¼, SW¼SW¼, and E½SW¼;
Sec. 6, SE¼SE¼;
Sec. 7, lots 1 and 2, E½SW¼, W½SE¼, SW¼NE¼, and E½NE¼.
T. 4 S., R. 5 W., partly unsurveyed,
Sec. 30, SW¼NW¼, SW¼, NW¼SE¼, and S½SE¼;
Sec. 31, lots 1 to 4, incl., E½W½ and E½;
Sec. 32, W½, W½SE¼, and SE¼SE¼;
Sec. 33, SW¼SW¼.
T. 4 S., R. 6 W., partly unsurveyed,
Sec. 15, SW¼ and SW¼SE¼;
Sec. 16, E½SW¼ and W½SE¼;
Sec. 17, S½NE¼, SW¼NW¼, and S½;
Sec. 18, SE¼NE¼, SW¼SW¼, SE¼SW¼, and SE¼;
Secs. 19, 20, and 21;
Sec. 22, W½E½, W½, and E½SE¼;
Sec. 23, NE¼SE¼, NW¼SW¼, and S½S½;
Sec. 24, SW¼ and SW¼SE¼;
Sec. 25;
Sec. 26, N½ and N½S½;
Sec. 27, NE¼ and NE¼NW¼;
Sec. 30, lots 1, 4 and NE¼NW¼;
Sec. 31, lots 1, 2, 5 to 11 incl., SE¼NW¼ and NW¼SE¼;
Sec. 33, lots 1 to 3 incl., lots 4, 9, N½N½, SE¼NW¼, and SW¼NE¼;
Sec. 34, lots 1 to 3 incl., lots 4, 5, 7, 8, 9, NE¼NE¼, and SE¼NW¼;
Sec. 35, lots 1 to 3 incl., lots 5 to 10 incl., NW¼NW¼, and SW¼SE¼.
T. 5 S., R. 6 W.,
Sec. 1, lots 1, 2, 3, 4 and S½N½;
Sec. 4, NE¼SW¼, S½SW¼, W½SE¼, and NE¼SE¼;
Sec. 9, NW¼NE¼.
T. 4 S., R. 7 W., partly unsurveyed,
Sec. 13, S½SE¼ and S½SW¼;
Sec. 14, SE¼SW¼, SW¼SE¼, W½SW¼, and SE¼SE¼;
Sec. 15, SE¼;
Sec. 16, W½SW¼;
Secs. 21 and 22;
Sec. 23, N½, N½S½, and SE¼SE¼;
Secs. 24, 25 and 26;
Sec. 27, SE¼NE¼, W½NE¼, NW¼, and S½;
Sec. 35, N½N½.
T. 4 S., R. 8 W.,
Sec. 10, SE¼SE¼;
Sec. 11, NE¼NE¼, S½NE¼, SE¼NW¼, and S½;
Sec. 14, NE¼, W½SW¼, and W½SE¼;
Sec. 15, S½S½ and SE¼NW¼;
Sec. 21, W½NE¼, SE¼NW¼, E½SW¼, and SE¼;
Sec. 22;
Sec. 23, W½;
Sec. 27, N½;
Sec. 28;
Sec. 29, E½SW¼ and SE¼;
Sec. 31, SE¼NE¼, SW¼SE¼, and E½SE¼.
T. 5 S., R. 8 W.,
Sec. 5, lots 2, 3, 4, N½SW¼ and NW¼SE¼;
Sec. 6, lots 1, 2, 5, 6, E½SW¼ and SE¼.
T. 5 S., R. 9 W.,
Sec. 1, S½;
Sec. 2, E½SE¼;
Sec. 4, S½SW¼;
Sec. 5, S½S½;
Sec. 6, SE¼SW¼ and SW¼SE¼;
Sec. 7, lots 3, 4, E½SW¼, SE¼, and S½NE¼;
Sec. 8, N½ and SW¼;
Sec. 9, N½N½ and SE¼NE¼;
Sec. 10, NE¼NE¼, S½NE¼, SW¼NW¼, SE¼SW¼, SE¼, and N½SW¼;
Sec. 11, lot 1, N½, NE¼SW¼, and S½SE¼;
Sec. 12, N½N½, SW¼SW¼, and SW¼SE¼;
Sec. 13, NW¼NE¼, NW¼, and N½SW¼;
Sec. 14, NE¼NE¼;
Sec. 15, N½NE¼;
Sec. 17, NW¼NW¼;
Sec. 18, lot 1, N½NE¼ and NE¼NW¼.
T. 5 S., R. 10 W.,
Sec. 11, SE¼SW¼, SW¼SE¼, and E½SE¼;
Sec. 12, S½;
Sec. 13, N½NE¼ and NE¼NW¼;
Sec. 14, N½N½, SW¼NE¼, S½NW¼, SW¼, and NW¼SE¼;
Sec. 15, S½;
Sec. 21, NE¼SW¼, S½SW¼, and SE¼;
Sec. 22;
Sec. 23, NW¼NW¼;
Sec. 28, N½ and NW¼SW¼;
Sec. 29, S½NE¼, SW¼, W½SE¼, and NE¼SE¼;
Sec. 30, lot 4, SE¼SW¼ and SE¼;
Sec. 31, lots 1, 2, 3, NE¼, E½NW¼, NE¼SW¼, and N½SE¼.
T. 5 S., R. 11 W.,
Sec. 25, SE¼SW¼ and S½SE¼;
Sec. 33, S½SE¼.
T. 6 S., R. 11 W.,
Sec. 1, SW¼SW¼;
Sec. 3, lots 1, 2, 3, 4, S½N½, and S½SE¼;
Sec. 4, lot 1, SE¼NE¼ and S½;
Sec. 5, SE¼SW¼, S½SE¼, and NE¼SE¼;
Sec. 8, NE¼, E½W½, and W½SE¼;
Sec. 9, N½N½ and SE¼SW¼;
Sec. 17, W½ and NW¼SE¼;
Sec. 18, lots 1, 2, 3, 4, NE¼ and E½W½;
Sec. 20, NW¼NW¼.
T. 6 S., R. 12 W.,
Sec. 11, NW¼SW¼ and SE¼SE¼;
Sec. 12, SE¼SE¼;
Sec. 13, NE¼ and NW¼SE¼;
Sec. 14, NW¼NE¼, N½NW¼, SE¼SW¼, and SE¼;
Sec. 15, W½SW¼;
Sec. 20, SE¼;
Sec. 21, W½SW¼, NE¼SW¼, and NW¼SE¼;
Sec. 22, E½NE¼, NW¼NE¼, and NW¼NW¼;
Sec. 23, N½N½;
Sec. 28, N½NE¼ and W½NW¼;
Sec. 29, N½ and SW¼;
Sec. 30, lots 2, 3, NE¼SW¼ and N½SE¼.
T. 6 S., R. 13 W.,
Sec. 25, SE¼NE¼, NE¼SW¼, S½SW¼, and SE¼;
Sec. 26, S½N½, SW¼, and NW¼SE¼;
Sec. 27, S½NW¼, SE¼SW¼, and NE¼SE¼;
Sec. 28, S½ N½ and S½;
Sec. 31, lot 4, SE¼SW¼ and SE¼;
Sec. 33, E½ and E½SW¼;
Sec. 34, W½ and SE¼;
Sec. 35, E½NE¼, SW¼NE¼, E½NW¼, N½SW¼, and SW¼SW¼.
T. 7 S., R. 13 W.,
Sec. 3, lot 2 and SW¼NW¼;
Sec. 4, W½SW¼, NE¼SW¼, and NW¼SE¼;
Sec. 5, lots 3, 4, SW¼NW¼, NW¼SW¼, and S½S½;
Sec. 6, lots 1 to 7 incl., S½NE¼, SE¼NW¼, E½SW¼, and SE¼;
Sec. 7, lots 1, 2, 3, NE¼, E½NW¼, NE¼SW¼, and NW¼SE¼;
Sec. 8, N½N½ and S½NW¼.
T. 7 S., R. 14 W.,
Sec. 1, SE¼;
Sec. 10, SE¼SE¼;
Sec. 11, S½S½;
Sec. 12, E½ and SW¼;
Sec. 14, N¼N½ and S½NW¼;
Sec. 15, NE¼.

The areas described aggregate approximately 37,061 acres in Maricopa and Yuma Counties.

Dated: March 20, 1974.

JOE T. FALLINI,
State Director.

[FR Doc.74–7146 Filed 3–27–74;8:45 am]

National Park Service

[Order 78, Amdt. 1]

DIRECTOR, NATIONAL CAPITAL PARKS

Delegation of Authority

Order No. 78, approved April 13, 1973, and published in the FEDERAL REGISTER of April 27, 1973 (38 FR 10477), set forth in section 2 the limitations on redelegations of authority.

Section 2, paragraph (2) is hereby amended to read as follows:

SEC. 2. *Redelegation.* * * * (2) Procurement and contracting authority may only be redelegated to the Chief, Division of Contracting in the National Capital Parks. The limitations in this subsection (2) of section 2 apply only to open market or nonmandatory sources of supply. Employees and officers who are otherwise authorized may continue to issue orders to GSA Centers and sources under established Federal supply schedules of contracts in amounts exceeding $2000.

(205 DM, as amended; 245 DM, as amended; sec. 2 of Reorganization Plan No. 3 of 1950)

Dated: March 15, 1974.

RUSSELL E. DICKENSON,
Acting Director,
National Park Service.

[FR Doc.74–7175 Filed 3–27–74;8:45 am]

[Order 5, Amdt. 2]

SUPERINTENDENTS, NATIONAL CAPITAL PARKS, ET AL.

Delegation of Authority

National Capital Parks Order No. 5, published in the FEDERAL REGISTER of July 26, 1972, 37 FR 14892, and National Capital Parks Order No. 5, Amendment 1, published in the FEDERAL REGISTER of

July 20, 1973, 38 FR 19419, are amended as follows:

Section 1 is hereby amended by revising paragraph (e) as follows:

(e) Authority to approve contracts and purchase orders for supplies, equipment and services in excess of $2,000.

Section 2 is hereby amended by revising paragraph (f) as follows:

(f) Authority to approve contracts and purchase orders for supplies, equipment and services in excess of $2,000.

Section 3 is hereby amended as follows:

SEC. 3. *Associate Directors.* The Associate Directors may exercise all of the authority of the Director, National Capital Parks, with respect to any matter which may come before them, except the authority to approve master plans and the authority to conduct archeological investigations and salvage activities.

Section 4 is hereby amended as follows:

SEC. 4. *Chief, Division of Contracting.* The Chief, Division of Contracting, National Capital Parks, may execute, administer, and approve contracts not in excess of $200,000 for construction supplies, equipment, and services, except contracts for acquisition of lands and related property and options related thereto. This authority may be exercised on behalf of any office or area for which the National Capital Parks serves as the field finance office.

(National Park Service Order No. 78 (38 FR 10477, published April 27, 1973)

Dated: January 18, 1974.

MANUS J. FISH, Jr.,
Director,
National Capital Parks.

[FR Doc.74-7176 Filed 3-27-74;8:45 am]

DEPARTMENT OF AGRICULTURE

Forest Service

CANADIAN FACE PLANNING UNIT

Availability of Final Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a final environmental statement for Canadian Face Planning Unit, report number USDA-FS-FES (Adm) 74-48.

The environmental statement concerns a proposed plan for management of 24,650 acres of National Forest in northern Ferry County, Washington.

This final environmental statement was filed with CEQ on March 22, 1974.

Copies are available for inspection during regular working hours at the following locations:

USDA Forest Service
South Agriculture Bldg., Room 3231
12th St. & Independence Ave., SW
Washington, D.C. 20250

USDA Forest Service
Northern Region
Federal Building, Room 3077
Missoula, MT 59801

USDA Forest Service
Colville National Forest
Federal Building
Colville, WA 99114

USDA Forest Service
Kettle Falls Ranger Station
Kettle Falls, WA 99141

USDA Forest Service
Republic Ranger Station
Republic, WA 99166

A limited number of single copies are available upon request to Forest Supervisor, Colville National Forest, Federal Building, Colville, WA 99114.

Copies are also available from the National Technical Information Service, U.S. Department of Commerce, Springfield, VA 22151. Please refer to the name and number of the environmental statement above when ordering.

Copies of the environmental statement have been sent to various Federal, state, and local agencies as outlined in the CEQ guidelines.

KEITH M. THOMPSON,
Acting Regional Forester,
Forest Service, Northern Region.

MARCH 22, 1974.

[FR Doc.74-7183 Filed 3-27-74;8:45 am]

DESCANSO DISTRICT GRAZING ADVISORY BOARD

Notice of Meeting

The Descanso District Grazing Advisory Board will meet at 7:30 p.m., April 16, 1974 at the Alpine Ranger Station Office, 2707 Alpine Boulevard, Alpine, CA 92001.

The purpose of this meeting is to provide National Forest grazing permittees means for expression of recommendations concerning management and administration of Cleveland National Forest grazing resource; better understanding of policy, regulations, and requirements; to develop local interest and responsibility in better range management; and to elect members to the Board of Directors and other offices of the organization as set forth in the bylaws.

The contact address is: William Tulloch, Star Route, Pine Valley, CA 92062, phone (714) 437-8344.

Written statements may be filed with the committee before or after the meeting.

The committee has established the following rules for public participation. Public members may participate only when they are recognized by the officer in charge of the meeting.

Dated: March 13, 1974.

DONALD H. SMITH,
Forest Supervisor.

[FR Doc.74-7119 Filed 3-27-74;8:45 am]

BADLANDS PLANNING UNIT MULTIPLE USE PLAN

Notice of Availability of Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a draft environmental statement for Badlands Planning Unit Multiple Use Plan, Forest Service report number USDA-FS-DES (Adm) R1-74-12.

The environmental statement concerns the implementation of a Multiple Use Plan for the Badlands Planning Unit, Little Missouri River National Grasslands, Custer National Forest. The Planning Unit is located in McKenzie, Golden Valley, Billings, and Slope Counties of North Dakota and contains 1,232,831 acres of which 636,379 acres are administered by the U.S. Forest Service. In addition, this action considers four specific petroleum-related proposals. Two of these are oil pipelines; the other two proposals are seismic activity and leasing.

This draft environmental statement was filed with CEQ on March 22, 1974.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service
South Agriculture Bldg., Room 3230
12th St. & Independence Ave., S.W.
Washington, D.C. 20250

USDA, Forest Service
Northern Region
Federal Building
Missoula, MT 59801

USDA, Forest Service
Custer National Forest
2602 1st Avenue North
Billings, MT 59103

USDA, Forest Service
Medora Ranger District
1409 West Villard
Dickinson, ND 58601

USDA, Forest Service
McKenzie Ranger District
P.O. Box 492
Watford City, ND 58854

A limited number of single copies are available upon request to Forest Supervisor D.C. MacIntyre, Custer National Forest, P.O. Box 2556, Billings, MT 59103.

Copies are also available from the National Technical Information Service, U.S. Department of Commerce, Springfield, Virginia 22151. Please refer to the name and number of the environmental statement above when ordering.

Copies of the environmental statement have been sent to various Federal, state, and local agencies as outlined in the CEQ guidelines.

Comments are invited from the public, and 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 for which comments have not been requested specifically.

Comments concerning the proposed action and requests for additional information should be addressed to Forest Supervisor D. C. MacIntyre, Custer National Forest, P.O. Box 2556, Billings, MT 59103. Comments must be received by May 22, 1974, in order to be considered in

the preparation of the final environmental statement.

Dated: March 22, 1974.

KEITH M. THOMPSON,
Acting Regional Forester,
Forest Service.

[FR Doc.74-7219 Filed 3-27-74;8:45 am]

DEPARTMENT OF COMMERCE

Domestic and International Business Administration

[Order 47-1; Amdt. 2]

DEPUTY ASSISTANT SECRETARY FOR INTERNATIONAL ECONOMIC POLICY AND RESEARCH

Organization and Functions

This order effective February 25, 1974 amends the material appearing at 39 FR 1649 of January 11, 1974.

DIBA Organization and Function Order 47-1, dated November 12, 1973, as amended, is hereby further amended.

Section 8. *Office of Economic Research* is revised to read, as follows:

SEC. 8. *Office of Economic Research.*

.01 The *Office of the Director* includes: the *Director* who shall plan and direct the execution of policies and programs of the Office, and the *Deputy Director* who shall assist in the direction of the Office and perform the functions of the Director in his absence. The Director shall supervise and direct the following organizational components:

.02 The *Applied Research Division* shall conduct research and analysis on economic developments affecting U.S. trade and commercial interests abroad; shall conduct special economic and econometric studies to evaluate policy alternatives on issues impacting on U.S. trade and international economic relations; shall evaluate and analyze the effect that expected domestic economic conditions will have on U.S. international economic relations; shall conduct micro-economic studies of economic phenomena affecting U.S. trade and investment; and shall develop informational systems support for other offices reporting to the Deputy Assistant Secretary for International Economic Policy and Research.

.03 The *International Economic Division* shall be responsible for the development and coordination of econometric models concerned with longer-term U.S. trade and investment projections; shall conduct basic research in the area of the macro-economic factors affecting the U.S. comparative advantage in world trade and investment; shall employ econometric modeling, operations research techniques, and input-output analysis to forecast and simulate the behavior of economic sectors of importance to international economic policy issues; and shall serve as liaison with U.S. Government research and intelligence agencies as well as with private research groups.

Effective date: February 25, 1974.

TILTON H. DOBBIN,
Assistant Secretary for Domestic and International Business.

[FR Doc.74-7123 Filed 3-27-74;8:45 am]

Maritime Administration

[Docket No. S-413]

SPRUCE SHIPPING CO.

Notice of Application

Notice is hereby given that Spruce Shipping Company has filed an application dated March 7, 1974, under the Merchant Marine Act of 1936, as amended, for operating-differential subsidy on three proposed 89,700 DWT tankers to be employed in U.S. foreign trade. Inasmuch as affiliated companies of Spruce Shipping Company own and/or operate U.S. flag tankers which from time to time may operate in domestic intercoastal or coastwise trade, written permission of the Maritime Administration under section 805(a) of the Merchant Marine Act, 1936, as amended, will be required by Spruce Shipping Company if its application for operating-differential subsidy is approved.

Spruce Shipping Company requests permission under section 805(a) for its affiliates to own and operate a total of 31 U.S. flag vessels for the transportation of liquid bulk cargoes within and between the following coastal areas with free interchange of the vessels among these various domestic trades. The following list also shows the maximum number of vessels to be employed in each domestic trade at any one time:

U.S. Gulf-Atlantic Coastwise	17 vessels.
U.S. Gulf-Atlantic-Puerto Rico	2 vessels.
U.S. Atlantic-Gulf Intercoastal (including Alaska and Hawaii)	5 vessels.
Pacific Coast-Alaska-Hawaii	10 vessels.

As information, the following U.S. flag tankers are owned, managed, or operated by Spruce's affiliates.

Baldbutte	Keytanker
Fort Fetterman	Keystoner
Julesburg	Keytrader
Gaines Mill	Valley Forge
Mill Spring	Golden Gate
Northfield	Chancellorsville
Tullahoma	Perryville
Meadowbrook	Shenandoah
Sandy Lake	Santa Clara
Mobilgas	Edgar M. Queeny
Monmouth	Sinclair Texas
Spirit of Liberty	Mobil Power
Birch Coulie	Mobil Fuel
Catawba Ford	David E. Day

Interested parties may inspect this application in the Office of Subsidy Administration, Maritime Administration, Room No. 4888, Department of Commerce Building, Fourteenth and E Streets NW., Washington, D.C. 20230.

Any person, firm or corporation having interest (within the meaning of section 805(a)) in such application and desiring to be heard on issues pertinent to section 805(a) or desiring to submit comments or views concerning the application must, by close of business on April 5, 1974, file same with the Maritime Administration, in writing, in triplicate, together with petition for leave to intervene which shall state clearly and concisely the grounds of interest, and the alleged facts relied on for relief.

In the event that petitions for leave to intervene are received and a hearing is scheduled the purpose of the hearing will be to receive evidence under section 805(a) relative to whether the proposed operation (a) could result in unfair competition to any person, firm, or corporation operating exclusively in the coastwise or intercoastal services, or (b) would be prejudicial to the objects and policy of the Act relative to domestic trade operations.

If no petitions for leave to intervene are received within the specified time or if it is determined that petitions filed do not demonstrate sufficient interest to warrant a hearing, the Maritime Administration will take such action as may be deemed appropriate.

(Catalog of Federal Domestic Assistance Program No. 11.504 Operating-Differential subsidies (ODS))

By Order of the Maritime Subsidy Board/Maritime Administration.

Dated: March 26, 1974.

JAMES S. DAWSON, Jr.
Secretary.

[FR Doc.74-7338 Filed 3-27-74;8:45 am]

Office of the Secretary

OZARKS ECONOMIC DEVELOPMENT REGION

Modification of Boundaries

Pursuant to the provisions of section 501(a) of the Public Works and Economic Development Act of 1965, as amended (42 U.S.C. 3181(a)), and having examined all pertinent data, I have determined that the Ozarks Economic Development Region, composed of part of the State of Kansas and the States of Arkansas, Louisiana, Missouri and Oklahoma, meets the requirements of the Act for enlargement. Accordingly, in response to a recommendation from the Ozarks Regional Commission and to a request from the Governor of the State of Kansas, I have today modified the boundaries of the Ozarks Economic Development Region so that it now includes the entire State of Kansas in addition to the entire States of Arkansas, Louisiana, Missouri and Oklahoma.

Inquiries relating to this modification should be addressed to the Special Assistant to the Secretary for Regional Economic Coordination, 2092 Main Commerce Building, Washington, D.C. 20230.

FREDERICK B. DENT,
Secretary of Commerce.

MARCH 25, 1974.

[FR Doc.74-7137 Filed 3-27-74;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Health Resources Administration

NATIONAL ADVISORY BODIES

Notice of April Meetings

Pursuant to the Federal Advisory Committee Act (P.L. 92-463) the Administrator, Health Resources Administration, announces the meeting dates and other required information for the following National Advisory bodies scheduled to assemble the month of April 1974:

Council name	Date, time, place	Type of meeting and/or contact person
National Advisory Council on Health Professions Education.	April 8–9, 8:30 a.m., Conference Room No. 10, Building 31–C, National Institutes of Health, 9000 Rockville Pike, Bethesda, Md.	Open—April 8, 1974, 8:30 a.m.—10:30 a.m. Closed remainder of meeting. Contact: Ms. Lynn Stevens, Room 4C–06, Building 31–C, National Institutes of Health, 9000 Rockville Pike, Bethesda, Md. 20014. Code 301–496–5353.

Purpose. Advises the Secretary with respect to the administration of programs of financial assistance for the health professions, including construction of facilities, student loans and scholarships, capitation for the support of educational programs, special projects and other purposes to improve the quality of education and conducts the final review of grant applications in these areas.

Agenda. The Council will discuss administrative and staff support and this portion will be open to the public. The Council will review grant applications, and this portion will be closed to the public, in accordance with the determination by the Administrator, Health Resources Administration, pursuant to Public Law 92–463, section 10(d).

Council name	Date, time, place	Type of meeting and/or contact person
Health Care Technology Study Section.	April 16–17, 9 a.m., Conference Room M, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md.	Open—April 16, 9 a.m.–10 a.m. Closed remainder of meeting. Contact: John R. Hall, Room 15–19 Parklawn Bldg., 5600 Fishers Lane, Rockville, Md. 20852. Code 301–443–2920.

Purpose. The Committee is charged with the initial review of grant applications for Federal assistance in the program areas administered by the Bureau of Health Services Research which relate to the use of systems analysis, operations research, management sciences, and computer sciences in the broad fields of community health services, hospital medicine, and patient care. It makes recommendations to the Bureau and its Advisory Councils on the scientific merits of such applications.

Agenda. During the open session the Study Section will conduct necessary administrative and informational business. During the closed sessions the Study Section will review research grant applications in the fields of systems analysis, operations research, management sciences and computer sciences and will be closed to the public, in accordance with the determination by the Administrator, Health Resources Administration, pursuant to Pub. L. 92–463, section 10(d).

Committee name	Date, time, place	Type of meeting and/or contact person
Long-Term Care for the Elderly Research Review and Advisory Committee.	April 18–19, 1974, 9 a.m., Conference Room M, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md.	Open April 18, 1974, 9 a.m.—10 a.m. Closed remainder of day. Open April 19, 1974, 9 p.m.–5 p.m. Contact: David McFall, Room 15–29, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md. Code 301–443–2930, or Martha O. Greenspan, Room 11A–33, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md. Code 301–443–3346.

Purpose. The Committee provides a coordinated professional technical review of proposals submitted to the Department concerning long-term care for the elderly, and identifies problems and issues and develops a tentative ordering of priorities in long-term care for consideration by the Division of Long-Term Care, Bureau of Health Services Research, Health Resources Administration.

Agenda. During the open sessions, the committee will review the Administrative Report, Minutes, establish future meeting dates and discuss other related general matters. The committee will also consult with Federal employees concerned with issues relating to training and continuing education and research and development. There will be a progress report on activities and a Bureau status report will be presented. During the closed session the Committee will review proposals concerning the care of the elderly, which will include nursing homes. This portion is closed in accordance with the Determination by the Administrator, Health Resources Administration, pursuant to Public Law 92–463, section 10(d).

Committee name	Date, time, place	Type of meeting and/or contact person
Health Services Research Study Section.	April 21, 1974, 8:30 p.m., Holiday Inn—Bethesda, 8120 Wisconsin Ave., Bethesda, Md., and April 22–24, 1974, 8:30 a.m., Conference Room G, Parklawn Bldg., Rockville, Md.	Open—April 21, 1974, 8:30 p.m.—10 p.m. Closed remainder of meeting. Contact: Dr. Alan E. Mayers, Room 15–19, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md. Code 301–443–2920.

Purpose. The Study Section is charged with the initial review of grant applications for Federal assistance in the program areas administered by the Bureau of Health Services Research and makes recommendations to the National Advisory Councils for final review.

Agenda. The open session of the meeting will be devoted to a business meeting covering administrative matters and reports. During the closed session, the Study Section will be reviewing research grant applications relating to the delivery and acceptance of health services, and this portion will be closed to the public in accordance with the Determination by the Administrator, Health Resources Administration, pursuant to Public Law 92–463, section 10(d).

Council name	Date, time, place	Type of meeting and/or contact person
Health Services Developmental Grants Study Section.	April 24, 1974, 8 p.m., Lobby Room, Holiday Inn of Chevy Chase, 5520 Wisconsin Ave., Chevy Chase, Md. and April 25–26, 1974, 9 a.m., Conference Room G, Parklawn Bldg., Rockville, Md.	Open—April 24, 1974, 8 p.m. to Adjournment, Closed remainder of meeting. Contact: David McFall, Room 15–29, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md., Code 301–443–2930.

Purpose. The Study Section is charged with the initial review of developmental grant applications for Federal Assistance in the program areas administered by the Bureau of Health Services Research.

Agenda. The Study Section during the open session will review the Administrative Report, Minutes, establish future meeting dates and discuss other related general matters. The Study Section during the closed sessions will be reviewing research grant applications which relate to the development, utilization, quality, organization, and financing of services, facilities and resources of hospital care, and other medical facilities, and this portion will be closed to the public in accordance with the Determination by the Administrator, Health Resources Administration, pursuant to Public Law 92–463, Section 10(d).

Agenda items are subject to change as priorities dictate.

Those portions of the meetings so indicated, are open to the public for observation and participation. Anyone wishing to participate, obtain a roster of members or other relevant information on the Committees, should contact the person listed above.

Dated: March 18, 1974.

KENNETH M. ENDICOTT,
Administrator,
Health Resources Administration.

[FR Doc.74–7020 Filed 3–27–74;8:45 am]

NURSING RESEARCH AND EDUCATION ADVISORY COMMITTEE

Notice of Meeting

Pursuant to the Federal Advisory Committee Act (P.L. 92–463) the Administrator, Health Resources Administration, announces the meeting date and other required information for the following National Advisory body scheduled to assemble the month of April 1974:

Committee name	Date, time, place	Type of meeting and/or contact person
Nursing Research and Education Advisory Committee.	April 16-18, 8:30 a.m., Conference Room B108, Federal Bldg., 7550 Wisconsin Ave., Bethesda, Md.	Open-April 16, 8:30 a.m.-10 a.m. Closed—remainder of meeting. Contact Dr. Doris Bloch, Federal Bldg., Room 6A-10, 9000 Rockville Pike, Bethesda, Md. Code 301-496-6955.

Purpose. The committee is charged with the initial review of research grant applications in all areas of nursing education and practice, including studies of extended professional roles, model curricula, clinical investigations, historical research, and institutional research development and with surveying the status of research in nursing education and practice.

Agenda. The committee will discuss administrative and staff reports and this portion of the meeting will be open to the public. During the closed session, the committee will review grant applications, and this portion will be closed to the public in accordance with the determination by the Administrator, Health Resources Administration, pursuant to Public Law 92-463, section 10(d).

Agenda items are subject to change as priorities dictate.

That portion of the meeting so indicated is open to the public for observation and participation. Anyone wishing to participate, obtain a roster of members, or other relevant information should contact the person listed above.

Dated: March 22, 1974.

KENNETH M. ENDICOTT,
Administrator,
Health Resources Administration.

[FR Doc.74-7162 Filed 3-27-74;8:45 am]

Office of Education

EMERGENCY SCHOOL AID

Special Projects; Notice for Receipt of Applications; Correction

FR Doc. 74-4866, published at 39 FR 7977, in the issue dated Friday, March 1, 1974, is corrected by changing the citation in line 11 from "45 CFR 185.96-99" to "45 CFR 185.91-1 through 185.94-1".

(Catalog of Federal Domestic Assistance Programs Number 13.532-Emergency School Aid-Special Projects)

Dated: March 22, 1974.

JOHN OTTINA,
U.S. Commissioner of Education.

[FR Doc.74-7170 Filed 3-27-74;8:45 am]

Office of the Secretary

SECRETARY'S ADVISORY COMMITTEE ON THE RIGHTS AND RESPONSIBILITIES OF WOMEN

Notice of Meeting

The Secretary's Advisory Committee on the Rights and Responsibilities of Women, which was established to review the policies, programs, and activities of the Department of Health, Education, and Welfare relative to women and to make recommendations to the Secretary on how to better the services of HEW's programs to meet these special needs of women, will meet Thursday and Friday, April 4-5, 1974. On Thursday, April 4, the Committee will meet from 9 a.m. to 4:30 p.m. in HEW Region VII Office, Federal Building, 601 E. 12th Street, Kansas City, Missouri. The four Subcommittee's, Education, Health, Social Services & Welfare, and Administration Fiscal will meet concurrently to hear from consumers of HEW programs. Those persons wishing to address the Committee should contact Mr. Max Mills, HEW Region VII, Regional Director by Monday, March 25, 1974. Phone: 816-374-5012. Written statements may also be sent to Mr. Max Mills for distribution to members of the Committee. Friday, the full Committee will hold its regular meeting from 11:30 a.m. to 4 p.m. in the HEW Region VII office building. At this meeting, the Committee will discuss recommendations and findings to date especially in the areas of their four priorities: Title IX of the Education Amendments of 1972, National Health Insurance, Career Ladders for Women, and Social Security. Members of the public are invited to attend the meeting.

Dated: February 28, 1974.

KAREN KEESLING,
Executive Secretary, Secretary's Advisory Committee on the Rights and Responsibilities of Women.

[FR Doc.74-7147 Filed 3-27-74;8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Federal Disaster Assistance Administration

[Docket No. NFD-163; FDAA-419-DR]

OKLAHOMA

Notice of Major Disaster and Related Determinations

Pursuant to the authority vested in the Secretary of Housing and Urban Development by the President under Executive Order 11749 of December 10, 1973; and delegated to me by the Secretary under Department of Housing and Urban Development Delegation of Authority, Docket No. D-73-238; and by virtue of the Act of December 31, 1970, entitled "Disaster Relief Act of 1970" (84 Stat. 1744), as amended by Pub. L. 92-209 (85 Stat. 742); notice is hereby given that on March 22, 1974, the President declared a major disaster as follows:

I have determined that the damage in certain areas of the State of Oklahoma resulting from heavy rains and flooding, beginning about March 10, 1974, is of sufficient severity and magnitude to warrant a major disaster declaration under Public Law 91-606. I therefore declare that such a major disaster exists in the State of Oklahoma. You are to determine the specific areas within the State eligible for Federal assistance under this declaration.

Notice is hereby given that pursuant to the authority vested in the Secretary of Housing and Urban Development under Executive Order 11749, and delegated to me by the Secretary under Department of Housing and Urban Development Delegation of Authority, Docket No. D-73-238, to administer the Disaster Relief Act of 1970 (Pub. L. 91-606, as amended), I hereby appoint Mr. Joe D. Winkle, HUD Region 6, to act as the Federal Coordinating Officer to perform the duties specified by section 201 of that Act for this disaster.

I do hereby determine the following areas in the State of Oklahoma to have been adversely affected by this declared major disaster:

The counties of:

Kay	Rogers
Osage	Tulsa
Ottawa	Washington

This disaster has been designated as FDAA-419-DR.

(Catalog of Federal Domestic Assistance No. 14.701, Disaster Assistance.)

Dated: March 22, 1974.

THOMAS P. DUNNE,
Administrator, Federal Disaster Assistance Administration.

[FR Doc.74-7195 Filed 3-27-74;8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

MACARTHUR BRIDGE TOLLS AND KEOKUK BRIDGE TOLLS, IOWA

Order Fixing Time for Filing Exceptions and Briefs

In the Matter of MacArthur Bridge Tolls (Burlington, Iowa) and Keokuk Bridge Tolls (Keokuk, Iowa).

On March 4, 1974, the Administrative Law Judge issued his recommended decisions in these two proceedings pursuant to § 310.12 of the Bridge Toll Procedural Rules, 49 CFR 310.12. The recommended decisions were received by the Federal Highway Administration on March 9, 1974. Under § 310.12(b) of the rules, parties to each proceeding are entitled to file exceptions to the recommended decision within 30 days of the date it was served.

In consideration of the foregoing, *it is hereby ordered,* That the parties to each of these procedings may file exceptions to the recommended decision of the Administrative Law Judge, together with a supporting brief, which must be received not later than the close of business on April 8, 1974. Exceptions and briefs filed by mail should be addressed to the Chief Counsel (HCC-1), Federal Highway Administration, Washington, D.C. 20590.

Issued on March 20, 1974.

NORBERT T. TIEMANN,
Federal Highway Administrator.

[FR Doc.74-7149 Filed 3-27-74;8:45 am]

ATOMIC ENERGY COMMISSION

[Docket No. 50-286]

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

Assignment of Members of Atomic Safety and Licensing Appeal Board

In the matter of the Consolidated Edison Company of New York, Inc. (Indian Point Nuclear Generating Unit 3).

Notice is hereby given that, in accordance with the authority in 10 CFR 2.727 (a), the Chairman of the Atomic Safety and Licensing Appeal Panel has assigned the following panel members to serve as the Atomic Safety and Licensing Appeal Board for the proceeding.

Alan S. Rosenthal, Chairman.
Dr. John H. Buck, Member.
William C. Parker, Member.

Dated: March 22, 1974.

MARGARET E. DU FLO,
Secretary to the Appeal Board.

[FR Doc.74-7173 Filed 3-27-74;8:45 am]

[Docket No. PRM-20-5]

NATURAL RESOURCES DEFENSE COUNCIL, INC.

Filing of Petiton for Rule Making

Notice is hereby given that the Natural Resources Defense Council, Inc. (NRDC) by petition for rule making dated February 14, 1974, has petitioned the Atomic Energy Commission to amend its radiation protection standards as they apply to insoluble particles of plutonium and other alpha-emitting hot particles as more fully described in a report appended to the petition by Drs. Arthur R. Tamplin and Thomas B. Cochran, entitled "Radiation Standards for Hot Particles."

The petitioner states that NRDC's basic interest in requesting amendment of the radiation protection standards is to assure that the public and radiation workers are adequately protected from exposure to hot particle radiation by establishing radiation standards governing permissible exposure to hot particles which carry a risk comparable to existing radiation standards governing uniform exposure to whole body radiation. It is the view of NRDC that the present radiation standards, when applied to hot particles, are too high. The petitioner proposes that, when hot particles are involved, the existing radiation standards governing plutonium exposure should be reduced by a factor of 115,000.

The petitioner states that although the report appended to the petition is written with reference to hot particles formed from plutonium-239, the standards requested by petitioner are intended to be applicable to all radionuclides or mixtures thereof capable of forming hot particles.

The petitioner requests that all approvals for construction or operation of any facilities for the handling, processing or reprocessing of plutonium, or other radionuclides or mixtures thereof, capable of forming hot particles, or for use of such radionuclides, be held in abeyance until final resolution of the matters raised by the petitioner. As to projects already using or processing such radionuclides, the petitioner requests that no increase in the quantity of such radionuclides processed or used be approved until final resolution of the matters raised by the petition.

A copy of the petition for rule making is available for public inspection in the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. A copy of the petition may be obtained by writing the Rules and Proceedings Branch at the below address.

All interested persons who desire to submit written comments or suggestions concerning the petition for rule making should send their comments to the Rules and Proceedings Branch, Office of Administration—Regulation, U.S. Atomic Energy Commission, Washington, D.C., on or before May 28, 1974.

Dated at Germantown, Md., this 25th day of March 1974.

For the Atomic Energy Commission.

PAUL C. BENDER,
Secretary of the Commission.

[FR Doc.74-7171 Filed 3-27-74;8:45 am]

RADIOISOTOPIC POWER GENERATORS AND CONTAINMENT PROPERTIES OF SEALED RADIOACTIVE SOURCES

Issuance and Availability of Regulatory Guides

The Atomic Energy Commission has issued two new guides, Regulatory Guide 6.3, "Design, Construction, and Use of Radioisotopic Power Generators for Certain Land and Sea Applications" and Regulatory Guide 6.4, "Classification of Containment Properties of Sealed Radioactive Sources Contained in Certain Devices to be Distributed for Use Under General License," in its Regulatory Guide series. This series has been developed to describe and to make available to the public methods acceptable to the AEC Regulatory staff for implementing specific parts of the Commission's regulations and, in some cases, to delineate techniques used by the staff in evaluating specific problems or postulated accidents and to provide guidance to applicants concerning certain information needed by the staff in its review of applications for permits and licenses.

Regulatory Guides 6.3 and 6.4 indicate acceptability, subject to conditions, of the use of International Atomic Energy Agency Safety Series No. 33 and American National Standards Institute Standard USASI N5.10-1968, respectively, in implementing certain parts of the Commission's regulations.

Regulatory Guides are available for inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. Comments and suggestions in connection with improvements in the guides are encouraged and should be sent to the Secretary of the Commission, U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Chief, Public Proceedings Staff. Requests for single copies of the issued guides (which may be reproduced) or for placement on an automatic distribution list for single copies of future guides should be made in writing to the Director of Regulatory Standards, U.S. Atomic Energy Commission, Washington, D.C. 20545. Telephone requests cannot be accommodated.

Other Division 6 Regulatory Guides currently being developed include the following:

Quality Control Sampling Procedures for Exempted and Generally Licensed Items Containing Byproduct Material
General Safety Standard for Installations Using Non-Medical Sealed Gamma-Ray Sources
(5 U.S.C. 552(a))

Dated at Bethesda, Maryland this 20th day of March 1974.

For the Atomic Energy Commission.

LESTER ROGERS,
Director of Regulatory Standards.

[FR Doc.74-7172 Filed 3-27-74;8:45 am]

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS SUBCOMMITTEE ON REGULATORY GUIDES

Change of Meeting Agenda

MARCH 26, 1974.

The FEDERAL REGISTER notice, published at 39 FR 10644 (March 21, 1974), relating to the April 10, 1974 Meeting of the ACRS Subcommittee on Regulatory Guides, is revised to remove two of the agenda items scheduled for discussion during the open portion of the meeting and to include discussion of preliminary working papers relating to those items during the closed session with members of the Regulatory Staff.

The items scheduled for discussion in open portions of this Subcommittee meeting are Regulatory Staff drafts of the following proposed Regulatory Guides in Division 1 of the Regulatory Guide series.

(1) Proposed Revision 2 of Regulatory Guide 1.3, "Assumptions Used for Evaluating the Potential Radiological Consequences of a Loss-of-Coolant Accident for Boiling Water Reactors", Draft 1.

(2) Proposed Revision 2 of Regulatory Guide 1.4, "Assumptions Used for Evaluating the Potential Radiological Consequences of a Loss-of-Coolant Accident for Pressurized aWter Reactors", Draft 1.

(3) Proposed Regulatory Guide 1.XX, "Preoperational Testing of Instrument Air Systems", Draft 1.

(4) Proposed Revision 1 of Regulatory Guide 1.21, "Measuring, Evaluating and Reporting Radioactivity in Solid Wastes and Releases of Radioactivity in Liquid and Gaseous Effluents from Light-Water Nuclear Power Plants", Draft 2.

(5) Proposed Regulatory Guide 1.XX, "Inservice Inspection of Steam Generator Tubes", Draft 2.

(6) Proposed Regulatory Guide 1.XX, "Collection, Storage and Maintenance of

Nuclear Power Plant Quality Assurance Records", Draft 1.

(7) Proposed Regulatory Guide 1.XX, "Construction Criteria for Class I Components in Elevated Temperature Reactors", Draft 1.

(8) Proposed Revision 1 of Regulatory Guide 1.35, "Inservice Inspection of Ungrouted Tendons in Prestressed Concrete Containment Structures", Draft 1.

(9) Proposed Regulatory Guide 1.XX, "Code Case Acceptability—ASME Section III Design and Fabrication", Draft 1.

(10) Proposed Regulatory Guide 1.XX, "Code Case Acceptability—ASME Section III Materials", Draft 2.

(11) Proposed Regulatory Guide 1.XX, "Assumptions Used for Evaluating the Habitability of a Nuclear Power Plant Control Room During a Postulated Hazardous Chemical Release", Draft 3.

(12) Proposed Regulatory Guide 1.XX, "Protection Against Postulated Piping Failures in Fluid Systems Outside of Containment", Draft 2.

The Subcommittee and any of its consultants that may be required will meet in closed session with members of the Regulatory Staff for the purpose of discussing Regulatory Staff preliminary working papers concerning requirements for instrumentation to assess plant conditions during and following an accident; quality group classifications and standards for water-, steam-, and radioactive waste-containing components of nuclear power plants; and sumps for emergency core cooling and containment spray systems.

I have determined, in accordance with subsection 10(d) of Public Law 92–463, that the above-noted closed session with the Regulatory Staff will involve discussion of Regulatory Staff working papers which fall within exemption (5) of 5 U.S.C. 552(b). It is essential to close such portions of the meeting to protect the free interchange of internal views and to avoid undue interference with Subcommittee and agency operation.

All other matters pertaining to this meeting remain unchanged.

JOHN C. RYAN,
Advisory Committee Management Officer.

[FR Doc.74–7371 Filed 3–27–74;10:53 am]

GENERAL SERVICES ADMINISTRATION

SPECIAL STUDY COMMITTEE ON THE SELECTION OF ARCHITECTS AND ENGINEERS

Notice of Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of meetings of the GSA Special Study Committee on the Selection of Architects and Engineers, on April 4, 1974, at 9 a.m. and April 5, 1974, at 9 a.m. in room 2126, General Services Building, 18th and F Sts., NW., Washington, DC 20405.

The purpose of these meetings is for the Committee to receive and review reports of the various subcommittees and to discuss other matters brought up by members of the Study Committee.

These meetings will be open to the public. Interested persons wishing to attend should telephone 202–343–6306 by close of business Tuesday, April 2, 1974.

Dated: March 21, 1974.

ALLAN G. KAUPINEN,
Assistant Administrator.

[FR Doc.74–7163 Filed 3–27–74;8:45 am]

CIVIL AERONAUTICS BOARD

[Docket No. 26527; Order 74–3–96]

FUEL-RELATED FARE INCREASES; VARIOUS CARRIERS

Order of Investigation and Suspension

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 22d day of March, 1974.

By recent tariff revisions, seven trunk and four local service carriers have proposed domestic passenger-fare increases of between four and six percent.[1] In justification, the carriers allege that the increases are both warranted and necessary in order to alleviate the severe revenue imbalance occurring as the direct result of rapidly escalating fuel price increases. They claim to have applied data used by the Board in authorizing the five percent domestic fare increase, effective December 1, 1973 (Order 73–11–93) as the starting point for all fare calculations, and to have modified these data to reflect the latest information available on the magnitude of actual fuel cost increases. In addition, the carriers contend that their justifications fully consider all cost-reduction benefits which flow from the mandatory fuel allocation program, *e.g.*, capacity reduction, higher load factors, reduced labor expenses, etc., and that the proposed increases will not result in excessive earnings or windfall profits.

The carriers propose various publication methods in implementing the increases. Continental Air Lines, Inc. (Continental), Eastern Air Lines, Inc., (Eastern), and Western Air Lines, Inc. (Western) propose specific across-the-board increases in basic fares. United Air Lines, Inc. (United) and Allegheny Airlines, Inc. (Allegheny), on the other hand, propose "tariff supplements" to be used in conjunction with existing tariffs, which would be in the nature of a surcharge table but which would provide the user with the total adjusted fare. The remaining carriers propose to publish a series of surcharges which would require the ticketing agent to add a specified amount to the published fare in each instance.

Proponents of specific publication of point-to-point fares in single-sum amounts cite ticketing accuracy and speed as the primary benefit, while proponents of the surcharge method suggest that this vehicle is most responsive to identifiable fluctuations in fuel costs and will ultimately permit a more timely flow-through of such changes. United cites tariff simplification, low publication cost, and both speed and accuracy in ticketing as the salient features of its proposal.

The Board has concluded that none of the proposals are excessive. However, we will nevertheless suspend all the filings other than that of United for reasons subsequently discussed herein. Since the need for a fare increase in the range proposed has been adequately demonstrated, we also conclude that the public interest would not be served by requiring carriers to refile on the full 30 days' statutory notice. On the other hand, some measure of public notice should be provided. Accordingly, the Board will be receptive to requests for short notice to publish the proposed increases effective not earlier than April 16, 1974, on not less than 15 days' notice.

Complaints against the proposal have been filed by the General Services Administration (GSA), Mimi Cutler and the Aviation Consumer Action Project (ACAP), and the Honorable John E. Moss et al., Members of Congress (MOC) requesting suspension and investigation. GSA alleges, inter alia, that the carriers have failed to consider the financial and operational benefits resulting from curtailments in flight frequency, reduced fuel consumption, lower labor costs and other factors which have resulted from imposition of the mandatory fuel allocation program. GSA further contends that the test period ending June 30, 1973 upon which the carriers have predicated their proposals, represents a time frame which totally ignores the altered circumstances surrounding the energy shortage and the magnitude of its effect upon the industry's economic operations.

ACAP takes the position that the domestic carriers have already been permitted direct and indirect passenger-fare increases of approximately 19.4 percent over the past few years. ACAP also alleges that the financial and statistical data offered by Eastern in support of its proposal are deficient in both level and quantity, particularly in that the impact of cost savings brought about by capacity reductions, decreased manpower requirements, etc., are not adequately considered.

MOC's consolidated complaint goes essentially to the argument that present price sensitivity in air transportation may be something greater than the −0.7 coefficient of elasticity which the Board used in Phase 7 of the Domestic Passenger-Fare Investigation (DPFI), and upon which the carriers now rely. It is MOC's position that higher fares at the present time may depress revenues to the point that the unit-cost increases will exceed the increases in unit yield, and thereby further depress carriers' earnings. Accordingly, MOC believes that unless historical market demand or consumer survey data can be shown to support such a coefficient as being "just and reasonable," its use should be deferred.

[1] Revisions to Airline Tariff Publishers, Inc., Agent, C.A.B. Nos. 142 and 202. The following trunkline carriers have filed fare revisions: American Airlines, Inc., Braniff Airways, Inc., Continental Air Lines, Inc., Eastern Air Lines, Inc., Trans World Airlines, Inc., United Air Lines, Inc., and Western Air Lines, Inc. In addition, four local service carriers, Allegheny Airlines, Inc., Frontier Airlines, Inc., Hughes Air Corp., d/b/a Airwest, and Southern Airways, Inc., have also filed increased fare proposals.

MOC further alleges that the instant fare-increase proposals may adversely impact on the movement of traffic, both domestic and international, industry employment, and U.S. demand for foreign fuel imports, as well as lead to a deterioration in the U.S. position vis-a-vis international balance of payments.

The carriers have answered the various allegations, requesting that the complaints be dismissed as substantially inaccurate and immaterial. To the complaint that they have based their respective proposed increases on "outdated historical data," the carriers contend that they have incorporated all of the Board's standards applied in Order 73–11–93, and have adjusted fuel-cost statistics to reflect the latest available figures. The carriers rebut GSA's argument that approval of the proposals will reduce investment risk, since the proposals will do nothing more than protect the carriers from uncontrollable cost increases.

The Board last dealt with the matter of the domestic general fare level and the carriers' revenue requirements in Order 73–11–93, November 20, 1973. There the Board reviewed the latest available financial and operating data, applied its rate-making policies and adjustments, found that unit costs of operation had risen 4.74 percent, and concluded the five percent general fare increase proposed by the carriers was warranted to provide the carriers an opportunity to realize the 12 percent return on investment (ROI) required in the long term to attract capital and maintain necessary services. Those tariff filings by the carriers and their subsequent disposition by the Board took place very early in the then developing fuel crisis. The questions of both future fuel supply and price were highly problematical at the time, and the carriers' filings and the Board's action did not purport to give any tangible consideration to possible further developments in this regard.[2]

Material changes in the fuel situation have developed since last year. Airline fuel supplies have been significantly reduced, schedules have been cut, and in numerous cases personnel laid off and aircraft grounded. Load factors have risen as a consequence of reductions in capacity and moderate traffic growth, and approximated 55 percent in January and February of this year. On the other hand, not the least of the changes has been a precipitous rise in jet fuel price per gallon. Fuel which cost the domestic trunkline carriers an average of 11.65 cents per gallon in the year ended June, 1973, cost 17.14 cents in January and 18.39 cents in February, 1974. Based on data adjusted for the various rate-making standards, this would increase annual fuel costs by about $270 million (January prices) or in excess of $300 million (February prices).

[2] The overall cost increase of 4.74 percent included a small increase (1.8 percent) related to the price of fuel. This is a far cry from the increases sustained subsequently, which range upwards of 50 percent.

It seems perfectly clear that cost increases of this magnitude cannot be absorbed by the carriers, and that there currently exists an urgent need to provide a reasonable basis for recovery of this higher cost from the users of air transportation. To defer reasonable fare increases pending investigation would be to forestall forever recovery of the much escalated fuel costs now being experienced, and to impact seriously on the carriers' earnings prospects for 1974. By the same token, the facts regarding fuel costs are clear and isolable and an investigation would add little.

ACAP and GSA argue that schedule cutbacks resulting from the fuel shortage will have a favorable impact on earnings which will offset fuel price increases. While we agree that schedule cutbacks should reduce costs and improve profitability, this nevertheless affords no present basis to preclude the carriers from raising fares to cover the precipitous increase in fuel cost they have experienced. The costs attributable to excess capacity—those costs the carriers are now saving—are to a great extent the very elements of cost the Board has disallowed for purposes of evaluating fare level by applying load-factor standards.[3] In reviewing the carriers' need for the December 1973 increase, we disallowed more than $500 million in operating expenses, almost as much investment from the rate base, and excluded 9.6 percent of the capacity actually operated. This capacity adjustment is commensurate with actual capacity reductions since the offset of cost and investment reductions stemming from the fuel shortage is well in excess of short-term savings actually possible. Thus, the DPFI adjustments, in effect, recognize and meet the complainants contentions.

In short, by cutting schedules and attendant costs, albeit under the present unprecedented constraints, the carriers are bringing their services into line with the standards which the Board applies for rate-making purposes. The short answer to contentions that the Board must now offset the cost savings inherent in these schedule and personnel reductions against higher fuel costs is that we have done so. Whether or not the carriers' actual profitability improves in the immediate months ahead because of service cutbacks is not, in our opinion, dispositive of the issue before us. While actual return may increase from its present substandard average level, the same result does not necessarily follow as to the return adjusted for the various rate-making standards and it is the latter we rely on for rate-making purposes. (This issue is discussed in our order on reconsideration of the December, 1973 fare increase. Order 74–3–43). The fact remains that the industry's earnings would be substantially below the level needed to achieve the 12 percent rate of return on investment found reasonable by the Board if it must absorb the fuel cost increases. By the same token, it is clear that the fare increases proposed herein would not produce excess earnings for the carriers.[4] We emphasize, however, that our decision to permit the carriers to pass through their fuel cost increases rests solely on the extraordinary and precipitous nature of the price escalation, a unique circumstance which is clearly beyond the control of carrier managements.

[3] By contrast, in the mainland-San Juan market where the present fare level has not been predicated on *DPFI* type rate-making standards, the Board has required carriers to consider cost savings stemming from a reduced scale of operations (Order 74–2–83, February 20, 1974).

Turning to the remaining complaint, MOC again raises the question of elasticity as its major argument against a fare increase at this time. The Board recently dealt at considerable length with MOC's arguments (Order 74–3–43, March 8, 1974), and it would serve no useful purpose to repeat that discussion here. Despite reiterations that the −0.7 elasticity coefficient is in error, and that the Board must weigh the probative value of various consumer confidence surveys through the hearing process before permitting any fare increase, MOC has yet to establish error in the Board's decision on this long-term elasticity coefficient. Irrespective of the fact that we remain unpersuaded that there is an inherent correlation between consumer confidence studies, which monitor and register the sum total of all demand for consumer goods and services, and the price elasticity of demand for one product in the spectrum (air service), we believe it relevant to note that traffic in January and February of this year (based on preliminary data) has grown by 4.6 and 7.3 percent, respectively, despite the recency of a five percent fare increase.

MOC seems to be suggesting that, because a fare increase may temporarily depress revenues and allegedly may therefore adversely affect profits in the short run, the increase should not be permitted notwithstanding the carriers' need in the longer run. Such an approach is directly at odds with the basic rate-making scheme developed in the DPFI.

In view of all these considerations, the Board is unable to find a basis for denying carriers an opportunity to cover the known increases in the price of jet fuel not included in the December 1973 general five percent increase, net of the savings flowing from fuel conservation measures adopted by the carriers. However, because of the volatility of fuel prices, we believe it is necessary to provide a means for dealing promptly with the matter should it develop that the need for such increases is reduced or

[4] In particular, there is no reason to believe, nor is there any allegation, that the carriers have achieved savings in costs apart from those involved in the capacity costs discussed supra and the fuel conservation costs which we have taken into account. In this regard we take notice of the upward trend in unit costs experienced by the carriers in recent years (Order 73–11–93, November 20, 1973) and the effect of rising costs in the general economy on goods and services used in the conduct of the carriers' operations.

eliminated. Accordingly, we will require any tariffs reflecting a fuel-related increase to bear an expiration date, as some already do. The October 31, 1974 date proposed by United will permit the Board to evaluate the fare level on the basis of data through the second quarter of 1974 and thus appears reasonable.

Our analysis, which is designed solely to offset fuel price escalation on a flow-through basis, indicates that none of the proposed fare increases are excessive. Our basic approach, as set forth in Appendix A, was to adjust data for the year ended September 30, 1973 to reflect the increase in fuel prices which has occurred through February, 1974. The approach netted the amount of the increase already recognized by the Board in permitting the December 1 fare increase, and made a further adjustment to reflect potential savings in fuel stemming from conservation efforts.[5] Specifically, we first determined the price increase of fuel per gallon (domestic system operations of all trunk carriers excluding Pan American) for the month of February, 1974, compared with the average price per gallon for the year ended June 30, 1973 (used in our consideration of the December 1 increase). Against this was netted an estimate of the fuel increase already recognized in the December 1973 fare increase, which was made by calculating the increased price per gallon of fuel from year ended June 1972 to June 1973, and a further adjustment to reflect a three percent potential savings in fuel as a result of various conservation measures.

As indicated, the various filings reflect three methods by which the increases would be published, i.e., surcharge, increase in the published fare, or tariff supplement. We continue to favor the publication of domestic fares in single-sum amounts, and have no intention of departing from this longstanding policy in the longer term. We certainly would not countenance a surcharge as a device for rapid, repeated fare escalations based alone on fuel or any other single cost factor in the longer term. However, in the present circumstances and as a temporary measure, we tend to favor a surcharge approach, which we believe is consistent with the flow-through concept.[6] Reliable hard data on the full impact of the fuel shortage and price escalation will not be available until summer. The fuel situation is extremely volatile, and applicable regulations have also been subject to frequent change. In this light, we believe it preferable that fuel-related fare increases be kept as an isolated element which can be treated separately from more basic rate-making considerations, rather than one which becomes embedded in the fare base. The Board favors United's tariff supplement approach, which has the advantages both of flexibility and ease of fare quotation by selling agents.[7]

Upon consideration of the tariff filings, the justifications, complaints, answers, and all relevant matters, the Board concludes that each of the proposals here under consideration, except that of United, may be unjust, unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful and should be investigated. We further conclude that the fares should be suspended pending investigation.[8]

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204, 403, 404, and 1002 thereof,

It is ordered, That: 1. An investigation be instituted to determine whether the fares and provisions described in Appendix B attached hereto, including subsequent revisions and reissues thereof, and rules, regulations, and practices affecting such fares and provisions, are or will be unjust, unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and if found to be unlawful, to determine and prescribe the lawful fares and provisions, and rules, regulations, or practices affecting such fares and provisions;

2. Pending hearing and decision by the Board, the fares and provisions described in Appendix B hereto are suspended and their use deferred to and including June 21, 1974, unless otherwise ordered by the Board, and that no changes be made therein during the period of suspension except by order or special permission of the Board;

3. Except to the extent granted herein, the complaints in Dockets 26363, 26367, 26392, 26405, 26455, 26456, 26461, 26496, 26497, 26498, 26503, and 26506 are hereby dismissed;

4. The investigation ordered herein be assigned before an Administrative Law Judge at a time and place hereafter to be designated;

5. The provisions of sections 221.50, 221.52, and 221.110 of the Board's Economic Regulations are hereby waived to the extent necessary to permit carriers to file supplements to implement domestic fare increases in the manner proposed by United Air Lines, Inc.; and

6. A copy of this order be filed with the aforesaid tariffs and be served on the domestic scheduled certificated air carriers, the General Services Administration, the Honorable John E. Moss et al., Members of Congress, and Mimi Cutler and the Aviation Consumer Action Project which are hereby made parties to this proceeding.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board:

[SEAL] EDWIN Z. HOLLAND,
Secretary.

APPENDIX A

DOMESTIC TRUNK INDUSTRY; RETURN ON INVESTMENT; 48-STATE SCHEDULED PASSENGER SERVICE—DOMESTIC OPERATIONS

Adjusted to reflect:
(a) 55% Standard load factor with standard seating.
(b) Annualization of the 5.0% fare increase and 4.74% cost increase.
(c) Removal of youth, family, and Discover America discount fares, revenues and costs.

For the 12 months ended

[Dollars in thousands]

	Sept. 30, 1973	Sept. 30, 1973, adjusted for fuel increase of 51.28 percent [1]	Sept. 30, 1973, adjusted for fuel increase and 6.0 percent fare increase
RPM's (millions)	96,311.8	96,311.8	92,462.3
ASM's (millions)	175,109.4	175,109.4	168,110.5
Load factor (percent)	55.0	55.0	55.0
Yield (cents)	7.1448	7.1448	7.5735
Passenger revenue	$6,881,297	$6,881,297	$7,002,641
Operating revenue	7,009,826	7,009,826	7,131,170
Operating expense	6,132,573	6,474,114	6,312,300
Operating profit	887,253	535,712	818,870
Interest	155,908	155,908	151,447
Income before tax	721,345	379,804	667,423
Income tax at 48 percent	346,246	182,306	320,363
Net income	375,099	197,498	347,060
Return element	531,007	353,406	498,507
Investment	4,534,497	4,534,497	4,405,029
Return on investment (percent)	11.71	7.79	11.3

[1] Fuel cost per gallon, 12 months ended June 30, 1972, 11.446 cents. Fuel cost per gallon, 12 months ended June 30, 1973, 11.653 cents. Increase=1.81 percent.

[5] Lower cruising speeds, one-engine taxiing, reduced climb speed, delayed engine starts, etc.

[6] Notwithstanding the desirability of the surcharge concept, the methodology initially proposed by Frontier and matched by Airwest and Southern may result in unreasonable fares. Frontier's surcharge table is set forth in $10.00 increments, which we consider too broad, because application of the surcharge amount results in increases considerably more (or less) than the average increase sought. By comparison, the surcharge table proposed by American is set up in increments of $2.00 which substantially minimizes variances from the intended overall fare increase.

[7] We will herein grant the waiver necessary to implement the tariff supplement approach.

[8] We are suspending the proposals of Airwest Frontier, and Southern because the use of a $10.00 increment in their surcharge table does not equitably spread the increases, as discussed above. All other proposals are being suspended due to the lack of an expiration date.

DOMESTIC TRUNKLINES EXCLUDING PAN AMERICAN COMPUTATION OF FUEL COST INCREASE

Fuel cost per gallon:

	Cents
12 months ended June 1973	11.653
Month of February 1974	18.385
	Percent
Increase	57.771
Less fuel cost increase covered by Dec. 1, 1973, fare increase [1]	1.810
Net increase per gallon	55.961
Assume a 3 percent fuel savings as a result of conservation measures [2]	4.679
Adjusted increase per gallon	51.282

[1] Fuel cost per gallon, 12 months ended June 30, 1972, 11.446 cents. Fuel cost per gallon, 12 months ended June 30, 1973, 11.653 cents. Increase = 1.81 percent.
[2] 0.03 × 1.55961 = 4.679 percent.

APPENDIX B

TARIFF C.A.B. NO. 142 ISSUED BY AIRLINE TARIFF PUBLISHERS, INC., AGENT

On 56th and 57th Revised Pages 16, Rule 39 applicable via SO only.
On 58th and 59th Revised Page 16, Rule 39.
On Original, 1st and 2nd Revised Pages 16–A, Rule 39.
On 1st and 2nd Revised Pages 16–B, Rule 39.

TARIFF C.A.B. NO. 202 ISSUED BY AIRLINE TARIFF PUBLISHERS, INC., AGENT

All increased fares on the following pages (except fares to/from Canada):

7th and 8th Revised Pages 213, 214, 215 and 216.
5th and 6th Revised Pages 217, 218, 219 and 220.
6th and 7th Revised Pages 221 and 222.
3rd and 4th Revised Pages 223, 224, 225 and 226.
6th and 7th Revised Pages 767 and 768.
4th and 5th Revised Pages 769, 770, 771 and 772.
5th and 6th Revised Pages 773 and 774.
4th and 5th Revised Pages 775 and 776.
3rd and 4th Revised Pages 777 and 778.
6th and 7th Revised Pages 779 and 780.
4th Revised Pages 645 and 646.
5th Revised Pages 647 and 648.
6th Revised Pages 649 and 650.
3rd Revised Pages 651, 652, 653, 654, 655, and 656.
5th Revised Pages 657 and 656.
6th Revised Pages 659, 660, 661 and 662.
5th Revised Pages 163, 164, 165 and 166.

Supplement No. 12 applicable to AL only.

TARIFF C.A.B. NO. 191 ISSUED BY BRANIFF AIRWAYS, INC.

On Original Page 23–A, Rule 86.

[FR Doc.74–7081 Filed 3–27–74;8:45 am]

[Docket No. 26502]

AIR PACIFIC LTD.

Postponement of Prehearing Conference and Hearing

Fiji-Majuro via Intermediate Points and Fiji-Pago Pago via Intermediate Points.

Counsel for the applicant has requested a postponement of the prehearing conference and hearing on the above-entitled application from March 26, 1974, to April 23, 1974. Accordingly, notice is hereby given that the prehearing conference and hearing now scheduled for March 26, 1974 (39 FR 10174, March 18, 1974), is hereby postponed to April 23, 1974, at 10 a.m. (local time), in Room 726, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before the undersigned Administrative Law Judge.

Since it is contemplated that hearing in this proceeding may be held immediately following conclusion of the prehearing conference, any person objecting to this procedure should notify the Judge and all parties on or before April 10, 1974. Interested persons should also notify the Judge and all parties on or before April 10, 1974, of points on which they differ with Bureau Counsel's statement of issues and request for evidence, dated March 13, 1974.

Dated at Washington, D.C., March 25, 1974.

[SEAL] ROSS I. NEWMANN,
Administrative Law Judge.

[FR Doc.74–7204 Filed 3–27–74;8:45 am]

[Dockets 26057, 26075; Order 74–2–84]

ALITALIA, ET AL.

Order Approving Agreement; Correction

Issued under delegated authority February 21, 1974.

Joint application of Alitalia, Pan American World Airways, Inc., and Trans World Airlines, Inc.

Ordering paragraph 1(b) of Order 74–2–84 should read as follows:

(b) Schedule deletions resulting pursuant to the agreement herein approved which occur at any of the controlled high-density airports [14] and which result in the vacating of slots allocated by the Airline Scheduling Committees of the respective airports pursuant to authority granted in Order 72–11–72, shall not be refilled by the carrier applicants, nor be reallocated to other carriers by the Airline Scheduling Committees: *Provided, however,* That slots originally vacated may be reinstated in the same agreement market by the vacating carrier to the extent such carrier vacates another flight (at the same airport) which operates plus or minus three hours of the flight to be reinstated; [15]

[SEAL] EDWIN Z. HOLLAND,
Secretary.

MARCH 20, 1974.

[FR Doc.74–7205 Filed 3–27–74;8:45 am]

[Dockets Nos. 26113, 24365; Order 74–3–103]

ALLEGHENY AIRLINES, INC.

Order

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 22nd day of March 1974.

Application of Allegheny Airlines, Inc. under section 401 of the Federal Aviation Act of 1958, as amended, for an amendment of its certificate of public convenience and necessity for Route 97 so as to delete Lima, Ohio from segments 9 and 11.

Application of Allegheny Airlines, Inc. for authority to suspend service temporarily at Lima, Ohio.

On November 16, 1973, Allegheny Airlines, Inc. filed an application for amendment of Order 73–1–65 so as to permit the continuation of its suspension of service at Lima without the commuter replacement service now operated by Apollo Aviation, Inc.[1] The carrier has requested that such revised suspension authority continue pending a final Board determination on its concurrently filed application in Docket 26113 for deletion of Lima from its certificate. On the same day, Allegheny filed a petition for an order to show cause why Lima should not be deleted from its certificate.

In support of its application for amendment of Order 73–1–65, Allegheny alleges, interalia, that commencing on March 1, 1973, Apollo offered the Lima community an excellent pattern of commuter service, with six round trips offered in the Lima-Columbus market and two round trips in the Lima-Toledo market; that traffic response has been very low, with a March–September average of only 1.7 passengers per departure; that Allegheny financial guarantee payments to Apollo during the first seven months have amounted to more than $82,000, reflecting an average of $11,700 per month to achieve a breakeven operation; [2] that Lima is not isolated, being located on Interstate 75 which affords expeditious access to the air services available at both Dayton and Toledo; [3] and that it would be wasteful of effort and resources for Allegheny to be required to resume service at Lima.

In support of its petition for an order to show cause, Allegheny states, inter alia, that because of the advance of very large sums of cash support (which would amount to an annual outlay of over $140,000), Allegheny and Apollo have been compelled to agree to an early termination of the Lima commuter service; [4]

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[1] By Order 73–1–65, dated January 22, 1973, the Board authorized Allegheny to temporarily suspend service at Lima, Ohio, and approved Agreement C.A.B. 23016, which provided for an Allegheny Commuter replacement service by Apollo. The authority was made effective for a period of ten years.

[2] Allegheny indicates that including the preoperating advances ($30,000) and the unreimbursed costs it has incurred in providing reservation and ground handling support for Apollo ($12,133), the Lima Allegheny Commuter service has for the first seven months alone cost Allegheny nearly $125,000.

[3] Dayton is situated 76 road miles from Lima and Toledo is situated 79 road miles from Lima.

[4] Allegheny attached as an appendix to its application a letter in which Allegheny and Apollo agree to the termination of the Lima Allegheny Commuter service upon the deletion of Lima from Route 97 or a grant by the Board of a modification of Allegheny's suspension authority at Lima so as to continue such authority without Apollo's replacement service. In any event, the Allegheny-Apollo service agreement has terminated and Apollo's commuter replacement service ceased as of March 1, 1974.

that changes in scheduled trunk service between Toledo and Columbus, and a simultaneous decline in traffic in that market have resulted in less than the predicted level of enplanements upon which the substitution agreement and order was predicated; that if Allegheny were required to resume service at Lima, it would incur an operating loss of nearly $150,000 and a subsidy requirement of $194,116; and that the deletion of Lima from Allegheny's certificate is consistent with current policy and recent Board precedent.

The U.S. Postal Service, the City of Lima, and the Lima Area Chamber of Commerce filed answers in opposition to Allegheny's application and petition.[5] The Postal Service states that Lima generates an average of 700 pounds of airmail daily, which is presently transported by Apollo to Columbus; that bus schedules are not adapted to the daily timely transportation of airmail from Lima; and that ten months' experience with the replacement service is not a sufficient period on which to base grant of the relief Allegheny now seeks.

The Lima Parties contend that the cessation of scheduled air service will exert an adverse effect on the community's orderly economic development, and that for a matter of this magnitude and importance and in order to protect the rights of the citizens of the community a formal hearing procedure should be authorized.

Allegheny filed a reply to the answer of the Postal Service, stating that Apollo cannot afford to retain the one flight in which the Postal Service has expressed an interest (a late-evening departure which generated only seven-tenths of a passenger per departure) and that a total of eight flights of the ten Apollo operated during November between Lima and Columbus carried no mail at all including the four flights Apollo now operates.[6]

Upon consideration of the pleadings and all the relevant facts, we have decided to deny Allegheny's request for modification of Order 73–1–65 and its petition for an order to show cause, and to set for hearing its application for deletion of Lima. In light of the objections of the civic parties and the Postal Service, and considering that this would be the first of the Allegheny Commuter replacement arrangements to be completely terminated at a city, we find that temporary suspension without a replacement carrier and deletion by show cause procedures would be inappropriate, and that the disputed facts and issues can best be resolved on the basis of an evidentiary record after hearing.[7]

Accordingly, it is ordered, That:

1. The application of Allegheny Airlines, Inc. in Docket 24365 for amendment of Order 73–1–65 so as to permit the continuation of its suspension of service at Lima without the commuter replacement service now operated by Apollo Aviation, Inc., be and it hereby is denied;

2. The petition of Allegheny Airlines, Inc. in Docket 26113 for an order to show cause, be and it hereby is denied;

3. The application of Allegheny Airlines, Inc. in Docket 26113 be and it hereby is set for hearing at a time and place to be hereafter designated; [8]

4. The motions of the City of Lima, the Lima Area Chamber of Commerce, and the U.S. Postal Service, for leave to file a late-filed answer, be and they hereby are granted; and

5. A copy of this order shall be served upon Allegheny Airlines, Inc.; Apollo Aviation, Inc.; Mayor, City of Lima; Chairman, Regional Airport Authority; Airport Manager, Allen County Airport; and the Postmaster General (attention: Assistant General Counsel of Transportation), U.S. Postal Service.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.74–7208 Filed 3–27–74;8:45 am]

[Docket No. 25667; Order 74–3–105]

HUGHES AIRWEST

Order To Show Cause

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 25th day of March 1974.

Application of Hughes Airwest for deletion of Lake Tahoe, California.

By application filed on July 2, 1973, and a petition for an order to show cause filed on July 26, 1973, Hughes Airwest has requested amendment of its certificate of public convenience and necessity for route 76 so as to delete therefrom Lake Tahoe, California.

The City of South Lake Tahoe filed an answer stating that it does not oppose the application.

Upon consideration of the application and petition and all the relevant facts, we have decided to issue an order to show cause why the deletion should not be granted. In addition, we will authorize Airwest to suspend service temporarily at Lake Tahoe pendente lite. Accordingly, we tentatively find and conclude that the public convenience and necessity require the amendment of Airwest's certificate for route 76 so as to delete the point, Lake Tahoe, California.

In support of our ultimate conclusion, we make the following tentative findings and conclusions. Airwest's service at Lake Tahoe has been characterized by declining traffic, excessive costs and inability to compete effectively with Holiday Airlines, its major competitor at Lake Tahoe.[1] Since 1967, Airwest's enplanements at Lake Tahoe have declined from a high of 10,946 to a 1972 level of 2,519.[2] Over the past five years Holiday has captured from 88 to 94 percent of the total origin-destination traffic by virtue of its superior schedules and equipment.[3]

The deletion of Lake Tahoe will, according to our estimate for the year ended May 31, 1973, reduce Airwest's operating loss by $33,000 and its subsidy need by $48,000, or nearly $7.50 per passenger. This saving can be achieved without seriously inconveniencing the traveling public. In addition to Holiday, Ram Airways, a commuter carrier, provides multifrequency small-aircraft service to Las Vegas, Reno and Carson City, Nevada, as well as to San Francisco; and Air Nevada, another Part 298 carrier, holds exemption authority to operate Electra aircraft in many California-Lake Tahoe markets, directly and via Hawthorne, Nevada.[4] Finally, Lake Tahoe is 55 miles over four-lane limited-access highway from Reno, Nevada; surface transportation is provided by two bus

[5] The answers were accompanied by motions for leave to file late documents. Good cause having been shown, the motions will be granted.

[6] Effective January 7, 1974, Apollo reduced its service pattern at Lima to two daily round trips between Lima and Columbus, the minimum service permitted under the terms of its replacement contract and Order 73–1–65.

[7] Allegheny has filed a letter with the Board, pursuant to section 205.8 of the Board's Economic Regulations, indicating that the resumption of service at Lima, which was scheduled to begin March 1, 1974, will be involuntarily postponed for an indefinite period. The carrier states that the postponement is necessitated by the fact that the Allen County Airport serving Lima is not certificated as required by Part 139 of the Federal Aviation Regulations nor has a waiver of the provisions of that Part been granted by the FAA. In consequence, Allegheny is prohibited from conducting regularly scheduled, large aircraft operations at Lima's Allen County Airport, until such time as the airport is properly certificated by the FAA or until a waiver of the FAA provisions is obtained. Thus, as a practical matter, Lima may be without certificated air service until steps are taken to qualify the Allen County Airport under FAA regulations.

[8] The hearing shall determine whether the public convenience and necessity require that Allegheny's certificate be altered, amended, or modified so as to suspend or delete Lima. As an alternative to amending Allegheny's certificate, we shall place in issue whether the public interest requires the temporary suspension of service by the carrier, with or without conditions.

[1] Holiday, an intrastate carrier, provides multi-frequency service between Lake Tahoe and Burbank, Los Angeles, Oakland, San Diego, San Francisco and San Jose, California. OAG, January 15, 1973.

[2] There was no service in 1972 until April 17 because of a mechanics' strike.

[3] Holiday operates Lockheed Electra aircraft which are better suited to cope with the various operational limitations of the airport than are Airwest's F–27 aircraft.

[4] Order 74–1–134, January 25, 1974. It should be noted that the order also authorized Holiday to engage in interstate air transportation with large aircraft in certain Lake Tahoe markets. Such authority will enhance the utility of Holiday's services. Furthermore, in dismissing the Lake Tahoe Service Investigation in Order 74–1–134, we found that Lake Tahoe does not appear to be a suitable point for certificated service and we herein incorporate that finding by reference.

lines and by limousine under contract to some of the Lake Tahoe resorts. In these circumstances, the Lake Tahoe area will not be isolated from the nation's transportation system in the absence of Airwest.[6]

We have also concluded that the public interest requires the temporary suspension of Airwest pending the effectiveness of the proposed certificate amendment.[6] As noted above, Airwest's service is uneconomical, alternatives are available and the community has interposed no objection to having the service discontinued. Moreover, we believe that the need to conserve valuable fuel resources warrants a suspension under standards recently applied, quite apart from the pending deletion application.[7] In view of all these factors, it would be contrary to the public interest to require the carrier to continue its minimum level of service while its unopposed application for deletion is being processed.

Interested persons will be given twenty days following service of this order to show cause why the tentative findings and conclusions set forth herein should not be made final. We expect such persons to support their objections, if any, with detailed answers, specifically setting forth the tentative findings and conclusions to which objection is taken. Such objections should be accompanied by arguments of fact or law and should be supported by legal precedent or detailed economic analysis. If any evidentiary hearing is requested, the objector should state in detail why such a hearing is considered necessary and what relevant and material facts he would expect to establish through such a hearing that cannot be established in written pleadings. General, vague, or unsupported objections will not be entertained.

Accordingly, it is ordered, That:

1. All interested persons are directed to show cause why the Board should not issue an order making final the tentative findings and conclusions stated herein and amending Hughes Airwest's certificate of public convenience and necessity for route 76 so as to delete Lake Tahoe, California, therefrom;

2. Any interested persons having objections to the issuance of an order making final any of the proposed findings, conclusions, or certificate amendments set forth herein shall, within 20 days after service of a copy of this order, file with the Board and serve upon all persons listed in paragraph 6 a statement of objections together with a summary of testimony, statistical data, and other evidence expected to be relied upon to support the stated objections; [8]

3. If timely and properly supported objections are filed, full consideration will be accorded the matters and issues raised by the objections before further action is taken by the Board;

4. In the event no objections are filed, all further procedual steps will be deemed to have been waived and the Board may proceed to enter an order in accordance with the tentative findings and conclusions set forth herein;

5. Hughes Airwest be and it hereby is authorized to suspend service temporarily at Lake Tahoe, California, on route 76 until 60 days after the effective date of the Board's final decision on the application to delete Lake Tahoe, Docket 25667;

6. The authority granted in paragraph 5 above may be amended or revoked at any time at the discretion of the Board without hearing; and

7. A copy of this order shall be served upon Hughes Airwest; Mayor, City of South Lake Tahoe; Governor, State of California; California Public Utilities Commission; Airport Manager, South Lake Tahoe Airport; and the Postmaster General.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.74-7206 Filed 3-27-74;8:45 am]

[Dockets Nos. 26435, 26482; Order 74-3-100]

TRANS WORLD AIRLINES, INC.

Order Dismissing Complaints

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 22nd day of March 1974.

Demand-Scheduling fares proposed by Trans World Airlines, Inc.

By tariff revisions [1] marked to become effective March 25, 1974, Trans World Airlines, Inc. (TWA) proposes to establish a revised version of its Demand-Scheduling fare, which was originally introduced in 1973.[2] The proposed fares would apply between Boston, New York, Philadelphia, Baltimore, and Washington, on the one hand, and Los Angeles and San Francisco, on the other, for travel commencing on and after July 8, 1974.

The proposed fares vary depending on whether travel commences on a weekend (Friday, Saturday, or Sunday) or a weekday, and during the peak or off-peak (October 1 through March 31) season. Discounts from regular coach fares range from 16 to 32 percent during the peak season, and 22 to 37 percent during the remainder of the year.

Reservations must be made at least 90 days in advance; a $20 nonrefundable deposit must be submitted within 15 days of reservation, with full payment due 45 days prior to commencing travel. At the time a reservation is accepted, TWA commits itself to carry the passenger on the specified date for which the booking is made. After the carrier receives full payment, the pasenger will receive a ticket indicating the flight number, departure and arrival times, and routing of the transportation.

As originally contemplated, the 1973 Demand-Scheduling experiment was to be a self-contained operation—separate from regular service and operated with aircraft isolated from the carrier's fleet. Under the instant proposal, Demand-Scheduling passengers will be carried on regularly scheduled flights. The number of weekly seats the carrier will sell in each market is based on the number of nonstop seats scheduled during February 1974 in that market. From this base, TWA will make available seven percent of the average weekly nonstop scheduled seats in a particular market during the peak season, and 12 percent during the off-peak season. As a further constraint, no more than 150 percent of average daily seat inventory would be available for Demand-Scheduling service on any particular day. TWA expects to carry 197,000 passengers at Demand-Scheduling fares during the year ending June 30, 1975, and to achieve a profit of $5.14 million. It also calculates that it will break even if the fares generate 65,100 passengers.

Certain member carriers of the National Air Carrier Association (NACA) have filed a complaint against TWA's proposal, requesting that it be suspended and investigated. NACA contends that as a result of the Board's Phase 5 decision, combined with the effects of the fuel shortage and the capacity reduction agreements, the array of below-cost discount fares which have long plagued the domestic scheduled airline industry are finally being phased out, and that until now it appeared that the domestic air transport system would at long last return to a sound, rational, nondiscriminatory, cost-based pricing policy. TWA's proposed fares would allegedly start the same cycle all over again, and the Board should therefore adhere to its determination in Phase 5 to prohibit discount fares which do not cover fully-allocated costs, except where such fares are needed on a short-term basis to deal with temporary periods of excess capacity or to promote traffic in "thinly-developed markets served at low load factors with a minimum service pattern." NACA estimates that if capacity costs are taken into account, the fares would produce a

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[6] We also tentatively find that the carrier is fit, willing and able properly to perform the transportation pursuant to the proposed amended certificate of public convenience and necessity and to conform to the provisions of the Act and the Board's rules, regulations and requirements thereunder.

[6] Airwest reinstated a single round trip at Lake Tahoe on February 15 after having suspended service in apparent violation of its certificate early in January. Our action herein does not render moot any past violations of the Act and neither prejudices any enforcement action which may be taken for such violations nor lessens the severity of any such offense.

[7] See, e.g., Orders 74-1-3 and 74-1-9, January 2, 1974.

[8] All motions and/or petitions for reconsideration shall be filed within the period allowed for filing objections and no further such motions, requests, or petitions for reconsideration of this order will be entertained.

[1] Revisions to Airline Tariff Publishers, Inc., Agent, Tariff Nos. 202 and 142.

[2] American Airlines, Inc. (American) and United Air Lines, Inc. (United) have filed to match in those markets covered by the TWA proposal where they provide nonstop service. American also includes the San Diego market, while United includes Seattle.

net loss of $2.31 million, rather than TDA's projected profit of $5.14 million, even accepting the accuracy of TDA's rather optimistically assumed 50 percent generation/diversion ratio.

NACA asserts that substantial displacement of full-fare passengers is inevitable, notwithstanding TWA's contention that the limitation on the number of Demand-Scheduling seats to be sold and the carrier's ability to assign passengers to any available flight (including, if necessary, a flight with intermediate stops) will tend to prevent these passengers from replacing those paying full fares. This is allegedly so since there are no blackout days or periods, and Demand-Scheduling passengers would accordingly be able to travel even during periods of peak demand. It asserts that Demand-Scheduling passengers would be assigned to specific flights no later than 30 days prior to departure, whereas most full-fare passengers normally make their reservations closer to departure date.

In answer to NACA's complaint, TWA alleges that its Demand-Scheduling proposal meets the Board's Phase 5 tests in all respects; it contends that the Board rejected a policy of prohibiting non-cost-based promotional fares, since that "* * * would largely remove the element of competition from airline pricing, and thus inhibit some of the dynamism and innovation which has been characteristic of the industry;" that the Board stated that the two objectives of allowing the carriers flexibility in pricing techniques and at the same time preventing discount fares from over-burdening the general fare level are not irreconcilable, and concluded that they could be achieved by adopting the following standards: (1) all discount-fare proposals must be accompanied by a prima facie showing that the fares will have a favorable profit impact; (2) the proposed discount-fare tariff must be marked to expire no later than 18 months following its effective date; and (3) in determining revenue requirements for fare-level purposes, the impact of promotional fares will be eliminated. TWA alleges that its filing meets the first two standards and, since the impact of promotional fares will not be recognized in evaluating the revenue needs of the industry, utilization of the profit-impact test is fully warranted.

TWA disputes NACA's allegation that Demand-Scheduling will result in substantial displacement of full-fare passengers and contends that never before has a promotional fare been so specifically structured to avoid such a possibility. While there are no travel black-outs, NACA ignores the fact that well over 95 percent of the nonstop seats in the peak season in these markets will be blacked-out to Demand-Scheduling travel by the capacity limitations of the proposal, a far more effective and meaningful black-out than is possible with customary daily or periodic black-outs. Since there is a limit on the number of seats which can be sold in a given week, each carrier will find it counter-productive to make too many of those seats available on a day or days when it would otherwise anticipate peak demand at full fare; that the more seats carriers might choose to sell on a day of potentially peak demand, the fewer it will have to sell on the surrounding days in the same week; and that normal business judgment will thus lead each carrier to concentrate Demand-Scheduling availability on days other than those of highest demand.

Finally, TWA concedes NACA's allegation that most full-fare passengers make reservations less than 30 days prior to departure. However, it contends that it will have an indication of the trend in bookings and the prospective loads on different flights by the time it must firm up Demand-Scheduling travel, and will therefore have the capability of planning for the distribution of this traffic onto flights where the loads are likely to be lightest.

Delta Air Lines, Inc. (Delta) has filed a consolidated complaint against the Demand-Scheduling fares proposed by American and United. Delta's primary concern is that the proposed "uneconomic, yield-diluting fares cannot be limited to the transcontinental markets," and alleges that such fares are particularly inappropriate now during the current period of serious fuel shortage and the concomitant limitations imposed upon airline capacity. Delta further asserts that claims of prior success with Demand Scheduling must be considered in light of American's statement, in connection with its cancellation of the fares, that it experienced a significant amount of diversion, as evidenced by a substantial decline in load factor on regular scheduled flights.

In answer to Delta's complaint, the three transcontinental carriers assert, inter alia, that Delta's concern over the spread of Demand Scheduling to other markets is merely hypothetical, and opportunity to complain will be available should a Demand-Scheduling tariff be filed in a Delta market; and that the capacity ceilings built into the fare program make it clear that the fares will not create short-term pressure to increase capacity to accommodate lower-yield traffic generation. With respect to last year's experiment, American asserts that it was the cost of operating separate flights which made the experiment uneconomic, since it was not possible to make a corresponding reduction in scheduled flights and thereby cut costs. Instead, diverted passengers moved on the added flights which had the effect of doubling the flight cost for these passengers.

Upon consideration of the tariff filings, the complaints, and answers thereto, and all other relevant matters, the Board finds that the complaints do not set forth sufficient facts to warrant investigation of the filings and the requests therefor, and consequently the requests for suspension, will be denied and the complaints dismissed.

Delta and NACA argue that the instant proposal raises the spectre of a renewed emphasis on unwise and unneeded industry-wide discounts, and contend that the proposal is contrary to the principles set forth in Phase 5. We do not agree. The Board did not intend to stifle reasonable pricing innovation by its Phase 5 decision. The decision was, in fact, explicit to the contrary, although it does require that carriers approach discount-fare pricing in a more cautious manner than in the past, and that a proposed fare must not only be nondiscriminatory but, most important, must not burden the general fare level. The safeguards built into the fare here proposed should protect against such a result.

In our opinion, excellent response to the Demand-Scheduling program last year is evidence that a significant segment of the public is willing to tolerate considerable restriction on their travel in order to qualify for the reduced fare and, by the same token, is sufficiently price-conscious that they would most probably not otherwise travel by air. We believe TWA's generation estimate to be reasonable and, accordingly, its estimate of profit impact, particularly since several major discount fares which have been available for a number of years will be terminated after the first week in June.[a]

We distinguish between this program and the Florida midweek excursion fares proposed by United which were suspended by the Board (Order 73-12-76). There the Board was concerned with the possibility that the fares would create pressure for additional capacity or would displace regular-fare passengers during a period of schedule reductions necessitated by the fuel shortage. In the instant case, on the other hand, the Demand-Scheduling capacity is specifically pegged to a maximum percentage of February 1974 schedules, and cannot be changed without Board approval. Similarly, Delta's concern with the possible spread of Demand-Scheduling fares to other cities, which is at best premature, is likewise controllable by the Board, since any expansion would necessitate a tariff filing.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a), 403, 404, and 1002 thereof,

It is ordered, That:

1. The complaints in Dockets 26435 and 26482 be and hereby are dismissed; and

2. Copies of this order be served upon American Airlines, Inc., Capitol International Airways, Inc., Delta Air Lines, Inc., Saturn Airways, Inc., Trans International Airlines, Inc., Trans World Airlines, Inc., United Air Lines, Inc., and World Airways, Inc.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.74-7207 Filed 3-27-74; 8:45 am]

[a] We will expect carriers offering Demand-Scheduling fares to file reports with the Board, the contents of which are set forth in Appendix A. Appendix A filed as part of the original document.

CIVIL SERVICE COMMISSION

COMMITTEE ON PRIVATE VOLUNTARY AGENCY ELIGIBILITY

Notice of Closed Meeting

Pursuant to the provisions of section 10 of Pub. L. 92–463, effective January 5, 1973, notice is hereby given that the Committee on Private Voluntary Agency Eligibility will hold a closed meeting on April 2, 1974. The meeting will be held in Room 5323, Civil Service Commission Building, 1900 E Street NW., Washington, D.C., beginning at 1:30 p.m. and ending at approximately 4:30 p.m.

The Committee's primary responsibility is to make recommendations to the Chairman of the Civil Service Commission regarding eligibility of national voluntary agencies to participate in the Federal fund-raising program. At this meeting the Committee will review applications for fund-raising privileges which have been submitted by voluntary organizations to the Commission in compliance with the Federal Fund-Raising Manual.

The meeting will be closed to the public under a determination to do so made under the provisions of section 10(d) of Pub. L. 92–463. Additional information concerning this meeting may be obtained by contacting the Office of the Chairman, U.S. Civil Service Commission, 1900 E Street, NW., Washington, D.C.

IRVING KATOR,
Assistant to the Chairman.

[FR Doc.74–7125 Filed 3–27–74;8:45 am]

FEDERAL PREVAILING RATE ADVISORY COMMITTEE

Notice of Committee Meetings

Pursuant to the provisions of section 10 of Pub. L. 92–463, effective January 5, 1973, notice is hereby given that meetings of the Federal Prevailing Rate Advisory Committee will be held on:

Thursday, April 4, 1974
Thursday, April 18, 1974
Thursday, April 25, 1974

The meetings will convene at 10 a.m. and will be held in Room 5A06A, Civil Service Commission Building, 1900 E Street NW., Washington, D.C.

The committee's primary responsibility is to study the prevailing rate system and from time to time advise the Civil Service Commission thereon.

At these scheduled meetings, the committee will consider proposed plans for implementation of Pub. L. 92–392, which law establishes pay systems for Federal prevailing rate employees.

The meetings will be closed to the public under a determination to do so, made under the provisions of section 10(d) of Pub. L. 92–463.

However, members of the public who wish to do so, are invited to submit material in writing to the Chairman concerning matters felt to be deserving of the committee's attention. Additional information concerning these meetings may be obtained by contacting the Chairman, Federal Prevailing Rate Advisory Committee, Room 5451, 1900 E Street NW., Washington, D.C.

DAVID T. ROADLEY,
Chairman, Federal Prevailing Rate Advisory Committee.

MARCH 25, 1974.

[FR Doc.74–7124 Filed 3–27–74;8:45 am]

COMMISSION ON REVISION OF THE FEDERAL COURT APPELLATE SYSTEM

NOTICE OF MEETING

Notice is hereby given that the Commission on Revision of the Federal Court Appellate System will meet Tuesday, April 2, 1974, at 1:30 p.m., in Room 2247 of the Rayburn House Office Building.

The purpose of the meeting is to discuss, preliminarily, proposals for creation of a National Division of the United States Court of Appeals, methods of selection of a Chief Judge and other items relevant to the Commission's study of the "structure and internal procedures of the Federal courts of appeal system."

The meeting is open to all interested persons.

A. LEO LEVIN,
Executive Director.

[FR Doc.74–7166 Filed 3–27–74;8:45 am]

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

CERTAIN COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN THAILAND

Entry or Withdrawal From Warehouse for Consumption

MARCH 25, 1974.

On April 2, 1973, there was published in the FEDERAL REGISTER (38 FR 8469) a letter dated March 27, 1973 from the Chairman, Committee for the Implementation of Textile Agreements, to the Commissioner of Customs, establishing levels of restraint applicable to certain specified categories of cotton textiles and cotton textile products produced or manufactured in Thailand and exported to the United States during the twelve-month period beginning April 1, 1973. As set forth in that letter, the levels of restraint are subject to adjustment pursuant to paragraph 5 of the Bilateral Cotton Textile Agreement of March 16, 1972, between the Governments of the United States and Thailand, which provides that within the aggregate and applicable group limits, limits on certain categories may be exceeded by not more than 5 percent.

Accordingly, there is published below a letter of March 25, 1974, from the Chairman of the Committee for the Implementation of Textile Agreements to the Commissioner of Customs amending the level of restraint applicable to cotton textile products in Category 9/10, produced or manufactured in Thailand and exported to the United States during the twelve-month period which began on April 1, 1973.

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

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

COMMISSIONER OF CUSTOMS,
Department of the Treasury,
Washington, D.C. 20229.

DEAR MR. COMMISSIONER: On March 27, 1973, the Chairman, Committee for the Implementation of Textile Agreements, directed you to prohibit entry during the twelve-month period beginning April 1, 1973 of cotton textiles and cotton textile products in certain specified categories produced or manufactured in Thailand in excess of designated levels of restraint. The Chairman further advised you that the levels of restraint are subject to adjustment.[1]

Pursuant to paragraph 5 of the Bilateral Cotton Textile Agreement of March 16, 1972 between the Governments of the United States and Thailand, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed, effective as soon as possible, to increase the level of restraint established for cotton textile products in Category 9/10 to 2,009,300 square yards[2] for the twelve-month period which began on April 1, 1973.

The actions taken with respect to the Government of Thailand and with respect to imports of cotton textiles and cotton textile products from Thailand have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs being necessary to the implementation of such actions fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the FEDERAL REGISTER.

Sincerely,

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

[FR Doc.74–7203 Filed 3–27–74;8:45 am]

IMPORTERS TEXTILE ADVISORY COMMITTEE

Notice of Meeting

MARCH 27, 1974.

The Importers' Textile Advisory Committee will meet at 10:30 a.m. on April 11, 1974, in Room 4833, Department of Commerce, 14th and Constitution Avenue, NW., Washington, D.C. 20230.

[1] The term "adjustment" refers to those provisions of the Bilateral Cotton Textile Agreement of March 16, 1972 between the Governments of the United States and Thailand which provide, in part, that within the aggregate and applicable group limits, limits on certain categories may be exceeded by not more than 5 percent; for the limited carryover of shortfalls in certain categories to the next agreement year; and for administrative arrangements.

[2] This level has not been adjusted to reflect any entries made on or after April 1, 1973.

The Committee, which is comprised of 19 members having expertise in the importation of textiles and apparel, advises Department officials of the effects on import markets of the cotton, wool and man-made fiber textile agreements.

The agenda for the meeting is as follows:

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

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

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

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

[FR Doc.74-7379 Filed 3-27-74;11:02 am]

MANAGEMENT-LABOR TEXTILE ADVISORY COMMITTEE

Change of Meeting Date

MARCH 27, 1974.

On March 25, 1974, there was published in the FEDERAL REGISTER (39 FR 11133) a notice announcing that a meeting of the Management-Labor Textile Advisory Committee would be held on April 3, 1974 at 2 p.m., in Room 4833, Department of Commerce, 14th and Constitution Avenue, N.W., Washington, D.C. 20230. The purpose of this notice is to advise that the date of that meeting has been changed to April 10, 1974. The time and location of the meeting remain the same.

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

[FR Doc.74-7378 Filed 3-27-74;11:02 am]

ENVIRONMENTAL PROTECTION AGENCY

[Docket No. 301]

CANCELLATION OF REGISTRATION OF 707-X KILLS-CONTROLS RATS-MICE 707 WARFARIN MOUSE & RAT KILLER

Objections and Request for Hearing

Notice is hereby given pursuant to § 164.8 of the EPA rules of practice (38 FR 19371; 40 CFR 164.8), issued under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended (86 Stat. 973; 7 U.S.C. 136), that objections and a request for a public hearing has been filed under § 164.20 of those rules, by The 707 Company, in connection with notices of intent to cancel registrations of the above-named products (EPA Reg. Nos. 1193-17 and 1193-48). The notices were based on the failure to supply revised labelings and required efficacy data as to the products.

For information concerning the issues involved and other details, interested persons are referred to the docket of this proceeding on file with the Hearing Clerk, Environmental Protection Agency, Room 1019, Waterside Mall, East Tower 401 M Street SW., Washington, D.C. 20460.

FREDERICK W. DENNISTON,
Administrative Law Judge.

MARCH 21, 1974.

[FR Doc.74-7282 Filed 3-27-74;8:45 am]

[OPP-32000/29]

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 28, 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 60 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 28, 1974.

APPLICATIONS RECEIVED

EPA File Symbol 554-RGN, Agsco Chemicals, Inc., P.O. Box 458, Grand Forks, North Dakota 58201. *Agsco 666 Herbicide.* Active Ingredients: 2,4-Dichlorophenoxy acetic acid, isooctyl ester 94.40%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 11327-RR. Chemco Industries, 7501 Adamo Drive, Tampa, Florida 33619. *N.T.I.-300.* Active Ingredients: (5-Benzyl-3-furyl) methyl 2,2-dimethyl-3-(2-methylpropenyl) cyclopropanecarboxylate 3.000%; Related compounds 0.409%; Aromatic petroleum hydrocarbons 91.471%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 8314-EE. Cincinnati Milacron Chemicals Inc., 500 Jersey Avenue, New Brunswick, New Jersey 08903. *Avacide LP-100.* Active Ingredients: Bis (Tri-n-butyltin) Oxide 10%. Method of Support: Application proceeds under 2(a) of interim policy.

EPA File Symbol 33585-R. Crop King, P.O. Box 574, Yakima, Washington 98907. *Crop King Parathion 4-E.* Active Ingredients: Parathion (O, O-diethyl O-p-nitrophenyl thiophosphate) 46.4%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 279-2876AA. FMC Corporation, Agricultural Chemical Division, 100 Niagara Street, Middleport, New York 14105. *Furadan 4 Flowable Insecticide.* Active Ingredients: Carbofuran 40.64%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 12059-L. Jag Chemical Corporation, 1965 New Highway, Farmingdale, New York 11735. *Assassinate Residual Surface Spray with Pyrenone/Diazinon.* Active Ingredients: O,O-Diethyl O-(2-isopropyl-6-methyl-4-pyrimidinyl) phosphorothioate 0.500%; Pyrethrins 0.052%; Piperonyl Butoxide, Technical 0.261%; Petroleum Distillate 98.608%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 12059-A. Jag Chemical Corporation, 1865 New Highway, Farmingdale, New York 11735. *Larvicon Fogger Insecticide.* Active Ingredients: Pyrethrins 0.050%; Piperonyl Butoxide, Technical 0.125%; Malathion 2.000%; Aromatic Petroleum Derivative Solvent 7.625%; Petroleum Distillate 90.200%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 1021-RGRG. McCaughlin Gormley King Company, 8810 Tenth Avenue, North, Minneapolis, Minn. 55427. *Pyrocide Intermediate 7217.* Active Ingredients: Pyrethrins 1.95%; Piperonyl butoxide, technical 9.73%; Rotenone 0.09%; Other cube resins 0.19%; 2-(1-methylethoxy) phenol methylcarbamate 2.78%; Petroleum distillate 49.61%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 11800-O. Midwest Agricultural Warehouse Company, 200 S. Main, Fremont, Nebraska 68025. *Clean Crop Maneb-Lindane Seed Protectant.* Active Ingredients: Maneb (Manganese ethylene bisdithiocarbamate) 50.00%; Lindane (Gamma Isomer of Benzene Hexachloride) 18.75%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 3468-UG. Harold E. Schall Wholesale Chemical Co., 130 N. Broadway, Monte Vista, Colorado 81144. *Toxaphene-Lindane Stock Spray and Dip.* Active Ingredients: Gamma Isomer of Benzene Hexachloride (from Lindane) 1.9%; Toxaphene (Technical chlorinated camphene) 42.0%; Xylene range aromatic solvent 49.7%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 33722–A. Tex-Ag Company, P.O. Box 633, Mission, Texas 78572. *Methyl Parathion 4Lb. Emulsifiable Concentrate.* Active Ingredients: O,O-dimethyl O-p-nitrophenyl phosphorothioate 45.42%; Xylene-range aromatic solvent 49.50%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 33722–R. Tex-Ag Company, P.O. Box 633, Mission, Texas 78572. *Forty-Four Emulsifiable Concentrate.* Active Ingredients: Toxaphene 37.1%; O,O-dimethyl-O, p-nitrophenyl thiophosphate 37.1%; Xylene Range Aromatic Hydrocarbon Solvent 22.8%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 10486–E. Trenor Laboratories, P.O. Box 586, Houston, Ms. 38851. *Trenor HG–9 Germicidal Detergent.* Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethly benzyl ammonium chlorides 4.5%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 4.5%; Sodium Carbonate 4.0%; Tetrasodium ethylenediamine tetraacetate 2.0%. 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 of March 18, 1974 (39 FR 10180).

EPA File Symbol 33734–R. J. R. Schneider Co., Inc., Post Office Box 878, Tiburon, California 94920. *Schneider Micor-Cide II.* Active Ingredients: 1-(3-chloroallyl)-3,5,7-triaza-1-azoniaadamantane chloride 67.5%. Correction: Originally published as 1-(3-chloroallyl)-3,5,7-triaza - 1 - azonia-adamantene chloride 67.5%.

EPA Reg. No. 984–57. Whitmoyer Laboratories, Inc., 19 North Railroad Street, Myerstown, Pennsylvania 17067. *Whitmoyer Laro.* Active Ingredients: Soap 10%; Isopropanol 10%; 4 & 6-chloro-2-phenylphenol 7%; O-phenylphenol 6%; tetrasodium ethylenediamine tetraacetate 1.5%; p-tertiary amyphenol 1.0% 35.5%. Correction: One line of Active Ingredients statement deleted at time of publication.

Dated: March 21, 1974.

JOHN B. RITCH, Jr.,
Director, Registration Division.

[FR Doc.74–7284 Filed 3–27–74;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[Canadian List No. 320]

CANADIAN STANDARD BROADCAST STATIONS

Notification List

MARCH 12, 1974.

List of new stations, proposed changes in existing stations, deletions, and corrections in assignments of Canadian standard broadcast stations modifying the assignments of Canadian broadcast stations contained in the Appendix to the Recommendations of the North American Regional Broadcasting Agreement Engineering Meeting January 30, 1941.

Call letters	Location	Power kW	Antenna	Schedule	Class	Antenna height (feet)	Ground system: Number of radials	Ground system: Length (feet)	Proposed date of commencement of operation
		570 kHz							
CKEK (now in operation)	Cranbrook, British Columbia, N. 49°-28'13", W. 115°43'12".	10D/1N	DA-1	U	III				
		570 kHz							
CKCQ (correction to coordinates).	Quesnel, British Columbia, N. 52°56'-40", W. 122°30'00".	1	DA-2	U	III				
		580 kHz							
CKY (correction to coordinates).	Winnipeg, Manitoba, N. 49°36'09", W. 97°09'00".	50	DA-2	U	III				
		630 kHz							
CJET (change in radiation patterns—PO 630 kHz, 10 kw, DA-2.)	Smiths Falls, Ontario, N. 44°50'31", W. 76°58'44".	10	DA-2	U	III				E.I.O. 3-12-75.
		730 kHz							
CKLG (increase in power—PO 730 kHz, 10 kw, DA-2).	Vancouver, British Columbia, N. 49°-07'57", W. 123°00'18".	50	DA-2	U	II				E.I.O. 3-12-75.
		900 kHz							
CKBI (change in day-time operation—PO 900 kHz, 10 kw, DA-2).	Prince Albert, Saskatchewan, N. 53°-06'13", W. 105°45'30".	10	*DA-N*	U	II				E.I.O. 3-12-75.
		1190 kHz							
(New)	Charlottetown, Prince Edward Island, N. 46°11'02", W. 63°09'03".	10	DA-N	U	II				E.I.O. 3-12-75.
		1220 kHz							
CJRB (now in operation)	Boissevain, Manitoba, N. 49°15'26", W. 100°03'24".	10	DA-2	U	II				
		1230 kHz							
CKMP (correction to coordinates).	Midland, Ontario, N. 44°43'56", W. 79°53'38".	1D/0.25N	ND-182	U	IV	150	120	320	
		1340 kHz							
CFLH (now in operation with increase in power).	Hearst, Ontario, N. 49°41'58", W. 83°38'48".	1D/0.25N	ND-180	U	IV	125	120	295	
		1510 kHz							
CKOT (increase in power and change of site—PO 1510 kHz, 1 kw, DA-D).	Tillsonburg, Ontario, N. 42°44'08", W. 80°39'19".	10	DA-D	D	II				E.I.O. 3-12-75.

[SEAL]

WALLACE E. JOHNSON,
Chief, Broadcast Bureau,
Federal Communications Commission.

[FR Doc.74–7063 Filed 3–27–74;8:45 am]

[Report No. 692]

COMMON CARRIER SERVICES INFORMATION [1]

Domestic Public Radio Services Applications Accepted for Filing [2]

MARCH 18, 1974.

Pursuant to §§ 1.227(b)(3) and 21.30 (b) of the Commission's rules, an application, in order to be considered with any domestic public radio services application appearing on the attached list, must be substantially complete and tendered for filing by whichever date is earlier: (a) The close of business one business day preceding the day on which the Commission takes action on the previously filed application; or (b) within 60 days after the date of the public notice listing the first prior filed application (with which subsequent applications are in conflict) as having been accepted for filing. An application which is subsequently amended by a major change will be considered to be a newly filed application. It is to be noted that the cut-off dates are set forth in the alternative—applications will be entitled to consideration with those listed in the appendix if filed by the end of the 60 day period, only if the Commission has not acted upon the application by that time pursuant to the first alternative earlier date. The mutual exclusivity rights of a new application are governed by the earliest action with respect to any one of the earlier filed conflicting applications.

The attention of any party in interest desiring to file pleadings pursuant to section 309 of the Communications Act of 1934, as amended, concerning any domestic public radio services application accepted for filing, is directed to §§ 21.27 of the Commission's rules for provisions governing the time for filing and other requirements relating to such pleadings.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] VINCENT J. MULLINS,
Secretary.

APPLICATIONS ACCEPTED FOR FILING

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE

21056-C2P-(9)-74, New York Telephone Company (KEA774). C.P. to replace transmitter, change antenna system and relocate facilities to operate on base facilities 152.51, 152.57, 152.63, 152.69, 152.75, 152.81, 35.42, and 35.66 MHz and auxiliary test facilities 43.42 and 43.66 MHz to be located at One Marine Midland Center, Buffalo, New York.

21057—C2-P-74, Frank L. Yates, Jr., d/b as Gulf Mobilphone (New). C.P. for a new 2-way station to operate on 454.025 MHz to be located 3.6 miles Northeast of Picayune, Mississippi.

21059-C2-P-(3)-74, Communications Industries, Inc., d/b as Mobilfone (KKG565). C.P. for additional facilities to operate on 454.125, 454.225, and 454.300 MHz at Loc. #1: 2 miles SW of Midland, Texas, on US Highway 80, Midland, Texas.

21060-C2-P-74, Continental Telephone Company of California (KFL908). C.P. to change antenna system operating on 152.60 MHz and add facilities to operate on 152.72 MHz located at Junction of Nevada State Route #18 and Hwy. #50, Stateline, Nevada.

21061-C2-P-74, Tel-Page Corporation (KEC518). C.P. to add antenna Location #2 to operate on 43.58 MHz to be located 0.25 mile SW of Junction of Parish and McCarthy Road, Ionia, New York.

21062-C2-P-74, Kearsarge Telephone Company (New). C.P. for a new 1-way signaling station to operate on 158.10 MHz to be located at Main Street, New London, New Hampshire.

21063-C2-P-74, Kearsarge Telephone Company (New). C.P. for a new 2-way station to operate on 152.57 MHz to be located at Main Street, New London, New Hampshire.

21064-C2-P-74, E. B. Brownell d/b as Worland Services (KOP254). C.P. to change antenna location and control point location at Loc. #3 operating on 158.55 to be located at 337 North 6th Street, Thermopolis, Wyoming, new Loc. #3.

21065-C2-TC-74, Sigma Communications Corporation. Consent to Transfer of Control from Sandra Ottenstein, Transferor to Harvey Ottenstein, Transferee. Station: KCC484, Farmington, Connecticut.

21067-C2-P-(3)-74, Southeast Mobilphone, Inc. (KCI308). C.P. for additional facilities to operate on 454.025, 454.050, and 454.200 MHz at Loc. #3: WBIR TV Tower, Knoxville, Tennessee.

21068-C2-P-(4)-74, Fresno Mobile Radio, Inc. (KMA830). C.P. to replace transmitter operating on 2172 and 2178.4 MHz at Loc. #3: 160 North Broadway, Fresno, California; and replace transmitter operating on 2128.4 MHz at Loc. #1: 30 miles NE of Fresno at Adler Springs, California, and 2122 MHz at Loc. #2: On Joaquin Ridge, Nr. Coalinga, California.

21069-C2-P-74, New England Telephone and Telegraph Company (KCC473). C.P. to replace transmitter operating on 152.57 MHz located on Brownell Mtn., 5.9 miles SSE of Burlington, Vermont.

21070-C2-P-(3)-74, Delta Valley Radiotelephone Co., Inc. (KMA743). C.P. to replace transmitter and change antenna system operating on 454.325 MHz at Loc. #4: 7.5 miles NE of Danville, atop North Peak of Mt. Diablo, nr. Danville, California; replace transmitter and change antenna system operating on 152.21 MHz at Loc. #1: 3502 Kroy Way, Sacramento, California; and change antenna system operating on 152.21 MHz at Loc. #2: 1800 ft W. of California Hwy. 49, 3.5 miles S. of El Dorado, California.

21071-C2-P-74, RCC of Virginia, Inc. (New). C.P. for a new 2-way station to operate on 152.18 MHz to be located nr NW intersection of Va. 190 and Centerville Turnpike, Virginia Beach, Virginia.

Major Amendments

7056-C2-P-73, Radio Phone Communications, Inc. (New), Shoulders Hill, Virginia. Delete 152.18 MHz base frequency and add 454.250 and 454.300 MHz base frequencies. All other particulars to remain as reported on PN #642 dated April 2, 1973.

20488-C2-P-(4)-74, Exavier W. Nady d/b as Mobilephone-Yuma. Amend base frequency 152.18 MHz to read 152.21 MHz. All other particulars are to remain the same as reported on PN #673, dated November 5, 1973.

Informative

It appears that the following applications may be mutually exclusive and subject to the Commission's Rules regarding Ex Parte presentations by reason of economic competition or potential electrical interference.

Tel Page Corp. Horseheads, New York (KRH-636), File No. 8437-C2-P-73.

Williamsport Mobile Telephone Co., Williamsport, Pa. (New), File No. 20029-C2-P-(2)-73.

Correction

8561-C2-P-73, Morris Communications, Inc. (KFL904). Correct PN #651 dated June 4, 1973, to read: C.P. to change antenna system, location and power operating on 152.18 MHz and add additional facilities to operate on 152.12 MHz at 211 Clinckscales Street, Anderson, South Carolina.

Renewal of Licenses expiring April 1, 1974. Term: April 1, 1974, to April 1, 1979.

Licensee	*Call sign*
ALABAMA	
Gulf Mobilphone	KQZ778
ALASKA	
Communications Engineering, Inc.	KWA634
ARIZONA	
Albert E. Armour, Jr.	KOF912
ARKANSAS	
Mobilfone Communications	KFL870
Do	KFL890
Do	KFL893
Do	KFL899
Do	KFL903
Do	KKX720
Do	KLB500
Do	KLF633
Do	KLF634
Do	KQZ752
Mobilfone Service, Inc	KLF614
Do	KFL927
CALIFORNIA	
American Mobile Radio, Inc	KMA249
Chalfont Communications	KLF520
Do	KMA251
Do	KMD995
Do	KMM581
Do	KMM652
Communications, Inc	KAA280
Industrial Communications Systems, Inc.	KMD990
Intrastate Radio Telephone, Inc., of Los Angeles.	KSV977
Kern Radio Dispatch	KMD993
Mobile Radio System of San Jose, Inc.	KMA741
Mobile Radio System of Ventura, Inc.	KMA835
Mobile Radio System of San Jose, Inc.	KQZ715
Mobile Radio System of Ventura, Inc.	KSV976
Ukiah Autofone	KMM657
COLORADO	
Empire Dispatch	KAA279
Mobile Radio Communication Service.	KFL917
Mobilephone, Inc	KFL930
Pagrphone, Inc	KTS255
CONNECTICUT	
Connecticut Mobile Telephone Co.	KCA514
Do	KCA746
Do	KCC479
Do	KCC803
Do	KCI300
Do	KLF626
Do	KQZ747

[1] All applications listed in the appendix are subject to further consideration and review and may be returned and/or dismissed if not found to be in accordance with the Commission's, rules, regulations and other requirements.

[2] The above alternative cut-off rules apply to those applications listed in the appendix as having been accepted in Domestic Public Land Mobile Radio, Rural Radio, Point-to-Point Microwave Radio and Local Television Transmission Services (Part 21 of the Rules).

FLORIDA

Licensee	Call sign
Florida Radio Phone	KIA958
Do	KIG845
Spencer Communications Service.	KIY446
Do	KIY748
Do	KTS263

GEORGIA

Airvoice, Inc	KUC899
Autofone, Inc	KUO373
Harold's Radio Service	KSD321
James L. Hope	KIB531
James G. Prestwood, Jr	KIG844
Raco, Inc	KQZ787

ILLINOIS

Credit Bureau of Decatur, Inc	KRM965
Do	KSJ770
Do	KSJ823

INDIANA

Delaware Telephone Answering Service, Inc.	KJU800

IOWA

Curtain Call Communications, Inc.	KTS233
Do	KTS236

KANSAS

Mobilfone of Kansas	KAQ624
Do	KAQ625
Do	KFL933
Do	KLF655
Do	KRS686
Do	KSV907
Do	KTS272
Do	KTS278

LOUISIANA

LaVergne's Telephone Answering Service.	KLF657
Do	KLF865
New Orleans Mobilfone	KKA400
Do	KLB759
Do	KLF617
Radiofone	KKO349
Do	KLB571
Do	KLF616
Do	KRS632
Do	KSV973
Do	KSV974
Selective Radio Paging, Inc	KKT407
Southern Message Service, Inc	KKO360
Do	KKQ962
Do	KLB494
Do	KLB681
Do	KLB756
Do	KLF528
Do	KLB319
Do	KUC878

MAINE

New Dawn Communications, Inc.	KCB892
Summit Mobile Radio Co	KCI304

MARYLAND

Modern Communications Corp	KGC402

MASSACHUSETTS

North Shore Communications, Inc.	KSV956
Do	KCC483
Peabody Telephone Answering Service.	KCC786
Worcester Communications Co	KCA721

MICHIGAN

John W. Bennett	KOP326
Do	KQK772
Do	KRS671

MINNESOTA

Minnesota Mobile Telephone Co.	KRS637
St. Cloud & Loop Answering Service.	KLF580

MISSISSIPPI

Licensee	Call sign
Edwin A. Boyce	KQZ728
AAA Anserphone, Inc.—Jackson.	KUO627
Delta Communications, Inc	KUC858

MISSOURI

Midwest Mobile Radio Service, Inc.	KRS649

NEVADA

Sierra Communications, Inc	KRH673

NEW JERSEY

Radiofone Corp. of New Jersey	KUO615
Tra-Mar Communications, Inc	KEJ888

NEW YORK

Byrnes Message Bureau, Inc	KEJ884
Relay Communications Corp	KLF579
Tel-Rad Message Center	KEC520
Westchester Mobilfone System, Inc.	KEA274

NEW MEXICO

Associated Telephone Answering Services.	KKI452
Do	KKX716
Jim Mayfield	KLB710
Associated Telephone Answering Services.	KQZ775
Western Mobilphone, Inc	KTS262
Do	KKM582

NORTH DAKOTA

Grand Forks Telephone Answering Service.	KDN400

NORTH CAROLINA

Anserphone	KIG841
Anserphone of Durham	KIY758
Do	KRH657
Anserphone of High Point	KFL931
Do	KRH658
Anserphone	KRH661
Raleigh Radio Paging Service, Inc.	KIY409
Ra-Tel Co	KIY777
Telephone Answering Service of Fayetteville, Inc	KIY778
Two-Way Radio of Carolina, Inc.	KIY754
Do	KIY755
Do	KUA277
Do	KIY441
Do	KLF612

OHIO

Buckeye Communications Co	KJU813
Do	KLF500
Do	KLF570
Do	KLF572
E & J Mobile Radio Service	KFJ887
Do	KRH651

OKLAHOMA

Mobilfone Service, Inc	KFQ944
Do	KKA341
Do	KKA401
Do	KKA402
Do	KKA403
Do	KKJ452
Do	KKN287
Do	KKO347
Do	KLB511
Do	KLB779
Do	KLB785
Do	KLB786
Do	KLF558
Do	KRH632
Do	KRH649
Do	KRS660
Do	KWA664

OREGON

Curry County Communications	KOK348
Do	KOP249
Do	KTS241

PENNSYLVANIA

Licensee	Call sign
Message Center	KGC588
Pennsylvania Radio Telephone Corp.	KGA808

SOUTH CAROLINA

Morris Communications, Inc	KFL880
Do	KFL904
Do	KIY731
Do	KLF505
Do	KSV933
Do	KUO629
James G. Prestwood, Jr	KIE960
Do	KQZ721

TENNESSEE

Nashville Mobilphone, Inc	KFL864
Do	KIY750
Do	KLF651
Do	KLF651

TEXAS

Am-Tex Dispatch Service	KTS259
E. H. Cannon	KRH671
Albert W. Dale	KLF470
Do	KLF509
Do	KLF599
Contact of Texas	KKD284
Do	KRS639
FWS Radio, Inc	KUO600
Robert E. Franklin	KKE965
Mobilfone Service, Inc	KKJ459
Do	KKM254
Do	KQZ771
Do	KQZ792
Page-A-Fone Corp	KUO597
Perrytex Communications	KLB320
Public Communications, Inc	KLB761

UTAH

Mobile Radio Telephone Service, Inc.	KRS691
Do	KRS692
Do	KRS693

VIRGINIA

Advanced Radio Communications Co.	KLF495
Do	KQZ755

WISCONSIN

Curtain Call Communications, Inc.	KUC868

Supplement

KENTUCKY

J. B. Wathen, Jr	KSC870

RURAL RADIO SERVICE

60232–C6–P–74, RCA Alaska Communications, Inc. (New). C.P. for a new inter-office station to operate on 454.375 MHz to be located at remote repeater site near Wiseman Village on Alyeska Pipeline route; 184 miles NW of Fairbanks, Coldfoot, Alaska.

60233–C6–P–74, RCA Alaska Communications, Inc. (New). C.P. for a new inter-office station to operate on 459.375 MHz to be located at Alyeska Pipeline construction site near Hill 2246; 155 miles NW of Fairbanks, Prospect Camp, Alaska.

60234–C6–P–74, RCA Alaska Communications, Inc. (New). C.P. for a new inter-office station to operate on 454.650 and 454.400 MHz to be located at remote repeater site near Hill 3911 on Alyeska Pipeline route; 128 miles NW of Fairbanks, Hamlin, Alaska.

60235–C6–P–74, RCA Alaska Communications, Inc. (New). C.P. for a new inter-office station to operate on 459.400 MHz to be located at Alyeska pipeline construction site near Hill 3154; 92 miles NW of Fairbanks, Five Mile Camp, Alaska.

60236–C6–P–74, RCA Alaska Communications, Inc. (New). C.P. for a new inter-office station to operate on 459.650 MHz to be located at Alyeska Pipeline construction site near Hill 3911; 118 miles NW of Fairbanks, Oldman Camp, Alaska.

60237–C6–P–74, RCA Alaska Communications, Inc. (New). C.P. for a new inter-office station to operate on 454.575 MHz to be located at remote repeater site at Hill 2758 on the Alyeska pipeline route; 60 miles NW of Fairbanks, West, Alaska.

60238–C6–P–74, RCA Alaska Communications, Inc. (New). C.P. for a new inter-office station to operate on 459.575 MHz to be located at Alyeska pipeline construction site near Livengood Village; 47 miles NW of Fairbanks, Livengood Camp, Alaska.

60239–C6–P–74, RCA Alaska Communications, Inc. (New). C.P. for a new inter-office station to operate on 454.375 MHz to be located at 200 Gaffney Rd., Fairbanks, Alaska.

60240–C6–P–74, RCA Alaska Communications, Inc. (New). C.P. for a new inter-office station to operate on 459.650 MHz to be located at Alyeska pipeline construction site near Eielson AFB; 38 miles SE of Fairbanks, Pump Stn #8, Alaska.

60241–C6–P–74, RCA Alaska Communications, Inc. (New). C.P. for a new inter-office station to operate on 459.375 MHz to be located at Alyeska pipeline construction site; 10 miles east of Fairbanks, Fairbanks Camp, Alaska.

POINT-TO-POINT MICROWAVE RADIO SERVICE

3410–C1–P–74, Southern Bell Telephone & Telegraph Co. (KJA89), 208 N. Caldwell Street, Charlotte, North Carolina. Lat. 34°–13'28" N., Long. 80°50'15" W. C.P. to add freq. 6034.2V MHz towards Anderson Mtn., N.C., on azimuth 328°49'.

3411–C1–P–74, Same (KJA90), Anderson Mountain, 6.5 Miles ESE of Maiden, N.C., Lat. 35°33'57" N., Long. 81°05'26" W. C.P. to add freq. 4050H MHz towards Cajah Mtn., N.C., on azimuth 305°47'; freq. 6256.5V MHz towards Charlotte, N.C., on azimuth 148°40'.

3412–C1–P–74, Same (KJA91), Cajah Mountain, 5 miles South of Lenoir, N.C., Lat. 35°49'38" N., Long. 81°32'14" W. C.P. to add freq. 4090H MHz towards Anderson Mtn., N.C., on azimuth 125°41'; freq. 4090V MHz towards Marion, N.C., on azimuth 250°59'.

3413–C1–P–74, Same (KJA92), End of Milford Avenue, Marion, North Carolina. Lat. 35°41'18" N., Long. 82°01'39" W. C.P. to add freq. 4050H MHz towards Black Mtn., N.C., on azimuth 245°39'; chg. polarization from Vertical to Horizontal on freq. 3730, 3810, 3890, and 3970 and from Horizontal to Vertical on freq. 3750, 3830, 3910, and 4070 MHz towards Black Mtn., N.E.; add freq. 4050V MHz towards Cajah Mtn., N.C., on azimuth 70°42'.

3414–C1–P–74, Same (KJA93), 2 Miles Southeast of Black Mountain, North Carolina. Lat. 35°35'26" N., Long. 82°17'28" W. C.P. to add freq. 4090H MHz towards Marion, N.C., on azimuth 65°29'; chg. polarization from Vertical to Horizontal on freq. 3770, 3850, 3930, and 4010 MHz and from Horizontal to Vertical on freq. 3710, 3790, 3870, and 4030 MHz; add freq. 4050V MHz towards Mt. Olive Church, North Carolina, on azimuth 279°03'.

3415–C1–P–74, Same (KJA95), 24 O'Henry Avenue, Asheville, North Carolina. Lat. 35°–35'45" N., Long. 82°33'29" W. C.P. to add freq. 4050H MHz towards Mt. Olive Church, N.C., on azimuth 56°06'; chg. polarization from Vertical to Horizontal on freq. 3730, 3810, 3890, and 3970 MHz and from Horizontal to Vertical on freq. 3710, 3790, 3870, and 4030 MHz. towards Mt. Olive Church, N.C.; add freq. 3890V MHz towards Camp Creek Bald, Tennessee, on azimuth 343°51'.

3416–C1–P–74, Same (KJA94), Mt. Olive Church, 3 miles Northeast of Asheville, North Carolina. Lat. 35°37'10" N., Long. 82°30'54" W. C.P. to add freq. 4090H MHz towards Asheville, N.C., on azimuth 236°–08'; chg. polarization from Vertical to Horizontal on freq. 3770, 3850, 3930, and 4010 MHz and from Horizontal to Vertical on freq. 3750, 3830, 3910, and 4070 MHz towards Asheville, North Carolina; add freq. 4090V MHz towards Black Mtn., North Carolina on azimuth 98°55'.

3417–C1–P–74, Northwestern Bell Telephone Company (New), 3.4 miles NNE of Lonsdale, Minn. Lat. 44°31'43" N., Long. 93°–24'25" W. C.P. for a new station on freq. 3930V MHz towards Minneapolis, Minn., on azimuth 12°32'; freq. 3930H MHz towards Medford, Minn., on azimuth 165°41'.

3418–C1–P–74, Same (KAS70), 224 South 5th Street, Minneapolis, Minn. Lat. 44°58'39" N., Long. 93°15'59" W. C.P. to add freq. 3890V MHz towards Lonsdale, Minn. on azimuth 192°38'; and correct geographical coordinates to read as above.

3419–C1–P–74, Same (New), 1.5 miles WSW of Medford, Minnesota. Lat. 44°10'03" N., Long. 93°16'44" W. C.P. for a new station on freq. 3890H MHz towards Lonsdale, Minnesota, on azimuth 345°46'; freq. 3890H MHz towards Owatonna, Minnesota, on azimuth 155°51';

3420–C1–P–74, Same (KYS97), 216 South Cedar, Owatonna, Minnesota. Lat. 44°04'–59" N., Long. 93°13'35" W. C.P. to add freq. 3930H MHz towards a new point of communication at Medford, Minnesota, on azimuth 335°54'.

3442–C1–P–74, West Texas Microwave Company (KLU88), Brakeen Ranch, Texas. Lat. 32°46'43" N., Long. 98°29'10" W. C.P. to change freqs. 6286.2V and 6315.9H to 6286.2H and 6315.9V MHz, respectively, towards Breckenridge, Texas, on azimuth 267°08', and (via power split) towards Graham, Texas, on azimuth 344°23'.

3443–C1–P–74, Same (KLU89), Breckenridge, Texas. Lat. 32°45'33" N., Long. 98°55'43" W. C.P. to change freq. 6063.8H and 6034.2V to 6063.8V and 6034.2H MHz via power split towards the following points of communication; Cisco, Texas, on azimuth 183°49'; Davis Ranch, Texas, on azimuth 262°43'; and Albany (intercept), Texas, on azimuth 262°43'.

3444–C1–P–74, Same (KLU91), Davis Ranch, Texas. Lat. 32°42'17" N., Long. 99°25'26" W. C.P. to change freq. 6315.9V to 6315.9H MHz towards Clyde, Texas, on azimuth 185°45'; and to change freqs. 6315.9H and 6286.2V to 6315.9V and 6286.2H MHz toward Estes Ranch, Texas, on azimuth 236°02'.

3448–C1–P–74, Continental Telephone Company of Utah (New), Hall's Crossing Post Office, Halls Crossing, Utah. Lat. 37°28'19" N., Long. 110°42'43" W. C.P. for a new station on freq. 2179.0V MHz towards Escalante (WOE34), Utah, on azimuth 05°32'.

3449–C1–P–74, Same (WOE34), Bullfrog Basin, 51 Miles SE of Escalante, Utah. Lat. 37°32'34" N., Long. 110°42'12" W. C.P. to add freq. 2129.0V MHz towards a new point of communication at Halls Crossing, Utah, on azimuth 185°32' and correct coordinates and ground elevation of antenna site to read as above.

3434–C1–P–74, Eastern Microwave, Inc. (KYZ75), High Knob, 1.5 Miles West of Peck's Pond, Pennsylvania. Lat. 41°18'00" N., Long. 75°07'31" W. C.P. to add freq. 5960.0V and 6019.3V MHz (Via Power Split) towards Ransom (#2), Pennsylvania, on azimuth 286°50'.

3435–C1–P–74, Same (New), Ransom (#2), Pennsylvania. Lat. 41°26'08" N., Long. 75°43'39" W. C.P. for a new station on freqs. 11385V and 11625V MHz towards Swoyersville, Pennsylvania, on azimuth 217°39'.

3445–C1–MP–74, United Video, Inc. (WPX22), 2.5 Miles East of Gridley, Illinois. Lat. 40°45'12" N., Long. 88°49'57" W. Modification of C.P. to change point of communication at Bloomington, Illinois, resulting in change of azimuth to 211°17'.

3436–C1–P–74, Midwestern Relay Company (WOF70), 2.2 Miles NE of Rochester, Minnesota. Lat. 44°02'46" N., Long. 92°23'57" W. C.P. to add freq. 6345.5H MHz towards Dexter (WOF71), Minn., on azimuth 211°52'.

3437–C1–P–74, Same (WOF71), 1.1 Mile SSE of Dexter, Minn. Lat. 43°42'33" N., Long. 92°41'15" W. C.P. to add freq. 6093.5H MHz towards Elma (WOF72), Iowa on azimuth 169°04'.

3438–C1–P–74, Same (WOF72), 6.1 Miles West of Elma, Iowa. Lat. 43°14'35" N., Long. 92°33'50" W. C.P. to add freq. 6345.5H MHz towards Bremer (WIF73), Iowa, on azimuth 163°54'.

3439–C1–P–74, Same (WOF73), 0.8 Miles East of Bremer, Iowa. Lat. 42°46'15" N., Long. 92°22'42" W. C.P. to add freq. 6123.1V (via power split) and 5945.2V MHz towards a new point of communication at Traer, Iowa, on azimuth 196°56'. (NOTE.—A waiver of Section 21.701(i) is requested by Midwestern.)

3446–C1–P–74, Eastern Microwave, Inc. (KEL 89), Roger's Knob, 8 Miles NE of Sidney, New York. Lat. 42°23'27" N., Long. 75°19'42" W. C.P. to add freq. 6360.3H MHz towards Oneonta, New York, on azimuth 72°13'.

3447–C1–P–74, Same (KEL89), Same location as above. C.P. to add freq. 6360.3H MHz towards Norwich, New York, on azimuth 313°38'.

3440–C1–P–74, West Texas Microwave Company (KLU86), Aledo, Texas. Lat. 32°41'38" N., Long. 97°40'29" W. C.P. to change freq. 6315.9H to 6315.9V MHz towards Mineral Wells, Texas, on azimuth 288°33'.

3441–C1–P–74, Same (KLU87) Mineral Wells, Texas. Lat. 32°48'53" N., Long. 98°06'13" W. C.P. to change freq. 6063.8V to 6063.8H MHz towards Brackeen Ranch, Texas, on azimuth 263°44'.

3423–C1–P–74, RCA Alaska Communications, Inc. (New), Coldfoot. Remote repeater site near Wiseman Villiage on Alyeska Pipeline Route; 184 miles N.W. of Fairbanks, Alaska. Lat. 67°16'42" N., Long. 150°15'56" W. C.P. for a new station on freq. 2117.2H MHz towards Hamlin, Alaska, on azimuth 190°16'; freq. 2112.0V MHz towards Table Mountain, Alaska on azimuth 18°43'; freq. 2122.–0H MHz towards Coldfoot Camp, Alaska on azimuth 125°17'.

3424–C1–P–74, Same (New), Coldfoot Camp. Remote repeater site near Wiseman Villiage on Alyeska Pipeline Route; 180 miles NW of Fairbanks, Alaska. Lat. 67°15'25" N., Long. 150°11'15" W. C.P. for a new station on freq. 2172.0H MHz towards Coldfoot, Alaska on azimuth 305°21'.

3425–C1–P–74, Same (New), Hamlin. Remote repeater site near Hill 3911 on Alyeska Pipeline route; 128 miles NW of Fairbanks, Alaska. Lat. 66°08'33" N., Long 150°46'24" W. C.P. for a new station on freq. 2174.8V MHz towards West, Alaska on azimuth 133°34'; freq. 2167.2 MHz towards Coldfoot, Alaska, on azimuth 9°48'.

3426–C1–P–74, Same (New), West. Remote repeater site at Hill 2758 on the Alyeska Pipeline route; 60 miles NW of Fairbanks, Alaska. Lat. 65°28'41" N., Long. 149°06'55" W. C.P. for a new station on freq. 2118.4H MHz towards Murphy, Alaska, on azimuth 143°50'; freq. 2124.8V MHz towards Hamlin, Alaska, on azimuth 315°05'.

3427–C1–P–74, Same (New), Murphy. Remote repeater site near Murphy Dome on Sheep Creek Road; 18 miles NW of Fairbanks, Alaska. Lat. 64°57'37" N., Long. 148°13'36" W. C.P. for a new station on freq. 2162.4V MHz towards Fairbanks, Alaska on azimuth 118°58'; freq. 2168.4H MHz toward West, Alaska on azimuth 326°38'.

3428–C1–P–74, Same (WGF58), 200 Gaffney Road, Fairbanks, Alaska. Lat. 64°50'12" N., Long. 147°42'22" W. C.P. to add freq. 2112.4 V MHz towards Murphy, Alaska, on azimuth 299°27'; freq. 3710V MHz, 3790V MHz towards Pedro Dome (Wacs), Alaska on azimuth 24°30'; chg. antenna system on freq. 594.2V, 6063.8V MHz towards Hill 1688, Alaska on azimuth 259°54'.

3421–C1–P–74, Consolidated Telephone Company (New), 1.0 miles SE of Hyannis, Nebraska. Lat. 41°59'34" N., Long. 101°44'10" W. C.P. for a new station on freq. 2178.0H MHz towards Mullen, Nebraska, on azimuth 85°58'.

3422–C1–P–74, Same (New), 1.0 miles South of Mullen, Nebraska. Lat. 42°01'37" N., Long. 101°02'51" W. C.P. for a new station on freq. 2128.0H MHz toward Hyannis, Nebraska, on azimuth 266°25'.

3470–C1–P–74, Data Transmission Company (New), 1.0 Mile West of Brunswick, Illinois. Lat. 41°22'41" N., Long. 87°31'36" W. C.P. for a new station on freq. 11385V MHz on azimuth 75°34' towards Beatrice, Indiana.

Informative

Data Transmission Company filed the above cited application to maintain on file that part of its proposal deleted from application file No. 2269–C1–P–73.

3469–C1–TC–(22)–74, Transportation Microwave Corporation. Consent to Transfer of Control from Transportation Microwave Corporation, Transferor to Sunset Communications Company, Transferee for stations: WSL94-Tonawanda, New York; WSL95-Attica, New York; WSL96-Bristol Center, New York; WSL97-Rochester, New York; WSL98-Butler, New York; WSL99-Syracuse, New York; WSM20-Syracuse, New York; WSM21-Utica, New York; WSM22-Jordanville, New York; WSM23-Duanesburg, New York; WSM24-Camroden, New York; WSM25-Glenmont, New York; WSM26-Mt. Darby, Massachusetts; WSM27-Shaupeneak, New York; WSM28-Mountain Lodge, New York; WSM29-Mahwah, New Jersey; WSM30-Jersey City, New Jersey; WSM31-S. Amboy, New Jersey; WSM32-Rocky Hill, New Jersey; WSM33-Trenton, New Jersey; WSM34-Ivy Hill, Pennsylvania; WSM35-Philadelphia, Pennsylvania.

Major Amendments

1109–C1–P–74, United Video, Inc. (New), 3 miles West of Bloomington, Illinois. Lat. 40°28'20" N., Long. 89°03'20" W. Application amended to change station location to above coordinates; and to change point of communication at Minier, Illinois, on azimuth 257°12'.

1110–C1–P–74, Same (New), 3 Miles East of Minier, Illinois. Lat. 40°26'16" N., Long. 89°15'23" W. Application amended as follows: (1) Station location changed to above coordinates; (2) freqs. changed to 10895H and 10815H MHz towards a changed point of communication at Peoria, Illinois, on azimuth 319°47'.

Correction

368–C1–P–74, Southern Bell Telephone and Telegraph Company (KIB53), 614 Pendleton Street, Waycross, Georgia. Coordinates should read: Lat. 31°12'49" N., Long. 82°21'34" W. All other particulars remain the same as reported in Public Notice dated August 13, 1973.

[FR Doc.74–7064 Filed 3–27–74;8:45 am]

STANDARD BROADCAST APPLICATIONS READY AND AVAILABLE FOR PROCESSING

Notice is hereby given, pursuant to § 1.571(c) of the Commission's rules, that on May 1, 1974, the standard broadcast applications listed in the attached Appendix will be considered as ready and available for processing. Pursuant to § 1.227 (b)(1) and § 1.591(b) of the Commission's rules, an application, in order to be considered with any application appearing on the attached list or with any other application on file by the close of business on April 30, 1974, which involves a conflict necessitating a hearing with any application on this list, must be substantially complete and tendered for filing at the offices of the Commission in Washington, D.C., by the close of business on April 30, 1974. The attention of prospective applicants is directed to the fact that some contemplated proposals may not be eligible for consideration with an application appearing in the attached Appendix by reason of conflicts between the listed applications and applications appearing in previous notices published pursuant to § 1.571(c) of the Commission's rules.

The attention of any party in interest desiring to file pleadings concerning any pending standard broadcast application, pursuant to section 309(d)(1) of the Communications Act of 1934, as amended, is directed to § 1.580(i) of the Commission's rules for provisions governing the time for filing and other requirements relating to such pleadings.

Adopted: March 21, 1974.

Released: March 22, 1974.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] VINCENT J. MULLINS,
Secretary.

BP–19499 WKYO, Caro, Michigan
Tuscola Broadcasting Co.
Has: 1360 kHz, 500 W, Day
Req: 1360 kHz, 1 kW, DA–2, U

BP–19546 NEW, Helena, Montana
Capital Investments
Req: 950 kHz, 5 kW, DA–N, U

BP–19549 NEW, Stanton, Kentucky
Rev. Forest Drake
Req: 1470 kHz, 500 W, DA, Day

BP–19558 NEW, Milledgeville, Georgia
Oconee Broadcasting Corp.
Req: 1060 kHz, 1 kW, Day

BP–19561 WSIR, Winter Haven, Florida
Cypress Central Communications Corp.
Has: 1490 kHz, 250 W, 500 W–LS, U
Req: 1490 kHz, 250 W, 1 kW–LS, U

BP–19579 WKJB, Mayaguez, Puerto Rico
Radio Stations WKJB AM–FM,
Has: 710 kHz, 500 W, 1 kW–LS, U
Req: 710 kHz, 500 W, 5 kW–LS, U

BP–19582 NEW, Parker, Arizona
O. M. Broadcasting, Inc.
Req: 1380 kHz, 1 kW, Day

BP–19583 NEW, Hibbing, Minnesota
Jerry J. Collins
Req: 1060 kHz, 1 kW, Day

[FR Doc.74–7179 Filed 3–27–74;8:45 am]

FEDERAL MARITIME COMMISSION

DELTA STEAMSHIP LINES, INC. AND EMPRESA LINEAS MARITIMAS ARGENTINAS, S.A.

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, NW., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before April 17, 1974. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

Thos. E. Stakem, Esq.
Macleay, Lynch, Bernhard & Gregg
1625 K Street, N.W.
Washington, D.C. 20006

Agreement No. 10039–1, between the lines listed above, modifies the approved basic agreement covering the apportionment of general liner cargo transported by the parties in the Northbound and Southbound trade between Gulf ports of the United States and Argentina by (1) deleting item c, subparagraph VII of Article 7 of both Annex I (Northbound) and Annex II (Southbound), in relation to the computation of pool penalty payments and to substitute therefor a revised pool penalty formula as more fully set forth in the modification, and (2) extending the term of the agreement, as amended, for three years from January 1, 1974, to December 31, 1976.

Agreement No. 10039, as presently constituted, is set to expire on May 3, 1974, unless extended. The first accounting period under the agreement ended on December 31, 1973; the second accounting period commencing on January 1, 1974.

By Order of the Federal Maritime Commission.

Dated: March 22, 1974.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.74-7117 Filed 3-27-74;8:45 am]

[Independent Ocean Freight Forwarder License No. 1459]

ACE SHIPPING CORP.

Revocation of License

By letter dated January 7, 1974, Air Cargo Expediters, Inc. d/b/a Ace Shipping Corp., P.O. Box 8621, San Francisco, California 94128 was advised by the Federal Maritime Commission that Independent Ocean Freight Forwarder License No. 1459 would be automatically revoked or suspended unless a valid surety bond was filed with the Commission on or before March 9, 1974.

Section 44(c), Shipping Act, 1916, provides that no independent ocean freight forwarder license shall remain in force unless a valid bond is in effect and on file with the Commission. Rule 510.9 of Federal Maritime Commission General Order 4, further provides that a license will be automatically revoked or suspended for failure of a licensee to maintain a valid bond on file.

Air Cargo Expediters, Inc. d/b/a Ace Shipping Corp. has failed to furnish a valid surety bond.

By virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order No. 1 (revised) section 7.04(g) (dated 9/15/73);

It is ordered, That Independent Ocean Freight Forwarder License No. 1459 of Air Cargo Expediters, Inc. d/b/a Ace Shipping Corp. be returned to the Commission for cancellation.

It is further ordered, That Independent Ocean Freight Forwarder License No. 1459 be and is hereby revoked effective March 9, 1974.

It is further ordered, That a copy of this Order be published in the FEDERAL REGISTER and served upon Air Cargo Expediters, Inc. d/b/a Ace Shipping Corp.

AARON W. REESE,
Managing Director.

[FR Doc.74-7224 Filed 3-27-74;8:45 am]

SOCIETA ITALIANA DE ARMAMENTO S.P.A. AND COSTA ARMATORI S.P.A.

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, N.W., Room 10126; or may inspect the agreement at the field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before April 17, 1974. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statment describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the Commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

Stanley O. Sher, Esq.
Billig, Sher & Jones, P.C.
Suite 300
1126 Sixteenth Street, N.W.
Washington, D.C. 20036

Agreement No. 10120 is an agreement between the above named parties to establish a joint service to be known as "Sidarma—Costa Line Joint Service" to operate in the trade between U.S. South Atlantic and Gulf ports and ports in the Mediterranean and on the Atlantic coasts of Spain, Portugal and Morocco.

By order of the Federal Maritime Commission.

Dated: March 25, 1974.

JOSEPH C. POLKING,
Assistant Secretary.

[FR Doc.74-7222 Filed 3-27-74;8:45 am]

[Independent Ocean Freight Forwarder License No. 1385]

E. BRUCE TILLMAN

Revocation of License

By letter dated February 12, 1974, E. Bruce Tillman, c/o Sealand Terminal Corp., P.O. Box 1857, Gulfport, Mississippi 39501 was advised by the Federal Maritime Commission that Independent Ocean Freight Forwarder License No. 1385 would be automatically revoked or suspended unless a valid surety bond was filed with the Commission on or before March 8, 1974.

Section 44(c), Shipping Act, 1916, provides that no independent ocean freight forwarder license shall remain in force unless a valid bond is in effect and on file with the Commission. Rule 510.9 of Federal Maritime Commission General Order 4, further provides that a license will be automatically revoked or suspended for failure of a licensee to maintain a valid bond on file.

E. Bruce Tillman has failed to furnish a valid surety bond.

By virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order No. 1 (revised) section 7.04(g) (dated 9/15/73);

It is ordered, That Independent Ocean Freight Forwarder License No. 1385 of E. Bruce Tillman be returned to the Commission for cancellation.

It is further ordered, That Independent Ocean Freight Forwarder License No. 1385 be and is hereby revoked effective March 8, 1974.

It is further ordered, That a copy of this Order be published in the FEDERAL REGISTER and served upon E. Bruce Tillman.

AARON W. REESE,
Managing Director.

[FR Doc.74-7223 Filed 3-27-74;8:45 am]

FEDERAL POWER COMMISSION

[Doc. No. G-5716, et al.]

CERTIFICATES OF CONVENIENCE AND NECESSITY

Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates [1]

MARCH 21, 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 April 12, 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 ap-

[1] This notice does not provide for consolidation for hearing of the several matters covered herein.

plications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

Docket No. and date filed	Applicant	Purchaser and location	Price per Mcf	Pressure base
G-5716 D 3-4-74	Northern Natural Gas Producing Co., 3 Greenway Plaza East, Suite 800, Houston, Tex. 77046.	Northern Natural Gas Co., West Panhandle Field, Carson and Gray Counties, Tex.	Nonproductive.	
G-6265 D 3-4-74	Getty Oil Co., P.O. Box 1404, Houston, Tex. 77001.	Lone Star Gas Co., Sholem Alechem Field, Carter County, Okla.	(1)	
G-11861 C 3-7-74	Mobil Oil Corp., 3 Greenway Plaza East, Suite 800, Houston, Tex. 77046.	Cities Service Gas Co., Hardtner Field, Barber County, Kans.	[2] 15.0	14.65
CI61-1327 D 3-7-74	do	Cities Service Gas Co., Guymon-Hugoton (Deep) Field, Texas County, Okla.	(3)	
CI63-1306 A 3-4-74	Dorchester Gas Producing Co., P.O. Box 750, Amarillo, Tex. 75105.	Northern Natural Gas Co., acreage in Gray County, Tex.	[4][5] 45.0	14.65
CI65-28 CF 2-22-74	American Petrofina Co. of Texas (successor to Simon Zunamon), P.O. Box 2159, Dallas, Tex. 75221.	Columbia Gas Development Corp., Killens Ferry Field, Franklin and Tensas Parishes, La.	[2] 25.7125	15.025
CI67-1754 C 2-26-74	King Resources Co., P.O. Box 9698, South Denver Station, Denver, Colo. 80209.	Panhandle Eastern Pipe Line Co., Southwest Avard Field, Woods County, Okla.	[6] 19.14696	14.65
CI74-268 (G-4400) 10-24-73 [8]	Vernon E. Faulconer (Operator) (successor to H. L. Hawkins et al.), P.O. Box 1251, Kilgore, Tex. 75662.	Texas Gas Transmission Corp., Carthage Field, Panola County, Tex.	[7] 25.0	14.65
CI74-429 (G-17979) B 2-22-74	Wm. J. O'Connor, P.O. Box 521, Tulsa, Okla. 74102.	Transwestern Pipeline Co., Morrow (South) Field, Lipscomb County, Tex.	Uneconomic	
CI74-446 (CI70-789) B 2-19-74	The Ballard & Cordell Corp., P.O. Box 52151, Lafayette, La. 70501.	Columbia Gas Transmission Co., Florence Field, Vermilion Parish, La.	Depleted	
CI74-452 (G-13221) F 2-15-74	Equitable Petroleum Corp. (successor to Richardson & Bass (Louisiana Account); Sid Richardson Carbon Co.), 1220 Hibernia Bank Bldg., New Orleans, La. 70112.	Southern Natural Gas Co., Little Lake Field, Jefferson Parish, La.	23.75	15.025
CI74-455 A 2-22-74	Marathon Oil Co. (Operator) et al., 539 South Main St., Findlay, Ohio 45840.	Colorado Interstate Gas Co., a division of Colorado Interstate Corp., Oregon Basin Field, Park County, Wyo.	13.0	15.025
CI74-457 A 2-27-74	Atlantic Richfield Co., P.O. Box 2819, Dallas, Tex. 75221.	El Paso Natural Gas Co., Jalmat Field, Lea County, N. Mex.	[9] 35.0	14.65
CI74-458 (CI69-737) F 2-27-74	Royal Resources Exploration, Inc. (successor to King Resources Co.), 250 Hilton Office Bldg., Denver, Colo. 80202.	El Paso Natural Gas Co., Monahans Field, Winkler County, Tex.	16.5618	14.65
CI74-460 (CI69-1213) F 2-28-74	do	Michigan Wisconsin Pipe Line Co., Chester (West) Field, Woodward County, Okla.	[9] 20.026	14.65
CI74-461 (G-5336) F 3-4-74	Alfred C. Glassell, Jr. (successor to Skelly Oil Co.), 2300 First City National Bank Bldg., Houston, Tex. 77002.	Texas Gas Transmission Corp., Carthage Field, Panola County, Tex.	[9][10] 24.5	14.65
CI74-465 (G-16752) F 2-25-74	Glen E. Jeffery (successor to Northern Natural Gas Producing Co.), P.O. Box 677, Meade, Kans. 67864.	Northern Natural Gas Co., McKinney Field, Meade County, Kans.	[2] 17.0025	14.65
CI74-465 (CI73-907)[11] F 2-25-74	Glen E. Jeffery (successor to Post & Brown Well Service, Inc.).	do	17.0	14.65
CI74-466 (G-5716) F 2-25-74	Glen E. Jeffery (successor to Northern Natural Gas Producing Co.).	Northern Natural Gas Co., McKinney Field, Clark County, Kans.	[2] 16.0	14.65
CI74-466 (CI61-731) F 2-25-74	Glen E. Jeffery (successor to Suerte Oil Co. and Universal Well Servicing Co.).	do	17.0	14.65
CI74-467 (G-16764) F 3-4-74	Devon Corporation (successor to Southwest Gas Producing Co., Inc.), 3300 Liberty Tower, Oklahoma City, Okla. 73102.	Texas Gas Transmission Corp.; Carlton, Calhoun, and Fremont Areas, Lincoln, Ouachita, and Jackson Parishes, La.	[2] 25.875	15.025
CI74-468 (G-15664) F 3-4-74	do	Texas Gas Transmission Corp.; Lisbon Field, Claiborne and Lincoln Parishes, La.	17.6506	15.025
CI74-469 (G-11745) F 3-4-74	do	Texas Gas Transmission Corp.; Terryville Field, Lincoln Parish, La.	21.475	15.025

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.
See footnotes at end of table.

Docket No. and date filed	Applicant	Purchaser and location	Price per Mcf	Pressure base
CI74-470 (G-8583) F 3-4-74	do	Tennessee Gas Transmission Co., Bell City Field, Calcasieu Parish, La.	18.5	15.025
CI74-471 (G-9612) F 3-4-74	do	Texas Eastern Transmission Corp., Hico-Knowles Field, Claiborne, Lincoln, and Union Parishes, La.	21.475	15.025
CI74-472 (CI66-615) F 3-4-74	Devon Corp. (successor to Monla Gas Co., Inc.).	Arkansas Louisiana Gas Co., North Carlton Field, Ouachita Parish, La.	[2] 20.0	15.025
CI74-473 (CI61-287) F 3-4-74	do	Texas Gas Transmission Corp., Monroe Field, Ouachita, Union, and Morehouse Parishes, La.	[2] 17.3	15.025
CI74-474 (G-16250) F 3-4-74	Devon Corp. (successor to Southwest Gas Producing Co., Inc.).	Mississippi River Transmission Corp., North Ruston Field, Lincoln Parish, La.	[11] 25.875	15.025
CI74-475 (G-16150) F 3-4-74	do	Texas Gas Transmission Corp., Jeanerette Field, St. Mary Parish, La.	[2] 23.25	15.025
CI74-476 (G-14835) F 3-4-74	do	Texas Gas Transmission Corp., Ramos Field, Assumption and St. Mary Parishes, La.	[2] 23.25	15.025
CI74-477 (CI72-575) F 3-4-74	do	Transcontinental Gas Pipe Line Corp., Leleux Field, Vermilion Parish, La.	[2] 27.295	15.025
CI74-478 (CI63-658) F 3-4-74	do	Arkansas Louisiana Gas Co., Chenière Brake Field, Ouachita Parish, La.	20.0	15.025
CI74-479 (CI68-785) F 3-4-74	do	United Gas Pipe Line Co., Forest Grove Field, Claiborne Parish, La.	[2] 20.0	15.025
CI74-480 (CI66-553) F 3-4-74	do	Texas Gas Transmission Corp., Chenière Field, Jackson and Ouachita Parishes, La.	[2] 20.0	15.025
CI74-481 (CI64-1084) F 3-4-74	do	Columbia Gas Transmission Corp., Midland Field, Acadia Parish, La.	[2] 20.25	15.025
CI74-482 (CI63-1195) F 3-4-74	do	Southern Natural Gas Co., Oldenburg Field, Franklin Parish, La.	[2] 15.0	15.025
CI74-483 CI61-1731) F 3-4-74	do	Arkansas Louisiana Gas Co., Vixen Field, Caldwell Parish, La.	21.25	15.025
CI74-484 (RI61-111) F 3-4-74	do	Texas Gas Transmission Corp., Monroe Field, Ouachita, Union, and Morehouse Parishes, La.	16.3	15.025
CI74-485 (G-17404) F 3-4-74	do	Texas Gas Transmission Corp., Bull Creek Field, Union Parish, La.	[1] 21.475	15.025
CI74-486 (C173-35) F 3-4-74	do	Texas Gas Transmission Corp., North Ruston Field, Lincoln Parish, La.	[2] 21.475	15.025
CI74-487 (G-6057) B 3-4-74	Sun Oil Co., P.O. Box 2880, Dallas, Tex. 75221.	United Gas Pipe Line Co., Cotton Valley Field, Webster Parish, La.	Depleted	----
CI74-488 (CI67-1595) B 3-4-74	A/C Engineering & Operating Co., 1400 Wichita Plaza, Wichita, Kans. 67202.	Panhandle Eastern Pipe Line Co., Cedar Field, Barber County, Kans.	Water encroachment	----
CI74-493 (G-7638) B 2-25-74	Mobil Oil Corp., 3 Greenway Plaza East, Suite 800, Houston, Tex. 77046.	Coastal States Gas Producing Co., East Mathis Field, San Patricio County, Tex.	Non-productive	----

[1] Flowing well head pressure is too low to permit the gas to enter purchaser's line, and compression by either party is uneconomical.
[2] Subject to downward Btu adjustment.
[3] Acreage assigned to E. Lyle Johnson and Clayton E. Lee, small producers.
[4] Under a new contract, which replaces a contract which has terminated, Applicant proposes to resell gas at the same price paid to the small producer of that gas. Applicant states that the only price differential is based upon the possible extraction of liquids.
[5] Subject to upward and downward Btu adjustment; estimated upward adjustment is 0.008 cents per Mcf.
[6] Being renoticed, because by amendment to application filed Mar. 4, 1974, Applicant reflects a change in price.
[7] Subject to downward Btu adjustment; estimated adjust is 0.0884 cents per Mcf.
[8] Subject to upward and downward Btu adjustment.
[9] Subject to upward and downward Btu adjustment; estimated adjustment is 0.23 cents per Mcf.
[10] Applicant states that the primary term of his predecessor's contract has expired. Applicant proposes to sell under a new contract.
[11] Post & Brown Well Service, Inc., has pending an application for a certificate in this docket as successor to Skelly Oil Co., Docket No. G-13416.
[12] Subject to upward and downward Btu adjustment; estimated adjustment is 1.16 cents per Mcf.

[FR Doc.74-7007 Filed 3-27-74;8:45 am]

[Docket Nos. RI73-258, *et al.*]

RATE CHANGES

Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund [1]

MARCH 21, 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 Nos.
RI73-258	Texas Pacific Oil Co., Inc.	19	1 to 17	West Texas Gathering Co. (Emperor Field, Winkler County, Tex. (Permian Basin).	(1)	2-25-74		2-26-74	[2] 23.95 22.20	29.5103 29.5103	
RI73-263	Continental Oil Co.	160	[3] 1 to 16	do	$185,054	2-19-74		6-18-74	28.95	42.1575	
RI74-176	Sun Oil Co.	60	19	Northern Natural Gas Co. (Eumont Pool, Lea County, N. Mex.) (Permian Basin).	40,900	2-21-74		8-24-74	[4] 32.6	[4] 42.6	
RI74-177	Atlantic Richfield Co.	492	[5] 31	El Paso Natural Gas Co. (Jalmat et al., Fields, Lea County, N. Mex.) (Permian Basin).		2-27-74	3-30-74	[6] Accepted			
	do		[5] 32		239,433	2-27-74		8-30-74	[7] 17.9023	[7] 36.0	

[*] Unless otherwise stated, the pressure base is 14.65 psia 10/in^2.
[1] Not stated.
[2] Variation in rates due to quality adjustment for different gas.
[3] Substitute increase for prior periodic increase to 29.109 cents per Mcf suspended in Docket No. RI73-263.
[4] Amended by letter dated Mar. 4, 1974.
[5] Includes 2.40 cents per Mcf reduction for quality.
[6] Amendment providing for drilling of new additional wells on certain acreage and among other things, a new price schedule for production from the additional wells.
[7] Subject to Btu adjustment.
[8] Applicable to production and sales pursuant to Supp. No. 31.
[9] Accepted for filing as of the date set forth in the "Effective Date Unless Suspended" column.

The proposed rate increase of Texas Pacific Oil Company, Inc., reflects an increase to a rate that was under suspension at the time of issuance of Opinion No. 662, and consistent with prior Commission action in other cases, it is suspended for one day from the date of filing.

The proposed rate increase of Continental Oil Company represents a favored nations increase which Continental proposes to substitute for a periodic increase that was suspended until June 18, 1974 in Docket No. RI73-263.

The remaining proposed increases exceed the applicable area ceiling rate and are suspended for five months.

[FR Doc.74-7010 Filed 3-27-74;8:45 am]

[Doc. No. RI74-174]

HIGH CREST OILS, INC.

Order for Hearing and Suspension of Proposed Change in Rate, Allowing Rate Change To Become Effective Subject to Refund [1]

MARCH 21, 1974.

Respondent has filed a proposed change in rate and charge for the jurisdictional sale of natural gas, as set forth in Appendix A below.

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.*

[1] The subject proceeding is hereby consolidated for hearing in Doc. No. RI74-79.

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.
	High Crest Oils, Inc	2	[1] [2]	Northern Natural Gas Co. (Sherard Area, Blaine, Hill, and Chouteau Counties, Mont.) (Rocky Mountain Area).		2-19-74	3-22-74	[6] Accepted			
	do	2	[3]	do		2-19-74	3-22-74	[6] Accepted			
	do	2	4	do	$208,310	2-19-74		8-22-74	[5] 22.795	[5] 42.083	

*Unless otherwise stated, the pressure base is 15.025 lb/in²a.
[1] Contract amendment dated Oct. 1, 1973.
[2] Letter agreement dated Oct. 1, 1973.
[3] Base rate of 23.5 cents adjusted for low Btu.
[4] Includes letter agreement dated Oct. 12, 1973.
[5] Base rate of 40 cents plus tax reimbursement; adjusted for low Btu.
[6] Accepted for filing to be effective Mar. 22, 1974, 30 days after date of filing.

The proposed rate increase of High Crest Oils, Inc. exceeds the applicable area ceiling rate under Order No. 435, and is suspended for five months.

On February 19, 1974, High Crest filed a motion to consolidate for hearing the subject proceeding with Docket No. RI74-79 which has previously been set for hearing. The contracts and amendments thereto involved in these proceedings are virtually identical. They involve sales by the same producer to the same purchaser. The sole difference is that one contract covers the Tiger Ridge Area and the other one covers the Sherard area. Moreover, the evidence submitted in Docket No. RI74-79 is applicable to both proceedings. In view of the foregoing, these proceedings are hereby consolidated and all intervenors in Docket No. RI74-79 are also deemed to be intervenors in the subject proceeding.

[FR Doc.74-7009 Filed 3-27-74;8:45 am]

[Docket No. CP74-98]

EL PASO NATURAL GAS CO.

Extension of Time

MARCH 22, 1974.

On March 20, 1973, El Paso Natural Gas Company filed a motion for an extension of time for the filing of testimony as required by order issued March 5, 1974, in the above-designated matter. The motion states that Southern Union Gas Company supports the motion, and the staff and other intervenors do not object.

Upon consideration, notice is hereby given that the time for filing testimony in the above-designated matter is extended to and including March 29, 1974. The hearing remains scheduled for April 9, 1974.

MARY B. KIDD,
Acting Secretary.

[FR Doc.74-7186 Filed 3-27-74;8:45 am]

[Docket No. CI74-498]

J. M. HUBER CORP.

Notice of Application

MARCH 22, 1974.

Take notice that on March 8, 1974, J. M. Huber Corporation, (Applicant), 2000 West Loop South, Houston, Texas 77027, filed in Docket No. CI74-498 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce to Transwestern Pipeline Company (Transwestern) from the No. 1 Moore Com. Well, South Carlsbad Field, Eddy County, New Mexico, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that it commenced an emergency sale of natural gas to Transwestern which will terminate on June 15, 1974, within the contemplation of § 157.29 of the regulations under the Natural Gas Act (18 CFR 157.29) and proposes to continue said sale for one year from the end of the emergency period within the contemplation of § 2.70 of the Commission's general policy and interpretations (18 CFR 2.70). Applicant proposes to sell approximately 9,000 Mcf of gas per month to Transwestern at 55.0 cents per Mcf at 14.65 psia, subject to upward and downward Btu adjustment from a base of 1,000 Btu per cubic foot with a 1,175 Btu upward limit.

Any person desiring to be heard or to make any protest with reference to said application should on or before April 15, 1974, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by 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 this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-7187 Filed 3-27-74;8:45 am]

[Docket No. RP73-103]

McCULLOCH INTERSTATE GAS CORP.

Extension of Time and Postponement of Prehearing Conference and Hearing

MARCH 22, 1974.

On September 25, 1973, Staff Counsel filed a motion to extend the procedural dates fixed by notice issued July 26, 1973. On October 15, 1973, a notice was issued deferring the procedural dates pending disposition of the motion. On February 14, 1974, Staff Counsel filed a motion for a further extension of the procedural dates. The motion states that there is no opposition to the request.

Upon consideration, notice is hereby given that the procedural dates in the above matter are further modified:

Staff Service, May 7, 1974.
Prehearing Conference, May 20, 1974 (10:00 a.m. e.d.t.).
Intervener Service, May 30, 1974.
Company Rebuttal, June 10, 1974.
Hearing, June 24, 1974 (10 a.m. e.d.t.).

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-7188 Filed 3-27-74;8:45 am]

[Docket Nos. E-8251, E-8169, E-8476]

NEW ENGLAND POWER CO.

Clarification

MARCH 22, 1974.

On March 5, 1974, a notice was issued which changed the procedural dates fixed by notice issued November 23, 1973 in Docket Nos. E-8251 and E-8169; by order issued December 28, 1973, consolidating Docket No. E-8476 with Docket No. E-8169 and No. E-8251, and order issued February 7, 1974, instituting an investigation in Docket No. E-8251.

The procedural dates are the same as set forth in the March 5, 1974 notice:

Service of NEPCO's rebuttal evidence as required by notice of 11/23/73 and order of 12/28/73 (Docket Nos. E–8251, E–8169 and E–8476), April 2, 1974.
Service of Staff's evidence on cost adjustment clauses (Docket No. E–8251, order of 2/7/74), April 2, 1974.
Prehearing Conference and Hearing (Docket Nos. E–8251, E–8169, and E–8476, notice of 11/23/73 and order of 12/28/74), April 16, 1974 (10 a.m. e.d.t.).
Service of NEPCO's rebuttal evidence on cost adjustment clauses (Docket No. E–8251, February 7, 1974 order), April 16, 1974.
Prehearing Conference and Hearing on cost adjustment clause (Docket No. E–8251, 2/7/74 order), April 23, 1974 (10 a.m. e.d.t.).

KENNETH F. PLUMB,
Secretary.

[FR Doc.74–7189 Filed 3–27–74;8:45 am]

[Docket No. E–8252]

NORTHERN STATES POWER CO.

Extension of Time

MARCH 21, 1974.

On March 15, 1974, Northern States Power Company (Minnesota) filed a motion for an extension of time to file its rebuttal testimony as required by the notice issued March 6, 1974, in the above-designated matter.

The motion states that neither the Company, Staff, nor interveners object to the proposed schedule revision.

Upon consideration, notice is hereby given that the time for the filing of rebuttal testimony by Northern States Power Company is postponed to April 2, 1974. The prehearing conference and hearing scheduled for April 22 and April 23, respectively, are unchanged.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74–7190 Filed 3–27–74;8:45 am]

[Docket No. CP74–198]

PICAYUNE, MISSISSIPPI, ET AL.

Postponement of Hearing

MARCH 22, 1974.

In the matter of City of Picayune, Mississippi (Complainant) v. United Gas Pipe Line Company, United Gas, Inc. (Respondents).

On March 21, 1974, Staff Counsel filed a motion for the postponement of the hearing fixed for March 26, 1974, by order issued February 5, 1974 in the above-designated matter. The motion states that none of the parties object to the motion.

Upon consideration, notice is hereby given that the hearing in the above matter is postponed to April 4, 1974, at 10 a.m. (e.d.t.) in a hearing room of the Federal Power Commission at 825 N. Capitol Street NE., Washington, D.C.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74–7185 Filed 3–27–74;8:45 am]

[Docket No. RP74–25]

TEXAS GAS TRANSMISSION CORP.

Extension of Time and Postponement of Prehearing Conference and Hearing

MARCH 22, 1974.

On February 5, 1974, Staff Counsel filed a motion for an extension of the procedural dates fixed by order issued October 31, 1973, in the above-designated matter. On February 15, 1974, a notice was issued deferring the procedural dates pending further order of the Commission.

On February 14, 1974, Texas Gas Transmission Corporation (Texas Gas) filed a response in opposition to Staff's motion. Texas Gas also suggested that a prehearing conference be convened on March 25, 1974 and that the staff serve its evidence, on as many items of cost of service as possible prior to the prehearing conference.

On February 26, 1974, Cincinnati Gas & Electric Company and Lawrenceburg Gas Transmission Company advised that they jointly supported the response of Texas Gas.

On February 26, 1974, Indiana Gas Company also filed a response which supported the filing of Texas Gas.

On February 22, 1974, Memphis Light, Gas and Water Division filed a response stating that it did not agree with the response of Texas Gas.

Upon consideration, notice is hereby given that the request of Texas Gas is denied and the procedural dates are modified as follows:

Service of Evidence by the Staff, July 12, 1974.
Prehearing Conference, July 23, 1974 (10 a.m. e.d.t.).
Service of Evidence by Interveners, August 6, 1974.
Service of Rebuttal Evidence, August 20, 1974.
Hearing, September 24, 1974 (10 a.m. e.d.t.).

KENNETH F. PLUMB,
Secretary.

[FR Doc.74–7191 Filed 3–27–74;8:45 am]

[Docket No. RP72–156]

TEXAS GAS TRANSMISSION CORP.

Proposed Changes in FPC Tariff

MARCH 22, 1974.

Take notice that Texas Gas Transmission Corporation (Texas) on March 13, 1974, tendered for filing Ninth Revised Sheet No. 7 to its FPC Gas Tariff, Third Revised Volume No. 1. Texas requests an effective date of May 1, 1974, for said Revised Sheet.

Texas states the Sheet is being issued pursuant to the purchased gas cost adjustment provision of its FPC Gas Tariff, Third Revised Volume No. 1 and reflects increased purchased gas costs. Texas also states that copies of the filing were served on its jurisdictional customers and interested state commissions.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before April 15, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74–7192 Filed 3–27–74;8:45 am]

INTERIM COMPLIANCE PANEL (COAL MINE HEALTH AND SAFETY)

MOUNTAIN RUN COAL CO., ET AL.

Applications for Initial Permits Electric Face Equipment Standard; Opportunity for Public Hearing

Applications for Initial Permits for Noncompliance with the Electric Face Equipment Standard have been received for items of equipment in the underground coal mines listed below.

(1) ICP Docket No. 4185–000, MOUNTAIN RUN COAL COMPANY, Mountain Run No. 5 Mine, Mine ID No. 46 01786 0, Kingwood, West Virginia.

(2) ICP Docket No. 4281–000, LICK BRANCH COAL COMPANY, No. 3 Mine, Mine ID No. 15 00628 0, Cranks, Kentucky.

(3) ICP Docket No. 4366–000, T. H. Coal Company, Upper Mason No. 1 Mine, Mine ID No. 44 03612 0, St. Charles, Virginia.

In accordance with the provisions of section 305(a)(2) (30 U.S.C. 865(a)(2)) of the Federal Coal Mine Health and Safety Act of 1969 (83 Stat. 742, et seq., Pub. L. 91–173), notice is hereby given that requests for public hearing as to an application for an initial permit may be filed on or before April 12, 1974. Requests for public hearing must be filed in accordance with 30 CFR Part 505 (35 FR 11296, July 15, 1970), as amended, copies of which may be obtained from the Panel upon request.

A copy of each application is available for inspection and requests for public hearing may be filed in the office of the Correspondence Control Officer, Interim Compliance Panel, Room 800, 1730 K Street, NW., Washington, D.C. 20006.

GEORGE A. HORNBECK,
Chairman,
Interim Compliance Panel.

MARCH 25, 1974.

[FR Doc.74–7145 Filed 3–27–74;8:45 am]

NATIONAL ADVISORY COUNCIL ON THE EDUCATION OF DISADVANTAGED CHILDREN

NOTICE OF PUBLIC MEETING

Notice is hereby given, PL 92–463, that the next meeting of the National Advisory Council on the Education of Disadvantaged Children will be held on April 4, 1974 at 1 p.m.–7 p.m., and April 5, 1974 at 9 a.m.–10 p.m., located at 425 13th Street NW., Suite 1012, Washington, D.C. 20004.

The National Advisory Council on the Education of Disadvantaged Children is established under section 148 of the Elementary and Secondary Act (20 U.S.C. 2411) to advise the President and the Congress on the effectiveness of compensatory education to improve the educational attainment of Disadvantaged Children.

The meeting is called to review and discuss the 1974 annual report and to plan Council activities for 1974–75 report year.

Because of limited space for the meeting of April 4 and April 5, all persons wishing to attend should call for reservations at Area Code 202/382–6945 by March 29, 1974.

Records shall be kept of all Council proceedings and shall be available for public inspection at the Office of the National Advisory Council on the Education of Disadvantaged Children, located at 425 13th Street, N.W., Suite 1012, Washington, D.C. 20004.

Signed at Washington, D.C. on March 25, 1974.

ROBERTA LOVENHEIM,
Executive Director.

[FR Doc.74–7320 Filed 3–27–74;8:45 am]

NATIONAL SCIENCE FOUNDATION

ADVISORY PANEL FOR PHYSICS

Notice of Meeting

Pursuant to the Federal Advisory Committee Act (P.L. 92–463), notice is hereby given of a meeting of the Advisory Panel for Physics to be convened at 9 a.m. on April 4 and 5, 1974, in Room 540 at 1800 G Street NW., Washington, D.C. 20550.

The purpose of this Panel is to provide general advice and recommendations on the impact of the NSF support of Physics and to review and evaluate specific proposals in Physics.

The agenda for this meeting shall include:

APRIL 4

This session will be devoted to remarks and presentations by NSF officials and staff on the following topics:

1. NSF FY 1975 budget
2. Energy related research
3. The review of intermediate energy Physics
4. Physics in other components of NSF
5. Other business of interest to the Panel

APRIL 5

Continuation of discussions on April 4.

Discussion of planning issues and future trends in Physics.

Review of individual Physics projects (3:00 to 5:00 p.m.).

The entire session on April 4 and the morning and early afternoon portions (until 3 p.m.) of the April 5 session shall be open to the public. The late afternoon portion (3 to 5 p.m.) of the April 5 session is concerned with matters which are within the exemptions of 5 U.S.C. 552(b) and will not be open to the public in accordance with the determination by the Director of the National Science Foundation dated December 17, 1973, pursuant to the provisions of section 10(d) of P.L. 92–463. Persons requiring further information concerning this Panel should contact Dr. Marcel Bardon, Section Head, Physics Section, at 632–4310 or Room 348, 1800 G Street NW., Washington, D.C. 20550. Summary minutes relative to the open portions of the meeting may be obtained from the Management Analysis Office, Room K–720, 1800 G Street NW., Washington, D.C. 20550.

T. E. JENKINS,
Assistant Director for Administration.

MARCH 22, 1974.

[FR Doc.74–7285 Filed 3–27–74;8:45 am]

OFFICE OF MANAGEMENT AND BUDGET

CLEARANCE OF REPORTS

List of Requests

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 25, 1974 (44 USC 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 COMMERCE

National Bureau of Standards, DELPHI STUDY on Vacuum Measurements, Form NBS 769, Quarterly, Lowry, Manufacturers and users of vacuum equipment.

NATIONAL FOUNDATION ON THE ARTS AND HUMANITIES

Artists-in-Schools Report, Form NEA/AIS–1 through 8, Annual, Sheftel, State Arts agencies.

SPECIAL ACTION OFFICE FOR DRUG ABUSE PREVENTION

Outcome Analysis of Former Clients of NTA Program, Washington, D.C., Form____, Single time, HRD/Reese, Former Clients of NTA Drug Program.

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration, Highway Safety Improvement Program—(Vol. 6, Chap. 8, Sec. 2, Subsec. 1, Fed-aid Highway Program Manual), Form ____, Annual, EGGD/Foster, State highway depts.

U.S. CIVIL SERVICE COMMISSION

Technical Assistance Impact Study Information and Interview Checklists, Form ____, Single time, Caywood/Lowry, State and local govt. officials.

REVISIONS

None.

EXTENSIONS

DEPARTMENT OF AGRICULTURE

Commodity Exchange Authority, Application for Registration as Futures Commission Merchant and Biographical Supplement, Forms CEA 1–R, CEA–94, Annual, Evinger, Individuals in Commodity brokerage business.

Rural Electrification Administration, Estimate Work Order—REA Borrowers, Form REA 218, Occasional, Evinger, REA electric borrowers.

DEPARTMENT OF COMMERCE

Bureau of East West Trade, Petroleum Fuel Past Participation Statement, Form DIB 669P, Single time, Evinger, Petroleum fuel exporters.

Ferrous Scrap Past Participation Statement, Form DIB 664P, Single time, Evinger, Ferrous scrap exporters.

Departmental Application for Designation of a Fair, Form USTS–23, Occasional, Foster, Trade fair sponsors.

VELMA N. BALDWIN,
Assistant to the Director for Administration.

[FR Doc.74–7299 Filed 3–27–74;8:45 am]

BUSINESS ADVISORY COUNCIL ON FEDERAL REPORTS

Notice of Public Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of a meeting of an ad hoc panel of the Business Advisory Council on Federal Reports to be held in Room 2008, New Executive Office Building, 726 Jackson Place, NW., Washington, D.C., on Thursday, April 11, 1974, at 9:30 a.m.

The purpose of the meeting is to obtain advice on problems associated with the reporting and recordkeeping requirements of Order No. 14, revised, of the Office of Federal Contract Compliance, Employment Standards Administration, Department of Labor. The meeting will be open to public observation and participation.

VELMA N. BALDWIN,
Assistant to the Director for Administration.

[FR Doc.74–7262 Filed 3–27–74;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[70-5340]

ALLEGHENY POWER SYSTEM, INC., ET AL.

Supplemental Notice of Proposed Amendments

MARCH 20, 1974.

In the matter of Allegheny Power System, Inc., 320 Park Avenue, New York, New York 10022; Monongahela Power Company, 1310 Fairmont Avenue, Fairmont, West Virginia 26554; The Potomac Edison Company, Downsville Pike, Hagerstown, Maryland 21740; The Potomac Edison Company of Virginia, Rt. 11 South, Kernstown, Virginia 22601; The Potomac Edison Company of West Virginia, 901 Wilson Street, Martinsburg, West Virginia 25401; The Potomac Edison Company of Pennsylvania, N. Grant Street Extension, Waynesboro, Pennsylvania 17268; Monterey Utilities Corporation, Monongahela Power Company Building, Fairmont, West Virginia 26554 (70-5340).

Notice is hereby given that Allegheny Power System, Inc. ("APS"), a registered holding company, its subsidiary electric utility and registered holding companies, Monongahela Power Company ("Monongahela") and The Potomac Edison Company ("PE"), PE's subsidiary electric utility companies, The Potomac Edison Company of Virginia (PE Va.), The Potomac Edison Company of West Virginia (PE W. Va.) and The Potomac Edison Company of Pennsylvania (PE Pa.) and Monongahela's electric utility subsidiary company, Monterey Utilities Corporation (Monterey), have filed further amendments to the amended application-declaration originally filed with this Commission designating sections 5(d), 9, 10 and 12 of the Public Utility Holding Company Act of 1935 ("Act") as applicable to the following proposed transactions. All interested persons are referred to the application-declaration, as further amended, which is summarized below, for a complete statement of the proposed transactions.

By notice dated August 27, 1973, in this proceeding (Holding Company Act Release No. 18069) notice was given of a proposal by APS to simplify its corporate structure through the following steps: (i) PE Va. will acquire Monterey's common stock for cash equal to the stock's underlying book value; (ii) Monterey, PE Va., PE W. Va., PE Pa. will merge into PE; and (iii) PE will acquire the Maryland public utility properties ("Maryland properties") of Monongahela for cash equal to the Maryland properties' original cost depreciated. Applicants-declarants request that upon consummation of the proposed transactions, a further order be issued declaring that Monongahela and PE have each ceased to be holding companies under the Act and that their registrations under the Act are no longer in effect.

The notice stated, among other things, that PE proposes to amend and restate its Certificate of Incorporation ("Charter") without any change in the substance thereof. Applicants-declarants have now filed amendments to the original application-declaration proposing, among other things, to amend the PE Charter to increase the amount of cumulative preferred stock PE is authorized to issue from 450,000 shares to 5,450,000 shares. Additional changes to the PE Charter are also proposed, including revisions in the provisions relating to the number of PE Directors, the inclusion of a statement of powers exercisable by PE in the state of Virginia, and an amendment to state that the consent of "more than" two-thirds of the cumulative preferred stock rather than "at least" two-thirds of the cumulative preferred stock will be required in certain instances.

It is stated that these changes will not adversely affect the present PE preferred stockholders.

Notice is further given, that any interested person may, not later than April 12, 1974, request in writing that a hearing be held with respect to the proposed transactions, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application-declaration, as amended, which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicants-declarants at the above-stated addresses and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as amended and as it may be further amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20 (a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.74-7127 Filed 3-27-74;8:45 am]

[File No. 500-1]

AMERICAN DATA SERVICES, INC.

Suspension of Trading

MARCH 21, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of American Data Services, Inc. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from 10 a.m. (e.d.t.) on March 21, 1974 through March 30, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.74-7226 Filed 3-27-74;8:45 am]

[812-3599]

ASA LTD.

Filing of Application

MARCH 20, 1974.

Notice is hereby given that ASA Limited (54 Marshall Street, Johannesburg, South Africa) ("Applicant"), a non-diversified, closed-end management investment company registered under the investment Company Act of 1940 (the "Act"), has been filed an application for an order of the Commission pursuant to section 6(c) of the Act declaring that Wesley A. Stanger, Jr. ("Stanger"), a director of Applicant, shall not be considered an "interested person" of Applicant within the meaning of section 2(a)(19) of the Act solely by reason of his status as a registered representative of Edwards & Hanley, a limited partnership, and a registered broker-dealer under the Securities Exchange Act of 1934 (the "1934 Act"). All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

Applicant is a South African corporation which was permitted to register under the Act as a foreign investment company pursuant to the provisions of section 7(d) of the Act and Rule 7d-1 thereunder.

Applicant has not offered any of its securities for sale since 1958, and it has no underwriter. Its investment adviser, South African Investment Adviser (Proprietary) Limited ("SAIA"), is also a South African corporation and conducts no business other than acting as Applicant's investment adviser. Applicant's investment policy does not permit it to invest in the securities of any companies other than those doing the major portion of their business in South Africa. Applicant's securities transactions are arranged for by SAIA acting as its adviser and, with very rare exceptions, are executed on the Johannesburg Stock Exchange.

The Commission on July 10, 1973 issued an order pursuant to section 6(c) of the Act (Investment Company Act Release No. 7894) declaring that Stanger, a director of Applicant shall not be considered an "interested person" of Applicant within the meaning of section 2(a)(19) of the

Act solely by reason of his status as a registered representative of Riter, Pyne, Kendall & Hollister ("Riter Pyne"), a registered broker-dealer under the 1934 Act. Applicants state that subsequent to the issuance of such order, Edwards & Hanley succeeded to the business of Riter Pyne.

Stanger has been a director of Applicant since 1960, and at Applicant's annual shareholders meeting on April 30, 1973, he was reelected to serve until the 1974 shareholders meeting. Mr. Stanger holds a $108,000 principal amount subordinated debenture of Edwards & Hanley but is not one of its officers or directors, and receives no salary from it. As a registered representative he receives commissions from Edwards & Hanley on transactions he handles, and he is covered by its major medical policy. Edwards & Hanley has no relationship of any kind with Applicant or its adviser, has no office outside the United States and has no particular expertise or experience with respect to South African securities. It has never sold a security to nor purchased a security from Applicant. Furthermore, it has agreed not to do so as long as Stanger remains a director of Applicant, and Applicant and SAIA have agreed that Applicant will engage in no securities transactions with Edwards & Hanley during such time. Applicant seeks the requested exemption to provide further flexibility in the composition of its board of directors in the event that deaths, resignations, or other circumstances make changes of directors necessary or advisable, and it contends that Stanger's association with Edward & Hanley will not impair his independence in acting on behalf of Applicant and its shareholders.

Section 2(a)(19) of the Act defines the term "interested person" of an investment company to include, in part, any broker or dealer registered under the 1934 Act or any affiliated person of a broker or dealer. The definition of "affiliated person" of any person contained in section 2(a)(3) of the Act includes any employee of such person. Consequently, Stanger, as a registered representative of a broker-dealer may be deemed to be an "interested person" of Applicant.

Section 6(c) of the Act provides that the Commission may, upon application, conditionally or unconditionally exempt any person from any provision of the Act if such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than April 15, 1974, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the Applicant at the address stated above. Proof of such service (by affidavit, or in case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0–5 of the rules and regulations promulgated under the Act, an order disposing of the matter will be issued as of course following April 15, 1974, unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.74–7128 Filed 3–27–74;8:45 am]

[File No. 500–1]

BBI, INC.

Suspension of Trading

MARCH 19, 1974.

The common stock of BBI, Inc., being traded on the American Stock Exchange and the Philadelphia-Baltimore-Washington Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of BBI, Inc. being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchanges and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to sections 19(a)(4) and 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities on the above mentioned exchange and otherwise than on a national securities exchange is suspended, for the period from March 20, 1974 through March 29, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.74–7129 Filed 3–27–74;8:45 am]

[File No. 500–1]

BRINCO, LTD.

Suspension of Trading

MARCH 20, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Brinco, Ltd. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from March 21, 1974 through March 30, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.74–7130 Filed 3–27–74;8:45 am]

[File No. 500–1]

CANADIAN JAVELIN, LTD.

Suspension of Trading

MARCH 18, 1974.

The common stock of Canadian Javelin, Ltd. being traded on the American Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Canadian Javelin, Ltd. being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to sections 19(a)(4) and 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities on the above mentioned exchange and otherwise than on a national securities exchange is suspended, for the period from March 19, 1974 through March 28, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.74–7131 Filed 3–27–74;8:45 am]

[File No. 24A–2146]

DATE-A-SUPERGIRL, INC.

Order Permanently Suspending Exemption

MARCH 21, 1974.

I. Date-A-Supergirl, Inc. ("Issuer"), a Florida corporation, 1666 Kennedy Causeway, North Bay Village, Florida 33141, filed with the Commission on October 10, 1972, a notification, offering circular and supporting exhibits relating to a proposed offering of 50,000 shares of its $.01 par value common stock at $1.50 per share for an aggregate of $75,000. The purpose of this filing was to obtain an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to section 3(b) thereof and Regulation A promulgated thereunder.

II. The Commission on October 2, 1973, temporarily suspended the Regulation A exemption of Date-A-Supergirl, Inc., stating it had reasonable cause to believe that:

A. The notification and offering circular contained untrue statements of material facts and omitted to state material

facts necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading, particularly in that:

1. The notification and offering circular failed to adequately disclose securities sold or to be sold to the underwriter;

2. The offering circular failed to state that the lump sum payment due in connection with the sale of its first and only franchise had been extended over a three-year period; and,

3. The offering circular named H. E. Simpson & Co. as underwriter for the offering, and that no amendment was filed to disclose that H. E. Simpson & Co. withdrew as underwriter on November 10, 1972.

B. The terms and conditions of Regulation A had not been complied with in that:

1. The notification did not adequately disclose the jurisdictions in which the securities were to be offered;

2. The Issuer failed to disclose in the notification the proposed offerings of securities to the underwriter and Marketing Systems of America, Inc.;

3. The Issuer failed to include financial statements of the predecessor partnership as required by paragraph 11 of Schedule I;

4. The Issuer failed to adequately and accurately disclose in the offering circular the percentage of the Issuer's common stock to be held by its officers, directors and promoters, and the percentage to be held by the public investors assuming all shares offered are sold as required by paragraph 9(d) of Schedule I; and,

5. The Issuer failed adequately and accurately to disclose in the offering circular the present annual remuneration to each of the Issuer's three highest paid officers and the aggregate annual remuneration to all officers and directors as a group, as required by paragraph 9(b) of Schedule I.

C. The Issuer failed to cooperate with the Commission in that the Issuer and its officers failed or refused to reply to a comment letter and two follow-up requests from the Commission's staff with respect to the amending of the notification and offering circular.

D. The offering, if allowed to commence, would have been in violation of section 17 of the Securities Act of 1933.

No hearing having been requested by Date-A-Supergirl, Inc. within 30 days after the entry of an order temporarily suspending the exemption of the Issuer under regulation A, the Commission finds that it is in the public interest and for the protection of investors that the exemption of the Issuer under regulation A be permanently suspended;

It is ordered, Pursuant to Rule 261(a) of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption of Date-A-Supergirl, Inc. under regulation A be, and it hereby is, permanently suspended.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

NOTE.—An appendix listing parties to whom this order has been sent is filed as part of the original document.

[FR Doc.74-7227 Filed 3-27-74;8:45 am]

[File No. 500-1]

ELECTROSPACE CORP.

Suspension of Trading

MARCH 21, 1974.

The common stock and Conv. Sub. Deb. 5½ percent due October 1983 of Electrospace Corporation being traded on the American Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all securities of Electrospace Corporation being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to sections 19(a)(4) and 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities on the above mentioned exchange and otherwise than on a national securities exchange is suspended, for the period from March 22, 1974 through March 31, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.74-7132 Filed 3-27-74;8:45 am]

[File No. 500-1]

EQUITY FUNDING CORPORATION OF AMERICA

Suspension of Trading

MARCH 22, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, warrants to purchase the stock, 9½ percent debentures due 1990, 5½ percent convertible subordinated debentures due 1991, and all other securities of Equity Funding Corporation of America being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from March 23, 1974 through April 1, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.74-7228 Filed 3-27-74;8:45 am]

[File No. 500-1]

GEON INDUSTRIES, INC.

Suspension of Trading

MARCH 20, 1974.

The common stock of Geon Industries, Inc. being traded on the American Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Geon Industries, Inc. being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to sections 19(a)(4) and 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities on the above mentioned exchange and otherwise than on a national securities exchange is suspended, for the period from March 21, 1974 through March 30, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.74-7133 Filed 3-27-74;8:45 am]

[File No. 500-1]

GRANBY MINING CO., LTD.

Notice Amending Notice of Suspension of Trading

MARCH 21, 1974.

The Commission having determined to amend its notice of March 11, 1974 summarily suspending trading in the securities of Granby Mining Co., Ltd. for the period March 12, 1974 through March 21, 1974;

Therefore, pursuant to sections 15(c)(5) and 19(a)(4) of the Securities Exchange Act of 1934, that trading in the common stock and all other securities of Granby Mining Co., Ltd. being traded on the Pacific Coast Stock Exchange and on the Philadelphia-Baltimore-Washington Stock Exchange and all securities of Granby Mining Co., Ltd. being traded otherwise than on a national securities exchange is suspended, for the period from March 12, 1974 through March 20, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.74-7134 Filed 3-27-74;8:45 am]

[File No. 500-1]

INDUSTRIES INTERNATIONAL, INC.

Suspension of Trading

MARCH 22, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Industries International, Inc.,

being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from March 23, 1974 through April 1, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.74-7229 Filed 3-27-74;8:45 am]

[811-2137]

INSTITUTIONAL FUND OF AMERICA, INC.

Notice of Filing of Application

MARCH 20, 1974.

Notice is hereby given that Institutional Fund of America, Inc., 611 West Sixth Street, Los Angeles, California 90017 ("Applicant"), registered as a diversified, open-end management investment company under the Investment Company Act of 1940 (the "Act"), has filed an application pursuant to section 8(f) of the Act for an order of the Commission declaring that Applicant has ceased to be an investment company as defined in the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations set forth therein, which are summarized below.

Applicant, a Delaware corporation, registered under the Act in November 1970 by filing a notification of registration. Applicant has not filed a registration statement on Form N-8B-1 under the Act or on Form S-5 under the Securities Act of 1933.

Applicant has no assets and no public offering or sale of shares of Applicant has been or will be made. Applicant has no present intention of commencing operations as an investment company.

Section 8(f) of the Act provides, in pertinent part, that when the Commission, upon application, finds that a registered investment company has ceased to be an investment company, it shall so declare by order, and upon the effectiveness of such order the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than April 15, 1974, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the Applicant at the address stated above. Proof of such service (by affidavit, or in case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein will be issued by the Commission as of course following April 15, 1974, unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.74-7135 Filed 3-27-74;8:45 am]

[File No. 81-127]

JOURNAL CO. AND JOURNAL EMPLOYEES' STOCK TRUST

Order for Hearing on Application for Exemptions

MARCH 21, 1974.

Notice is hereby given that The Journal Company ("the Journal") and The Journal Employees' Stock Trust ("JEST") (hereinafter sometimes referred to collectively as "the Applicants") have filed an application pursuant to section 12(h) of the Securities Exchange Act of 1934, as amended, (the "Act"), for an order exempting the Applicants from the registration provisions of section 12(g) of the Act. Exemption from section 12(g) will have the additional effect of exempting the Applicants from sections 13 and 14 of the Act and their officers, directors and 10 percent beneficial owners from section 16 of the Act.

Section 12(g) of the Act requires the registration of the equity securities of every issuer which is engaged in a business affecting interstate commerce, or whose securities are traded by use of the mails or any means or instrumentality of interstate commerce, and on the last day of the fiscal year has total assets exceeding $1 million and a class of equity securities held of record initially by 500 or more persons. Registration is terminated 90 days after the issuer files a certification with the Commission that the number of holders of the registered class of securities is fewer than 300 persons.

Section 12(h) empowers the Commission to exempt, in whole or in part, any issuer from the registration, periodic reporting and proxy solicitation sections of the Act and to grant exemption from the insider reporting and trading provisions of the Act if the Commission finds by reason of the number of public investors, amount of trading interest in the securities, the nature and extent of the activities of the issuer, income or assets of the issuer, or otherwise, that such exemption is not inconsistent with the public interest or the protection of investors.

The Application, including the exhibits thereto, states, inter alia, that:

1. The Journal, a Wisconsin corporation with its principal offices in Milwaukee, Wisconsin, is engaged, through various subsidiaries, in the newspaper, broadcasting and printing business.

2. The Journal has total assets exceeding $1,000,000 and its only class of outstanding equity securities is owned by JEST and by two charitable foundations and two corporations controlled by family members of a deceased former chief executive and principal stockholder of the Journal.

3. JEST was established on May 15, 1937 in order to promote stability and continuity of management and control of the Journal by enabling its employees to acquire ownership of the Journal.

4. As of January 1, 1974, JEST owned 1,485,000 shares, representing 82.5 percent of the Journal's outstanding common stock, which securities have a value in excess of $1,000,000; and had 1,468 unitholders, each of whom was an employee of the Journal or a subsidiary thereof.

5. There are certain restrictions on the ownership and transfer of JEST units and certain information concerning the Journal is supplied or made available to all JEST unitholders.

For a more detailed statement of the information presented all persons are referred to said application which is on file in the Commission's Office of Public Reference at 1100 L Street, NW., Washington, D.C.

It is ordered, Pursuant to section 12(h) of the Securities Exchange Act of 1934, as amended, that a hearing on the application of the Journal Company and the Journal Employees' Stock Trust for exemptions from the provisions of section 12(g) of that Act be held on April 29, 1974 at 10 a.m., at the offices of the Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. An Administrative Law Judge will be designated to preside at the hearing. Any person desiring to be heard is directed to file with the Secretary of the Commission his request as provided for by rule 9(c) of the Commission's rules of practice, setting forth any issues of fact or law which he desires to controvert and/or setting forth any additional issues which he feels should be considered.

The Division of Corporation Finance advises that it has made a preliminary examination of the application and that, on the basis thereof, the following matters and questions are to be presented for consideration at the hearing:

1. Whether the number of public investors and the amount of trading interest, actual or potential, in Applicants' securities is sufficiently limited to justify the requested exemptions for either or both of the Applicants; and

2. Whether the nature and extent of the activities of the Applicants are such

to justify the requested exemptions for either or both of the Applicants; and

3. Whether adequate information is and will be available to investors concerning the financial affairs of the Applicants, to justify the requested exemptions for either or both of the Applicants; and

4. Generally, whether the requested exemptions are consistent with the public interest and with the protection of investors.

It is further ordered, That the Secretary of the Commission shall give notice of the aforesaid hearing by mailing a copy of this notice and order by registered mail to the Journal Company and the Journal Employee's Stock Trust and to their attorney and that notice to all other persons be given by publication of this notice and order in the FEDERAL REGISTER, and that a general release of this Commission in respect to this notice and order be distributed to the press and mailed to those persons whose names appear on the mailing list for release.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.74-7230 Filed 3-27-74;8:45 am]

[70-4854]

METROPOLITAN EDISON CO. AND YORK HAVEN POWER CO.

Supplemental Notice of Proposed System Transactions

MARCH 20, 1974.

Notice is hereby given that Metropolitan Edison Company ("Met-Ed"), an electric utility subsidiary company of General Public Utilities Corporation, a registered holding company, and York Haven Power Company ("YHP"), a Pennsylvania corporation, 2800 Pottsville Pike, Muhlenberg Township, Berks County, Pennsylvania 19605, have filed a joint application-declaration and an amendment thereto with this Commission, pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a), 7, 9(a), 10, 12(d) and 12(f) of the Act and Rule 43 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the joint application-declaration, which is summarized below, for a complete statement of the proposed transactions.

By notice dated February 26, 1968, in this proceeding (Holding Company Act Release No. 15982), notice was given of a proposal for YHP to issue to Met-Ed, and Met-Ed to acquire from YHP, in exchange for certain Met-Ed property, all the capital stock of YHP consisting of 500 shares of common stock without par value.

YHP is a Pennsylvania corporation which was incorporated on December 19, 1967 at Met-Ed's instance. YHP does not have any securities outstanding and does not propose to issue any securities prior to the consummation of the transactions herein proposed.

The property which Met-Ed proposes to transfer to YHP consists of (a) substantially all of the tangible and intangible project property comprising Met-Ed's York Haven hydroelectric project, as revised, which project has been licensed as Project No. 1888 under Part I of the Federal Power Act, and (b) the license, as amended, for said project. The transfer will exclude the land on which the Three Mile Island ("TMI") nuclear generating station is being constructed, as well as all land owned by Met-Ed and embraced generally within a radius of 2,000 feet from the center of the reactor building of each of the two units of said station.

The transfer will reserve to Met-Ed (and its successors and assigns) the right to make joint use of project waters for make-up, normal and cooling purposes at the TMI nuclear station and for the dilution and disposal of radioactive wastes, subject to water quality regulatory standards applicable to discharges of water for such purposes. The transfer will also exclude rights-of-way and facilities for existing transmission and distribution lines and a railroad and access road bridge and rights-of-way for certain future transmission and distribution lines, all of which are not part of the hydroelectric project. Met-Ed will contract with YHP for the rights, for the life of the nuclear generating station, to make joint use of the waters of the licensed project for make-up water and emergency cooling purposes for the nuclear station and the rights-of-way and easements across the project property necessary for the construction, operation and maintenance of the nuclear station.

The transfer will provide for the annual payment of $500 by Met-Ed (and its successors and assigns) to the licensee of the hydroelectric project for the value of the power and energy loss occasioned by the joint use of water for the TMI nuclear station.

The fees and expenses to be incurred in connection with the proposed transactions will be filed by amendment. The filing states that the Pennsylvania Public Utility Commission has jurisdiction with respect to Met-Ed's proposed sale of property to YHP and that the FPC has jurisdiction with respect to the proposed amendment to the license for the hydroelectric project and related matters. Copies of the orders of such commissions will be filed by amendment.

Notice is further given that any interested person may, not later than April 11, 1974, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said joint application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the joint applicants-declarants at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the joint application-declaration, as amended, or as it may be further amended, may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.74-7136 Filed 3-27-74;8:45 am]

[70-5415]

MIDDLE SOUTH UTILITIES, INC., ET AL.

Notice of Proposed Post-Effective Amendment

MARCH 19, 1974.

In the matter of Middle South Utilities, Inc., 280 Park Avenue, New York, New York 10017; System Fuels, Inc., 225 Baronne Street, New Orleans, Louisiana 70112; Arkansas Power & Light Company, Ninth and Louisiana Streets, Little Rock, Arkansas 72203; Louisiana Power & Light Company, 142 Delaronde Street, New Orleans, Louisiana 70174; Mississippi Power & Light Company, P.O. Box 1640, Jackson, Mississippi 39205; New Orleans Public Service, Inc., P.O. Box 60340, New Orleans, Louisiana 70160.

Notice is hereby given that System Fuels, Inc. ("SFI"), a jointly owned nonutility subsidiary of Arkansas Power & Light Company ("AP&L"), Louisiana Power & Light Company ("LP&L"), Mississippi Power & Light Company ("MP&L") and New Orleans Public Service, Inc. ("NOPSI"), hereinafter collectively referred to as the "Operating Companies," each an electric utility subsidiary company of Middle South Utilities, Inc. ("MSU"), a registered holding company, have jointly filed a first post-effective amendment to their application-declaration in this proceeding, as previously amended, pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a), 7, 12(b) and 12(f) of the Act and Rules 45 and 50 promulgated thereunder as applicable to the following proposed transactions. All interested persons are referred to the post-effective amendment, which is summarized below, for a complete statement of the proposed transactions.

By Commission Order dated December 17, 1973 (HCAR No. 18221), SFI was authorized to borrow from the Operating Companies from time to time through December 31, 1975, an aggregate amount not to exceed $90,000,000, as partial financing of SFI's capital requirements for the period 1974 to 1976. Borrowings under such $90,000,000 commitment were to be made, however, only to the extent that outside sources of financing were unavailable.

It is stated that SFI has negotiated a borrowing arrangement with First National City Bank ("FNCB") to provide outside financing (a) for a major portion of SFI's fuel oil inventory through 1976, presently estimated to vary between 5,000,000 and 10,500,000 barrels valued at as much as $115,500,000, (b) for expenditures relating to the construction of certain oil storage facilities to be owned by SFI in connection with SFI's overall storage program, (c) for progress payments for the construction of certain tows to be owned by SFI in connection with SFI's overall transportation program, and (d) for other miscellaneous expenditures in connection with SFI's fuel supply program and for general corporate purposes.

SFI proposes, by entering into a loan agreement with FNCB ("FNCB Loan Agreement"), to establish a line of credit with FNCB under which SFI may borrow and reborrow, for a period of two years from the date of the FNCB Loan Agreement, up to an aggregate of $40,000,000 outstanding at any one time.

The borrowings by SFI from FNCB will be evidenced by promissory notes ("FNCB Notes"), payable two years after the date of the FNCB Loan Agreement, which will bear interest on the unpaid principal amount thereof at a rate per annum equal to one hundred fifteen percent (115 percent) of the base rate charged by FNCB on 90-day loans to responsible and substantial commercial borrowers, with adjustments in the interest rate to be made effective as of the first day of the week following the week in which any change in such base rate of FNCB occurs. There is no requirement that SFI maintain compensating balances in connection with the borrowings from FNCB under the line of credit. The FNCB Notes will be prepayable at any time, in whole or in part, without penalty or premium.

In consideration for FNCB's commitment under the FNCB Loan Agreement, SFI will pay to FNCB a commitment fee from the date of the FNCB Loan Agreement to its termination date two years thereafter, computed at the rate of one-half of one percent (½ of 1 percent) per annum of the average daily unused portion of the commitment. The FNCB Agreement also provides that SFI may, at its option, terminate early, or reduce, from time to time, FNCB's commitment.

Under the terms of the proposed FNCB Loan Agreement, the Operating Companies will severally covenant and agree with FNCB to take any and all action as, from time to time, may be necessary to keep SFI in a sound financial condition and to place SFI in a position to discharge, and to cause SFI to discharge, its obligations to FNCB pursuant to the FNCB Loan Agreement and the FNCB Notes. The Operating Companies will further covenant and agree that they will, unless otherwise consented to in writing by FNCB, maintain their respective shares of ownership of the Common Stock of SFI, for the period during which any portion of the principal amount of the FNCB Notes remains unpaid, in approximately the same proportions as currently held by them.

SFI represents that, in carrying out its financing programs for the years 1974 through 1976, it will at all times maintain the aggregate of its capital stock, surplus and principal amount of its indebtedness to the Operating Companies at an amount equal to at least 35 percent of SFI's total capitalization.

As indicated above, SFI's cash requirements to finance fuel oil inventory from January 1, 1974 through 1976 have increased, under present estimates, by $55,500,000 from those set forth in the original filing. SFI consequently proposes to revise the amounts previously specified in the filing to be expended in the years 1974, 1975 and 1976 to $45,000,000, $16,500,000 and $16,500,000, respectively, for fuel oil inventory.

Fees and expenses anticipated in connection with the transactions proposed herein aggregate $5,500, including charges of $500 for administrative services, at cost, of Middle South Services, Inc., the service company of the Middle South Utilities System, and legal fees estimated not to exceed $5,000.

It is stated that no State or Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than April 12, 1974, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application-declaration as further amended by said post-effective amendment which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicants-declarants at the above-stated addresses, and proof of service (by affidavit or, in case of an attorney-at-law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as amended by said post-effective amendment or as it may be further amended, may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.74-7138 Filed 3-27-74;8:45 am]

[70-5479]

NEW ORLEANS PUBLIC SERVICE, INC.

Proposal To Issue and Sell First Mortgage Bonds at Competitive Bidding

MARCH 22, 1974.

Notice is hereby given that New Orleans Public Service Inc., 317 Baronne Street, New Orleans, Louisiana 70160 ("NOPSI"), an electric utility subsidiary company of Middle South Utilities, Inc., a registered holding company, has filed an application with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating section 6(b) of the Act and Rule 50 promulgated thereunder as applicable to the following proposed transaction. All interested parties are referred to said application, which is summarized below, for a complete statement of the proposed transaction.

NOPSI proposes to issue and sell, at competitive bidding, $35 million principal amount of its First Mortgage Bonds ("Bonds"), due May 1, 2004. The interest rate, which shall be a multiple of ⅛ of 1 percent, and the price, which will be not less than 100 percent nor more than 102.75 percent of the principal amount thereof, will be determined by competitive bidding. The Bonds will be issued under the Mortgage and Deed of Trust dated as of July 1, 1944 ("Indenture") between NOPSI and The Chase Manhattan Bank, Trustee, as supplemented and amended from time to time, and as further supplemented by a supplemental indenture to be dated May 1, 1974 ("Supplemental Indenture"). The Supplemental Indenture provides, among other things, that Bonds shall not be redeemed at the applicable general redemption price prior to May 1, 1979, from the proceeds of borrowings secured by NOPSI at an effective interest cost to NOPSI of less than the effective interest cost of the Bonds.

The application states that NOPSI will use the net proceeds from the sale of Bonds to retire $31,983,000 principal amount of First Mortgage Bonds, due July 1, 1974, to finance, in part, its 1974 construction program, and for other lawful purposes.

A statement of the fees, commissions and expenses incurred or to be incurred in connection with the proposed transaction will be supplied by amendment. The approval of the City of New Orleans is required for the issuance of the Bonds.

An application has been made to, and approval granted by, that authority with respect to the proposed transaction. No other State commission, and no Federal commission, other than this Commission has jurisdiction over the proposed transaction.

Notice is further given that any interested person may, not later than April 17, 1974, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicant of the above-stated address, and proof of service (by affidavit or, in case of an attorney-at-law, by certificate) should be filed with the request. At any time after said date, the application, as filed or as it may be amended, may be granted as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.74-7139 Filed 3-27-74;8:45 am]

[File No. 500-1]

PATTERSON CORP.

Suspension of Trading

MARCH 20, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Patterson Corp. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from March 21, 1974 through March 30, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.74-7140 Filed 3-27-74;8:45 am]

[70-5478]

PENNSYLVANIA ELECTRIC CO. ET AL.

Proposed Acquisition by Subsidiary Company of All Assets of Associate Company and Related Transactions

MARCH 21, 1974.

Notice is hereby given that General Public Utilities Corporation ("GPU"), a registered holding company, and two of its electric utility subsidiary companies, Pennsylvania Electric Company ("Penelec") and Waterford Electric Light Company ("Waterford"), 80 Pine Street, New York, New York 10005, have filed an application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a), 7, 9(a), 10, 12(b), 12(d), and 12(f) of the Act and rules 43, 44, and 45 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transactions.

Penelec proposes to acquire from GPU, in exchange for 37,447 shares of Penelec's authorized and unissued common stock, plus $4.72 in cash, all of the issued and outstanding capital stock of Waterford, a wholly-owned subsidiary of GPU organized under the laws of Pennsylvania. The aggregate par value of the shares of additional Penelec common stock plus the cash payment of $4.72 is equal to GPU's carrying value for the Waterford capital stock of $748,944.72. GPU acquired the Waterford capital stock on December 16, 1968, pursuant to an order of the Commission (Holding Company Act Release No. 16243 (December 16, 1968)).

The business of Waterford is confined to the purchase, distribution, and sale of electric power and energy in a relatively small area located entirely within the existing service area of Penelec, approximately 15 miles from the city of Erie, Pennsylvania. At December 31, 1973, Waterford served 1,199 residential customers, 160 commercial and industrial customers, and one street lighting customer. Waterford purchases from Penelec its entire requirements of electric power and energy.

Waterford will declare a dividend on its common stock in an amount equivalent to its accumulated retained earnings from the date of acquisition by GPU of all the said common stock of Waterford to the close of business on the date preceding Penelec's acquisition of such stock. (Such earned surplus accumulated since the date of acquisition, December 16, 1968, by GPU amounted to $157,363 at December 31, 1973.) GPU's carrying value for the capital stock of Waterford ($748,944.72) is the sum of (a) the fair market value of the shares of GPU common stock delivered by GPU to the shareholders of Waterford in 1968 in exchange for the Waterford capital stock, (b) GPU's expenses incurred in connection with the acquisition of such Waterford capital stock, and (c) the subsequent cash capital contributions of $260,000 made by GPU to Waterford. GPU will record the additional Penelec common stock received by it at the par value thereof so that its additional investment in Penelec plus the $4.72 in cash to be delivered by Penelec in lieu of the issuance of a fractional share will merely be substituted for its existing investment in Waterford.

Immediately after Penelec's acquisition of the Waterford capital stock, Waterford will adopt a plan of liquidation pursuant to which Waterford will be dissolved and all of its assets will be transferred to Penelec (as Waterford's sole stockholder) subject to Waterford's liabilities and obligations. Upon such liquidation, the aggregate of the par value of the additional Penelec common stock and the cash payment of $4.72 by Penelec to GPU will be $166,925.27 in excess of the net assets (at net original cost) received by Penelec upon the liquidation of Waterford. GPU will make a cash capital contribution to Penelec of $166,925.27 in order to enable Penelec to write off such excess against the capital surplus resulting from such cash capital contribution so that Penelec will thereafter carry Waterford at net original cost.

The filing states that the Pennsylvania Public Utility Commission has jurisdiction over certain of the proposed transactions and that no other state or federal commission, other than this Commission, has jurisdiction over the proposed transactions. The fees and expenses in connection with the proposed transactions will be filed by amendment.

Notice is further given that any interested person may, not later than April 15, 1974, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicants-declarants at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as filed or as it may be amended, may be granted and permitted to become effective as provided in rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in

this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc. 74-7231 Filed 3-27-74;8:45 am]

[File No. 500-1]

REPUBLIC NATIONAL LIFE INSURANCE CO.

Suspension of Trading

MARCH 18, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Republic National Life Insurance Company being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from March 19, 1974 through March 28, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.74-7141 Filed 3-27-74;8:45 am]

[File No. 500-1]

ROYAL PROPERTIES INC.

Suspension of Trading

MARCH 18, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Royal Properties Incorporated being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from March 19, 1974 through March 28, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.74-7142 Filed 3-27-74;8:45 am]

[File No. 500-1]

SILENUS CORP.

Suspension of Trading

MARCH 21, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Silenus Corporation being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from 10 a.m. (e.d.t.) March 21, 1974 through March 30, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.74-7232 Filed 3-27-74;8:45 am]

[File No. 500-1]

U.S. FINANCIAL INC.

Suspension of Trading

MARCH 19, 1974.

The common stock of U.S. Financial Incorporated being traded on the New York Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of U.S. Financial Incorporated being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to sections 19(a)(4) and 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities on the above mentioned exchange and otherwise than on a national securities exchange is suspended, for the period from March 20, 1974 through March 29, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.74-7143 Filed 3-27-74;8:45 am]

[70-5456]

UTAH POWER & LIGHT CO.

Proposed Cash and Property Contribution by Registered Holding Company to Geothermal Steam Exploration Venture

MARCH 22, 1974.

Notice is hereby given that Utah Power & Light Company ("Utah"), 1407 West North Temple Street, P.O. Box 899, Salt Lake City, Utah 84110, an electric utility company and a registered holding company, has filed an application, and amendments thereto, pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 9 and 10 of the Act as applicable to the proposed transaction. All interested persons are referred to the application, as amended, which is summarized below, for a complete statement of the proposed transaction.

On December 26, 1973, Utah entered into a Joint Venture Agreement ("agreement") with Geothermal Kinetics, Inc. ("GKI"), a Nevada corporation, creating a joint venture (venture) to explore for, develop and produce geothermal steam resources for use in the generation of electricity.

The agreement provides, among other things, that the venture will endeavor to drill sufficient wells to provide a steam supply for an electric generating station. In the event the venture is successful in the production of geothermal steam or other commodities of value, Utah shall have the exclusive right to purchase such production. The agreement provides that if Utah elects not to purchase such production, the substances produced may be sold to others, with the proceeds from any sale to be shared equally by Utah and GKI.

Utah's initial cash contribution to the venture is proposed to be a maximum of $500,000. These funds contributed by Utah are to be used for expenses connected with the drilling and completion of an initial test well in Box Elder County, Utah. Costs in excess of $500,000 for the initial test well will be borne by GKI. Utah will also transfer to the venture certain of Utah's geothermal rights in Bannock County, Idaho. Any additional expenditures or contributions by Utah in connection with the venture will require further authorization of this Commission.

GKI has agreed to transfer to the venture all GKI's interest in certain steam leases in Box Elder County, Cache County and Iron County, Utah together with subsequent leases to be acquired in the same area. GKI will also contribute all its geological, geophysical and geochemical data, studies and interpretations relating to said leases.

Fees and expenses to be incurred in connection with the proposed transaction are to be supplied by amendment. It is stated that the Utah Public Service Commission has authorized Utah's participation in the agreement and that no other state commission and no federal commission, other than this Commission, has jurisdiction over the proposed transaction.

Notice is further given that any interested person may, not later than April 17, 1974, request in writing that a hearing be held on such matter stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application, as amended, which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application, as amended or as it may be further amended, may be granted as provided in rule 23 of the general rules and regulations promulgated under the Act, or the

Commission may grant exemption from its rules under the Act as provided in rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.74-7233 Filed 3-27-74;8:45 am]

[File No. 500-1]

WESTGATE CALIFORNIA CORP.

Suspension of Trading

MARCH 20, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock (class A and B), the cumulative preferred stock (5 percent and 6 percent), the 6 percent subordinated debentures due 1979 and the 6½ percent convertible subordinated debentures due 1987 being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from March 21, 1974 through March 30, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.74-7144 Filed 3-27-74;8:45 am]

TARIFF COMMISSION

ESTIMATED CONSUMPTION OF BROOM CORN BROOMS

Report to the President

MARCH 21, 1974.

In accordance with Executive Order 11377 of October 23, 1967 (copy attached [1]), to assist the President in the exercise of his authority under headnote 3 to schedule 7, part 8, subpart A, of the Tariff Schedules of the United States (79 Stat. 948; 19 U.S.C. 1202), the U.S. Tariff Commission herein reports its judgment as to the estimated domestic consumption of broom corn brooms for the year 1973, and the basis for that estimate. For convenience, the Commission also reports corresponding data for the years 1965 and 1972.

ESTIMATED CONSUMPTION OF BROOM CORN BROOMS

In the judgment of the Commission, the consumption in the calendar years 1965, 1972, and 1973 of brooms wholly or in part of broom corn was as follows (in dozens):

Type of broom	1965 [1]	1972 [2]	1973
Whiskbrooms of a kind provided for in items 750.26 to 750.28, inclusive, of the tariff schedules	470,612	446,238	436,514
Other brooms of a kind provided for in items 750.29 to 750.31, inclusive, of the tariff schedules	2,878,995	2,649,368	2,554,884

[1] As reported to the President on May 2, 1968.
[2] As reported to the President on April 25, 1973.

BASIS FOR THE COMMISSION'S JUDGMENT WITH RESPECT TO BROOM CORN BROOMS

The Commission estimated consumption of broom corn brooms in 1973 by the same methods it used to estimate consumption in its previous reports pursuant to Executive Order 11377. Apparent annual consumption was determined by adding the quantity of shipments by domestic producers to the quantity of imports and subtracting therefrom the quantity of exports. Data on imports were obtained from the U.S. Customs Service, Department of the Treasury; data on production and exports were estimated from responses to questionnaires sent to all known domestic producers of broom corn brooms.

The data for each of the components used in the computation of apparent annual consumption of broom corn brooms are as follows (in dozens):

Item	1965 [1]	1972 [2]	1973
	Whiskbrooms of a kind provided for in TSUS items 750.26 to 750.28, inclusive		
U.S. producers' shipments	318,691	338,008	333,202
Imports	152,686	109,257	104,092
Exports	765	1,027	780
Apparent consumption	470,612	446,238	436,514
	Other brooms in a kind provided for in TSUS items 750.29 to 750.31, inclusive		
U.S. producers' shipments	2,596,457	2,457,669	2,351,674
Imports	296,897	197,556	205,783
Exports	14,359	5,857	2,573
Apparent consumption	2,878,995	2,649,368	2,554,884

[1] As reported to the President on May 2, 1968.
[2] As reported to the President on April 25, 1973.

By order of the Commission.

[SEAL] KENNETH R. MASON,
Secretary.

[FR Doc.74-6987 Filed 3-27-74;8:45 am]

WATCHES AND WATCH MOVEMENTS FROM INSULAR POSSESSIONS

Determination of Apparent United States Consumption of Watch Movements in 1973 and of Quotas for Duty-Free Entry in 1974 of Watches and Watch Movements From Insular Possessions

In accordance with headnote 6(c) of schedule 7, part 2, subpart E, of the Tariff Schedules of the United States (TSUS), the Tariff Commission has determined that the apparent United States consumption of watch movements for the calendar year 1973 was 50,134 thousand units, and that the number of watches and watch movements, the product of the Virgin Islands, Guam, and American Samoa, which may be entered free of duty during the calendar year 1974 under headnote 6(b) of said subpart E of the TSUS is as follows:

	Thousand units
Virgin Islands	4,874
Guam	464
American Samoa	232

* * * * *

By order of the Commission.

KENNETH R. MASON,
Secretary.

MARCH 25, 1974.

[FR Doc.74-7221 Filed 3-27-74;8:45 am]

[TEA-W-232]

WESTLAND SHOE CORP.

Workers' Petition for a Determination; Notice of Investigation

On the basis of a petition filed under section 301(a)(2) of the Trade Expansion Act of 1962, on behalf of the workers and former workers of the Westland Shoe Corp., Biddeford, Maine, a wholly-owned subsidiary of Standard Prudential Corp., New York, New York, the United States Tariff Commission, on March 22, 1974, instituted an investigation under section 301(c)(2) of the Act to determine whether, as a result in major part of concessions granted under trade agreements, articles like or directly competitive with footwear for men and women (of the types provided for in items 700.35, 700.43, 700.45 and 700.55 of the Tariff Schedules of the United States) produced by said firm are being imported into the United States in such increased quantities as to cause, or threaten to cause, the unemployment or underemployment of a significant number or proportion of the workers of such firm or an appropriate subdivision thereof.

The optional public hearing afforded by law has not been requested by the petitioners. Any other party showing a proper interest in the subject matter of the investigation may request a hearing, provided such request is filed on or before April 8, 1974.

The petition filed in this case is available for inspection at the Office of the Secretary, United States Tariff Commission, 8th and E Streets NW., Washington, D.C., and at the New York City office of the Tariff Commission located in Room 437 of the Customhouse.

Issued: March 25, 1974.

By order of the Commission.

[SEAL] KENNETH R. MASON,
Secretary.

[FR Doc.74-7220 Filed 3-27-74;8:45 am]

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[1] Filed as part of the original document.

DEPARTMENT OF LABOR

Office of the Secretary

DELAWARE

Availability of Extended Unemployment Compensation

The Federal-State Extended Unemployment Compensation Act of 1970, 84 Stat. 708, establishes a program of extended unemployment compensation which provides for payment of extended unemployment compensation to unemployed workers who have received all of the regular unemployment compensation to which they are entitled, commencing when unemployment is high (according to indicators set forth in the law) and terminating when unemployment ceases to be high (according to indicators set forth in the law). Pursuant to § 203(b) (2) of the Act, notice is hereby given that J. Thomas Schranck, Secretary of the Delaware Department of Labor, has determined that there was a State "on" indicator in Delaware for the week ending March 9, 1974, and that an extended benefit period will commence with the week beginning March 24, 1974.

Signed at Washington, D.C., this 25th day of March 1974.

WILLIAM H. KOLBERG,
Assistant Secretary for Manpower.

[FR Doc.74-7198 Filed 3-27-74;8:45 am]

MICHIGAN

Availability of Extended Unemployment Compensation

The Federal-State Extended Unemployment Compensation Act of 1970, 84 Stat. 708, establishes a program of extended unemployment compensation which provides for payment of extended unemployment compensation to unemployed workers who have received all of the regular unemployment compensation to which they are entitled, commencing when unemployment is high (according to indicators set forth in the law) and terminating when unemployment ceases to be high (according to indicators set forth in the law). Pursuant to § 203(b) (2) of the Act, notice is hereby given that S. Martin Taylor, Director of the Michigan Employment Security Commission, has determined that there was a State "on" indicator in Michigan for the week ending March 9, 1974, and that an extended benefit period will commence with the week beginning March 24, 1974.

Signed at Washington, D.C., this 25th day of March 1974.

WILLIAM H. KOLBERG,
Assistant Secretary for Manpower.

[FR Doc.74-7199 Filed 3-27-74;8:45 am]

[V-73-17]

PRINEVILLE MOULDING, INC., AND CONSOLIDATED PINE, INC.

Grant of Variance

I. *Background.* Prineville Mouldings, Inc., 215 Metuchen Road, South Plainfield, New Jersey 07080, and Consolidated Pine, Inc., Post Office Box 428, Prineville, Oregon 97754, have made application pursuant to section 6(d) of the Williams-Steiger Occupational Safety and Health Act of 1970 (84 Stat. 1596; 29 U.S.C. 655), and 29 CFR 1905.11 for a variance from the safety and health standard prescribed in 29 CFR 1910.213 (d) (1). The standard requires that circular crosscut table saws must be guarded by a specified kind of hood. Facilities affected by this application are:

Prineville Moulding Plant
Post Office Box 548
Lamonta Road
Prineville, Oregon 97754

Consolidated Pine Sawmill and Moulding Plant
Post Office Box 428
Lamonta Road
Prineville, Oregon 97754

Notice of application for variance was published in the FEDERAL REGISTER on August 23, 1973 (38 FR 22683). The notice invited interested persons, including affected employers and employees, to submit written data, views and arguments regarding the grant or denial of the variance requested. In addition, affected employers and employees were notified of their right to request a hearing on the application for a variance. No written comments and no request for a hearing have been received.

II. *Facts.* The applicants use end trim saws to trim linear moulding to various lengths. The operator of a trim saw stands several feet from the saw, with a working table between him and the blade. Using marks on the table as a guide, the operator trims the ends off the moulding by bringing the moulding down onto the saw.

Consolidated Pine, Inc. has placed a metal guard on each side of the saw and over a portion of the top of the saw, and has placed a barrier 50 by 60 inches and 50 inches high of one inch steel pipe around the saw, so that it prevents an employee from accidentally coming in contact with the saw.

Prineville Mouldings, Inc. has placed a metal guard on each side of the saw, and has also placed a barrier of ½ inch steel around the saw to prevent accidental contact with the saw. This barrier is 36 by 72 inches and up to 59 inches in height.

III. *Decision.* 29 CFR 1910.213(d) (1) requires that crosscut table saws be guarded with a hood which meets certain specifications. This is intended to protect the employee against being injured by the saw blade and by splinters thrown out by the saw.

The applicants have shown that the protection provided to the saw operators by the fact that they remain several feet from the saw during operation, and by the metal guards on the sides of the saw blades, provide a place of employment as safe as it would be if they complied with the standard.

They have also shown that equivalent safety is provided to other employees in the area by the barriers which have been placed around the saws to prevent anyone from coming into accidental contact with the saws.

IV. *Order.* Pursuant to authority in section 6(d) of the Williams-Steiger Occupational Safety and Health Act of 1970, and Secretary of Labor's Order No. 12-71 (36 FR 8754), it is ordered that Prineville Mouldings, Inc. and Consolidated Pine, Inc. be, and they are hereby, authorized to use their end trim saws without complying with 29 CFR 1910.213(d) (1), provided they use the guarding method described above, consisting of keeping the operators several feet from the saws by means of worktables, placing metal guards on the sides of the saws, and placing steel barriers around the saws to prevent accidental contact with the saws.

As soon as possible, Prineville Mouldings, Inc., and Consolidated Pine, Inc., shall give notice to affected employees of the terms of this order by the same means required to be used to inform them of the application for variance.

Effective date. This order shall become effective on March 28, 1974, and shall remain in effect until modified or revoked in accordance with section 6(d) of the Williams-Steiger Occupational Safety and Health Act of 1970.

Signed at Washington, D.C., this 25th day of March 1974.

JOHN STENDER,
Assistant Secretary of Labor.

[FR Doc.74-7202 Filed 3-37-74;8:45 am]

[V-74-16]

ROLLINS COLLEGE

Grant of Variance

I. *Background.* Rollins College, Winter Park, Florida 32789, made application pursuant to section 6(d) of the Williams-Steiger Occupational Safety and Health Act of 1970 (84 Stat. 1596; 29 U.S.C. 655), and 29 CFR 1905.11 for a variance from the safety and health standard prescribed in 29 CFR 1910.37(i). The standard requires that a means of egress must have a ceiling height of 7'6", with projections no less than 6'8" from the floor. Facilities affected by this application are: Eleven dormitories at Rollins College, Winter Park, Florida 32789, (Rollins, Hooker, Lyman, Gale, Pugsley, Mayflower, Cross, Strong, Corrin, Fox, Rex Beach). Notice of the application for variance was published in the FEDERAL REGISTER on September 25, 1973 (38 FR 26781). The notice invited interested persons, including affected employers and employees, to submit written data, views, and arguments regarding the grant or denial of the variance requested. In addition, affected employers and employees were notified of their right to request for a hearing have been a variance. No written comments and no request for a hearing have been rereceived.

II. *Facts.* The applicant requests a variance to allow the installation of acoustical ceilings in the corridors at a height of 7'2". This ceiling will provide a cover for air conditioning pipes and a

base for lighting and fire detectors. The clearance requirement of 6'8" for obstructions will be maintained. The corridors have a maximum travel distance to protected stairs or exits of 30 feet, with a maximum of 13 rooms opening onto a corridor. The buildings have a maximum height of 3 stories, and all functioning rooms have outside windows for alternate means of egress. The buildings are equipped with an automatic fire alarm system which has ionization detectors for very early warning. The system automatically relays alarms to the city fire department located within ½ mile of the buildings.

III. *Decision.* 29 CFR 1910.37(i) requires that the ceiling height for means of egress shall be no less than 7'6". This is intended to provide sufficient head clearance in emergency situations. The applicant states that it intends to lower the ceiling height by 4". This is not considered to be a significant change, since very few people exceed a height of 7'2", and few of such people would be employees working for substantial periods of time in corridors of the college dormitories affected by the application. Therefore, it is decided that the applicant will be providing a place of employment as safe as that required by the standard.

IV. *Order.* Pursuant to authority in section 6(d) of the Williams-Steiger Occupational Safety and Health Act of 1970, and Secretary of Labor's Order No. 12–71 (36 FR 8754), it is ordered that Rollins College be, and it is hereby, authorized to install an acoustical ceiling at a height of 7'2" from the floor in the means of egress, in lieu of the 7'6" ceiling height required by 29 CFR 1910.37 (i), provided that it maintains a 6'8" clearance for projections.

As soon as possible, Rollins College shall give notice to affected employees of the terms of this order by the same means required to be used to inform them of the application for variance.

Effective date. This order shall become effective on March 28, 1974, and shall remain in effect until modified or revoked in accordance with section 6(d) of the Williams-Steiger Occupational Safety and Health Act of 1970.

Signed at Washington, D.C., this 25th day of March 1974.

JOHN STENDER,
Assistant Secretary of Labor.

[FR Doc.74–7201 Filed 3–27–74;8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice No. 24]

MOTOR CARRIER, BROKER, WATER CARRIER, AND FREIGHT FORWARDER APPLICATIONS

MARCH 22, 1974.

The following applications (except as otherwise specifically noted, each applicant (on applications filed after March 27, 1972) states that there will be no significant effect on the quality of the human environment resulting from approval of its application), are governed by Special Rule 1100.247[1] of the Commission's general rules of practice (49 CFR, as amended), published in the FEDERAL REGISTER issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with section 247(d)(3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one (1) copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of section 247(d)(4) of the special rules, and shall include the certification required therein.

Section 247(f) of the Commission's rules of practice further provides that each applicant shall, if protests to its application have been filed, and within 60 days of the date of this publication, notify the Commission in writing (1) that it is ready to proceed and prosecute the application, or (2) that it wishes to withdraw the application, failure in which the application will be dismissed by the Commission.

Further processing steps (whether modified procedure, oral hearing, or other procedures) will be determined generally in accordance with the Commission's general policy statement concerning motor carrier licensing procedures, published in the FEDERAL REGISTER issue of May 3, 1966. This assignment will be by Commission order which will be served on each party of record. Broadening amendments will not be accepted after March 28, 1974, except for good cause shown, and restrictive amendments will not be entertained following publication in the FEDERAL REGISTER of a notice that the proceeding has been assigned for oral hearing.

[1] Copies of Special Rule 247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

No. MC 340 (Sub-No. 29), filed February 5, 1974. Applicant: QUERNER TRUCK LINES, INC., 1131–33 Austin Street, San Antonio, Tex. 78208. Applicant's representative: M. Ward Bailey, 2412 Continental Life Building, Fort Worth, Tex. 76102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Shortening, cooking and salad oil, and oleo margarine* (except in bulk in tank vehicles), from the plant site and storage facilities of P. V. O. International, Inc., at or near St. Louis, Mo., to points in Texas.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 20783 (Sub-No. 99), filed December 1, 1972. Applicant: TOMPKINS MOTOR LINES, INC., 638 Langley Place, Decatur, Ga. 33030. Applicant's representative: John P. Carlton, 327 Frank Nelson Building, Birmingham, Ala. 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Gulfport, Miss., to points in Alabama, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New York, North Dakota, Ohio, Pennsylvania, South Carolina, South Dakota, Tennessee, Virginia, West Virginia, and Wisconsin.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., or New Orleans, La.

No. MC 22229 (Sub-No. 84), filed January 25, 1974. Applicant: TERMINAL TRANSPORT COMPANY, INC., 248 Chester Avenue SE., Atlanta, Ga. 30316. Applicant's representative: Harold H. Clokey, 414 The Equitable Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except articles of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), between points in that area of Florida between Florida City and Key West, Fla., usually referred to as the Florida Keys.

NOTE.—Common control may be involved. Applicant presently holds authority in the lead certificate between points in Florida not requested herein. Applicant states that the requested authority can be tacked in the lead certificate at Florida City, Fla., to provide service between points in a specified region of Florida. If a hearing is deemed necessary, applicant requests it be held at either Miami or Key West, Fla.

No. MC 29910 (Sub-No. 139) (Amendment), filed January 14, 1974, published in the FR issue of February 22, 1974, and republished as amended this issue, Applicant: ARKANSAS-BEST FREIGHT SYSTEM, INC., 301 South

11th Street, Fort Smith, Ark. 72901. Applicant's representative: Thomas Harper, P.O. Box 43—Kelly Building, Fort Smith, Ark. 72001. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the plantsite and warehouse facilities of Day and Night Company, Payne Company, at Collierville, Tenn., as an off-route point in connection with applicant's regular route authority to and from Memphis, Tenn.

NOTE.—The purpose of this republication is to indicate that applicant seeks regular route authority. If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn., or New Orleans, La.

No. MC 30887 (Sub-No. 203), filed February 7, 1974. Applicant: SHIPLEY TRANSFER, INC., 49 Main Street, Reistertown, Md. 21136. Applicant's representative: Theodore Polydoroff, 1250 Connecticut Avenue NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic granules*, in bulk, in tank vehicles or hopper-type vehicles, from Baltimore, Md., to points in Pennsylvania, New Jersey, Delaware, Virginia, West Virginia, and the District of Columbia, restricted to traffic having a prior movement by rail.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 33641 (Sub-No. 113), filed February 4, 1974. Applicant: I.M.L. FREIGHT, INC., 2175 S. 3270 West, Salt Lake City, Utah 84119. 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 Westvaco, Alchem, and Stauffer, Wyo., and the plantsite of Texas-gulf, Inc. (located 7 miles east of Granger, Wyo.) as off-route points in connection with carrier's authorized regular route operations.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah, or Rock Springs, Wyo.

No. MC 41406 (Sub-No. 39), filed February 5, 1974. Applicant: ARTIM TRANSPORTATION SYSTEM, INC., 7105 Kennedy Avenue, P.O. Box 2176, Hammond, Ind. 46323. Applicant's representative: Ferdinand Born, 601 Chamber of Commerce Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel castings*, from Benton Harbor and St. Joseph, Mich., to Glasgow, Ky.

NOTE.—Common control may be involved. Applicant states that the requested authority can be tacked at Benton Harbor and St. Joseph, Mich., in Sub-No. 18, Sheet 1, to provide a through service from Chicago, Ill., to Glasgow, Ky. If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill., Cleveland, Ohio, or Washington, D.C.

No. MC 41432 (Sub-No. 137), filed February 11, 1974. Applicant: EAST TEXAS MOTOR FREIGHT LINES, INC., 2355 Stemmons Freeway, P.O. Box 10125, Dallas, Tex. 75207. Applicant's representative: W. P. Furrh (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, livestock, rock, gravel, sand, household goods as defined by the Commission, and commodities requiring special equipment), serving the Holiday Industrial Park, located in DeSoto County, Miss., as an off-route point in connection with applicant's regular-route operations to and from Memphis, Tenn.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn., or Dallas, Tex.

No. MC 41432 (Sub-No. 138), filed January 31, 1974. Applicant: EAST TEXAS MOTOR FREIGHT LINES, INC., 2355 Stemmons Freeway, P.O. Box 10125, Dallas, Tex. 75207. Applicant's representative: W. P. Furrh (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Memphis, Tenn., and Collierville, Tenn., serving no intermediate points: From Memphis over U.S. Highway 72 to Collierville, and return over the same route.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Memphis, Tenn., or Dallas, Tex.

No. MC 41432 (Sub-No. 139), filed February 11, 1974. Applicant: EAST TEXAS MOTOR FREIGHT LINES, INC., 2355 Stemmons Freeway, P.O. Box 10125, Dallas, Tex. 75207. Applicant's representative: W. P. Furrh (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the facilities of Rob Roy Industries, located at or near Gilmer, Tex., as an off-route point in connection with carrier's authorized regular-route operations to and from Longview, Tex.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 42212 (Sub-No. 5), filed February 13, 1974. Applicant: HARDER'S EXPRESS, INC., Route 9–H, Claverack, N.Y. 12513. Applicant's representative: Norman Weiss, 2 West 45th Street, New York, N.Y. 10036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), (1) between Claverack, N.Y., and Port Jervis, N.Y., serving all intermediate points: (a) From Claverack over New York Highway 9H to junction New York Highway 23, thence over New York Highway 23 to junction Interstate Highway 87, thence over Interstate Highway 87 to junction U.S. Highway 6, thence over U.S. Highway 6 to Port Jervis, and return over the same route; (b) from Claverack to Interstate Highway 87 as above, thence over Interstate Highway 87 to U.S. Highway 209, thence over U.S. Highway 209 to Port Jervis, and return over the same route; and (c) from Claverack over New York Highway 9H to junction U.S. Highway 9, thence over U.S. Highway 9 to junction Interstate Highway 84, thence over Interstate Highway 84 to junction U.S. Highway 6, thence over U.S. Highway 6 to Port Jervis, and return over the same route.

(2) Between Claverack, N.Y., and Albany, N.Y., serving all intermediate points: (a) From Claverack over New York Highway 9H to junction U.S. Highway 9, thence over U.S. Highway 9 to Albany, and return over the same route; (b) from Claverack over New York Highway 9H to junction New York Highway 23, thence over New York Highway 23 to junction U.S. Highway 9W, thence over U.S. Highway 9W to Albany, and return over the same route; (c) from Claverack over New York Highway 9H to junction New York Highway 23B, thence over New York Highway 23B to junction U.S. Highway 9, thence over New York Highway 9 to junction New York Highway 9J, thence over New York Highway 9J to Albany, and return over the same route; (d) from Claverack to U.S. Highway 9 as (2)(a) above, thence over U.S. Highway 9 to junction Interstate Highway 90, thence over Interstate Highway 90 to junction Interstate Highway 87, thence over Interstate Highway 87 to Albany, and return over the same route; (e) from Claverack to New York Highway 23 as above, thence over New York Highway 23 to junction New York Highway 385, thence over New York Highway 385 to junction New York Highway 144, thence over New York Highway 144 to Albany, and return over the same route; (f) from Claverack to New York Highway 23B as above, thence over New York Highway 23B to junction New York Highway 66, thence over New York Highway 66 to junction U.S. Highway 20, thence over U.S. Highway 20 to Albany, and return over the same route; and (g) from Claverack over New York Highway 9H to junction New York Highway 66, thence over New York Highway 66 to junction New York Highway 295, thence over New York Highway 295 to junction New York

Highway 22, thence over New York Highway 22 to junction U.S. Highway 20, thence over U.S. Highway 20 to Albany, and return over the same route.

(3) Between Claverack, N.Y., and Ellenville, N.Y., serving all intermediate points: (a) From Claverack over New York Highway 9H to junction U.S. Highway 9, thence over U.S. Highway 9 to junction New York Highway 199, thence over New York Highway 199 to junction U.S. Highway 209, thence over U.S. Highway 209 to Ellenville, and return over the same route; (b) from Claverack over New York Highway 9H to junction New York Highway 23, thence over New York Highway 23 to junction Interstate Highway 87, thence over Interstate Highway 87 to junction U.S. Highway 209, thence over U.S. Highway 209 to Ellenville, and return over the same route; and (c) from Claverack to New York Highway 23 as in 3(b) above, thence over New York Highway 23 to junction U.S. Highway 9W, thence over U.S. Highway 9W to junction New York Highway 199, thence over New York Highway 199 to junction U.S. Highway 209, thence over U.S. Highway 209 to Ellenville and return over the same route; (4) between Claverack, N.Y., and Liberty, N.Y., serving all intermediate points: From Claverack to Ellenville as (3) above, thence over New York Highway 52 to Liberty, and return over the same route; (5) between Claverack, N.Y., and Monticello, N.Y., serving all intermediate points: (a) From Claverack to Liberty as (4) above, thence over New York Highway 17 to junction New York Highway 17B, thence over New York Highway 17B to Monticello, and return over the same route; and (b) from Claverack to Ellenville as (3) above, thence over U.S. Highway 209 to junction New York Highway 17, thence over New York Highway 17 to junction New York Highway 17B, thence over New York Highway 17B to Monticello, and return over the same route.

(6) Between Claverack, N.Y., and Kingston, N.Y., serving all intermediate points: (a) From Claverack, to New York Highway 199 as (3)(c) above, thence over New York Highway 199 to junction U.S. Highway 9W, thence over U.S. Highway 9W to Kingston, and return over the same route; (b) from Claverack over New York Highway 9H to junction New York Highway 23B, thence over New York Highway 23B to junction New York Highway 9G, thence over New York Highway 9G to junction New York Highway 199, thence over New York Highway 199 to junction U.S. Highway 9W, thence over U.S. Highway 9W to Kingston, and return over the same route; and (c) from Claverack over New York Highway 9H to junction New York Highway 23, thence over New York Highway 23 to junction U.S. Highway 9W, thence over U.S. Highway 9W to Kingston and return over the same route; (7) between Claverack, N.Y., and Newburgh, N.Y., serving all intermediate points: (a) From Claverack over New York Highway 9H to junction U.S. Highway 9, thence over U.S. Highway 9 to junction Interstate Highway 84, thence over Interstate Highway 84 to Newburgh, and return over the same route; (b) from Claverack to Interstate Highway 87, as (3)(b) above, thence over Interstate Highway 87 to Newburgh, and return over the same route; (c) from Claverack to Kingston, N.Y., as (6) above, thence over U.S. Highway 9W to junction Interstate Highway 84, thence over Interstate Highway 84 to Newburgh, and return over the same route; and (d) from Claverack to U.S. Highway 9W as (6)(c) above, thence over U.S. Highway 9W to junction New York Highway 32, thence over New York Highway 32 to junction New York Highway 208, thence over New York Highway 208 to junction New York Highway 17K, thence over New York Highway 17K to Newburgh, and return over the same route.

(8) Between Claverack, N.Y., and Middletown, N.Y., serving all intermediate points: From Claverack to Newburgh, as (7) above, thence over Interstate Highway 84 to junction New York Highway 17, thence over New York Highway 211, thence over New York Highway 211 to Middletown, and return over the same route; (9) between Claverack, N.Y., and Warwick, N.Y., serving all intermediate points: (a) From Claverack to Newburgh, as (7) above, thence over Interstate Highway 87 to junction New York Highway 17A, thence over New York Highway 17A to Warwick, and return over the same route; and (b) from Claverack to Newburgh, as (7) above, thence over Interstate Highway 84 to junction New York Highway 416, thence over New York Highway 416 to junction New York Highway 17A, thence over New York Highway 17A to Warwick, and return over the same route; (10) between Claverack, N.Y., and West Point, N.Y., serving all intermediate points: (a) From Claverack to Newburgh, N.Y., as (7) above, thence over U.S. Highway 9W to West Point, and return over the same route; and (b) from Claverack to U.S. Highway 9W, as (6)(c) above, thence over U.S. Highway 9W to junction New York Highway 218, thence over New York Highway 218 to West Point, and return over the same route.

(11) Between Claverack, N.Y., and Poughkeepsie, N.Y., serving all intermediate points: (a) From Claverack over New York Highway 9H to junction U.S. Highway 9, thence over U.S. Highway 9 to Poughkeepsie, and return over the same route; (b) from Claverack to U.S. Highway 9 as (11)(a) above, thence over U.S. Highway 9 to junction New York Highway 9G, thence over New York Highway 9G to Poughkeepsie, and return over the same route; (c) from Claverack over New York Highway 9H to junction New York Highway 82, thence over New York Highway 82 to New York Highway 199, thence over New York Highway 199 to junction New York Highway 82A, thence over New York Highway 82A to junction U.S. Highway 44, thence over U.S. Highway 44 to Poughkeepsie, and return over the same route; (d) from Claverack to New York Highway 82 as (11)(c) above, thence over New York Highway 82 to junction New York Highway 82A, thence over New York Highway 82A to junction U.S. Highway 44, thence over U.S. Highway 44 to Poughkeepsie, and return over the same route; (e) from Claverack to New York Highway 82 as (11)(c) above, thence over New York Highway 82 to junction New York Highway 376, thence over New York Highway 376 to Poughkeepsie and return over the same route; (f) from Claverack to New York Highway 82 as (11)(c) above, thence over New York Highway 82 to junction U.S. Highway 44, thence over U.S. Highway 44 to Poughkeepsie, and return over the same route; and (g) from Claverack to New York Highway 82 as (11)(c) above, thence over New York Highway 82 to junction New York Highway 55, thence over New York Highway 55 to Poughkeepsie, and return over the same route; (12) between Poughkeepsie, N.Y., and Garrison, N.Y., serving all intermediate points: From Poughkeepsie over New York Highway 9D to Garrison, and return over the same route; (13) between Claverack, N.Y., and Woodstock, N.Y., serving all intermediate points: From Claverack to U.S. Highway 9W as (6)(c) above, thence over U.S. Highway 9W to junction New York Highway 212, thence over New York Highway 212 to Woodstock, and return over the same route;

(14) Between Claverack, N.Y., and West Hurley, N.Y., serving all intermediate points: From Claverack to New York Highway 212 as (13) above, thence over New York Highway 212 to junction New York Highway 375, thence over New York Highway 375 to junction New York Highway 28, thence over New York Highway 28 to West Hurley and return over the same route; (15) between Claverack, N.Y., and Shokan, N.Y., serving all intermediate points: From Claverack to New York Highway 28 as (14) above, thence over New York Highway 28 to Shokan, and return over the same route; (16) between Claverack, N.Y., and Cairo, N.Y., serving all intermediate points: From Claverack to New York Highway 23 as (2)(b) above, thence over New York Highway 23 to Cairo, and return over the same route; (17) between Claverack, N.Y., and Palenville, N.Y., serving all intermediate points: From Claverack to New York Highway 23 as (1)(b) above, thence over New York Highway 23 to junction New York Highway 23A, thence over New York Highway 23A to Palenville, and return over the same route; (18) between Claverack, N.Y., and Troy, N.Y., serving all intermediate points: From Claverack to U.S. Highway 9 as (2)(a) above, thence over U.S. Highway 9 to junction U.S. Highway 4, thence over U.S. Highway 4 to Troy, and return over the same route; (19) between Claverack, N.Y., and Waterford, N.Y., serving all intermediate points: From Claverack to U.S. Highway 4 as (18) above, thence over U.S. Highway 4 to Waterford, and return over the same route; (20) between Claverack, N.Y., and Latham, N.Y., serving all intermediate points: From Claverack to U.S.

Highway 4 as (18) above, thence over U.S. Highway 4 to junction New York Highway 7, thence over New York Highway 7 to Latham, and return over the same route; (21) between Claverack, N.Y., and Scotia, N.Y., serving all intermediate points: From Claverack to U.S. Highway 9 as (2)(a) above, thence over U.S. Highway 9 to junction New York Highway 5, thence over New York Highway 5 to Scotia, and return over the same route.

(22) Between Claverack, N.Y., and Mahopac, N.Y., serving all intermediate points: (a) From Claverack to New York Highway 23, as (1)(b) above, thence over New York Highway 23 to junction New York Highway 22, thence over New York Highway 22 to junction Interstate Highway 84, thence over Interstate Highway 84 to junction U.S. Highway 6, thence over U.S. Highway 6 to Mahopac, and return over the same route; and (b) from Claverack to New York Highway 22, as (22)(a) above, thence over New York Highway 22 to junction New York Highway 292, thence over New York Highway 292 to junction New York Highway 311, thence over New York Highway 311 to junction New York Highway 52, thence over New York Highway 52 to junction New York Highway 301, thence over New York Highway 301 to junction U.S. Highway 6, thence over U.S. Highway 6 to Mahopac and return over the same route; (23) between Albany, N.Y., and Suffern, N.Y., serving all intermediate points: (a) From Albany over Interstate Highway 87 to Suffern, and return over the same route; and (b) from Albany over U.S. Highway 9 to junction New York Highway 199, thence over New York Highway 199 to junction Interstate Highway 87, thence over Interstate Highway 87, to Suffern and return over the same route; (24) between Claverack, N.Y., and Suffern, N.Y., serving all intermediate points.

From Claverack to Newburgh, as (7) above, thence over Interstate Highway 87 to Suffern, and return over the same route; and (25) between Claverack, N.Y., and New York, N.Y., serving all intermediate points: (a) From Claverack to Suffern as (24) above, thence over New York Highway 17 to the New York-New Jersey State line, thence over New Jersey Highway 17 to junction Interstate Highway 80, thence over Interstate Highway 80 to junction Interstate Highway 95 thence over Interstate Highway 95 to New York, N.Y., and return over the same route; (b) from Claverack to New Jersey Highway 17 as (25)(a) above, thence over New Jersey Highway 17 to junction New Jersey Highway 4, thence over New Jersey Highway 4 to junction Interstate Highway 95, thence over Interstate Highway 95 to New York, N.Y., and return over the same route; (c) from Claverack to New Jersey Highway 17 as (25)(a) above, thence over New Jersey Highway 17 to junction New Jersey Highway 3, thence over New Jersey Highway 3 to junction Interstate Highway 495, thence over Interstate Highway 495 to New York, N.Y., and return over the same route; (d) from Claverack to New Jersey Highway 17, as (25)(a) above, thence over New Jersey Highway 17 to junction U.S. Highway 46, thence over U.S. Highway 46 to junction Interstate Highway 95, thence over Interstate Highway 95 to junction Interstate Highway 495, thence over Interstate Highway 495 to New York, N.Y., and return over the same route; (e) from Claverack to U.S. Highway 46, as (25)(d) above, thence over U.S. Highway 46 to junction Interstate Highway 95, thence over Interstate Highway 95 to junction U.S. Highways 1 and 9, thence over U.S. Highways 1 and 9 to junction U.S. Highway 1, thence over U.S. Highway 1 to New York, N.Y., and return over the same route.

(f) From Claverack to New Jersey Highway 17 as (25)(a) above, thence over New Jersey Highway 17 to junction New Jersey Highway 7, thence over New Jersey Highway 7 to junction U.S. Highways 1 and 9, thence over U.S. Highways 1 and 9 to junction U.S. Highway 1, thence over U.S. Highway 1 to New York, N.Y., and return over the same route; (g) from Claverack to Suffern as (24) above, thence over Interstate Highway 87 to junction New York Highway 304, thence over New York Highway 304 to New York-New Jersey State line, thence over New Jersey Highway 503 to junction New Jersey Highway 4, thence over New Jersey Highway 4 to Interstate Highway 95, thence over Interstate Highway 95 to New York, N.Y., and return over the same route; (h) from Claverack to Suffern as (24) above, thence over Interstate Highway 87 to junction New York Highway 303, thence over New York Highway 303 to New York-New Jersey State line, thence over New Jersey Highway 505 junction to East Clinton Avenue, thence over East Clinton Avenue to junction New Jersey Highway 501, thence over New Jersey Highway 501 to junction New Jersey Highway 4, thence over New Jersey Highway 4 to junction Interstate Highway 95, thence over Interstate Highway 95 to New York, N.Y., and return over the same route; (i) from Claverack to Interstate Highway 95 as (25) (a, b, d, e, g, and h) above, thence over Interstate Highway 95 to junction Interstate Highway 278, thence over Interstate Highway 278 to New York, N.Y., and return over the same route; and (j) from Claverack to Suffern as (24) above, thence over Interstate Highway 87 to junction U.S. Highway 9W, thence over U.S. Highway 9W to Interstate Highway 95, thence over Interstate Highway 95 to New York, N.Y., and return over the same route.

NOTE.—Applicant presently holds the requested authority as an irregular route in MC-42212 Sub-Nos. 3 and 4, and seeks to convert this authority to regular route authority. If a hearing is deemed necessary, the applicant requests it be held at either New York, N.Y., or Washington, D.C.

No. MC 48958 (Sub-No. 118), filed February 15, 1974. Applicant: ILLINOIS-CALIFORNIA EXPRESS, INC., 510 East 51st Avenue, Denver, Colo. 80216. Applicant's representative: Morris G. Cobb, P.O. Box 9050, 601 Ross Street, Amarillo, Tex. 79105. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Refined copper and commodities of unusual value*, between the plantsites and storage facilities of American Smelting and Refining Co., located at or near Amarillo, Tex., on the one hand, and, on the other, points in California, Arizona, New Mexico, Colorado, Wyoming, Nebraska, Kansas, Missouri, Iowa, Illinois, Indiana, Ohio, and Oklahoma.

NOTE.—Common control may be involved. Applicant states that the requested authority can be tacked with Sub-No. 102, at points in Arizona, to provide service between the facilities of American Smelting and Refining Co., on the one hand, and, on the other, points in Utah. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 48958 (Sub-No. 119), filed February 15, 1974. Applicant: ILLINOIS-CALIFORNIA EXPRESS, INC., 510 East 51st Avenue, Denver, Colo. 80216. Applicant's representative: Morris G. Cobb, P.O. Box 9050, 601 Ross Street, Amarillo, Tex. 79105. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, from Chicago, Ill., and its Commercial Zone, to points in Colorado, Nebraska, Texas, and Wyoming.

NOTE.—Common control may be involved. Applicant states that the requested authority can be tacked at points in Colorado, to serve points in New Mexico, Utah, Arizona, and California, and at points in Nebraska to serve points in Kansas and Kansas City, Mo. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 51146 (Sub-No. 364), filed February 6, 1974. Applicant: SCHNEIDER TRANSPORT, INC., 2661 S. Broadway, Green Bay Wis. 54304. Applicant's representative: D. F. Martin, P.O. Box 2298, Green Bay, Wis. 54304. Applicant's rep- to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foodstuffs, including foodstuffs not for human consumption*, between Beaver Dam and Milwaukee, Wis., on the one hand, and, on the other, points in Washington, Oregon, Idaho, Montana, Wyoming, Colorado, Kansas, Nebraska, South Dakota, North Dakota, Minnesota, Iowa, Missouri, Illinois, Wisconsin, Indiana, Michigan, Kentucky, Ohio, Pennsylvania, New Jersey, Connecticut, Massachusetts, New York, Vermont, New Hampshire, Rhode Island, and Maine, restricted against the transportation of the above-named commodities in bulk, in tank vehicles, and further restricted to traffic originating at, or destined to, the plantsites and warehouse facilities of Wisconsin Cold Storage, Inc., at Beaver Dam and Milwaukee, Wis.

NOTE.—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at either Washington, D.C., or Chicago, Ill.

No. MC 55778 (Sub-No. 20), filed February 5, 1974. Applicant: MOTOR DISPATCH, INC., 2559 South Archer Avenue, Chicago, Ill. 60608. Applicant's representative: Leonard R. Kofkin, 39 South LaSalle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Danville and Kankakee, Ill., points in Indiana, Michigan (on and south of a line beginning at Ludington, Mich., and extending along U.S. Highway 10 to junction Business Route U.S. Highway 10, thence along Business Route U.S. Highway 10 to Midland, Mich., thence along Michigan Highway 20 to Saginaw River to Saginaw, and thence along the Saginaw River to Saginaw Bay), and Ohio, on the one hand, and, on the other, the plant and warehouse facilities of the American Motors Corp., at or near Kenosha, Wis., and in Racine County, Wis.

NOTE.—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 55896 (Sub-No. 44), filed January 30, 1974. Applicant: R–W SERVICE SYSTEM, INC., 20225 Goddard Road, Taylor, Mich. 48180. Applicant's representative: Martin J. Leavitt, 22375 Haggerty Road, P.O. Box 400, Northville, Mich. 48167. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel;* and (2) *iron and steel articles*, (a) from the plantsites of Wheeling-Pittsburgh Steel Corporation, located at or near Benwood, Beech Bottom, Wheeling, and Follansbee, W. Va.; Allenport and Monessen, Pa., on the one hand, and, on the other, to points in Illinois, Indiana, Michigan, and Ohio; and (b) from the plantsites of Wheeling-Pittsburgh Steel, located at or near Steubenville, Yorkville, Martins Ferry, and Mingo Junction, Ohio, on the one hand, and, on the other, to points in Illinois and Indiana.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 59150 (Sub-No. 87), filed February 11, 1974. Applicant: PLOOF TRANSFER COMPANY, INC., 1901 Hill Street, Jacksonville, Fla. 32202. Applicant's representative: Martin Sack, Jr., 1754 Gulf Life Tower, Jacksonville, Fla. 32207. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition building board*, from the facilities of Johns-Manville Corp., at or near Woodstock, Va., to points in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo., Jacksonville, Fla., or Washington, D.C.

No. MC 59150 (Sub-No. 88), filed February 11, 1974. Applicant: PLOOF TRANSFER COMPANY, INC., 1901 Hill Street, P.O. Box 38047, Jacksonville, Fla. 32202. Applicant's representative: Martin Sack, Jr., 1754 Gulf Life Tower, Jacksonville, Fla. 32207. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from the plantsite and warehouse facilities of International Paper Company, in Georgetown County, S.C., to points in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Tennessee, and Virginia.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Jacksonville, Fla., Atlanta, Ga., or Washington, D.C.

No. MC 59570 (Sub-No. 38), filed January 23, 1974. Applicant: HECHT BROTHERS, INC., 2075 Lakewood Road, Toms River, N.J. 08753. Applicant's representative: James C. Werner (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Limestone, natural, ground, or pulversized*, from Perth Amboy, N.J., to points in Kentucky, Massachusetts, Virginia, and West Virginia; (2) *lumber and lumber products*, from Elizabeth, N.J., and its Commercial Zone, to points in Burlington, Mercer, Middlesex, Monmouth, and Ocean Counties, N.J.; and (3) *lumber and lumber products and roofing materials* (except in liquid in tank trucks), from Wilmington, Del., to points in Atlantic, Burlington, Mercer, Middlesex, Monmouth, and Ocean Counties, N.J., with the return of damaged or rejected material.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., or Washington, D.C.

No. MC 67234 (Sub-No. 17), filed February 13, 1974. Applicant: GEORGIA-FLORIDA-ALABAMA TRANSPORTATION COMPANY, a Corporation, 1541 Reeves Street, Dothan, Ala. 36301. Applicant's representative: Maurice F. Bishop, 603 Frank Nelson Building, Birmingham, Ala. 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except Class A and Class B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Evergreen, Ala., and Waynesboro, Miss.: From Evergreen, Ala., over U.S. Highway 84 to Waynesboro, Miss., and return over the same route.

NOTE.—Common control may be involved. Applicant presently holds the requested authority as an irregular route and seeks to convert this authority to regular route authority. If a hearing is deemed necessary, the applicant requests it be held at Birmingham, Ala., or Atlanta, Ga.

No. MC 67234 (Sub-No. 17, filed February 15, 1974. Applicant: UNITED VAN LINES, INC., No. 1 United Drive, Fenton, Mo. 63026. Applicant's representative: A. Alvis Layne, 915 Pennsylvania Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commercial and institutional fixtures and laboratory equipment*, from Albuquerque, N. Mex., to points in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Mississippi, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia.

NOTE.—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 73165 (Sub-No. 338), filed September 5, 1974. Applicant: EAGLE MOTOR LINES, INC., P.O. Box 11086, 830 North 33d Street, Birmingham, Ala. 35202. Applicant's representative: Joe W. Darden, 909–100 North Main Building, Memphis, Tenn. 38103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cast iron and brass valves, cast iron pressure pipe, fire hydrants and fire hydrant sections* and (2) *components, parts, attachments, accessories and* supplies used in connection with the commodities described in (1) above, from points in Marshall County, Ala., to points in the United States (except Alaska and Hawaii).

NOTE.—Applicant states that the requested authority can be tacked with its existing authority at points in Marshall County, Ala., as follows: (a) In Sub-No. 180, on pipe, pipe connections, couplings, and fittings to provide a through service from Lone Star and Bond, Tex.; (b) in Sub-Nos. 183, 208, 216, 246, and 278 on iron and steel articles, to provide a through service from points in Brooke and Marshall Counties, W. Va.; points in Tennessee, Mississippi, Alabama, Pennsylvania, Maryland, and New York, and Tyler, Tex.; (c) in Sub-No. 186 to provide a through service from the plant site of Kentucky Electric Steel Co. in Boyd County, Ky.; (d) in Sub-No. 196, on pipe and pipe fittings to provide a through service from Swan Texas; and (e) in Sub-No. 276, on cast iron and bronze valves and components and cast iron fire hydrants to provide a through service from Birmingham, Ala., (a) through (e) to points in the United States (except Alaska and Hawaii). If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala.

No. MC 74321 (Sub-No. 93), filed February 14, 1974. Applicant: B. F. WALKER, INC., P.O. Box 17–B, 1555 Tremont Place, Denver, Colo. 80217. Applicant's representative: Richard P.

Kissinger (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Refined copper, and materials and supplies* used in the manufacture and distribution of refined copper (except in bulk, in tank vehicles), between the plantsite and storage facilities of American Smelting and Refining Company, Inc., at or near Amarillo, Tex., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii).

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex., or Denver, Colo.

No. MC 76429 (Sub-No. 6), filed February 11, 1974. Applicant: WILLIAM A. STEWART, doing business as STEWART TRUCK LINE, P.O. Box 109, Dry Ridge, Ky. 41035. Applicant's representative: Phillip Taliaferro, Suite 400, General Savings Bldg., 1 W. Sixth St., Covington, Ky. 41011. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) between Corinth, Ky., and Lexington, Ky.: From Corinth, Ky., over Kentucky Highway 330 to junction of Interstate Highway 75, thence over Interstate Highway 75 to Lexington, Ky., and return over the same route, serving no intermediate points, restricted against the handling of traffic originating at, destined to, or interchanged at, Cincinnati, Ohio, or points within its Commercial Zone; and (2) between Holbrook, Ky., and Owenton, Ky.: From Holbrook, Ky., over Kentucky Highway 22 to junction of U.S. Highway 227, thence over U.S. Highway 227 to Owenton, Ky., and return over the same route, serving all intermediate points.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Owenton, or Lexington, Ky.

No. MC 100666 (Sub-No. 270), filed February 11, 1974. Applicant: MELTON TRUCK LINES, INC., P.O. Box 7666, Shreveport, La. 71107. 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: *Plastic laminates*, from Verona, Miss., to points in the United States (except Alaska and Hawaii).

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Shreveport, La., or Jackson, Miss.

No. MC 100666 (Sub-No. 271), filed February 14, 1974. Applicant: MELTON TRUCK LINES, INC., P.O. Box 7666, Shreveport, La. 71107. Applicant's representative: Wilburn L. Williamson, 3535 NW. 58th, 280 National Foundation Life, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tile*, from San Antonio, Tex., to points in Alabama, Arkansas, Georgia, Kentucky, Louisiana, Mississippi, and Tennessee.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, the applicant requests it be held at Dallas, Tex.

No. MC 102616 (Sub-No. 897), filed February 11, 1974. Applicant: COASTAL TANK LINES, INC., 215 East Waterloo Road, Akron, Ohio 44319. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Distillate fuel oils*, in bulk, in tank vehicles, from Vienna, Md., to the plantsites and facilities of Delaware Power & Light Company, at or near Tasley, Va., and Millsboro, Del.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Baltimore, Md., or Washington, D.C.

No. MC 105461 (Sub-No. 90), filed February 4, 1974. Applicant: HERR'S MOTOR EXPRESS, INC., P.O. Box 8, Quarryville, Pa. 17566. Applicant's representative: Robert R. Herr, 406 Quarry Place, Quarryville, Pa. 17566. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sheet metal products and accessories, equipment, and supplies*, used in the installation of sheet metal products, (1) between Columbus, Ohio, on the one hand, and, on the other, points in Pennsylvania, New York, New Jersey, Delaware, Maryland, Virginia, West Virginia, Connecticut, Massachusetts, Rhode Island, Maine, New Hampshire, Vermont, and the District of Columbia; and (2) between Philadelphia, Pa., and points in Bucks County, Pa., on the one hand, and, on the other, points in Ohio and Virginia.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, the applicant requests it be held at either Washington, D.C., or Philadelphia, Pa.

No. MC 107012 (Sub-No. 197), filed January 21, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Lincoln Highway and Meyer Road, Fort Wayne, Ind. 46801. Applicant's representative: Terry G. Fewell (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New commercial and institutional fixtures and equipment*, from points in De Soto County., Miss., to points in Kentucky, Tennessee, South Carolina, North Carolina, Florida, Alabama, Georgia, and Louisiana.

NOTE.—Common control and dual operations may be involved. Applicant states that the requested authority can be tacked in Sub-No. 61, at points in Kentucky and Tennessee (except Hamblen County, Tenn.), to serve points in the United States including Alaska, but excluding Hawaii. If a hearing is deemed necessary, the applicant requests it be held at Memphis, Tenn., or Chicago, Ill.

No. MC 107012 (Sub-No. 198), filed February 11, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Lincoln Highway and Meyer Road, Fort Wayne, Ind. 46801. Applicant's representative: Terry G. Fewell (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, from Cuero, Tex., to points in Louisiana, Mississippi, Alabama, Georgia, South Carolina, Florida, Minnesota, Iowa, North Dakota, South Dakota, Kansas, Oklahoma, Montana, Wyoming, Colorado, New Mexico, Utah, and Arizona.

NOTE.—The portion of authority requested from Cuero, Tex., to points in Louisiana, Mississippi, Alabama, Georgia, South Carolina, and Florida, seeks removal of an Arkansas gateway. Common control and dual operations may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 107012 (Sub-No. 199), filed January 31, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P. O. Box 988, Lincoln Highway & Meyer Road, Fort Wayne, Ind. 46801. Applicant's representative: Michael L. Harvey (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Air coolers*, from the plant site and storage facilities of Western Auto Supply Co., located at Phoenix, Ariz., to points in Texas, New Mexico, Colorado, California, Nevada, Utah, and Oregon; (2) *damaged defective, rejected, and returned shipments of the above-named commodities*, from the above-specified destination points, to the above-named origin point, restricted to the transportation of traffic originating at the named origin facilities and destined to the destination territory.

NOTE.—Common control and dual operations were approved in MC–F–9464. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Chicago, Ill.

No. MC 107295 (Sub-No. 693), filed February 8, 1974. Applicant: PRE-FAB TRANSIT CO., a Corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise*, as is dealt in by manufacturers and distributors of panels, paneling, shelving, mantels, and beams and related decorative items, from the plant site and warehouse facilities of Barclay Industries, Inc., located at or near Lodi, N.J., and Deer Park, N.Y., to points in Arizona, Arkansas, California, Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Ohio, Oklahoma, Oregon, South Dakota, Tennessee,

Texas, Utah, Washington, Wisconsin, and Wyoming.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 107295 (Sub-No. 694), filed February 11, 1974. Applicant: PRE-FAB TRANSIT CO., 100 South Main Street, Farmer City, Ill. 61842. Applicant's representative: Mack Stephenson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Metal buildings*, complete, knocked down, or in sections, *structural steel, metal panels, and accessories* from Warrenton, Mo., to points in the United States (except Alaska and Hawaii).

NOTE.—Applicant states that the requested authority can be tacked at Warrenton, Mo., to provide a through service between points in the United States (except Alaska and Hawaii). If a hearing is deemed necessary, the applicant requests it be held at St. Louis, Mo.

No. MC 107295 (Sub-No. 695), filed February 14, 1974. Applicant: PRE-FAB TRANSIT CO., a Corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representative: Mack Stephenson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Air distribution products*, to points in the United States (except Alaska and Hawaii).

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Philadelphia, Pa.

No. MC 107295 (Sub-No. 699), filed February 14, 1974. Applicant: PRE-FAB TRANSIT CO., a Corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representative: Mack Stephenson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials*, from Chicago, Chicago Heights, and Port Bryon, Ill., and Pottstown, Pa., to points in the United States (except Alaska and Hawaii).

NOTE.—Applicant states that the requested authority can be tacked at Chicago, Chicago Heights, and Port Bryon, Ill., and Pottstown, Pa., to provide service between points in the United States (except Alaska and Hawaii). If a hearing is deemed necessary, the applicant does not specify a location.

No. MC 107403 (Sub-No. 883), filed February 8, 1974. Applicant: MATLACK, INC., Ten West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Syrup noibn*, in bulk, in tank vehicles, from Southdown, La., to Wheeling, W. Va.; (2) *nitrogen solutions*, in bulk, in tank vehicles, from the storage facilities of Skyline Terminals, Inc., at Baltimore, Md., to points in Delaware and Virginia; and (3) *commodities*, in bulk, in water-carrier supplied containers, (1) from New Orleans, La., to points in Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, Missouri, Oklahoma, Tennessee, and Texas (except (a) vegetable oil between points in Louisiana, and (b) alcohol and alcohol products, to points in Alabama, Arkansas, Florida, Georgia, Mississippi, and Tennessee); and (2) from points in Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, Missouri, Oklahoma, Tennessee, and Texas, to New Orleans, La., restricted to (1) traffic having a prior or subsequent movement by water in the authority sought in items (1) and (2) above, and is further restricted to traffic originating at or destined to the territory described herein; and (2) chemicals, between Baton Rouge, La., to New Orleans, La.

NOTE.—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107496 (Sub-No. 937), filed February 8, 1974. Applicant: RUAN TRANSPORT CORPORATION, Third at Keosauqua Way, P.O. Box 855, 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: (1) *Crude oil*, in bulk, from Clearbrook, Minn., to Superior and Saxon, Wis.; (2) *liquid resin*, from Burlington, Iowa, to Elizabethtown, Ky.; (3) *feed ingredients*, in bulk, from Weeping Water, Nebr., to points in California; (4) *refined soybean oil*, in bulk, in tank vehicles, from Belmond, Iowa, to points in Illinois; (5) *paint products*, in bulk, from Ft. Madison, Iowa, to points in Florida; (6) *petroleum products*, in bulk, in tank vehicles, from Havana, Ill., to points in Iowa; (7) *liquid feed and liquid feed supplements*, from the Cargill facilities located in Scott County, Iowa, to points in Indiana; and (8) *molasses*, in bulk, from Memphis, Tenn., to points in Arkansas and Mississippi.

NOTE.—Common control was approved in MC-F-9713 and is pending in MC-F-10042. Applicant states that the requested authority can be tacked with its existing authority: In Sub-No. 110 (1) at points in Nebraska to provide a through service to points in California, (a) on urea, from points in Iowa and Kansas; and (b) on molasses from points in Iowa, Kansas, Minnesota, Missouri, and South Dakota; (2) at Council Bluffs and Sioux City, Iowa, to serve points in Kansas and Nebraska; and (3) with the base certificate at Clear Lake, Iowa, to serve points in Minnesota on and south of Minnesota Highway 19. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Chicago, Ill.

No. MC 107515 (Sub-No. 892) (Amendment), filed January 31, 1974, published in the FR issue of March 14, 1974, and republished as amended this issue. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 30050. Applicant's representative: Alan E. Serby, P.O. Box 872, Atlanta, Ga. 30301. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except commodities in bulk, in tank vehicles) in vehicles equipped with mechanical refrigeration, from the plantsite and other facilities utilized by The Nestle Co., Inc., at or near Burlington, Wis., to points in the United States (except Alaska and Hawaii).

NOTE.—The purpose of this republication is to amend the applicant's territorial description. Common control may be involved. Dual operations may be involved also. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at (1) New York, N.Y.; (2) Atlanta, Ga.; or (3) Chicago, Ill.

No. MC 108065 (Sub-No. 2), filed February 8, 1974. Applicant: PATTERSON TRUCKING COMPANY, a Corporation, 1790 Dock Street, P.O. Box 13406, Memphis, Tenn. 38113. Applicant's representative: Louis I. Dailey, 2208 Sterick Building, Memphis, Tenn. 38103. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, serving the site of Holiday Industrial Park, located in De Soto County, Miss., as an off-route point in connection with carrier's regular route operations between Memphis, Tenn., and West Memphis, Ark.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Memphis, Tenn.

No. MC 110098 (Sub-No. 144), filed February 11, 1974. Applicant ZERO REFRIGERATED LINES, 1400 Ackerman Road, P.O. Box 20380, San Antonio, Tex. 78220. Applicant's representative: Donald L. Stern, 530 Univac Bldg., 7100 West Center Road, Ohama, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from Waterloo, Independence, and Vinton, Iowa, and Omaha, Nebr., to points in Missouri, Kansas, Oklahoma, Arkansas, and Texas, restricted to the transportation of traffic originating at the named origins, and destined to the points named above.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at San Antonio, Tex., or Omaha, Nebr.

No. MC 110420 (Sub-No. 704), filed September 7, 1974. Applicant: QUALITY CARRIERS, INC., P.O. Box 186, Pleasant Prairie, Wis. 53158. Applicant's representative: David A. Petersen (same address as applicant's). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Beverage bases, fruit emulsions, and fruit concentrates*, in bulk, in tank

vehicles, from points in the Chicago, Ill., Commercial Zone as defined by the Commission, to Inwood, W. Va.; Vincentown, N.J.; and Muskogee, Okla.; (2) *vinegar and vinegar stock, fermented, quick process and distilled vinegar, vinegar malt naphtha* (ethyl acetate), *salt* (calcium acetate), *vinegar acid* (acetic acid), and *vinegar wine*, in bulk, in tank and hopper-type vehicles, between Rogers, Ark.; Delta and Denver, Colo.; Chicago, Ill.; Hutchison and Wichita, Kans.; Bailey, Belding, and Fremont, Mich.; St. Paul, Minn.; Kansas City, Marionville, and Nixa, Mo.; Lyndonville and North Rose, N.Y.; Charlotte, N.C.; Oklahoma City, Okla.; Memphis, Tenn.; Dallas, Paris, and Houston, Tex.; Wenatchee and Yakima, Wash., and points in their respective Commercial Zones, restricted against the transportation of traffic wholly within one state; and (3) *sodium citrate* dry, in bulk, from Zeeland, Mich., to St. Louis, Mo.

NOTE.—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 110563 (Sub-No. 126), filed January 21, 1974. Applicant: COLDWAY FOOD EXPRESS, INC., P.O. Box 747, Ohio Building, Sidney, Ohio 45365. Applicant's representative: John L. Maurer (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from the plantsites and warehouse facilities utilized by The Miami Margarine Co. located at or near Cincinnati, Ohio, to points in Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and Virginia, restricted to traffic originating at the above-named origin.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Cincinnati or Columbus, Ohio.

No. MC 111625 (Sub-No. 19), filed February 11, 1974. Applicant: BERMAN'S MOTOR EXPRESS, INC., IRS-Successor-In-Interest, P.O. Box 1566, Binghamton, N.Y. 13902. Applicant's representative: Norman Weiss, 2 West 45th Street, New York, N.Y. 10036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: (1) *Toilet preparations* and *candles*, and *materials and supplies* used in the manufacture of toilet preparations and candles (except in bulk), serving Binghamton, N.Y., as an off-route point; (2) *wines* and *related advertising materials*, and *materials and supplies* used in the manufacture of wines (except commodities in bulk), serving Hammondsport, N.Y., as an off-route point; (3) *ladders, scaffolds, planking, and footwalks*, and *materials and supplies* used in the manufacture thereof (except commodities in bulk), serving Bath and Newark Valley, N.Y., as off-route points; (4) *lift trucks* and *parts therefor*, and *materials and supplies* used in the manufacture of lift trucks and parts therefor (except commodities in bulk), serving Greene and Endwell, N.Y., as off-route points; (5) *drugs, medicines, pharmaceuticals, toilet preparations and related advertising materials*, and *materials and supplies* used in the manufacture of drugs, medicines, pharmaceuticals, toilet preparations (except commodities in bulk), serving Norwich, N.Y., as an off-route point; (6) *furniture* and *materials and supplies* used in the manufacture of furniture (except commodities in bulk), serving Berkshire, N.Y., as an off-route point; and (7) *pillow blocks and railway journals*, and *materials and supplies* used in the manufacture thereof (except commodities in bulk), serving Hornell, N.Y., as an off-route point, (1) through (7) in connection with carrier's presently authorized regular route operations between Elmira, N.Y., and Pittsburgh, Pa.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Binghamton, N.Y.

No. MC 111729 (Sub-No. 418), filed February 1, 1974. Applicant: PUROLATOR COURIER CORP., 2 Nevada Drive, Lake Success, N.Y. 11040. Applicant's representative: John M. Delany (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Laboratory, biological and medical samples, blood specimens, blood derivatives, human blood drawing materials, human tissue, urine specimens, serum specimens, and other clinical laboratory specimens, test tubes and containers therefor; business papers, records, audit and accounting media related thereto*, (a) between Columbus, Ohio, on the one hand, and, on the other, points in Ohio County, W. Va., and points in Pennsylvania; (b) between Birmingham, Ala., on the one hand, and, on the other, points in Florida, Georgia, Tennessee, and Texas, restricted to traffic having an immediately prior or subsequent movement by air or motor vehicle; (c) between Grand Rapids, Mich., on the one hand, and, on the other, points in Illinois, Indiana, and Ohio; and (d) from points in Indiana to St. Louis, Mo.; (2) *business papers, records, audit, and accounting media* of all kinds, *and advertising materials*, (a) between Chicago, Ill., on the one hand, and, on the other, points in Indiana, on or south of U.S. Highway 40; (b) between Keyport, N.J., on the one hand, and, on the other, Tullytown, Pa., and Hicksville, N.Y.; (c) between Lanham, Md., and Baltimore, Md.; and (d) between points in Georgia, restricted in Items (2) (c) and (d) above, to traffic having an immediately prior or subsequent movement by air.

(3) *Automotive parts and supplies*, restricted against the transportation of packages or articles weighing in the aggregate more than 100 pounds, from one consignor to one consignee on any one day, (a) between Cincinnati, Ohio, on the one hand, and, on the other, points in Indiana, Tennessee, and West Virginia; (b) between Lanham and Baltimore, Md.; (c) between points in Florida; (d) between points in Georgia; (e) between points in North Carolina; and (f) between points in South Carolina, restricted in items (3) (b) through (3) (f) above, to traffic having an immediately prior or subsequent movement by air; and (4) *proofs, cuts, copy, manuscripts, artwork, negatives, positives, printed matter, small office machine parts*, restricted against the transportation of packages or articles weighing in the aggregate more than 100 pounds from one consignor to one consignee on any one day, *and business papers, records, audit and accounting media, and advertising materials*, between Warsaw, Ind., and Detroit, Mich.

NOTE.—Common control and dual operations may be involved. Applicant states that the requested authority can be tacked with (1) (a), in Sub-No. 79, at Columbus, Ohio, to provide service between Fort Wayne and Indianapolis, Ind., and Louisville, Ky., on the one hand, and, on the other, points in Ohio County, W. Va., and points in Pennsylvania, in Sub-No. 338, at King of Prussia, Pa., and Johnstown, Pa., in Sub-No. 345, to provide service between Columbus, Ohio, on the one hand, and, on the other, 12 specified points in New Jersey and New York, N.Y. (Sub-No. 338), and points in Maryland, West Virginia, and the District of Columbia (Sub-No. 345); with (1) (b), at points in Georgia, to provide service between Birmingham, Ala., on the one hand, and, on the other, Anderson, S.C., in Sub-Nos. 306 and 339, and at points in 27 specified counties in Tennessee, to provide service between Birmingham, Ala., on the one hand, and, on the other, Roanoke, Va., and Anderson, S.C., in Sub-Nos. 272 and 306.

With (1) (c), at specified points in Indiana, to provide service between Grand Rapids, Mich., on the one hand, and, on the other, Louisville, Ky., in Sub-Nos. 79 and 115, and St. Louis, Mo., in Sub-No. 285, and at specified points in Ohio, to provide service between Grand Rapids, Mich., on the one hand, and, on the other, Louisville, Ky., and Huntington, W. Va., in Sub-No. 79, and Johnstown, Pa., in Sub-No. 345; with (1) (d), at specified points in Indiana, to provide service between St. Louis, Mo., on the one hand, and, on the other, Louisville, Ky., points in Ohio and Michigan, and Chicago, Ill., in Sub-Nos. 79, 115, and 217; with (2) (a), at Chicago, Ill., to provide a service between points in Indiana, on or south of U.S. Route 40, on the one hand, and, on the other, points in Wisconsin in Sub-No. 180, points in 12 named counties in Michigan in Sub-No. 185, Dubuque, Iowa, in Sub-No. 205, eight named points in Michigan in Sub-No. 292, and Cedar Rapids, Iowa, in Sub-No. 338, and at points in Indiana on or south of U.S. Route 40, to provide a service between Chicago, Ill., on the one hand, and, on the other, Cincinnati, Ohio, in Sub-No. 300, St. Louis, Mo., in Sub-Nos. 137 and 228, Louisville, Ky., in Sub-Nos. 152 and 188, Dayton, Ohio, in Sub-No. 172, Celina, and Delaware, Ohio, in Sub-No. 266, Columbus, Ohio, in Sub-No. 302, Sandusky, Ohio, in Sub-No. 272, Owensboro and Hopkinsville, Ky., in Sub-No. 292 and 12 named points in Kentucky in Sub-No. 338.

With (2)(b), at Keyport, N.J., to provide service between Tullytown, Pa., and Hicksville, N.Y., on the one hand, and, on the other, Boston, Mass., in Sub-No. 110, points in Middlesex County, Mass., in Sub-No. 247, and points in Delaware County, Pa., in Sub-No. 262, at Tullytown, Pa., to provide service between Keyport, N.J., on the one hand, and, on the other, Clifton, N.J., in Sub-No. 168, Dayton, Ohio, in Sub-No. 172, Celina and Delaware, Ohio, in Sub-No. 266, points in Baltimore County, Md., in Sub-No. 290, and Columbus, Ohio, in Sub-No. 302, at Hicksville, N.Y., to provide service between Keyport, N.J., on the one hand, and, on the other, Cleveland, Ohio, in Sub-No. 164, Hartford, Conn., and Clifton, N.J., in Sub-No. 168, Providence, R.I., in Sub-No. 205, points in Middlesex County, Mass., in Sub-No. 247, points in Hillsboro County, N.H., in Sub-No. 255, Carlstadt, N.J., in Sub-No. 258, points in New Haven County, Conn., in Sub-No. 266, Philadelphia, Pa., in Sub-No. 270, points in Litchfield County, Conn., in Sub-No. 282, Celina, Ohio, in Sub-No. 288, Salem, Mass., in Sub-No. 295, Columbus, Ohio, in Sub-No. 302, and Atlantic City and Pennsauken, N.J., and Levittown, Pa., in Sub-No. 367.

With (2)(c), at Baltimore, Md., to provide service between Lanham, Md., on the one hand, and, on the other, New York, N.Y., and points in Arlington County, Va., in Sub-No. 53, Philadelphia, Pa., in Sub-Nos. 151, 178 and 204, points in Middlesex County, N.J., and Lancaster, Pa., in Sub-No. 164, points in 5 named counties in Virginia and 6 named counties in Pennsylvania in Sub-No. 178, Washington, D.C., and Wilmington, Del., in Sub-No. 204, points in New Haven County, Conn., in Sub-No. 266, points in Dauphin, Bucks, and Blair Counties, Pa., in Sub-No. 290, and Valley Forge, Pa., in Sub-No. 332; with (2)(d) at points in Georgia, to provide service between points in Georgia, on the one hand, and, on the other, points in Alabama in Sub-Nos. 187, 222 and 223, Chattanooga, Tenn., in Sub-No. 222, points in Duval County, Fla., and Davidson County, Tenn., in Sub-No. 255, points in Tennessee on and east of the Tennessee River in Sub-No. 282, points in North Carolina and South Carolina in Sub-No. 292, and Quantico, Va., in Sub-No. 341; with (3)(a), at Cincinnati, Ohio, to provide a through service between points in Indiana, Tennessee, and West Virginia, on the one hand, and, on the other, points in Kentucky in Sub-No. 146; with (3)(b), at Baltimore, Md., to provide a service between Lanham, Md., on the one hand, and, on the other, Valley Forge, Pa., in Sub-No. 332; and with (4), at Detroit, Mich., to provide a service between Warsaw, Ind., on the one hand, and, on the other, Cumberland, Md., in Sub-No. 262 transporting of proofs, copy, manuscripts, and printed matter related thereto. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 114273 (Sub-No. 164), filed February 11, 1974. Applicant: CEDAR RAPIDS STEEL TRANSPORTATION, INC., P.O. Box 68, Cedar Rapids, Iowa 52406. Applicant's representative: Robert E. Konchar, Suite 315, Commerce Exchange Building, 2720 First Avenue NE., P.O. Box 1943, Cedar Rapids, Iowa 52406. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foodstuffs*, from Omaha, Nebr., to points in Missouri, Illinois, Wisconsin, Indiana, Ohio, and Michigan.

NOTE.—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 114533 (Sub-No. 292), filed February 14, 1974. Applicant: BANKERS DISPATCH CORPORATION, 4970 South Archer Avenue, Chicago, Ill. 60632. Applicant's representative: Warren W. Wallin, 330 S. Jefferson St., Chicago, Ill. 60606. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Laboratory specimens and reports*, between Omaha, Nebr., on the one hand, and, on the other, Wichita and Shawnee Mission, Kans.

NOTE.—Applicant holds contract carrier authority in MC 128616 and subs thereunder, therefore dual operations may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Kanssas City, Mo.

No. MC 114632 (Sub-No. 69), filed February 8, 1974. Applicant: APPLE LINES, INC., 212 Southwest Second, P.O. Box 507, Madison, S. Dak. 57042. Applicant's representative: Andrew Clark, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Building materials and cement pipe containing asbestos fiber*, from the plantsite and warehouse facilities of Johns-Manville Products Corp., at Waukegan, Ill., to points in Colorado, Iowa, Minnesota, Nebraska, North Dakota, South Dakota, and Wyoming; and (2) *building materials*, from the plantsite of Johns-Manville Perlite Corp., at or near Joliet, Ill., to points in Iowa, Minnesota, Nebraska, North Dakota, and South Dakota.

NOTE.—Applicant holds contract carrier authority in MC 129706, therefore dual operations may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 114725 (Sub-No. 58), filed February 8, 1974. Applicant: WYNNE TRANSPORT SERVICE, INC., 2606 North 11th Street, Omaha, Nebr. 68110. Applicant's representative: Patrick E. Quinn, 605 South 14th Street, P.O. Box 82028, Lincoln, Nebr. 68501. 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.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 115331 (Sub-No. 360), filed February 11, 1974. Applicant: TRUCK TRANSPORT, INCORPORATED, 29 Clayton Hills Lane, St. Louis, Mo. 63131. Applicant's representative: J. R. Ferris, 230 St. Clair Avenue, East St. Louis, Ill. 62201. 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 Breese, Valmeyer, and West York, Ill., to points in Indiana, Kentucky, and Missouri, and (2) from Dublin and Jordan, Ind., to points in Illinois, Kentucky, Michigan, and Ohio.

NOTE.—Applicant states that the requested authority can be tacked with its existing authority as follows: With the base certificate; on (1) above at Selma, Mo., to serve points in Illinois, Tennessee, Iowa, Oklahoma, Kansas, and Arkansas and on (2) above at Marseilles, Ill., to serve points in Iowa, Minnesota, Missouri, Ohio, Wisconsin, and Indiana; in Sub-No. 95 on (2) above at plant site of Foster Grant Co. located at Peru, Ill., to serve points in Indiana, Wisconsin, Minnesota, and Iowa; in Sub-No. 115 on (2) above at the plant site of Apple River Chemical Co. located at East Dubuque, Ill., to serve points in Indiana, Iowa, Kansas, Missouri, Nebraska, South Dakota, Minnesota, and Wisconsin, in Sub-No. 144 on (1) above at Selma, Mo., to serve in Michigan, Minnesota, Nebraska, South Dakota, and Wisconsin; in Sub-No. 151, on (1) above at the plant site and facilities of Chevron Chemical Co. located at Sugar Creek, Mo., to serve points in Kansas, Iowa, Nebraska, and Illinois; in Sub-No. 162 on (2) above at Cairo, Ill., to serve points in Arkansas, Missouri, Tennessee, and Indiana; and in Sub-No. 242 on (1) above at points in Clark County, Mo., to serve points in Illinois, Iowa, and Indiana. If a hearing is deemed necessary, applicant requests it be held at St. Louis or Kansas City, Mo.

No. MC 115691 (Sub-No. 26), filed February 1, 1974. Applicant: MURPHY TRANSPORTATION, INC., 1414 Crawford Avenue, P.O. Drawer 1090, Anniston, Ala. 36201. Applicant's representative: John P. Carlton, 903 Frank Nelson Building, Birmingham, Ala. 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Treated and untreated lumber;* and (2) *treated and untreated posts*, from Haleyville, Ala., to points in Louisiana, Mississippi, Georgia, Florida, Tennessee, Illinois, Indiana, Ohio, Kentucky, Pennsylvania, West Virginia, New York, Wisconsin, Iowa, Minnesota, and the lower peninsula of Michigan.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala.

No. MC 115691 (Sub-No. 27), filed February 1, 1974. Applicant: MURPHY TRANSPORTATION, INC., 1414 Crawford Avenue, Anniston, Ala. 36201. Applicant's representative: John P. Carlton, 903 Frank Nelson Building, Birmingham, Ala. 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plywood and plywood paneling*, from the plant site, warehouse, and storage facilities of Plywood Panels, Inc., at or near New Orleans, La., to points in Alabama, Florida, Georgia, Mississippi, and Tennessee.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 116273 (Sub-No. 170), filed February 12, 1974. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Avenue, Cicero, Ill. 60650. Applicant's representative: Arnold L. Burke, 127 North Dearborn Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Spent or waste chemicals and petroleum products*, liquid, in bulk, in tank vehicles, from points in Indiana, Iowa, Kentucky, Michigan, Missouri, Ohio, and Wisconsin, to Chicago, Ill., and (2) *recycled chemicals and petroleum products*, liquid, in bulk, *in tank vehicles*, from Chicago, Ill., to points in Indiana, Iowa, Kentucky, Michigan, Missouri, Ohio, and Wisconsin, restricted to traffic originating at the origin territory and destined to the destination territory.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 116273 (Sub-No. 171), filed February 15, 1974. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Avenue, Cicero, Ill. 60650. Applicant's representative: Charles T. Jensen (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corn products and blends thereof*, in bulk, in tank vehicles, having a prior movement by rail, from Detroit, Mich., to points in Ohio and Indiana.

NOTE.—Applicant states that the requested authority can be tacked with its existing authority at Hammond, Ind., to serve points in Illinois, Iowa, Michigan, Minnesota, Missouri, and Wisconsin. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 117119 (Sub-No. 496), filed February 7, 1974. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., P.O. Box 188, Elm Springs, Ark. 72728. Applicant's representative: L. M. McLean (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from the plantsite and warehouse facilities of Western Potato Service, Inc., at Grand Forks, N. Dak., to points in Alabama, Arizona, Arkansas, California, Colorado, Delaware, Florida, Georgia, Idaho, Indiana, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Montana, Nebraska, Nevada, New Jersey, New Mexico, New York, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, Tennessee, Texas, Utah, Virginia, Washington, West Virginia, Wyoming, and the District of Columbia, restricted to traffic originating at the named plantsite and warehouse facilities, and destined to the points named above.

NOTE.—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., or Omaha, Nebr.

No. MC 117815 (Sub-No. 227), filed February 5, 1974. Applicant: PULLEY FREIGHT LINES, INC., 405 SE 20th Street, Des Moines, Iowa 50317. Applicant's representative: Larry D. Knox, 9th Floor, Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from Albert Lea, Minn., to points in Iowa, Nebraska, Missouri, Kansas, Illinois, Michigan, and Indiana, restricted to shipments originating at the named origin, and destined to the points named above.

NOTE.—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Omaha, Nebr.

No. MC 118060 (Sub-No. 5), filed February 5, 1974. Applicant: CAPITOL PACKING CO., a Corporation, 1050 Yuma Street, Denver, Colo. 80204. Applicant's representative: Chester A. Zyblut, 1522 K Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, and meat byproducts, and articles distributed by meat packinghouses* (except commodities in bulk) *and materials, supplies, and equipment* used in the processing and distribution of the commodities named above, (a) between Denver, Colo., on the one hand, and, on the other, points in Connecticut, Pennsylvania, New York, Maryland, New Hampshire, Massachusetts, New Jersey, and the District of Columbia; (b) between Sterling, Colo., on the one hand, and, on the other, points in Connecticut, Pennsylvania, New York, Maryland, New Hampshire, Massachusetts, New Jersey, and the District of Columbia; (c) between Greeley, Colo., on the one hand, and, on the other, points in Connecticut, Pennsylvania, New York, Maryland, New Hampshire, Massachusetts, New Jersey, and the District of Columbia; and (d) between Denver and Fort Morgan, Colo.; Fremont, Millard, Nebraska City, and Omaha, Nebr.; and Council Bluffs and Oakland, Iowa, on the one hand, and, on the other, points in Connecticut, Pennsylvania, New York, Maryland, New Hampshire, Massachusetts, New Jersey, and the District of Columbia.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 118457 (Sub-No. 11), filed February 6, 1974. Applicant: ROBBINS DISTRIBUTING COMPANY, INC., W. 145 S. 6550 Tess Corners Drive, Muskego, Wis. 53150. Applicant's representative: Allan B. Torhorst, 217 E. Jefferson St., Burlington, Wis. 53105. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foodstuffs, including frozen foodstuffs not for human consumption* (except commodities in bulk), between Beaver Dam and Milwaukee, Wis., on the one hand, and, on the other, points in Idaho, North Dakota, South Dakota, Nebraska, Minnesota, Iowa, Missouri, Wisconsin, Illinois, Michigan, Indiana, Ohio, Pennsylvania, New York, and Maine, restricted to traffic originating at or destined to the facilities of Wis. Cold Storage, Inc.

NOTE.—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 119089 (Sub-No. 4), filed February 6, 1974. Applicant: WISCONSIN REFRIGERATED SERVICES, INC., 11400 W. Burleigh Street, Milwaukee, Wis. 53222. Applicant's representative: Nancy J. Johnson, 4506 Regent Street, Suite 100, Madison, Wis. 53705. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foodstuffs, including frozen foodstuffs not for human consumption*, between Beaver Dam and Milwaukee, Wis., on the one hand, and, on the other, points in Washington, Oregon, Idaho, Montana, Wyoming, Colorado, Kansas, Nebraska, South Dakota, North Dakota, Minnesota, Iowa, Missouri, Illinois, New Jersey, Connecticut, Massachusetts, New York, Vermont, New Hampshire, Rhode Island, Maine, Wisconsin, Indiana, Michigan, Kentucky, Ohio, and Pennsylvania, under contract with Wisconsin Cold Storage Company, at Milwaukee, Wis., restricted against transportation of the above-named commodities in bulk, in tank vehicles; and further restricted to traffic originating at, or destined to, the plantsites and warehouse facilities of Wisconsin Cold Storage Company, at Beaver Dam and Milwaukee, Wis.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 119767 (Sub-No. 309), filed February 6, 1974. Applicant: BEAVER TRANSPORT CO., a Corporation, P.O. Box 186, Pleasant Prairie, Wis. 53158. Applicant's representative: David A. Petersen (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foodstuffs, including frozen foodstuffs not for human consumption*, between Beaver Dam and Milwaukee, Wis., on the one hand, and, on the other, points in Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Pennsylvania, South Dakota, and Wisconsin.

NOTE.—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 123499 (Sub-No. 1), filed January 7, 1974. Applicant: LOWELL L.

TREFFERT, INC., P.O. Box 123, Franksville, Wis. 53126. Applicant's representative: Richard C. Alexander, 710 North Plankinton Avenue, Milwaukee, Wis. 53203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Fermented malt beverages*, from Columbus, Ohio, to Racine and Burlington, Wis., and (2) *fermented malt beverage containers*, from Racine and Burlington, Wis., to Columbus, Ohio.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Milwaukee or Racine, Wis.

No. MC 125023 (Sub-No. 22), filed February 12, 1974. Applicant: SIGMA-4 EXPRESS, INC., P.O. Box 9117, Erie, Pa. 16504. Applicant's representative: Paul F. Sullivan, 711 Washington Bldg., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, in containers, *and related advertising material*, moving therewith, (1) from Baltimore, Md., to Erie, Pa.; (2) from Baltimore, Md., and Rochester, N.Y., to North Versailles, Pa., and (3) *empty malt beverage containers*, on return movements in (1) and (2) above.

NOTE.—Applicant states that the requested authority can be tacked at North Versailles (Pittsburgh Commercial Zone), Pa., to serve points in Illinois, Indiana, and Michigan. If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

MC 125522 (Sub-No. 6), filed October 29, 1973, published in the FR issue of December 13, 1973, republished in the FR issue of January 17, 1974, and in the third publication, as amended this issue. Applicant: GEORGE W. KUGLER, 2800 East Waterloo Road, Akron, Ohio 44312. Applicant's representative: John P. McMahon, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Clay products*, from Pottstown, Pa., to points in that part of Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Ohio, Rhode Island, Virginia, and the District of Columbia within 300 miles of Pottstown, Pa.; (2) *rejected* or *damaged shipments of clay products, and materials and supplies* used in the manufacture of clay products, from points in the above specified destination territory, to Pottstown, Pa.; (3) *clay products*, (a) from Clearfield, Pa., to points in Delaware, Maryland, New York, New Jersey, Virginia, West Virginia, and the District of Columbia; and (b) from Pottstown, Pa., to points in West Virginia; (4) *rejected and unused clay products, and materials* and supplies used in the manufacture of clay products, (a) from points in Delaware, Maryland, New York, New Jersey, Virginia, West Virginia, and the District of Columbia, to Clearfield, Pa., and (b) from points in West Virginia, to Pottstown, Pa.; (5) *clay products:* (a) From Pottstown, Pa., to points in Connecticut, Maryland, Massachusetts, New York, Ohio, Rhode Island, Virginia, Maine, New Hampshire, and Vermont (except points in that part of Connecticut, Maryland, Massachusetts, New York, Ohio, Rhode Island, and Virginia within 300 miles of Pottstown), and (b) from the site of the plant of the Clow Corporation at Clearfield, Pa., to points in Connecticut, Maine, Massachusetts, New Hampshire, Ohio, Rhode Island, and Vermont.

(6) *Clay products*, from Pottstown and Clearfield, Pa., to points in Illinois, Indiana, Michigan, North Carolina, South Carolina, Tennessee, and Wisconsin, (7) *returned clay products* and *materials and supplies* used in the manufacture of clay products, (a) from points in Connecticut, Delaware, Illinois, Indiana, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, Wisconsin, and the District of Columbia, to Pottstown, Pa., and (b) from points in Connecticut, Illinois, Indiana, Maine, Massachusetts, Michigan, New Hampshire, North Carolina, Ohio, Rhode Island, South Carolina, Tennessee, Vermont, and Wisconsin, to Clearfield, Pa., (8) *clay products*, (a) from Mogadore, Ohio, to points in Illinois, Indiana, Iowa, Kentucky, Maryland, Michigan, New York, North Carolina, Pennsylvania, South Carolina, Tennessee, Virginia, West Virginia, and Wisconsin; (b) from Parral, Ohio, to points in Delaware, Illinois, Indiana, Iowa, Kentucky, Maryland, Michigan, New Jersey, New York, North Carolina, Pennsylvania, South Carolina, Tennessee, Virginia, West Virginia, Wisconsin, and the District of Columbia; and (c) from Strasburg, Ohio, to points in Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia.

(9) *Returned clay products* and *materials and supplies* used in the manufacture of clay products, (a) from points in Illinois, Indiana, Iowa, Kentucky, Maryland, Michigan, New York, North Carolina, Pennsylvania, South Carolina, Tennessee, Virginia, West Virginia, and Wisconsin, to Mogadore, Ohio; (b) From points in Delaware, Illinois, Indiana, Iowa, Kentucky, Maryland, Michigan, New Jersey, New York, North Carolina, Pennsylvania, South Carolina, Tennessee, Virginia, West Virginia, Wisconsin, and the District of Columbia, to Parral, Ohio; and (c) from points in Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia, to Strasburg, Ohio, (a), (b), and (c) restricted against the transportation of the above-specified commodities in bulk; (10) *clay products*, (a) from the site of the United States Concrete Pipe Company plant at Mogadore, Ohio, and the site of the Clow Corporation plants at Midvale and Parral, Ohio, to points in Maine, Vermont, New Hampshire, Connecticut, Rhode Island, and Massachusetts; and (b) from the site of the United States Concrete Pipe Company plant, at Mogadore, Ohio, to points in New Jersey, Delaware, and the District of Columbia; (11) *empty containers, pallets, returned clay products*, and *materials and supplies* used in the manufacture of clay products, from their respective destination points to the plantsites and facilities of United States Concrete Pipe Company at Mogadore, Ohio, and the plantsites and facilities of Clow Corporation at Midvale and Parral, Ohio.

(12) *Refractory materials, refractory products*, and *materials* used in the installation of refractory materials and refractory products, (a) from the plantsite of Clow Corporation, at Clearfield, Pa., to points in Connecticut, Ohio, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont, (b) from the plant site of the United States Concrete Pipe Company at Mogadore, Ohio, and the plant site of Clow Corporation, at Parral, Ohio, to points in Connecticut, Rhode Island, Massachusetts, New Hampshire, Maine, and Vermont, (c) from the plant site of the United States Concrete Pipe Company at Mogadore, Ohio, to points in Delaware, New Jersey, and the District of Columbia, (d) from the plantsites and facilities of Clow Corporation at Pottstown, Pa., to points in Connecticut, Delaware, Maine, Massachusetts, Maryland, New Hampshire, New Jersey, New York, Ohio, Rhode Island, Virginia, Vermont, and the District of Columbia, and (e) from the plantsites and facilities of Harbison-Walker Refractories Co., at Clearfield, Pa., to points in Delaware, Maryland, New York, New Jersey, Virginia, West Virginia, and the District of Columbia; (13) *refractory materials, refractory products and materials* used in the installation of refractory materials and refractory products which had a prior origination at Clearfield, and Pottstown, Pa., and Mogadore and Parral, Ohio, from points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia to the plantsites and facilities of Harbison-Walker Refractories Co. at Clearfield, Pa., and the plantsites and facilities of Clow Corporation at Clearfield, and Pottstown, Pa., and Parral, Ohio, and the plantsite and facilities of United States Concrete Pipe Company at Mogadore, Ohio.

(14) *Fibre pipe* and *attachments, parts, and fittings* therefor, (a) from Berlin, N.H., to points in Delaware, Maine, Maryland, New Jersey, New York, North Carolina, Tennessee, and Virginia, restricted to shipments originated by Clow Corporation, and (b) from points

in Lumberton Township, N.J., to points in Delaware, Kentucky, Maine, New York, North Carolina, Tennessee, Vermont, and Pennsylvania, restricted to shipments originated by Clow Corporation; (15) *manhole covers, gratings, castings,* and *attachments, parts, and fittings* therefor, from Brillion, Wis., to points in Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, Virginia, West Virginia and the District of Columbia, restricted to shipments originated by Clow Corporation; (16) *plastic pipe* and *attachments, parts and fittings* therefor, from Kenilworth, N.J., to points in Delaware, Illinois, Indiana, Iowa, Kentucky, Maine, Michigan, Minnesota, Missouri, New York, North Carolina, Ohio, Pennsylvania, Tennessee, Vermont, and Wisconsin, restricted to shipments originated by Clow Corporation; (17) *cast iron pipe and attachments, parts and fittings* therefor, from Williamstown, N.J., to points in Delaware, Illinois, Indiana, Iowa, Kentucky, Maine, Michigan, Minnesota, Missouri, New Hampshire, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, and Wisconsin, restricted to shipments originated by Clow Corporation.

(18) *Fibre pipe, plastic pipe, cast iron pipe, manhole covers, gratings,* and *castings, and attachments, parts, and fittings* therefor, (a) from the plant sites and warehouses of Clow Corporation at Pottstown, Pa., to points in Delaware, Illinois, Indiana, Iowa, Kentucky, Maine, Michigan, Minnesota, Missouri, New York, North Carolina, Ohio, Rhode Island, Tennessee, Vermont, Wisconsin, and the District of Columbia, and (b) from the plant sites and warehouses of United States Concrete Pipe Company at Mogadore, Ohio, to points in Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia; (19) *returned shipments* of the commodities specified in paragraphs 14 through 18 above, from the specified destination points, to their respective origin points; (20) *equipment, materials, and supplies* (except liquid commodities in bulk, in tank vehicles) used in the manufacture, packaging, and sale of clay and concrete products, from Oakdale and Croydon, Pa., Relay, Md., and Portage, Mich., to plantsites and facilities of United States Concrete Pipe Company at Ancor, Diamond, and Uhrichsville, Ohio; (21) *polyvinyl chloride* (except in bulk), from East Providence, R.I., to the plantsites and facilities of United States Concrete Pipe Company at Uhrichsville, Ohio, (22) *manhole covers, gratings, and castings,* and *attachments, parts, and fittings* therefor, from Neenah, Wis., to points in Ohio and Indiana, restricted to shipments originated by United States Concrete Pipe Company; (23) *sewer pipe,* other than iron and steel, and *attachments, parts, and fittings* therefor, from the plantsites and facilities of United States Concrete Pipe Company at Mogadore, Ohio, to Fort Lauderdale and Ocala, Fla.;

(36) *Sprinkler systems and parts and accessories* therefor, and *tools, materials, equipment, and supplies* (except commodities in bulk), used in the sale, packaging, distribution, installation, and repair of such systems, parts, and accessories, from the plantsite and facilities of Automatic Sprinkler Corporation of America at Monroe, Ind., to points in Colorado, Connecticut, Delaware, Illinois, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Dakota, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia; (37) *tools, equipment, materials, and supplies* (except commodities in bulk) used in the manufacture, sale, packaging, distribution, installation, and repair of sprinkler systems and *parts and accessories* therefor, including returned shipments of such systems, parts, and accessories, from the destination points named in (36) above to the plantsite and facilities of Automatic Sprinkler Corporation of America at Monroe, Ind.; (38) *iron and steel conduit and metallic tubing, and fittings* for such commodities (except pipe used in, or in connection with, the construction, operation, maintenance, servicing, or dismantling of pipelines), (a) from the plantsite and facilities of Jones & Laughlin Steel Corporation at New Kensington, Pa., to points in Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, New Hampshire, New Jersey, New York, Ohio, Rhode Island, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia, (b) from the plantsite and facilities of Jones & Laughlin Steel Corporation at Niles, Ohio, to points in Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, New Hampshire, New Jersey, New York, Rhode Island, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, Pennsylvania, and the District of Columbia.

(39) *Clay and refractory materials and products, and materials and supplies* used in the installation thereof (except commodities in bulk), from the plantsites and facilities of Clow Corporation at Carol Stream and Streator, Ill., to points in Connecticut, Indiana, Iowa, Maine, Maryland, Massachusetts, Michigan, Missouri, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, West Virginia, Wisconsin, and the District of Columbia; (40) *cast iron, pipe, cast iron fittings, and parts, valves, machinery and fire hydrants,* from Florence, N.J., to Charleston, W. Va., Norfolk, Va., Providence and Newport, R.I., Boston, Worcester, Springfield, and Salem, Mass., and points in New York, Pennsylvania, Delaware, Maryland, and Connecticut; (41) *damaged or returnable cast iron pipe, cast iron fittings and parts, valves, machinery, and fire hydrants,* from Charleston, W. Va., Norfolk, Va., Providence and Newport, R.I.; Boston, Worcester, Springfield, and Salem, Mass.; and points in New York, Pennsylvania, Delaware, Maryland, and Connecticut, to Florence, N.J.; (42) *cast iron pipe, cast iron fittings, valves, hydraulic machinery and hydraulic machinery parts and fire hydrants,* from Florence, N.J., to points in Massachusetts (except Boston, Worcester, Springfield, and Salem, Mass.), and points in Rhode Island (except Providence and Newport, R.I.); (43) *concrete pipe,* from Dover, South Kearny, Little Ferry, and Kenilworth, N.J., to New York, and points in Westchester and Nassau Counties, N.Y., on return except as otherwise authorized.

(44) *Cast iron pipe and cast iron fittings, parts, and valves,* from the plantsites and facilities of Griffin Pipe Products Co. at Florence, N.J., to points in Maine, New Hampshire, Vermont, and the District of Columbia; (45) *clay and refractory materials and products, and materials and supplies* used in the installation thereof, from the plantsites and facilities of Clow Corporation at Carol Stream and Streator, Ill., to points in Delaware, Kentucky, North Carolina and Virginia; (46) *material and supplies* (except liquid commodities, in bulk, in tank vehicles), used in the manufacturing and distribution of cast iron products, from points in Illinois, Indiana, Iowa, Maryland, Michigan, North Carolina, Ohio, Pennsylvania (except Plymouth Meeting), South Carolina, Virginia, and West Virginia, to the plantsites and facilities of Griffin Pipe Products Co. in Burlington County, N.J., restricted against the transportation (a) of sand, gravel, and limestone in bulk, in dump trucks, from points in Bucks, Montgomery, Delaware, and Philadelphia Counties, Pa., (b) of refractory products, fluxing compounds, and rimmings agents from points in Allegheny, Armstrong, Butler, and Westmoreland Counties Pa., and (c) of shipments originating at points in Canada; and (50) *propane gas,* in bulk, from Marcus Hook, Pa., to the plantsite and storage facilities of Griffin Pipe Products Co. located at or near Florence (Burlington County), N.J. RESTRICTION: The separate grants of Authority (1) through (50) described above shall be not be tacked or joined, directly or indirectly, for the purpose of performing any through service.

NOTE.—Applicant seeks by this application to convert its contract carrier authority in MC102982 and subs thereunder to common carrier authority. The purposes of this republication are (1) to include 3(b) omitted from the previous publications; (2) to restrict the operations to specific plantsites, as pertinent in subparagraphs 11, 12 (d) and (e); 13; 14 (a) and (b); 15; 16; 17; 18(b); 19; 20; 21; 22; 23; 36; 37; 38 (a) and (b); 39;

44; 45; and 46(c); (3) to include the destination point of the District of Columbia in 18(a); (4) to indicate the origin points in 18(b) as the plantsites and warehouses of United States Concrete Pipe Company located at Mogadore, Ohio, which was previously published as the plantsites and warehouses of Clow Corporation of the same location; (5) to delete the origin point of Ambridge, Pa. in 38(a); (6) to delete previously published items (24) through (35) as a result of the completed finance proceeding MC-F-11929: (7) to delete previously published Subparagraphs 47 through 49 in view of the Commission's Order of January 22, 1974, in George W. Kugler, Inc. Extension—MC 102982 Sub 26, and (8) to indicate the possible deletion of subparagraphs 36 and 37 which are the subject of a pending finance proceeding MC-F-12083. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 126276 (Sub-No. 89), filed February 11, 1974. Applicant: FAST MOTOR SERVICE, INC., 9100 Plainfield Road, Brookfield, Ill. 60513. Applicant's representative: Albert A. Andrin, 29 South LaSalle Street, Chicago, Ill. 60603. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Containers*, from Danbury, Conn., to points in Illinois, Indiana, Kentucky, Michigan, Missouri, Ohio, and Wisconsin, under a continuing contract or contracts with National Can Corporation.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No MC 127824 (Sub-No. 4), filed February 14, 1974. Applicant: RONE TRUCKING, INC., U.S. Highway 231—South, Morgantown, Ky. 42261. Applicant's representative: John M. Nader, P.O. Box E, Bowling Green, Ky. 42101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Wood chips, sawdust, bark, and other wood refuse*, from points in Illinois, Indiana, Missouri, and Tennessee, to the plantsite of Wescor Corporation at or near Hawesville, Ky., under contract with Wescor Corporation.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Evansville, Ind., Louisville, Ky., or Nashville, Tenn.

No. MC 128007 (Sub-No. 58), filed February 7, 1974. Applicant: HOFER, INC., P. O. Box 583 (20th and By-Pass), Pittsburg, Kans. 66762. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (a) *Dry feed ingredients*, from Sherman, Wolfe City, Quanah, Richmond, Freeport, Stamford, Fort Worth, Temple, Harlingen, Waxahachie, Bryan, and Beaumont, Tex.; and Guymon, Oklahoma City, Altus, Hollis, and Clinton, Okla., to points in Minnesota; (b) *dry feed ingredients* from Lubbock, Rotan, Hamlin, Lamesa, Plainview, Levelland, Sweetwater, El Paso, Abilene, Hereford, Friona, Etter, Pampa, Amarillo, and Dumas, Tex., to points in Minnesota; (c) *meat scraps, dried blood, blood meal, and bone meal*, from Lubbock, Rotan, Hamlin, Lamesa, Plainview, Levelland, Sweetwater, El Paso, Abilene, Hereford, Friona, Etter, Pampa, Amerillo, and Dumas, Tex. to points in Kansas and Oklahoma; (d) *meat scraps, dried blood, blood meal, and bone meal*, from points in Kansas to points in Oklahoma, Missouri, Arkansas, Texas, Nebraska, Iowa, Minnesota, North Dakota, South Dakota, Illinois, Louisiana, New Mexico, and Colorado; (e) *dry feed ingredients*, from points in Collin and Limestone Counties, Tex.; San Antonio and Abilene, Tex.; Okmulgee County, Okla.; Tulsa and Collinsville, Okla.; Roswell, Clovis, and Albuquerque, N. Mex., to points in Nebraska, Iowa, Missouri, Minnesota, Kansas, Arkansas, Oklahoma, South Dakota, North Dakota, and Texas; and (f) *meat scraps, dried blood, blood meal, and bone meal*, from points in Lafayette and Cooper Counties, Mo., to points in Nebraska, Iowa, Missouri, Minnesota, Kansas, Arkansas, Oklahoma, South Dakota, North Dakota, and Texas.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 128007 (Sub-No. 59), filed February 6, 1974. Applicant: HOFER, INC., P.O. Box 583, Pittsburg, Kans. 66762. Applicant's representative: Clyde N. Christey, 641 Harrison Street, Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Oil well sealing mixture*, from the plantsite and/or storage facilities of Gravette Shelling Co., Inc., at Gravette, Ark., to points in Montana, Utah, Arizona, Illinois, Michigan, Ohio, and Florida.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 128141 (Sub-No. 8), filed February 11, 1974. Applicant: TRI-STATE TRANSPORT, INC., P.O. Box 4109, Davenport, Iowa 52808. Applicant's representative: Carl E. Munson, 469 Fischer Building, Dubuque, Iowa 52001. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes transporting: *Liquid fertilizer and liquid fertilizer ingredients*, in bulk, in tank vehicles, (1) from at or near Buffalo, Iowa, to points in Illinois, Minnesota, Missouri, and Wisconsin; and (2) from Walcott, Iowa, to points in Illinois, Minnesota, Missouri, and Wisconsin, under continuing contract with Twin-State Engineering Company.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Davenport or Des Moines, Iowa.

No. MC 128527 (Sub-No. 47), filed February 14, 1974. Applicant: MAY TRUCKING COMPANY, a Corporation, P.O. Box 398, Payette, Idaho 83661. Applicant's representative: C. Marvin May (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates* 61 M.C.C. 209 and 766, from the facilities of Wells and Davies, Inc., at or near Payette, Idaho, to points in California, Oregon, Washington, Idaho, Nevada, Montana, Arizona, and Utah.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Boise, Idaho.

No. MC 128746 (Sub-No. 14), filed February 7, 1974. Applicant: D'AGATA NATIONAL TRUCKING CO., a Corporation, 3222 #44 South 61st Street, Philadephia, Pa. 19153. Applicant's representative: Leonard A. Jaskiewicz, 1730 M Street NW., Suite 501, Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages and related advertising materials*, from Winston-Salem, N.C., and Lysander, N.Y., to points in Delaware, Maryland, New Jersey, New York, and Norristown and Philadelphia, Pa.

NOTE.—Common control may be involved. Applicant states that the requested authority can be tacked (1) with Sub-No. 7, (a) at Baltimore, Md., to serve Clarendon, Rosslyn, and Alexandria, Va.; (b) at Trenton, N.J., to serve Steubenville, Columbus, Toledo, Cleveland, Youngstown, Akron, Canton, and Dayton, Ohio, and Washington, D.C.; (c) at New York, N.Y., to serve Washington, D.C.; (d) at Norristown, Pa., to serve points in West Virginia (except Weirton, Wheeling, and Keyser), and points in Massachusetts; and (e) at Philadelphia, Pa., to serve points in Maine, New Hampshire, Vermont, and Rhode Island; (2) with Sub-No. 10, at Norristown, Pa., to serve points in Maine, New Hampshire, Vermont, and Rhode Island; and (3) with Sub-No. 11, at Norristown, Pa., to serve points in Connecticut, Virginia, and the District of Columbia. If a hearing is deemed necessary, the applicant requests it be held at Philadelphia, Pa., or Washington, D.C.

No. MC 129350 (Sub-No. 40), filed February 11, 1974. Applicant: CHARLES E. WOLFE, doing business as EVERGREEN EXPRESS, Box 212, Billings, Mont. 59103. Applicant's representative: Clayton Brown (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meat, meat products, meat byproducts*, and *dairy products* and *articles distributed by meat packinghouses* as described in Sections A, B, C, and D of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles and hides), from Billings, Mont., to points in Arizona, Arkansas, California, Colorado, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, New Mexico, North Dakota, Ohio, Oklahoma, Oregon, South Dakota, Texas, Washington, Wisconsin, and Wyoming; and (2) *such commodities* as are used by meat packers in the conduct of business when destined to and for use by meat packers, from points in Minnesota and Colorado, to Billings, Mont.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Billings, Mont.

No. MC 129827 (Sub-No. 2), filed January 25, 1974. Applicant: BLAIR MOTOR SERVICE, INCORPORATED, 1531 East 14th Street, St. Louis, Mo. 63106. Applicant's representative: B. W. La Tourette, Jr., 611 Olive Street, Suite 1850, St. Louis, Mo. 63101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Shoes, shoe findings, and shoe materials*, between the plantsite of Brown Shoe Company, at Trenton, Tenn., and St. Louis, Mo.

NOTE.—Dual operations may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 133119 (Sub-No. 47), filed February 8, 1974. Applicant: HEYL TRUCK LINES, INC., P.O. Box 206, 235 Mill Street, Akron, Iowa 51001. Applicant's representative: Roger Heyl (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), (a) from Fargo and West Fargo, N. Dak., to Minneapolis, St. Paul, and Duluth, Minn.; Eau Claire, Kenosha, Madison, and Milwaukee, Wis.; Chicago, Ill.; Omaha, Nebr.; and Sioux City, Iowa; (b) from Sioux City, Iowa, to Omaha, Nebr.; Fargo and West Fargo, N. Dak.; Kenosha, Milwaukee, Madison, and Eau Claire, Wis.; Detroit, Mich.; Kansas City and St. Joseph, Mo.; and (c) from Omaha, Nebr., to Sioux City and Des Moines, Iowa; Fargo and West Fargo, N. Dak.; Kansas City and St. Joseph, Mo.; and Minneapolis, Minn., restricted in (a), (b), and (c) to traffic originating at the facilities of Flavorland Industries, Inc., at the named origins and destined to the named destinations; (2) *meats, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Hospers, Iowa, to Sioux Falls, S. Dak.; Omaha, Lincoln, and Schuyler, Nebr.; Minneapolis, St. Paul, Rochester, and Duluth, Minn.; Eau Claire, Madison, and Milwaukee, Wis.; Kansas City, St. Joseph, and St. Louis, Mo.; New Orleans, La.; and Elgin, Rock Island, Peoria, Joliet, Rockford, and Chicago, Ill., restricted to traffic originating at the facilities of Banner Beef Co. at the named origin, and destined to the named destinations; and (3) *meats, meat products, and meat byproducts, and such commodities* as are used by meat packers in the conduct of their business, as described in Sections A and D 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, in tank vehicles), from points in Kansas, Missouri, Nebraska, Iowa, and Minnesota, to the facilities of Yankton Sioux Industries at or near Wagner, S. Dak., restricted to traffic originating at the named origins and destined to the named destination.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authortiy. If a hearing is deemed necessary, applicant requests it be held at Sioux City, Iowa, or Omaha, Nebr.

No. MC 133296 (Sub-No. 6), filed February 11, 1974. Applicant: DRACHE TRUCK LINE, INC., P.O. Box 42, Medford, Minn. 5504. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages and related advertising materials*, from Trenton, N.J. to points in Minneapolis Minn., under continuing contract with Rex Distributing Co., Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 133316 (Sub-No. 9), filed December 22, 1972. Applicant: FRANK R. GIVIGLIANO, doing business as GIVIGLIANO TRANSPORT, 1513 San Pedro Street, P.O. Box 22, Trinidad, Colo. 81082. Applicant's representative: Joseph F. Nigro, 1515 Cleveland Place, Suite 400, Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except household goods, commodities in bulk, Classes A and B explosives, commodities requiring special equipment and those of unusual value), between Denver, Colo., and Red River, N. Mex.: From Denver over Interstate Highway 25 to Raton, N. Mex., thence over U.S. Highway 64 to Eagle Nest, N. Mex., thence over New Mexico Highway 38 to Red River, and return over the same route, serving the intermediate points of Colorado Springs, Pueblo, and Trinidad, Colo., all intermediate points in New Mexico, and the off-route point of Springer, N. Mex.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Raton, N. Mex., or Trinidad or Denver, Colo.

No. MC 133549 (Sub-No. 4), filed January 31, 1974. Applicant: STANLEY L. BERVEN, 117 Fairview Drive, South Sioux City, Nebr. 68776. Applicant's representative: Stewart A. Huff, 314 Security Bank Building, Sioux City, Iowa 51101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Animal and poultry feed and animal and poultry feed supplements*, in bulk and in bag, or in combination, from the plantsites of O. A. Cooper Company, located at or near Beatrice, Humboldt, and Cozad, Nebr., Abilene, Kans., and Oklahoma City, Okla., to points in Nebraska, Kansas, Oklahoma, and those points in Colorado, on and east of U.S. Highway 71, and on and north of U.S. Highway 24 (Interstate 70), under contract with O. A. Cooper Company.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Sioux City, Iowa, Omaha, Nebr., or Kansas City, Mo.

No. MC 134806 (Sub-No. 20), filed February 14, 1974. Applicant: B–D–R TRANSPORT, INC., P.O. Box 813, Bratleboro, Vt. 05301. Applicant's representative: Francis J. Ortman, 1100 17th Street NW., Washington, D.C. 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Skis, skiing equipment and accessories*, from Middletown, Conn., to Chicago, Ill., Denver, Colo., Salt Lake City, Utah, and Reno, Nev., under contract or contracts with Olin Ski Company, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Hartford, Conn., or Washington, D.C.

No. MC 134888 (Sub-No.)3, filed February 11, 1974. Applicant: MOROSA BROS. TRANSPORTATION CO. a Corporation, 4800 Stein Road, Bakersfield, Calif. 93309. Applicant's representative: Carl H. Fritze, 1545 Wilshire Boulevard, Los Angeles, Calif. 90017. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Limestone*, crushed, ground, or pulverized, in bulk, from the plant site of La Habra Products, Inc., at or near Lucerne, Calif., to points in Nevada.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held in Los Angeles, Calif.

No. MC 134922 (Sub-No. 60), filed February 11, 1974. Applicant: B. J. MCADAMS, INC., Route 6, Box 15, North Little Rock, Ark. 72118. Applicant's representative: L .C. Cypert (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Ground barites* (except in bulk), from Gonzales, Houston, and Zavalla, Tex., and Morgan City, La., to points in Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, Oklahoma, and Tennessee; and (2) *common ground clay and ground soapstone* (except in bulk), from Gonzales, Palestine, and Zavalla, Tex., to points in Oklahoma.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Houston, Tex., or Little Rock, Ark.

No. MC 134952 (Sub-No. 2), filed February 11, 1974. Applicant: LOUIS E. RITT AND DIANNE RITT, doing business as ANTRIM COUNTY AVIATION, Box 395, Bellaire, Mich. 49615. Applicant's representative: Robert E. McFarland, 635 Elm Street, Birmingham, Mich. 48011. Authority sought to operate as a *common carrier*, by motor vehicle, over

irregular routes, transporting: *General commodities* (except commodities in bulk, Classes A and B explosives, household goods as defined by the Commission, and commodities requiring special handling), between points in Antrim, Charlevoix, Cheboygan, and Emmet Counties, Mich., on the one hand, and, on the other, the Detroit Metropolitan Wayne County Airport, at or near Romulus, Mich., and the Willow Run Airport, at or near Ypsilanti, Mich., restricted to traffic having a prior or subsequent movement by air.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Lansing or Detroit, Mich.

No. MC 135007 (Sub-No. 41), filed February 6, 1974. Applicant: AMERICAN TRANSPORT, INC., P.O. Box 37406, Millard Station, Millard, Nebr. 68137. Applicant's representative: Charles J. Kimball, 2310 Colorado State Bank Building, 1600 Broadway, Denver, Colo. 80202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Frozen foods and commodities* exempt from economic regulation under Section 203(b)(6) of the Interstate Commerce Act, when moving in connection with frozen foods, (a) from Solon and Cleveland, Ohio, to points in the United States (except Alaska); (b) from King of Prussia, Pa., to points in Ohio, New York, New Jersey, California, Florida, Pennsylvania, Georgia, Texas, Colorado, Missouri, Kansas, Utah, Washington, Nebraska, Iowa, Minnesota, Wisconsin, Indiana, Kentucky, Maryland, and the District of Columbia; (c) from Patterson, Calif., to points in California, Washington, Ohio, Texas, Colorado, Utah, Kansas, Nebraska, Iowa, Missouri, Minnesota, Wisconsin, Indiana, Kentucky, Florida, Georgia, New York, Pennsylvania, Maryland, and the District of Columbia; and (d) from Quincy, Ill., to points in California, New York, New Jersey, Ohio, Florida, Georgia, Colorado, Pennsylvania, Maryland, Indiana, Kentucky, Minnesota, Wisconsin, Nebraska, Kansas, Iowa, Missouri, Texas, Utah, Washington, and the District of Columbia; and (2) *ingredients, materials, and supplies* used in the production and distribution of frozen foods, from points in California, Washington, Oregon, Tennessee, Texas, Mississippi, Nebraska, North Carolina, and Illinois, to Solon, Ohio, King of Prussia, Pa., Patterson, Calif.; and Quincy, Ill., under a continuing contract or contracts with Stouffer Foods, Division of the Stouffer Corporation.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Cleveland, Ohio.

No. MC 135170 (Sub-No. 3), filed February 7, 1974. Applicant: TRI-STATE ASSOCIATES, INC., P.O. Box 188, Federalsburg, Md. 21632. Applicant's representative: James C. Hardman, 127 North Dearborn Street, Chicago, Ill. 60602. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Containers, container ends and accessories, and materials, equipment, and supplies*, used in connection with the manufacture, sale, and distribution of containers, from Philadelphia, Pa., and Baltimore, Md., to points in Delaware and Virginia, under continuing contract with American Can Co.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 135821 (Sub-No. 2), filed February 11, 1974. Applicant: MADELINE MILESTONE, 4233 Leiper Street, Philadelphia, Pa. 19124. Applicant's representative: John W. Frame, Box 626, 2207 Old Gettysburg Road, Camp Hill, Pa. 17011. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by wholesale or retail department stores*, between Philadelphia, Pa., on the one hand, and, on the other, points in Georgia and Florida, under a continuing contract or contracts with Lionel Leisure, Inc., at New York, N.Y., restricted to the transportation of traffic moving from or to the stores and facilities of Lionel Leisure, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Harrisburg, Pa.

No. MC 135874 (Sub-No. 39), filed February 6, 1974. Applicant: LTL PERISHABLES, INC., 132nd and Q Streets, Omaha, Nebr. 68137. Applicant's representative: Donald L. Stern, 530 Univac Building, 7100 W. Center Road, Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foodstuffs, including frozen foodstuffs not for human consumption* (restricted against the transportation of the above-named commodities in bulk, in tank vehicles), between Beaver Dam and Milwaukee, Wis., on the one hand, and, on the other, points in Iowa, Kansas, Missouri, and Nebraska, restricted to traffic originating at, or destined to the plantsites and warehouse facilities of Wisconsin Cold Storage, Inc., at Beaver Dam and Milwaukee, Wis.

NOTE.—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Milwaukee, Wis.

No. MC 135877 (Sub-No. 14), filed October 29, 1973. Applicant: RONALD R. BRADER, doing business as SPECIALIZED TRUCKING SERVICE, 1508 South 4th Avenue, Yakima, Wash. 98902. Applicant's representative: Ronald R. Brader (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Pool tables and table tennis tables, knocked down, parts thereof, accessories, equipment, and supplies* used in connection with pool and table tennis tables, between the plant and warehouse facilities of Frederick-Willys, Inc., at or near Corcoran, Calif., on the one hand, and, on the other, points in Oregon and Washington; and (2) *wooden shakes, shingles, ridges, and other accessorial parts* for installation of roofs, between points in Washington, on the one hand, and, on the other, points in California and Nevada.

NOTE.—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg., or Yakima, Wash.

No. MC 136318 (Sub-No. 21), filed February 5, 1974. Applicant: COYOTE TRUCK LINE, INC., 395½ B West Fleming Drive, Morganton, N.C. 28655. Applicant's representative: Walter F. Jones, Jr., 601 Chamber of Commerce Bldg., Indianapolis, Ind. 46204. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Pressed wood board*, from points in Oregon, to Lenoir, Pleasant Garden, Thomasville, and Winston-Salem, N.C., and Appomatox, Va., under contract with Thomasville Furniture Industries, Inc., located at Thomasville, N.C.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Raleigh, N.C.

No. MC 136786 (Sub-No. 45), filed February 15, 1974. Applicant: ROBCO TRANSPORTATION, INC., 3033 Excelsior Blvd., Suite 205, Minneapolis, Minn. 55416. Applicant's representative: Val Higgins, 1000 First National Bank Bldg., Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses* (except hides and commodities in bulk, in tank vehicles), from Billings, Mont., to points in the United States (except Alaska and Hawaii), restricted to traffic originating at the plantsites and storage facilities utilized by Pierce Packing Co., and Midland Empire Packing Co., Inc., at Billings, Mont., and destined to points in the named States.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Billings, Mont.

No. MC 136941 (Sub-No. 3), filed January 28, 1974. Applicant: CHANCE CORPORATION, General Delivery, Tse Benito, N. Mex. Applicant's representative: Lynn William Mitton, P.O. Box 849, Window Rock, Ariz. 86515. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except commodities in bulk, in tank vehicles, Classes A and B explosives, household goods and commodities which require the use of special equipment because of size or weight), between points in Gamerco, N. Mex.; Holbrook, Snowflake, Winslow, and Flagstaff, Ariz.; Ignacio, Colo.; Clearfield, Richfield, and Brigham City, Utah, under contract with The Bureau of Indian Affairs, United States Department of the Interior, Property and Supply Office.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Gallup, N. Mex., or Window Rock, Ariz.

No. MC 138128 (Sub-No. 7), filed February 8, 1974. Applicant: LEMMONS & CO., INC., 535 South Second Street, Boonville, Ind. 47601. Applicant's representative: Michael V. Gooch, 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.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or Washington, D.C.

No. MC 138438 (Sub-No. 5), filed January 14, 1974. Applicant: DONALD M. BOWMAN, JR., Route 3, Box 26, Hagerstown, Md. 21740. Applicant's representative: Charles E. Creager, P.O. Box 1417, Hagerstown, Md. 21740. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Brick* and *tile* from Williamsport and Hagerstown, Md., to the District of Columbia, and those points in Pennsylvania, West Virginia, Virginia, and Delaware within 165 miles of Williamsport and Hagerstown, Md.; (2) *concrete products*, from Hagerstown, Md., to points in Connecticut, Delaware, Illinois, Indiana, Massachusetts, Michigan, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Virginia, West Virginia, and the District of Columbia; (3) *brick* (except refractory brick) from Hagerstown and Williamsport, Md., to points in Connecticut, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, Virginia, and West Virginia; (4) *brick* (except refractory brick), and *tile*, (a) from Winchester, Va., to points in Delaware, New Jersey, New York, Ohio, Pennsylvania, and West Virginia; (b) from Somerset, Va., to points in West Virginia, Maryland, Pennsylvania, and the District of Columbia; and (c) from points in Arlington County, Va., to points in West Virginia, Maryland, and Pennsylvania; (5) *brick*, (a) from points in Frederick County, Md., to the District of Columbia and points in Virginia and West Virginia; (b) from Rossville, Md., to the District of Columbia and points in Virginia; and (c) from Martinsburg, W. Va., to points in Maryland, Virginia, Pennsylvania, Delaware, New Jersey, New York, Connecticut, Massachusetts, and the District of Columbia.

(6) *Building materials* and *supplies* and *materials and supplies* used in the manufacture, packaging, and distribution thereof (except commodities in bulk, and those which because of size or weight require the use of special equipment), *tan bark and marble chips*, from Gibbsboro, N.J., to points in Delaware, Maryland, Ohio, Pennsylvania, Virginia, West Virginia, and the District of Columbia; and (7) *tan bark*, from Williamsport, Md., (a) to points in Delaware, Illinois, Indiana, Mississippi, New Jersey, New York, Ohio, Pennsylvania, Virginia, West Virginia, and the District of Columbia; and (b) to points in Delaware, Illinois, Indiana, Mississippi, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia; and (8) *cattle hides*, from points in Illinois, Indiana, Ohio, and Pennsylvania, to Williamsport, Md.

NOTE.—Applicant seeks to convert its existing authorities held in M.C. 117613, lead certificate and Sub-Nos. 1, 2, 6, 7, 11, and 12, to common carrier authority. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 138635 (Sub-No. 10), filed February 13, 1974. Applicant: CAROLINA WESTERN EXPRESS, INC., 650 Eastwood Drive, Gastonia, N.C. 28052. Applicant's representative: John R. Sims, Jr., Suite 600, 1707 H St., NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Synthetic fabric yarns*, from the plantsites of A. M. Smyre Manufacturing Company, at Ranlo, N.C., to points in California.

NOTE.—Applicant holds contract carrier authority in MC 136464 (Sub-No. 2), therefore dual operations may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Charlotte, N.C.

No. MC 138694 (Sub-No. 1), filed February 4, 1974. Applicant: RALPH ADAMS, doing business as BLUE LINE TRUCKING, P.O. Box 1086, Beaumont, Calif. 92223. Applicant's representative: Thomas E. Rubbert, Suite 2104, 606 South Olive Street, City National Bank Building, Pershing Square, Los Angeles, Calif. 90014. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Steel grinding balls*, in bulk, in shipper-owned buckets, from Indio, Calif., to Eagle Mountain, Calif., under contract with Kaiser Steel Corp.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Los Angeles, Calif., or San Francisco, Calif.

No. MC 138835 (Sub-No. 15), filed February 14, 1974. Applicant: EASTERN REFRIGERATED TRANSPORT, INC., Post Office Box 1059, Harrisonburg, Va. 22801. Applicant's representative: Harry J. Jordan, 1000 Sixteenth Street, NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Frozen bakery products*, from the plantsite and warehouse facilities of Mrs. Smith's Pie Company at Pottstown and Philadelphia, Pa., to points in Virginia, North Carolina, South Carolina, Kentucky, Tennessee, Ohio, Indiana, Illinois, Missouri, West Virginia, Wisconsin, Minnesota, Iowa, Maine, Vermont, New Hampshire, Massachusetts, Connecticut, and Rhode Island, and (2) *rejected shipments of the same commodities* on return.

NOTE.—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 138896 (Sub-No. 7), filed February 6, 1974. Applicant: AJAX TRANSFER COMPANY, a Corporation, 550 East Fifth Street South, South St. Paul, Minn. 55075. Applicant's representative: Donald L. Stern, 7100 West Center Road, Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foodstuff, including frozen foodstuffs not for human consumption*, restricted against the transportation of the above-named commodities in bulk, in tank vehicles, between Beaver Dam and Milwaukee, Wis., on the one hand, and on the other, points in Minnesota, Iowa, Illinois, North Dakota, South Dakota, and Michigan, restricted to traffic originating at, or destined to, the plantsites and warehouse facilities of Wisconsin Cold Storage, Inc., at Beaver Dam and Milwaukee, Wis.

NOTE.—Applicant holds contract carrier authority in MC 119391 and subs thereunder, therefore dual operations may be involved. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Milwaukee, Wis.

No. MC 139118 (Sub-No. 1), filed February 11, 1974. Applicant: GENERAL MOVERS CORPORATION, Building No. 16, Lakewood Industrial Park, Tacoma, Wash. 98499. Applicant's representative: Del Benedict, 3600 South 124th, Seattle, Wash. 98168. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, between points in King, Pierce, Kitsap, Thurston, and Yakima Counties, Wash., restricted to the transportation of shipments having a prior or subsequent movement, in containers, beyond the points authorized, and further restricted to the performance of pickup and delivery service in connection with the packing, crating, and containerization or unpacking, uncrating, and decontainerization of such shipments.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at either Seattle or Tacoma, Wash.

No. MC 139176, filed October 11, 1973, published in the FEDERAL REGISTER issue of December 6, 1973, and republished as corrected this issue. Applicant: CASCADE MOBILE HOME TRANSPORT, INC., 650 Lancaster Dr. NE., Salem, Oreg. 97301. Applicant's representative: John G. McLaughlin, 620 Blue Cross Building, 100 SW. Market Street, Portland, Oreg. 97201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mobile homes, sectional buildings, travel trailers, and campers and recreational vehicles*, in initial and secondary movements, between points in Oregon, Washington, and Idaho.

NOTE.—The purposes of this republication are: (1) To note the correct MC No. which

was previously published as MC 138176; and (2) to indicate the following hearing information:

HEARING: Joint Board 81, June 10, 1974 (1 week), at 9:30 a.m. local time, at Salem, Oreg. in a hearing room to be later designated.

No. MC 139177 (Sub-No. 1), filed February 11, 1974. Applicant: MAIERS TRANSFER & STORAGE CO., INC., 515 25th Avenue North, St. Cloud, Minn. 56301. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, from the plantsite of Hoerner-Waldorf Corporation, at St. Cloud, Minn., to points in North Dakota, under contract with Hoerner-Waldorf Corporation.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 139321 (Sub-No. 2), filed February 11, 1974. Applicant: COILE CONTRACT CARRIER, INC., Blue Ridge Industrial Park, P.O. Box 705, Norcross, Ga. 30071. Applicant's representative: Alan E. Serby, 1600 First Federal Building, P.O. Box 872, Atlanta, Ga. 30301. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) (a) *Lead bearing scrap materials, non-ferrous scrap metal and equipment, materials, and supplies*, used in the processing thereof, and (b) *brass ferrules and brass flanges; and lead wood solder and scrap materials*, from points in Alabama, Florida, Illinois, Indiana, Kentucky, Maryland, Massachusetts, Minnesota, Missouri, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Virginia, West Virginia, Wisconsin, Georgia, Arkansas, Michigan, Delaware, Connecticut, and New Jersey, to plantsites and warehouse facilities utilized by Seitzinger's, Inc., at Atlanta, Ga.; and (2) (a) *metal alloys;* and (b) *fabricated lead products*, from the plantsites and warehouse facilities of Seitzinger's, Inc., at Atlanta, Ga., to points in the United States on and east of the westernmost boundaries of Minnesota, Iowa, Missouri, Arkansas, and Texas, under a continuing contract with Seitzinger's, Inc., restricted against the transportation of commodities in bulk, and those which because of size or weight require the use of special equipment, and further restricted to services to be performed under a continuing contract with Seitzinger's, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 139408 (Sub-No. 1), filed February 11, 1974. Applicant: BULMAN TRUCKING SERVICE, INC., 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 New York City, N.Y., under contract with Meadowland Dairy Association.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., Omaha, Nebr., or Kansas City, Mo.

No. MC 139495 (Sub-No. 1), filed February 13, 1974. Applicant: NATIONAL CARRIERS, INC., 1501 East 8th Street, P.O. Box 1358, Liberal, Kans. 67901. Applicant's representative: Frederick J. Coffman, 521 South 14th Street, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Soybean oil*, in bulk, from the plantsites of Cargill, Inc., at Wichita, Kans.; Archer Daniels Midland Co., at Fredonia, Kans.; and Kansas Soya Products Co., at Emporia, Kans.; to the plantsite of Wilson & Co., Inc., at Oklahoma City, Okla.; and (2) *animal fats and oils, vegetable oils and blends thereof*, in bulk, from the plantsite of Wilson & Co., Inc., at Oklahoma City, Okla., to points in Arkansas, Indiana, Kansas, Tennessee, and Texas, restricted to the transportation of traffic originating at the above named origins, and destined to the points named above.

NOTE.—Applicant holds contract carrier authority in MC 133106 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr., or Kansas City, Mo.

No. MC 139518 (Sub-No. 1), filed February 11, 1974. Applicant: GEORGE E. PAGEL, Rt. 1, Box 29, Stratford, S. Dak. 57474. Applicant's representative: Raymond M. Schutz, 500 Capitol Building, Aberdeen, S. Dak. 57401. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt*, in bags and in bulk, from Hutchinson, Kans., to points in South Dakota.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Pierre, S. Dak.

No. MC 139523 (Sub-No. 1), filed February 11, 1974. Applicant: JOHN ARDITO AND HAROLD FLAUM, doing business as J & H TRUCKING CO., 439 Bayview Avenue, Inwood, N.Y. Applicant's representative: Arthur J. Piken, 1 Lefrak City Plaza, Flushing, N.Y. 11368. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Such commodities as are dealt in, used by, and sold by retailers and distributors or carpeting, rugs, and padding*, (1) from Inwood, N.Y., to Bridgeport, Conn., and points in Baltimore County, Md.; (2) from Barrington, R.I., to Inwood, N.Y.; and (3) between Inwood, N.Y., on the one hand, and, on the other, points in New Jersey, Bucks, Chester, Delaware, and Montgomery Counties, Pa., and Philadelphia, Pa., and Dedham, Mass., under contract with Allen Carpet Shops, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 139546 (Sub-No. 2), filed February 11, 1974. Applicant: JAMES B. GRAY, INC., Danforth, Me. 04424. Applicant's representative: Theodore Polydoroff, Suite 600, 1250 Connecticut Ave. NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood chips*, in bulk, from Patten and Crystal, Me., to points in Maine on the International Boundary line between the United States and Canada.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Portland, Me.

No. MC 139562, filed January 11, 1974. Applicant: FRED E. WILLIS AND CHARLES M. HALL, a Partnership, doing business as TIMELY AIR TRUCKING, 31059 Ecorse Road, Romulus, Mich. 48174. Applicant's representative: Timothy R. Sinclair, Roseville Theatre Building, Roseville, Mich. 48066. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, commodities in bulk, household goods as defined by the Commission and those requiring special equipment), between Detroit Metropolitan Airport and Chicago O'Hare International Airport, restricted to the transportation of traffic having an immediate prior or subsequent movement by air.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Detroit or Lansing, Mich.

No. MC 139563, filed February 11, 1974. Applicant: WEATHERS BROTHERS TRANSFER CO. OF N.C., a Corporation, 921 East Forsyth Street, Jacksonville, Fla. 32202. Applicant's representative: Sol H. Proctor, 1107 Blackstone Building, Jacksonville, Fla. 32202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods in containers*, having a prior or subsequent movement beyond the points applied for, between points in North Carolina, restricted to the performance of pickup and delivery service in connection with the packing, crating, and containerization or unpacking, uncrating, and decontainerization of such traffic.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Jacksonville, Fla.

No. MC 139564, filed February 11, 1974. Applicant: WEATHERS BROTHERS TRANSFER CO., INC., 921 East Forsyth Street, Jacksonville, Fla. 32202. Applicant's representative: Sol H. Proctor, 1107 Blackstone Building, Jacksonville, Fla. 32202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, between points in Florida, restricted to the transportation of shipments having a prior or subsequent movement, in containers, beyond the points authorized, and further restricted

to the performance of pickup and delivery service in connection with the packing, crating, and containerization or unpacking, uncrating, and decontainerization of such shipments.

NOTE.—If a hearing is deemed necessary the applicant requests it be held at Jacksonville, Fla.

No. MC 139566, filed February 5, 1974. Applicant: FEDERAL ARMORED EXPRESS, INC., 910 S. Grundy Street, Baltimore, Md. 21203. Applicant's representative: Russell R. Sage, 421 King Street, Tavern Square, Suite 301, Alexandria, Va. 22314. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transportings: *United States bonds*, between points in the United States (except Alaska and Hawaii), under a continuing contract or contracts with General Services Administration.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 139569, filed February 7, 1974. Applicant: G & T TRUCKING CO., a Corporation, Rural Route #1, Box 698, Shakopee, Minn. 55379. Applicant's representative: James E. Ballenthin, 630 Osborn Building, St. Paul, Minn. 55102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Washed and unwashed sand, gravel, aggregate, crushed rock, and asphalt materials*, in bulk, in bottom dump and end dump trailer vehicles and in dump trucks, (a) from points in Minnesota, to the plant sites of Mathy Construction Company and its affiliated companies located in Wisconsin; and (b) from points in Wisconsin, to the plant sites of Mathy Construction Company and its affiliated companies located in Minnesota; and (2) *black oil* (road oil) and *burner fuel*, from points in Minnesota, to the plant sites of Mathy Construction Company and its affiliated companies located in Wisconsin, under a continuing contract or contracts with Mathy Construction Company.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at St. Paul, Minn.

No. MC 139577, filed February 6, 1974. Applicant: ADAMS TRANSIT, INC., Friesland, Wis. 53935. Applicant's representative: Edward Solie, Executive Building, Suite 100, 4513 Vernon Boulevard, Madison, Wis. 53705. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foodstuffs, including frozen foodstuffs not for human consumption*, between Beaver Dam and Milwaukee, Wis., on the one hand, and on the other, points in Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, New Jersey, New York, North Dakota, Ohio, Pennsylvania, South Dakota, and Wisconsin, restricted against the transportation of the above-named commodities in bulk, in tank vehicles, and further restricted to traffic originating at, or destined to, the plant-sites and warehouse facilities of Wisconsin Cold Storage, Inc., at Beaver Dam and Milwaukee, Wis.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at either Washington, D.C., Chicago, Ill., Milwaukee, Wis. or Madison, Wis.

No. MC 139605 (Amendment) filed December 3, 1973, published in the FR issue of January 17, 1974, as MC-135056 (Sub-No. 4) and republished as amended this issued. Applicant: MJR ENTERPRISES, a corporation, 20407 S. Normandie Ave., Torrance, Calif. 90502. Applicant's representative: Donald Murchison, 9454 Wilshire Blvd., Suite 400, Beverly Hills, Calif. 90212. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise* as is dealt in by retail furniture stores, including counter and cabinets, and store fixtures and equipment, (1) between points in California, Oregon, and Washington, on the one hand, and, on the other, points in the United States including Alaska, but excluding Hawaii; and (2) from Salt Lake City and Ogden, Utah, to points in Idaho.

NOTE.—The purpose of this republication is to indicate that applicant seeks common carrier authority. If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

MOTOR CARRIER PASSENGER APPLICATIONS

No. MC 84728 (Sub-No. 61), filed February 4, 1974. Applicant: SAFEWAY TRAILS, INC., 1200 Eye Street NW., Washington, D.C. Applicant's representative: James E. Wilson, Suite 1032, Pennsylvania Bldg., Washington, D.C. 20004. Authority sought to operats as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and express and newspapers* in the same vehicle with passengers, between junction Interstate Highway 295 and New Jersey Highway 73, and junction Interstate Highway 295 and U.S. Highway 206, as follows: From junction Interstate Highway 295 and New Jersey Highway 73 over Interstate Highway 295 to junction Interstate Highway 295 and U.S. Highway 206, and return over the same route.

NOTE.—By this application, applicant seeks authority under the provisions of the Commission's rules in 49 C.F.R. 1042.1 Superhighway Rules. If a hearing is deemed necessary, applicant does not specify a location.

No. MC 89037 (Sub-No. 7), filed February 8, 1974. Applicant: CONTINENTAL PACIFIC LINES, a CORPORATION, doing business as CONTINENTAL PACIFIC TRAILWAYS, 1501 South Central Avenue, Los Angeles, Calif. 90021. Applicant's representative: R. Y. Schuremen, 1545 Wilshire Boulevard, Los Angeles, Calif. 90017. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in special operations and round-trip tours, beginning and ending at points in Clark, Cowlitz, Lewis, Thurston, Pierce, and King Counties, Wash.; and points in Multnomah, Washington, Clackamas, Marion, Linn, Lane, Douglas, Josephine, and Jackson Counties, Oreg., and extending to points in the United States, including Alaska, but excluding Hawaii.

NOTE.—Common control was approved in MC-F-10160 and MC-F-10161. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg., and Seattle, Wash.

No. MC 115300 (Sub-No. 2), filed February 8, 1974. Applicant: CHARLES SIMMONS, SR., doing business as HILTON HEAD TRUCK LINES, P.O. Box 1026, Hilton Head Island, S.C. 29928. Applicant's representative: J. Thomas Mikell, P.O. Box 1107, Beaufort, S.C. 29902. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers, baggage, and express freight*, in packages, not to exceed 150 pounds each in weight, in regular and charter operations, between Savannah, Ga., Levy, Hardeeville, Bluffton, Pritchardville, S.C., and points on Hilton Head Island, S.C.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at either Columbia, or Charleston, S.C.

No. MC 116767 (Sub-No. 3), filed March 4, 1974. Applicant: THE GRAY LINE, INC., 1010 Eye Street NW., Washington, D.C. 20001. Applicant's representative: S. Harrison Kahn, Suite 733, Investment Building, Washington, D.C. 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Passengers*, between Sterling, Va., inclusive of the Sterling Park and Sugarland Run residential areas, on the one hand, and, on the other, points in the District of Columbia, under a continuing contract or contracts with Sugarland Run Jaycees, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 139560, filed February 14, 1974. Applicant: LEO R. DEE, doing business as DEE BUS SERVICE, 54 Orchard Road, (West) Concord, Mass. 01742. Applicant's representative: Frank Daniels, 15 Court Square, Boston, Mass. 02108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, in charter operations, beginning and ending at Concord, Mass., and extending to points in New York, Maine, New Hampshire, Vermont, Connecticut, Rhode Island, District of Columbia, Virginia, Pennsylvania, New Jersey, Delaware, and Maryland.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Boston, Mass.

No. MC 139561, filed February 14, 1974. Applicant: HUB BUS LINES, INC., 739

Boylston Street, Boston, Mass. 02116. Applicant's representative: Frank Daniels, 15 Court Square, Boston, Mass. 02108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage* in the same vehicle with passengers, in charter operations, beginning and ending at Boston, Mass., and extending to points in Maine, New Hampshire, Vermont, Connecticut, Rhode Island, New York, New Jersey, Delaware, Pennsylvania, Maryland, District of Columbia, Virginia, North Carolina, South Carolina, Tennessee, Alabama, Georgia, and Florida.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

BROKER APPLICATION

No. MC 21763 (Sub-No. 1), filed February 6, 1974. Applicant: ALLIED BUS CORPORATION, 165 West 46th Street, New York, N.Y. 10036. Applicant's representative: Sidney J. Leshin, 575 Madison Avenue, New York, N.Y. 10022. Authority sought to engage in operation, in interstate or foreign commerce, as a *broker* at New York, N.Y., and Los Angeles, Calif., to sell to common motor carrier service the transportation of *passengers and their baggage*, in all expense tours, *for individuals and groups*, in special and charter operations, between cities in the United States, having airports for international flights, on the one hand, and, on the other, points in the United States, including Alaska and Hawaii, restricted to traffic having an immediate prior or subsequent movement by air in foreign commerce. If a hearing is deemed necessary, the applicant requests it be held at New York, N.Y.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74-6937 Filed 3-27-74;8:45 am]

[Notice 474]

ASSIGNMENT OF HEARINGS

MARCH 25, 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.

W-406 Sub 11, Ohio Barge Line, Inc., Extension Upper Mississippi River, now assigned continued hearing April 2, 1974, at Washington, D.C., is postponed indefinitely.

MC 138875 Sub 9, Shoemaker Trucking Co., now assigned *April 1, 1974* at Portland, Oregon, is postponed to *April 2, 1974* at Portland, Oregon, in Room 103, Pioneer Courthouse, 555 SW. Yamhill Street.

MC 1872 Sub-81, Ashworth Transfer, Inc., now being assigned June 17, 1974 (2 weeks), at San Francisco, California, in a hearing room to be later designated.

MC 83539 Sub-379, C & H Transportation Co., Inc., now being assigned June 17, 1974 (2 weeks), at San Francisco, California, in a hearing room to be later designated.

MC 125433 Sub-41, F-B Truck Line Company, now being assigned June 17, 1974 (2 weeks), at San Francisco, California, in a hearing room to be later designated.

MC 92633 Sub-22, Zirbel Transport, Inc., now being assigned June 24, 1974 (1 week), at Portland, Oregon, in a hearing room to be later designated.

MC 65660 Sub 7, Warner & Smith Motor Freight, Inc., continued to April 16, 1974, at the Offices of the Interstate Commerce Commission, Washington, D.C.

[SEAL] JOSEPH M. HARRINGTON,
Acting Secretary.

[FR Doc.74-7215 Filed 3-27-74;8:45 am]

[No. AB-6 (Sub-No. 10)]

BURLINGTON NORTHERN INC.

Notice of Abandonment

Upon consideration of the record in the above-entitled proceeding and of a staff-prepared environmental threshold assessment survey which is available for public inspection upon request; and

It appearing, that no environmental impact statement need be issued in this proceeding because this proceeding does not represent a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969, 42 U.S.C. 4321, et seq.; and good cause appearing therefore:

It is ordered, That applicant be, and is hereby, directed to publish the appended notice in a newspaper of general circulation in King County, Wash., within 15 days of the date of service of this order, and certify to this Commission that this has been accomplished.

And it is further ordered, That notice of this order shall be given to the general public by depositing a copy thereof in the Office of the Secretary of the Commission at Washington, D.C., and by forwarding a copy to the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER.

Dated at Washington, D.C., this 19th day of March, 1974.

By the Commission, Commissioner Tuggle.

[SEAL] ROBERT L. OSWALD,
Secretary.

[No. AB-6 (Sub-No. 10)]

BURLINGTON NORTHERN, INC., ABANDONMENT BETWEEN ISSAQUAH AND TANNER, KING COUNTY, WASH.

The Interstate Commerce Commission hereby gives notice that by order dated March 19, 1974, it has been determined that the proposed abandonment of the line of the Burlington Northern, Inc., between Issaquah and Tanner, King County, Wash., a distance of approximately 19.26 miles, if approved by the Commission, would not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. 4321, et seq., and that preparation of a detailed environmental impact statement will not be required under section 4332(2)(C) of the NEPA.

It was concluded, among other things, that the abandonment will facilitate plans of local governmental and public interest groups to expand the involved area's recreation and tourism potential and it is consistent with State and local land use plans. In addition, rail service to major shippers along the line will be available over other rail lines in the area. The determination was based upon the staff preparation and consideration of an environmental threshold assessment survey, which is available for public inspection upon request at the Interstate Commerce Commission, Office of Proceedings, Washington, D.C. 20423; telephone 202-343-6989.

Interested parties may comment on this matter by the submission of representations to the Interstate Commerce Commission, Washington, D.C. 20423, on or before April 12, 1974.

[FR Doc.74-7218 Filed 3-27-74;8:45 am]

FOURTH SECTION APPLICATION FOR RELIEF

MARCH 25, 1974.

An application, as summarized below, has been filed requesting relief from the requirements of Section 4 of the Interstate Commerce Act to permit common carriers named or described in the application to maintain higher rates and charges at intermediate points than those sought to be established at more distant points.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1100.40) and filed on or before April 12, 1974.

FSA No. 42819—*Perlite Rock from Antonito, Colorado.* Filed by Western Trunk Line Committee, Agent (No. A-2699), for interested rail carriers. Rates on rock, perlite, broken or crushed, dried or not dried, in carloads, as described in the application, from Antonito, Colorado, to Fordtown, Tennessee.

Grounds for relief—Market competition.

Tariff—Supplement 404 to Western Trunk Line Committee, Agent, tariff 134-Q, I.C.C. No. A-4620. Rates are published to become effective on April 25, 1974.

By the Commission.

[SEAL] JOSEPH M. HARRINGTON,
Acting Secretary.

[FR Doc.74-7216 Filed 3-27-74;8:45 am]

[Notice 40]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

MARCH 20, 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 Part 1131)

published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

No. MC 409 (Sub-No. 51 TA), filed March 7, 1974. Applicant: SCHROETLIN TANK LINE, INC., P.O. Box 511, Sutton, Nebr. 68979. Applicant's representative: Patrick E. Quinn, 605 South 14th Street, Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, from the Mapco Pipeline terminal at or near Clay Center, Kans., to points in Iowa, Nebraska, and Missouri, for 180 days. SUPPORTING SHIPPER: Charles D. Rosas, Supervisor of Transportation, Farmland Industries, Inc., P.O. Box 7305, Kansas City, Mo. 64116. SEND PROTESTS TO: Max H. Johnston, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 320 Federal Building & Court House, Lincoln, Nebr. 68508.

No. MC 30844 (Sub-No. 496 TA), filed March 6, 1974. Applicant: KROBLIN REFRIGERATED XPRESS, INC., 2125 Commercial Street, Box 5000, Waterloo, Iowa 50704. Applicant's representative: Paul Rhodes (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such articles* as are dealt in by retail discount stores (except foodstuffs and commodities in bulk), from New York, N.Y., to Birmingham, Ala.; Atlanta, Ga.; Quincy, Ill.; West Lafayette, Ind.; Paducah, Ky.; Baton Rouge, La.; Detroit, and Benton Harbor, Mich.; Springfield and St. Louis, Mo.; and Houston, Tex., for 180 days. SUPPORTING SHIPPER: Mangel Stores Corporation, 115 West 18th Street, New York, N.Y. 10011. SEND PROTESTS TO: Herbert W. Allen, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 42605 (Sub-No. 2 TA), filed March 11, 1974. Applicant: CARL H. BETZ, R.D. No. 1, Orefield, Pa. 18069. Applicant's representative: Paul B. Kemmerer, 1620 North 19th Street, Allentown, Pa. 18104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Organic plant food*, in bulk, bags and packages, from Washington, D.C., to points in Virginia, Maryland, Delaware, Pennsylvania, New Jeresy, New York, Connecticut, Rhode Island, Massachusetts, New Hampshire, Vermont, and Maine, for 180 days. SUPPORTING SHIPPER: Harry V. Ryder, Jr., Vice President, Organic Recycling, Inc., 967 South Matlack Street, West Chester, Pa. 19380. SEND PROTESTS TO: F. W. Doyle, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Federal Building, 600 Arch Street, Room 3238, Philadelphia, Pa. 19106.

No. MC 51146 (Sub-No. 365 TA), filed March 7, 1974. Applicant: SCHNEIDER TRANSPORT, INC., P.O. Box 2298, Green Bay, Wis. 54306. Applicant's representative: Neil DuJardin (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic bottles*, from Chicago, Ill., to Racine, Wis., for 180 days. SUPPORTING SHIPPER: Owens-Illinois, Inc., P.O. Box 1035, Toledo, Ohio 43666 (Lester E. Pierce, Supervisor, Rates and Services). 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 60271 (Sub-No. 5 TA), filed March 6, 1974. Applicant: HARPER TRUCK LINE, INC., P.O. Box 288, Monroe, La. 71201. Applicant's representative: W. C. Littleton, P.O. Box 288, Monroe, La. 71201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from Haughton, La., to Huttig, Ark., for 180 days. SUPPORTING SHIPPER: Olinkraft, Inc., P.O. Box 488, West Monroe, La. 71291. SEND PROTESTS TO: District Supervisor William H. Land, Jr., Interstate Commerce Commission, Bureau of Operations, 2519 Federal Office Building, 700 West Capitol, Little Rock, Ark. 72201.

No. MC 61403 (Sub-No. 224 TA), filed March 6, 1974. Applicant: THE MASON AND DIXON TANK LINES, INC., Highway 11-W, Kingsport, Tenn. 37662. Applicant's representative: Charles E. Cox (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Compressed hydrogen gas*, in bulk, in government-owned tank trailers, from Oak Ridge, Tenn., to Edwards Air Force Base, Edwards, Calif., Kirtland Air Force Base, Albuquerque, N. Mex.; TRW Systems, San Clemente, Calif.; and North American Rockwell, Rocketdyne Division, Chatsworth, Calif., for 180 days. SUPPORTING SHIPPER: Department of Defense, Regulatory Law Office, Office of the Judge Advocate General, Washington, D.C. 20310. SEND PROTESTS TO: Joe J. Tate, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 803 1808 West End Building, Nashville, Tenn. 37203.

No. MC 107496 (Sub-No. 942 TA), filed March 11, 1974. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way and Third Street, 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: *Waste or spent oil*, in bulk, in tank vehicles, from Clinton, Iowa, to Lyons, Ill. and Griffith, Ind., for 150 days. SUPPORTING SHIPPER: Chemplex Company, Rolling Meadows, Ill. 60008. SEND PROTESTS TO: Herbert W. Allen, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 109677 (Sub-No. 52 TA), filed March 8, 1974. Applicant: FORT EDWARD EXPRESS CO., INC., Route 9, Saratoga Road, Fort Edward, N.Y. 12828. Applicant's representative: J. Fred Relyea (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *No. 4 fuel oil*, in bulk, in tank vehicles, from Hopewell Junction, N.Y., to Essex Junction, Vt., for 180 days. SUPPORTING SHIPPER: International Business Machines Corp., P.O. Box 10, Princeton, N.J. 08540. SEND PROTESTS TO: Joseph M. Barnini, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 518 New Federal Building, Albany, N.Y. 12208.

No. MC 110420 (Sub-No. 703 TA), filed March 6, 1974. Applicant: QUALITY CARRIERS, INC., P.O. Box 186, Pleasant Prairie, Wis. 53158. Applicant's representative: David A. Petersen (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sodium citrate*, dry, in bulk, from the warehouse and plant facilities of Miles Laboratories at Zeeland, Mich., to the warehouse and plant facilities of Warner Jenkinson Mfg. Co., at St. Louis, Mo., for 120 days. SUPPORTING SHIPPER: Miles Laboratories, Inc., Elkhart, Ind. 46514. 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 111434 (Sub-No. 87 TA), filed March 11, 1974. Applicant: DON WARD, INC., 241 West 56th Avenue, Denver, Colo. 80216. Applicant's representative: J. Albert Sebald, 1700 Western Federal Building, Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Volcanic scoria*, from the plant site of Twin Mountain Rock Co., about 8 miles north of Des Moines, N. Mex. to points in Arizona, Colorado, Kansas, Oklahoma, and Texas, for 180 days. SUPPORTING SHIPPER: Twin Mountain Rock Co., Des Moines, N. Mex. (Mail address: P.O. Box 1009, Sheridan, Wyo. 82801). SEND PROTESTS TO: District Supervisor Roger L. Buchanan,

Bureau of Operations, Interstate Commerce Commission, 2022 Federal Building, Denver, Colo. 80202.

No. MC 112520 (Sub-No. 282 TA), filed February 22, 1974. Applicant: McKENZIE TANK LINES, INC., New Quincy Road, P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Sol H. Proctor, 1107 Blackstone Building, Jacksonville, Fla. 32202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from Panama City, Fla., to points in North Carolina and South Carolina, for 180 days. SUPPORTING SHIPPER: Ashland Chemical Company, Division of Ashland Oil, Inc., P.O. Box 2219, Columbus, Ohio 43216. SEND PROTESTS TO: District Supervisor G. H. Fauss, Jr., Interstate Commerce Commission, Bureau of Operations, Box 35008, 400 W. Bay Street, Jacksonville, Fla. 32202.

No. MC 112750 (Sub-No. 309 TA), filed March 11, 1974. Applicant: PUROLATOR COURIER CORP., 2 Nevada Drive, Lake Success, N.Y. 11040. Applicant's representative: John M. Delany (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Commercial papers, documents, written instruments* (except currency and negotiable securities) *as are used in the business of banks and banking institutions*, from Toms River, N.J., to Lake Success, N.Y., for 90 days. SUPPORTING SHIPPER: First State Bank, 1201 Rt. 37, Toms River, N.J. 08753. SEND PROTESTS TO: Anthony D. Giaimo, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 112989 (Sub-No. 37 TA), filed March 11, 1974. Applicant: WEST COAST TRUCK LINES, INC., P.O. Box 668, Coos Bay, Oreg. 97420. Applicant's representative: Frederick M. Kelley, Jr., Route 4, Box 194 R, Eugene, Oreg. 97405. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Conduit or pipe (with couplings and related accessories) of cement and asbestos fibre*, from Santa Clara and Crestmore, Calif, to points in Oregon, Washington, and Idaho, for 180 days. SUPPORTING SHIPPER: Certain-Teed Products Corporation, P.O. Box 120–A, Santa Clara, Calif. 95052. SEND PROTESTS TO: A. E. Odoms, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 114 Pioneer Courthouse, 555 SW. Yamhill Street, Portland, Oreg. 97204.

No. MC 113828 (Sub-No. 213 TA), filed February 29, 1974. Applicant: O'BOYLE TANK LINES, INC., P.O. Box 30006, Washington, D.C. 20014. Applicant's representatives: William P. Sullivan, Federal Bar Building West, 1819 H Street NW., Washington, D.C. 20006, and Michael A. Grimm, P.O. Box 30006, Washington, D.C. 20014. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sodium bicarbonate*, dry, in bulk, between Syracuse, N.Y., and Charlottesville, Va., for 180 days. SUPPORTING SHIPPER: John De Clemente, Distribution Manager, Badger Powhatan, Division of American LaFrance, Inc., Route 29 North, Charlottesville, Va. 22901. SEND PROTESTS TO: W. C. Hersman, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 12th Street and Constitution Avenue NW., Washington, D.C. 20423.

No. MC 114106 (Sub–No. 101 TA), filed March 11, 1974. Applicant: MAYBELLE TRANSPORT COMPANY, 1820 South Main Street, Lexington, N.C. 27292. Applicant's representative: David L. Morgan (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sugar*, dry and in bulk, restricted to products having an immediate prior movement by rail, from Cheraw, S.C., to Columbia, S.C., for 180 days. SUPPORTING SHIPPER: Carolina Canners, Inc., P.O. Box 965, Cheraw, S.C. 29520. SEND PROTESTS TO: District Supervisor Terrell Price, Interstate Commerce Commission, Bureau of Operations, 800 Briar Creek Road, CC516, Charlotte, N.C. 28205.

No. MC 114896 (Sub–No. 14 TA), filed March 11, 1974. Applicant: PUROLATOR SECURITY, INC., Suite 1001 E, Mockingbird Towers, 1341 W. Mockingbird Lane, P.O. Box 5571, Dallas, Tex. 75202. Applicant's representative: William E. Fullingim (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Food coupons*, between all points in the United States (except Alaska and Hawaii), for 180 days. SUPPORTING SHIPPER: General Services Administration, Chief, Contracts and Negotiations Branch, Crystal Mall, Building No. 4, Washington, D.C. 20406. SEND PROTESTS TO: Transportation Specialist Gerald T. Holland, Interstate Commerce Commission, Bureau of Operations, 1100 Commerce Street, Room 13C12, Dallas, Tex. 75202.

No. MC 116767 (Sub-No. 2 TA) (Correction), filed February 19, 1974, published in the FEDERAL REGISTER issue of March 6, 1974 as No. MC–139512 TA, and republished as corrected this issue. Applicant: THE GRAY LINE, INC., 1010 Eye Street NW., Washington, D.C. 20001. Applicant's representative: S. Harrison Kahn, Suite 733, Investment Building, Washington, D.C. 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Persons*, between Sterling, Va., inclusive of Sterling Park and Sugarland Run residential areas on the one hand, and, on the other, the District of Columbia, for 90 days.

NOTE.—The purpose of this republication is to indicate the correct Docket Number in MC–116767 (Sub-No. 2 TA). SUPPORTING SHIPPER: Sugarland Run Jaycees, Inc., 110 South Fox Road, Sterling, Va. 22170. SEND PROTESTS TO: W. C. Hersman, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 12th Street & Constitution Avenue NW., Washington, D.C. 20423.

No. MC 119493 (Sub-No. 109 TA), filed March 11, 1974. Applicant: MONKEM COMPANY, INC., P.O. Box 1196, Joplin, Mo. 64801. Applicant's representative: Ray F. Kempt (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Filter felt*, from Joplin, Mo., to Livingston, Ala., and Cookville, Tenn., for 180 days. SUPPORTING SHIPPER: Tamko Asphalt Products, Inc., P.O. Box 1404, Joplin, Mo. 64801. SEND PROTESTS TO: John V. Barry, District Supervisor, Interstate Commerce Commisison, Bureau of Operations, 600 Federal Office Building, 911 Walnut Street, Kansas City, Mo. 64106.

No. MC 119619 (Sub-No. 70 TA), filed March 11, 1974. Applicant: DISTRIBUTORS SERVICE CO., 2000 West 43rd Street, Chicago, Ill. 60609. Applicant's representative: Arthur J. Piken, One Lefrak City Plaza, Flushing, N.Y. 11368. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from Buffalo, Alton, LeRoy, Oakfield, Leicester, and South Dayton, N.Y., to points in Ohio, Michigan, Indiana, Illinois, Wisconsin, Minnesota, Iowa, Massachusetts, New Jersey, Pennsylvania, Connecticut, and Rhode Island, for 180 days. SUPPORTING SHIPPER: Distribution Services Division, Curtice-Burns Inc., Lent Avenue, LeRoy, N.Y. 14482. SEND PROTESTS TO: District Supervisor Robert G. Anderson, Interstate Commerce Commission, Bureau of Operations, Everett McKinley Dirksen Building, 219 S. Dearborn Street, Room 1086, Chicago, Ill. 60604.

No. MC 124083 (Sub-No. 49 TA), filed March 6, 1974. Applicant: SKINNER MOTOR EXPRESS, INC., 1035 S. Keystone Avenue, Indianapolis, Ind. 46203. Applicant's representative: Walter F. Jones, Jr., 601 Chamber of Commerce Bldg., Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer*, dry, in bulk and bags, from Fostoria, Ohio, to Cloverdale, Ind., for 180 days. SUPPORTING SHIPPER: Cloverdale Elevator, Inc., Rt. 2, Box 250, Cloverdale, Ind. 46120. SEND PROTESTS TO: District Supervisor James W. Habermehl, Interstate Commerce Commission, Bureau of Operations, 802 Century Bldg., 36 S. Penn. Street, Indianapolis, Ind. 46204.

No. MC 124328 (Sub-No. 60 TA), filed March 7, 1974. Applicant: BRINK'S INCORPORATED, 234 E. 24th Street, Chicago, Ill. 60616. Applicant's representative: John G. O'Keefe, O'Hare Plaza, Suite 650, 5725 E. River Road, Chicago, Ill. 60631. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Gasoline coupons* between points in the United States (except Alaska and Hawaii), for 180 days. SUPPORTING

SHIPPER: General Services Administration, Building 4, Crystal Mall, Washington, D.C. 20406. SEND PROTESTS TO: District Supervisor Richard K. Shullaw, Interstate Commerce Commission, Bureau of Operations, Everett McKinley Dirksen Building, 219 S. Dearborn Street, Room 1086, Chicago, Ill. 60604.

No. MC 124679 (Sub-No. 58 TA), filed March 8, 1974. Applicant: C. R. ENGLAND & SONS, INC., 975 West 2100 South Street, Salt Lake City, Utah 84119. Applicant's representative: William K. England (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat products and meat byproducts*, from Denver, Colo., to points in New York, New Jersey, Pennsylvania, Massachusetts, and Maryland, for 180 days. SUPPORTING SHIPPERS: United Packing Company, 5000 Clarkson Street, P.O. Box 16441, Denver, Colo. 80216 (Joseph N. Nelson, Traffic Manager); and Wilson & Co., Inc., 4950 Washington Street, Denver, Colo. 80216 (B. O. Wallace, Plant Manager). SEND PROTESTS TO: District Supervisor Lyle D. Helfer, Interstate Commerce Commission, Bureau of Operations, 5239 Federal Building, 125 S. State Street, Salt Lake City, Utah 84138.

No. MC 126736 (Sub-No. 70 TA), filed March 11, 1974. Applicant: PETROLEUM CARRIER CORPORATION OF FLORIDA, 737 May Street, P.O. Box 1559, Jacksonville, Fla. 32201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, between points in Camden County, Ga., and Clay County, Fla., for 180 days. SUPPORTING SHIPPER: Coastal Lumber Co., P.O. Box 116, Maxville, Fla. 32265. SEND PROTESTS TO: District Supervisor G. H. Fauss, Jr., Interstate Commerce Commission, Bureau of Operations, Box 35008, 400 W. Bay Street, Jacksonville, Fla. 32202.

No. MC 127651 (Sub-No. 23 TA), filed March 7, 1974. Applicant: EVERETT G. ROEHL, INC., 201 W. Upham Street, Marshfield, Wis. 54449. Applicant's representative: Nancy J. Johnson, 4506 Regent Street, Suite 100, Madison, Wis. 53705. Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *Pallets and pallet parts*, (1) from the plant site of Necedah Pallet Co., at or near Necedah, Wis., and the plant site of Nicholson Pallet and Supply Co., at or near Fairchild, Wis., to Michigan City, Ind., and Portage, Ind.; and (2) from Deerbrook, Wis., to Gary, Ind., for 180 days. SUPPORTING SHIPPERS: Steber Lumber Sales, Inc., Box 65, Antigo, Wis. 54409. SEND PROTESTS TO: Barney L. Hardin, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 139 W. Wilson Street, Room 202, Madison, Wis. 53703.

No. MC 128030 (Sub-No. 59 TA), filed March 7, 1974. Applicant: THE STOUT TRUCKING CO., INC., R.R. #1, P.O. Box 177, Urbana, Ill. 61801. Applicant's representative: R. C. Stout (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic Containers*, in truck load only, from Danville, Ill., to Detroit, Mich., and return of *rejected or refused plastic containers*, for 180 days. SUPPORTING SHIPPER: A. L. Jewell, Assistant Director of Traffic, Anchor Hocking Corporation, Broad and Main Streets, Lancaster, OH 43130. SEND PROTESTS TO: Robert G. Anderson, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Everett McKinley Dirken Bldg., 219 S. Dearborn Street, Room 1086, Chicago, Ill. 60604.

No. MC 133655 (Sub-No. 70 TA), filed March 7, 1974. Applicant: TRANSNATIONAL TRUCK, INC., P.O. Box 4168, Amarillo, Tex. 79105. Applicant's representative: Neil DuJardin, P.O. Box 2298, Green Bay, Wis. 54306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Novelty ice cream products and water ices* (other than in bulk) in mechanically refrigerated trucks, from Ocala, Fla., to points in Texas, Oklahoma, Arkansas, Louisiana, Mississippi, Alabama, Tennessee, Georgia, South Carolina, and North Carolina, for 180 days. SUPPORTING SHIPPER: Harold C. Kaye, Assistant General Manager-Comptroller, Gold Bond Ice Cream, 808 Packerland Drive, Green Bay, Wis. 54303. SEND PROTESTS TO: Haskell E. Ballard, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Box H-4395 Herring Plaza, Amarillo, Tex. 79101.

No. MC 134574 (Sub-No. 16 TA), filed March 7, 1974. Applicant: FIGOL DISTRIBUTORS LIMITED, 11041 105th Avenue, Edmonton, Alberta, Canada. Applicant's representative: Eldon M. Johnson, 650 California Street, Suite 2808, San Francisco, Calif. 94108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Yucca sap and extract*, in chemical solution, requiring temperature control, from Porterville, Calif., to ports of entry along the United States-Canadian Boundry line located in the States of Idaho, Montana, and Washington, restricted to the transportation of traffic destined to points in Canada, for 180 days. SUPPORTING SHIPPER: Anti-Pollution Products (Calgary) Ltd., 1135 45th Avenue NE., Calgary, Alberta, Canada. SEND PROTESTS TO: Paul J. Labane, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 222, U.S. Post Office Bldg., Billings, Mont. 59101.

No. MC 134910 (Sub-No. 7 TA), filed March 5, 1974. Applicant: CALLIS TRUCKING, INC., Centerton, Ind. 46116. Applicant's representative: Warren C. Moberly and Michael V. Gooch, 777 Chamber of Commerce Building, Indianapolis, Ind. 46204. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Clay products*, palletized or banded, in truckload lots, from Clay County, Ind., to points in North Carolina, South Carolina, Virginia, Tennessee, and Georgia, for 180 days. SUPPORTING SHIPPER: Ralph Johnson Company, 122 East Woodlawn Road, Suite D-100, Charlotte, N.C. 28210. SEND PROTESTS TO: James W. Habermehl, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 802 Century Bldg., 36 S. Penn. Street, Indianapolis, Ind. 46204.

No. MC 136553 (Sub-No. 25 TA), filed March 6, 1974. Applicant: ART PAPE TRANSFER, INC., 1080 East 12th Street, Dubuque, Iowa 52001. Applicant's representative: William L. Fairbank, 900 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer and dry fertilizer materials*, in bulk, from Burlington and Mason City, Iowa, to points in Illinois and Wisconsin, for 180 days. SUPPORTING SHIPPER: FS Services, Inc., 1701 Towanda Avenue, Bloomington, Ill. 61702. SEND PROTESTS TO: Herbert W. Allen, Transportation Specialist, Interstate Commerce Commission, Bureau of Operations, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 136724 (Sub-No. 3 TA), filed March 7, 1974. Applicant: HUTT TRANSPORTATION CO., 5280 West 161st Street, Cleveland, Ohio 44135. Applicant's representative: Allan I. Mendelsohn, Glassie, Pewett, Beebe and Shanks, 1819 H Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value and explosives), having a prior or subsequent movement by air, in an express service, between Cleveland Hopkins International Airport, Cleveland, Ohio, and John F. Kennedy International Airport, New York, N.Y., for 180 days. SUPPORTING SHIPPERS: Blaser and Mericle, Inc., 314 Superior Ave. NE., Cleveland, Ohio 44114; All Airtransport, Inc., 5280 West 161st Street, Brookpart, Ohio 44142; Anderson Airfreight International, 5310 West 161st Street, Cleveland, Ohio 44142; World Air Shipping, 19101 Five Points Road, Cleveland, Ohio 44142; Jet Air Freight, P.O. Box 81299, Cleveland, Ohio; Sabena Belgium World Airlines, 846 Hanna Bldg., Cleveland, Ohio Lufthansa German Airlines, 1426 Euclid Avenue, Cleveland, Ohio 44115; Swiss Air Transport Co., LTD, 504 Hanna Bldg., Cleveland, Ohio 44115; Olympic Airways, 204 Hanna Bldg., Cleveland, Ohio 44115; Iberia Airlines, 411 Hanna Bldg., Cleveland, Ohio 44115; Amerford International Corporation, 6366 Eastland Road, Brookpart, Ohio 44142; and Transportes Aereos Portugueses, 633 Hanna Bldg., 1422 Euclid Ave., Cleveland, Ohio. SEND PROTESTS TO: Franklin D. Bail, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 181 Federal Office Building, 1240 East Ninth Street, Cleveland, Ohio 44199.

No. MC 139479 (Sub-No. 1 TA), filed March 6, 1974. Applicant: ROBERT E. PIELEMEIER, DBA PIELEMEIER TRANSPORTATION, 1125 Fallen Leaf Road, Arcadia, Calif. 91006. Applicant's representative: Fred Mackensen, Murchison and Davis, 9454 Wilshire Boulevard, Suite 400, Beverly Hills, Calif. 90212. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are sold in chain super markets, between La Habra, Calif., and points in Maricopa and Pinal Counties, Ariz., for 180 days. SUPPORTING SHIPPER: Alpha Beta Company, 777 South Harbor Boulevard, La Habra, Calif. 90631. SEND PROTESTS TO: District Supervisor Philip Yallowitz, Interstate Commerce Commission, Bureau of Operations, 300 North Los Angeles Street, Room 7708, Los Angeles, Calif. 90012.

No. MC 139581 (Sub-No. 1 TA), filed March 7, 1974. Applicant: GEORGE MESKE, DBA GEORGE'S MOBILE HOME SERVICE, Route 1, Janesville, Wis. 53545. Applicant's representative: Michael J. Wyngaard, 329 West Wilson Street, Madison, Wis. 53703. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Trailers, container chassis, and parts thereto*, from Edgerton, Wis., to points in Lake, Cook, Kane, Du Page, and Will Counties, Ill., for 180 days. Restriction: Restricted to movements by a truckaway service. SUPPORTING SHIPPER: Highway Manufacturing Company, Division of MOTAC, Inc., 405 East Fulton Street, Edgerton, Wis. 53534. SEND PROTESTS TO: Barney L. Hardin, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 139 W. Wilson Street, Room 202, Madison, Wis. 53703.

No. MC 139585 TA, filed March 8, 1974. Applicant: R. E. HALL, INC., P.O. Box 5441, Charlotte, N.C. 28205. Applicant's representative: Bart William Shuster, 112 N. Myers St., Charlotte, N.C. 28202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Silos, concrete*, knocked down, loose, securely braced in truck or in packages, including *sand, gravel, and concrete* necessary for erection, *silos accessories and silos parts*, from Charlotte, N.C., to points in South Carolina, Georgia, Virginia, West Virginia, Tennessee, Kentucky, Florida, and Indiana, for 180 days. SUPPORTING SHIPPER: Madison Silos Division of Chromalloy American Corporation, 802 W. Broadway, Suite 304, Madison, Wis. 53713. SEND PROTESTS TO: District Supervisor Terrell Price, Interstate Commerce Commission, Bureau of Operations, 800 Briar Creek Road, Room CC516, Charlotte, N.C. 28205.

By the Commission.

[SEAL] JOSEPH M. HARRINGTON,
Acting Secretary.

[FR Doc.74-7217 Filed 3-27-74;8:45 am]

NATIONAL ADVISORY COUNCIL ON SUPPLEMENTARY CENTERS AND SERVICES

PUBLIC MEETING

Notice is hereby given, pursuant to Public Law 92-463, that the next meeting of the National Advisory Council on Supplementary Centers and Services will be held on April 4, 1974, at 3:30 p.m. at the Quality Inn, Pentagon City, 300 Army Navy Drive, Arlington, Virginia.

The National Advisory Council on Supplementary Centers and Services is established under section 309 of Public Law 91-230. The Council is directed to advise the President and the Congress concerning the operation of Title III of the Elementary and Secondary Education Act.

Agenda items for the Meeting will include: Reviewing and discussing pending ESEA Title III legislation; developing a plan for the release of the Sixth Annual Report of the Council; selecting topics for Quarterly reports; and discussing the operational plan for FY 1975.

The meeting of the Committee shall be open to the public. Records shall be kept of all Council proceedings and shall be available for public inspection at the office of the Council's Executive Director, located in Suite 529, 425 13th Street, NW., Washington, D.C.

Signed at Washington, D.C., on March 22, 1974.

GERALD J. KLUEMPKE,
Executive Director.

[FR Doc.74-7356 Filed 3-27-74;11:20 am]

FEDERAL ENERGY OFFICE

ELECTRIC UTILITIES COMMITTEE

Notice of Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Public Law 92-463, 86 Stat. 770) notice is hereby given that the Electric Utilities Advisory Committee will hold a meeting on Friday, March 29, 1974, at 3:00 P.M. in Room 3140-A, New Post Office, Benjamin Franklin Station, 12th and Pennsylvania Ave., NW., Washington, D.C. The Committee 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 management of electric utilities. The agenda for the meeting is as follows:

1. Development of plans to maximize use of coal.
2. Allocation of fuels to electric utilities on efficiency of use basis.
3. Expansions of nuclear generating stations.
4. Agency interrelationships with regard to Federal energy policies.

The meeting is open to the public, however, space and facilities are limited. Further information concerning the meetings may be obtained from Richard Waller, Federal Energy Office, Washington, D.C., telephone: 202-961-6181.

The chairman of the committee is empowered to conduct the meeting in a fashion that will, in his judgement, facilitate the orderly conduct of business.

Minutes of the meeting will be made available for public inspection at the Federal Energy Office, 12th and Pennsylvania Avenue, NW., Washington, D.C.

Issued in Washington, D.C. on March 26, 1974.

WILLIAM N. WALKER,
General Counsel.

[FR Doc.74-7391 Filed 3-27-74;12:20 pm]

PETROLEUM INDUSTRY ADVISORY COMMITTEE (INDEPENDENT SECTOR); NORTHEAST GROUP

Notice of Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Public Law 92-463, 86 Stat. 770), notice is hereby given that the Northeast Group of the Petroleum Industry Advisory Committee (Independent Sector) will hold a meeting on Thursday, April 4, 1974, at 3:00 P.M., in Room 3140-A, New Post Office, Benjamin Franklin Station, 12th and Pennsylvania Avenue, NW., Washington, D.C. The committee 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 independent sector of the petroleum industry. The agenda for the meeting is as follows:

I. FEO Policy Toward Gas and Electric Utilities:
   —Impact on national energy consumption of massive conversion of heating units from fuel oil to natural gas and electricity.
   —Impact of such conversions on independent marketers of fuel oil.
   —Implementation of conservation policies relating to gas and electric consumption.
II. 1974-75 Allocation Program for No. 2 Fuel Oil and Residual Fuel Oil
   —Recommendations for amendment.
III. Incentives for Construction of New Storage Capacity.

The meeting is open to the public; however, space and facilities are limited. Further information concerning the meetings may be obtained from Del Perry, Federal Energy Office, Washington, D.C., telephone: 202-343-6951.

The chairman of the committee is empowered to conduct the meeting in a fashion that will, in his judgment, facilitate the orderly conduct of business.

Minutes of the meeting will be made available for public inspection at the Federal Energy Office, 12th and Pennsylvania Avenue, NW., Washington, D.C.

Issued in Washington, D.C. on March 26, 1974.

WILLIAM N. WALKER,
General Counsel.

[FR Doc.74-7390 Filed 3-27-74;12:20 pm]

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PART II

ENVIRONMENTAL PROTECTION AGENCY

■

ELECTROPLATING POINT SOURCE CATEGORY; COPPER, NICKEL, CHROMIUM AND ZINC ON FERROUS AND NONFERROUS MATERIALS SUBCATEGORY

Effluent Guidelines and Standards

Title 40—Protection of the Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

SUBCHAPTER N—EFFLUENT GUIDELINES AND STANDARDS

PART 413—ELECTROPLATING POINT SOURCE CATEGORY

Subpart A—Copper, Nickel, Chromium, and Zinc on Ferrous and Nonferrous Materials Subcategory

On October 5, 1973, notice was published in the FEDERAL REGISTER (38 FR 27694), that the Environmental Protection Agency (EPA or Agency) was proposing effluent limitations guidelines for existing sources and standards of performance and pretreatment standards for new sources within the electroplating of copper, nickel, chromium, and zinc on ferrous and nonferrous materials subcategory of the electroplating category of point sources.

The purpose of this notice is to establish final effluent limitations guidelines for existing sources and standards of performance and pretreatment standards for new sources in the electroplating category of point sources, by amending 40 CFR Chapter I, Subchapter N, to add a new Part 413. This final rulemaking is promulgated pursuant to sections 301, 304 (b) and (c), 306 (b) and (c) and 307(c) of the Federal Water Pollution Control Act, as amended (the Act); 33 U.S.C. 1251, 1311, 1314 (b) and (c), 1316 (b) and (c) and 1317(c); 86 Stat. 816 et seq.; Pub. L. 92-500. Regulations regarding cooling water intake structures for all categories of point sources under section 316(b) of the Act will be promulgated in 40 CFR 402.

In addition, the EPA is simultaneously proposing a separate provision which appears in the proposed rules section of this Part II of the FEDERAL REGISTER, 39 FR 11515, stating the application of the limitations and standards set forth below to users of publicly owned treatment works which are subject to pretreatment standards under section 307 (b) of the Act. The basis of that proposed regulation is set forth in the associated notice of proposed rulemaking.

The legal basis, methodology and factual conclusions which support promulgation of this regulation were set forth in substantial detail in the notice of public review procedures published August 6, 1973 (38 FR 21202) and in the notice of proposed rulemaking for the electroplating of copper, nickel, chromium, and zinc on ferrous and nonferrous materials subcategory. In addition, the regulations as proposed were supported by two other documents: (1) The document entitled "Development Document for Proposed Effluent Limitations Guidelines and New Source Performance Standards for the Copper, Nickel, Chromium, and Zinc Segment of the Electroplating Point Source Category" (August, 1973) and (2) the document entitled "Economic Analysis of Proposed Effluent Guidelines for the Electroplating Point Source Category (Copper, Nickel, Chromium, and Zinc)" (September, 1973). Both of these documents were made available to the public and circulated to interested persons at approximately the time of publication of the notice of proposed rulemaking.

Interested persons were invited to participate in the rulemaking by submitting written comments within 30 days from the date of publication. Prior public participation, in the form of solicited comments and responses from the States, Federal agencies, and other interested parties, was described in the preamble to the proposed regulation. The EPA has considered carefully all of the comments received, and a discussion of these comments with the Agency's response thereto follows.

(a) *Summary of comments.* The following responded to the request for written comments contained in the preamble to the proposed regulation; C. E. Mange Development Laboratory, Welch Allyn Inc., Platers Supply Company, General Motors Corporation, Colorado Department of Public Health, Municipality of Metropolitan Seattle, MacDermid, Inc., County Sanitation Districts of Los Angeles County, Sybron Corporation, Van Der Horst Corporation of America, U.S. Department of Health, Education, and Welfare, Environmental Resources Defense Council, Commonwealth of Massachusetts, Pratt and Whitney Division of United Aircraft Corporation, Columbus Industrial Association, Keeler Brass Company, Lancy Laboratories, National Association of Metal Finishers, American Electroplaters' Society, Chrome-Rite Company, Masters Electro-Plating Association, Association of Home Appliance Manufacturers, Oxy Metal Finishing Corporation, Metal Finishing Suppliers' Association, Chromium, Inc., E. I. DuPont de Nemours, Inc., General Electric Company, Raytheon Company, Ford Motor Company, Whirlpool Corporation, Western Electric, Scientific Control Laboratories, Inc., Electronic Industries Association, The Bendix Corporation, U.S. Department of Commerce, Eastman Kodak Company, TRW, Inc., Burndy Corporation, Jamestown Electroplating Works, Inc., Douglas and Lomason Company, Revere Copper and Brass, Inc., Metropolitan Sanitary District of Greater Chicago, State of New York Department of Environmental Conservation, Sargent and Company, Digital Equipment Corporation, AMP, Inc., Products Finishing, Wald Manufacturing Company, Inc., United States Water Resources Council, S. K. Williams Company, Manufacturing Jewelers and Silversmiths of America, Inc., U.S. Department of the Interior, True Temper Corporation, Dallas Water Utilities, Texas Instruments, Inc., Institute of Printed Circuits, Caterpillar Tractor Company, State of Connecticut Department of Environmental Protection, State of Michigan Department of Natural Resources, and API Industries, Inc.

(1) Approximately one-third of the comments received stated that the use of milligrams per square meter plated as the basis for effluent limitations is impractical, uneconomical, or difficult to apply. Alternate bases for the guidelines were suggested by several commenters.

While it may be difficult or inconvenient for some platers to determine their production in terms of square meters plated, it is not impossible. Section 308 of the "Act" authorizes the Administrator to require the owner or operator of any point source to establish and maintain records to determine compliance with effluent limitations. Paragraphs (b) of §§ 413.12 and 413.15 have been added to this regulation to provide the plater flexibility in complying with recordkeeping and production reporting requirements imposed by the guidelines.

The effluent limitations applicable to a particular discharger may be determined by multiplying the effluent limitations in paragraph (a) of § 413.12 for existing sources by the production expressed in sq m or sq ft. The product of this calculation has dimensions of mg or lb. An effluent factor of 200 liters per sq m (5 gallons per sq ft) is the water use for rinsing typical of plants in the electroplating industry. Individual dischargers may decide that further water conservation is necessary or desirable to meet effluent limitations based on the best practicable control technology currently available.

(2) Several comments stated that the effluent limitations as proposed would impose a severe economic hardship on the small plater.

If small shops employ chemical treatment with good water use, they should meet the guidelines as proposed. Hence, an exemption or relaxation of the standards based on size is warranted only from an economic or administrative standpoint and not on the basis of technical feasibility of waste treatment. After an analysis of additional data supplied by the industry and a re-evaluation of the economic impact of the guidelines, it was determined that the minimum cost for effective physical-chemical waste treatment may create an economic burden on the very small plater. On the basis of this further analysis, the best practicable control technology currently available for shops plating less than 33 sq m per hour or having a total installed current capacity less than 2000 amperes was determined to be cyanide destruction, if any, equalization and pH adjustment. The final regulation reflects the additional analysis and the revision of the best practicable control technology currently available to alleviate the economic impact of the Guidelines on the small plater.

(3) Several commenters suggested that the waste water control and treatment techniques suggested in the Development Document are not proven and are not completely reliable.

Numerous techniques to reduce the discharge of pollutants are discussed in the Development Document. All techniques are not applicable to every plater, but each is successfully demonstrated in the industry.

(4) Comments were received that process modifications such as eliminating copper plating by increasing the thickness of nickel or substituting trivalent chromium baths for hexavalent baths are not practical.

The regulations are based on proven treatment technology with emphasis on water conservation. Such process modifications are suggested as alternate methods to meet the guidelines under certain circumstances. No claim is made that such modifications are practical for every plater.

(5) Several comments indicated that the proposed guidelines would create severe adverse economic effects on the electroplating industry in general.

As discussed in section "E", the economic impact of the final guidelines is expected to be significantly lower than that of the proposed guidelines. This is due to a significant reduction in the number of plants to be affected by the guidelines and to reduced requirements for very small operations (less than 33 square meters plated per hour, or less than 2000 amperes installed current capacity).

Because pretreatment requirements are being proposed as a separate package, the guidelines now being promulgated will affect only about 25 percent of the industry, the remaining 75 percent being plants that discharge to municipal treatment systems. On this basis and with consideration of the reduced requirement for very small operations the economic analysis indicates that fewer than 100 closures are expected as a result of the 1977 requirements, as compared to an estimated more than 500 for the guidelines as proposed. These plants would represent fewer than 600 employees and less than 2.0 percent of the total independent plating capacity. For 1983, fewer than 80 additional closures are expected, representing less than 250 employees and less than 1.0 percent of the total independent plating capacity.

Although most of these closures would occur in semiurban areas, it still has been estimated that about half of the affected employees should find re-employment in the electroplating industry while the remainder would have to seek re-employment in other industries.

(6) Commenters suggested that the proposed effluent limitations would impose a severe technological hardship on the industry and that the effluent limitations are too stringent.

The effluent limitations are being achieved by numerous platers and can be met by many others by only minor changes in operation. The baseline technology for the electroplating industry, chemical treatment, has been practiced by the industry for over 25 years. By controlling the volume of waste water generated and employing a well-designed and well-operated chemical treatment system, platers can meet the guidelines as promulgated.

(7) Numerous comments indicated that solid waste disposal and groundwater contamination problems may be created by the proposed guidelines.

It is recognized that the removal of metals from waste water by chemical precipitation methods produces a sludge which requires adequate precautions to prevent contamination of surface and subsurface waters. It is expected that the guidelines will focus attention on the problem of solids disposal so that satisfactory solutions will be found. Chemical precipitation with solids separation is widely accepted as the best practicable control technology for this industry. The sludge produced should be disposed of in an acceptable landfill.

Soluble metal salts produced by certain concentration or recovery techniques such as evaporation pose a greater environmental hazard than the metallic hydroxides resulting from chemical treatment. An environmentally acceptable solution to this problem, which is not peculiar to the electroplating industry, is expected prior to the deadline for application of the best available technology economically achievable in 1983.

(8) Several comments were received that the proposed effluent limitations guidelines are not consistent with the interim guidelines for metal finishing. The industry generally agrees with the interim guidelines effluent concentrations and with the concept of chemical treatment of waste waters as the best practicable control technology currently available.

The essential difference between the interim guidelines concentrations and the proposed effluent limitations guidelines is that the latter place a limit on the absolute amount of pollutants discharged to surface waters. Restrictions on concentration alone do not achieve the same result in terms of limiting the total amount of pollutants discharged.

The interim effluent concentrations were developed to be broadly applicable to metal finishing operations. The effluent limitations guidelines were developed for copper, nickel, chromium and zinc electroplating operations and are based on a program of extensive technical data analysis to satisfy the detailed requirements of sections 301, 304(b), 306, and 307 of the Act. The results of the study to develop effluent limitations guidelines show conclusively that the interim guidelines concentrations and the effluent limitations guidelines are consistent and complementary.

(9) A comment was received that § 413.15 of the proposed regulation was not clear as to whether all existing electroplaters or only new sources would be required to pretreat to the standards of performance.

The pretreatment standards proposed in § 413.15 apply to new sources. Section 413.16 of the regulation promulgated herein states the applicability of standards of performance as pretreatment standards for new sources.

(10) Several commenters stated that EPA should establish a separate category of effluent limitations for manufacturers which employ electroplating as a part of the overall manufacturing process.

The effluent limitations guidelines and standards of performance for the electroplating category of sources are applicable only to those portions of a manufacturing process which include an electroplating operation. When applied to captive facilities, such as those operated by aircraft engine manufacturers, only the electroplating operations described in § 413.10 are subject to the effluent limitations and standards of performance promulgated herein. Separate effluent limitations guidelines and standards of performance for the metal fabricating industries will be developed by EPA.

(11) The U.S. Department of Commerce stated that the concentration of total suspended solids upon which the limitations are based appears unrealistically low and the limitation should be revised upward.

The data presented in section IX of the Development Document for the proposed regulations show that numerous plants surveyed are achieving 15 mg/l or less total suspended solids and that an exemplary plant achieved a monthly average total suspended solids figure of 15 mg/l or less for a period of twelve consecutive months. Verification effluent sampling and analysis conducted by the EPA contractor showed an average of 22 mg/l total suspended solids in the discharge from exemplary plants based on short sampling periods. As a result of further data analysis, EPA concluded that the monthly average effluent limitations for total suspended solids should be revised upward both for existing and for new sources.

(12) A number of commenters observed that the levels specified as best practicable control technology currently available in the proposed guidelines were not achievable.

The Agency re-examined the assumptions on which the proposed guidelines were based. These assumptions included a typical water use of 80 liters/sq m of plated area, and an effluent concentration for each of the parameters controlled of 0.5 mg/l, except for cyanide, hexavalent chromium and total suspended solids, which were set at 0.05 mg/l, 0.05 mg/l and 15 mg/l respectively. While the specified concentrations were achieved by a number of the exemplary plants reviewed by the contractor, only one such plant was able to achieve the concentrations while simultaneously maintaining water usage at or below the 80 l/sq m, figure. Accordingly, the Agency believed that it would be inappropriate to establish best practicable control technology currently available solely on the basis of the performance of a single plant. With a revised water usage of 160 l/sq m, the limitations have been achieved by two plants directly studied by the contractor; moreover, industry data indicate that eight additional plants achieve this level of control. Thus, this level of performance can, with greater certainty, be said to constitute best practicable control technology currently available, and the final guidelines have been revised to reflect these findings.

(b) *Revision of the proposed regulation prior to promulgation.* As a result of public comments and continuing review and evaluation of the proposed regula-

tion by the EPA, the following changes have been made in the regulation:

(1) The best practicable control technology for small platers (less than 33 square meters surface plated per hour or less than 2000 amperes installed current capacity) has been redefined in § 413.12 (c) to be cyanide destruction, if any, equalization and pH adjustment to alleviate the economic impact of the guidelines on the segment of the industry most severely affected by the proposed regulations.

(2) The monthly average effluent limitations and standards of performance for total suspended solids have been revised upward to reflect the conclusions of further technical analysis.

(3) Paragraph (b) of §§ 413.12 and 413.15 have been added to require that point source dischargers maintain production records to determine compliance with the effluent limitations pursuant to section 308 of the Act.

(4) Section 304(b)(1)(B) of the Act provides for "guidelines" to implement the uniform national standards of section 301(b)(1)(A). Thus Congress recognized that some flexibility was necessary in order to take into account the complexity of the industrial world with respect to the practicability of pollution control technology. In conformity with the Congressional intent and in recognition of the possible failure of these regulations to account for all factors bearing on the practicability of control technology, it was concluded that some provision was needed to authorize flexibility in the strict application of the limitations contained in the regulation where required by special circumstances applicable to individual dischargers. Accordingly, a provision allowing flexibility in the application of the limitations representing best practicable control technology currently available has been added to each subpart, to account for special circumstances that may not have been adequately accounted for when these regulations were developed.

(5) The limitations for best practicable control technology currently available and new source performance standards have been revised to reflect a more liberal and realistic water use factor. See section IX of the Development Document for illustrations of operations and methods of applications.

(c) *Economic impact.* The economic impact of the final guidelines is expected to be significantly lower than that of the proposed guidelines because of three factors: (1) The estimate of the total number of independent plants affected by the guidelines has been reduced by eliminating plants in SIC 3471 that do not use copper, nickel, chromium or zinc in their operations, (2) plants discharging to municipal systems, approximately three-fourths of the industry, are not affected by the guidelines now being promulgated and (3) the requirements in 1977 for low volume plants (less than 33 square meters plated per hour) have been relaxed.

In light of these changes, the revised economic impact indicates that less than 100 independent operations could close as a result of the 1977 guidelines. These plants would represent fewer than 600 employees and less than 2.0 percent of the total independent plating capacity. This impact is substantially lower than the estimate of more than 500 expected closures associated with the proposed guidelines. The revised analysis for 1983 indicates fewer than 80 additional closures are expected representing about 250 employees and less than 1.0 percent of the total independent plating capacity.

Price increases for 1977 are still expected to be in the range of 15 percent for those plants not connected to municipal treatment systems. Additional increases of up to 8 percent are expected for 1983.

The potential impact cited above should have only minimal impact on overall industry viability. The total potential capacity loss for 1977 and 1983 is less than 3.0 percent. This should be replaced easily by existing plants and new plants. Moreover, although the final guidelines will affect only direct dischargers so that most of the closures will occur in semi-urban areas, it still has been estimated that half of the affected employees would be able to find re-employment in the electroplating industry.

As in the earlier analysis, it has been concluded that some captive shops could be affected by the guidelines. However, as with the independent shops, the impact on captive shops should be reduced significantly because the guidelines will apply only to direct dischargers and because the requirements for low volume operations in 1977 have been relaxed.

(d) *Cost-benefit analysis.* The detrimental effects of the constituents of waste waters now discharged by point sources within the copper, nickel, chromium, and zinc on ferrous and nonferrous materials segment of the electroplating point source category are discussed in section VI of the report entitled "Development Document for Effluent Limitations Guidelines for the Copper, Nickel, Chromium, and Zinc on Ferrous and Nonferrous Materials Manufacturing Segment of the Electroplating Point Source Category" February, 1974). It is not feasible to quantify in economic terms, particularly on a national basis, the costs resulting from the discharge of these pollutants to our Nation's waterways. Nevertheless, as indicated in section VI, the pollutants discharged have substantial and damaging impacts on the quality of water and therefore on its capacity to support healthy populations of wildlife, fish and other aquatic wildlife and on its suitability for industrial, recreational and drinking water supply uses.

The total cost of implementing the effluent limitations guidelines includes the direct capital and operating costs of the pollution control technology employed to achieve compliance and the indirect economic and environmental costs identified in Section VIII and in the supplementary report entitled "Economic Analysis of Proposed Effluent Guidelines Electroplating Industry" (September, 1973). Implementing the effluent limitations guidelines will substantially reduce the environmental harm which would otherwise be attributable to the continued discharge of polluted waste waters from existing and newly constructed plants in the electroplating industry. The Agency believes that the benefits of thus reducing the pollutants discharged justify the associated costs which, though substantial in absolute terms, represent a relatively small percentage of the total capital investment in the industry.

(e) *Solid waste control.* Solid waste control must be considered. The waterborne wastes from the electroplating industry may contain a considerable volume of metals in various forms as a part of the suspended solids pollutant. Best practicable control technology and best available control technology as they are known today, require disposal of the pollutants removed from waste waters in this industry in the form of solid wastes and liquid concentrates. In some cases these are nonhazardous substances requiring only minimal custodial care. However, some constituents may be hazardous and may require special consideration. In order to ensure long term protection of the environment from these hazardous or harmful constituents, special consideration of disposal sites must be made. All landfill sites where such hazardous wastes are disposed should be selected so as to prevent horizontal and vertical migration of these contaminants to ground or surface waters. In cases where geologic conditions may not reasonably ensure this, adequate precautions (e.g., impervious liners) should be taken to ensure long term protection to the environment from hazardous materials. Where appropriate the location of solid hazardous materials disposal sites should be permanently recorded in the appropriate office of the legal jurisdiction in which the site is located.

(f) Publication of information on processes, procedures, or operating methods which result in the elimination or reduction of the discharge of pollutants.

In conformance with the requirements of section 304(c), a manual entitled, "Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the Copper, Nickel, Chromium, and Zinc Segment of the Electroplating Point Source Category," has been published and is available for purchase from the Government Printing Office, Washington, D.C. 20401 for a nominal fee.

(g) *Final rulemaking.* In consideration of the foregoing, 40 CFR Chapter I, Subchapter N is hereby amended by adding a new Part 413, Electroplating Point Source Category, to read as set forth below.

This final regulation is promulgated as set forth below and shall be effective May 28, 1974.

Dated: March 20, 1974.

JOHN QUARLES,
Acting Aministrator.

Sec.
413.10 Applicability; description of the electroplating of copper, nickel, chromium, and zinc on ferrous and nonferrous materials subcategory.

Sec.
413.11 Specialized definitions.
413.12 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
413.13 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
413.14 Reserved.
413.15 Standards of performance for new sources.
413.16 Pretreatment standards for new sources.

AUTHORITY: Secs. 301, 304 (b) and (c), 306 (b) and (c) and 307(c), Federal Water Pollution Control Act, as amended (33 U.S.C. 1251, 1311, 1314 (b) and (c), 1316 (b) and (c) and 1317(c)); 86 Stat. 816 et seq.; Pub. L. 92-500.

Subpart A—Electroplating of Copper, Nickel, Chromium, and Zinc on Ferrous and Nonferrous Materials Subcategory

§ 413.10 Applicability; description of the electroplating of copper, nickel, chromium, and zinc on ferrous and nonferrous materials subcategory.

The provisions of this subpart are applicable to discharges of pollutants resulting from the process in which a ferrous or nonferrous base material is rack or barrel electoplated with copper, nickel, chromium, zinc, or any combination thereof.

§ 413.11 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR Part 136 shall apply to this subpart.

(b) The term "sq m" shall mean the area plated with copper, nickel, chromium, zinc, or treated by chromating expressed in square meters.

(c) The term "sq ft" shall mean the area plated with copper, nickel, chromium, zinc, or treated by chromating expressed in square feet.

(d) The term "operation" shall mean any step in the plating process in which copper, nickel, chromium, or zinc metal or chromate is deposited on a base material following by a rinse.

(e) The term "CN,*A*" shall mean those cyanides amenable to chlorination as described in 1972 Annual Book of ASTM Standards, 1972, Standard D 2036-72, Method B, page 553.

§ 413.12 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (milligrams per square meters per operation)	
Cu	160	80
Ni	160	80
CrVI	16	8
Cr, total	160	80
Zn	160	80
CN,*A*	16	8
CN, total	160	80
TSS	4,800	3,200
pH	Within the range 6.0 to 9.5.	
	English units (pounds per million square feet per operation)	
Cu	32.7	16.4
Ni	32.7	16.4
CrVI	3.3	1.6
Cr, total	32.7	16.4
Zn	32.7	16.4
CN,*A*	3.3	1.6
CN, total	32.7	16.4
TSS	982.0	654.0
pH	Within the range 6.0 to 9.5.	

(b) Pursuant to section 308 of the Act, point sources subject to the provisions of this subpart shall maintain records of production expressed in sq m or sq ft as defined in § 413.11 for the purpose of determining compliance with the effluent limitations in § 413.12(a) of this subpart. For the purpose of complying with the requirements of this paragraph, a discharger may establish a correlation between area plated and another parameter, such as ampere-hours used in plating.

(c) Application of the factors listed in section 304(b) requires variation from the effluent limitations set forth in § 413.12(a) for any point source subject to such effluent limitations with a production less than 33 square meters per hour or an installed direct current capacity less than 2000 amperes. For such sources, the best practicable control technology currently available consists of cyanide destruction, if any, equalization and pH adjustment to a range of 6.0 to 9.0 prior to discharge.

§ 413.13 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable: there shall be no discharge of process waste water pollutants to navigable waters.

(b) Application of the factors listed in section 304(b) of the Act may require variation from the effluent limitation set forth in this section for any point source subject to such effluent limitation with a production less than 120 sq m per hour. If variation is determined to be necessary for any such source, such source shall be subject to effluent limitations no less stringent than those required by the standards of performance for new sources set forth in § 413.15.

§ 413.14 [Reserved]

§ 413.15 Standards of performance for new sources.

(a) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (milligrams per square meters per operation)	
Cu	80	40
Ni	80	40
CrVI	8	4
Cr, total	80	40
Zn	80	40
CN,*A*	8	4
CN, total	80	40
TSS	2,400	1,600
pH	Within the range 6.0 to 9.5.	
	English units (pounds per million square feet per operation)	
Cu	16.4	8.2
Ni	16.4	8.2
CrVI	1.6	.8
Cr, total	16.4	4.2
Zn	16.4	4.2
CN,*A*	1.6	.8
CN, total	16.2	4.7
TSS	491.0	327.0
pH	Within the range 6.0 to 9.5.	

(b) Pursuant to section 308 of the Act, point sources subject to the provisions of this subpart shall maintain records of production expressed in sq m or sq ft as defined in § 413.11 for the purpose of determining compliance with the effluent limitations in § 413.15(a) of this subpart. For the purpose of complying with the requirements of this paragraph, a discharger may establish a correlation between area plated and another parameter, such as ampere-hours used in plating.

§ 413.16 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the electroplating of copper, nickel, chromium and zinc on ferrous and nonferrous materials subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR Part 128, except that, for the purpose of this section, 40 CFR 128.133 shall be amended to read as follows:

In addition to the prohibitions set forth in 40 CFR 128.131, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works shall be the standard of performance for new sources specified in 40 CFR 413.15; provided that, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall, except in the case of standards providing for no discharge of pollutants, be correspondingly reduced in stringency for that pollutant.

[FR Doc.74-7066 Filed 3-27-74;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 413]

ELECTROPLATING POINT SOURCE CATEGORY

Subpart A—Copper, Nickel, Chromium and Zinc on Ferrous and Nonferrous Materials Subcategory

PROPOSED APPLICATION OF EFFLUENT LIMITATIONS GUIDELINES FOR EXISTING SOURCES TO PRETREATMENT STANDARDS FOR INCOMPATIBLE POLLUTANTS

Notice is hereby given pursuant to sections 301, 304 and 307(b) of the Federal Water Pollution Control Act, as amended (the Act) 33 U.S.C. 1251, 1311, 1314 and 1317(b); 86 Stat. 816 et seq.; Pub. L. 92–500, that the proposed regulation set forth below concerns the application of effluent limitations guidelines for existing sources to pretreatment standards for incompatible pollutants. The proposal will amend 40 CFR Part 413—Electroplating Point Source Category, establishing for each subcategory therein the extent of application of effluent limitations guidelines to existing sources which discharge to publicly owned treatment works. The regulation is intended to be complementary to the general regulation for pretreatment standards set forth at 40 CFR 128. The general regulation was proposed July 19, 1973 (38 FR 19236), and published in final form on November 8, 1973 (38 FR 30982).

The proposed regulation is also intended to supplement a final regulation being simultaneously promulgated by the Environmental Protection Agency (EPA or Agency) which provides effluent limitations guidelines for existing sources and standards of performance and pretreatment standards for new sources within the copper, nickel, chromium and zinc on ferrous and nonferrous materials subcategory of the electroplating point source category. The latter regulation applies to the portion of a discharge which is directed to the navigable waters. The regulation proposed below applies to users of publicly owned treatment works which fall within the description of the point source category to which the guidelines and standards (40 CFR Part 413) promulgated simultaneously apply. However, the proposed regulation applies to the introduction of incompatible pollutants which are directed into a publicly owned treatment works, rather than to discharges of pollutants to navigable waters.

The general pretreatment standard divides pollutants discharged by users of publicly owned treatment works into two broad categories: "Compatible" and "incompatible." Compatible pollutants are generally not subject to pretreatment standards. (See 40 CFR 128.110 (State or local law) and 40 CFR 128.131 (Prohibited wastes) for requirements which may be applicable to compatible pollutants.) Incompatible pollutants are subject to pretreatment standards as provided in 40 CFR 128.133, which provides as follows:

> In addition to the prohibitions set forth in § 128.131, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works by a major contributing industry not subject to section 307(c) of the Act shall be, for sources within the corresponding industrial or commercial category, that established by promulgated effluent limitations guidelines defining best practicable control technology currently available pursuant to sections 301(b) and 304(b) of the Act; *Provided*, That, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall be correspondingly reduced for that pollutant; and provided further that when the effluent limitations guidelines for each industry are promulgated, a separate provision will be proposed concerning the application of such guidelines to pretreatment.

The regulation proposed below is intended to implement that portion of § 128.133, above, requiring that a separate provision be made stating the application to pretreatment standards of effluent limitations guidelines based upon best practicable control technology currently available.

Questions were raised during the public comment period on the proposed general pretreatment standard (40 CFR Part 128) about the propriety of applying a standard based upon best practicable control technology currently available to all plants subject to pretreatment standards. In general, EPA believes the analysis supporting the effluent limitations guidelines is appropriate to support the application of those standards to users of publicly owned treatment works. However, to ensure that those standards are appropriate in all cases, EPA now seeks additional comments focusing upon the application of effluent limitations guidelines to users of publicly owned treatment works.

Section 413.15 of the proposed regulation for point sources within the copper, nickel, chromium and zinc on ferrous and nonferrous materials subcategory (October 5, 1973; 38 FR 27699), contained the proposed pretreatment standard for new sources. The regulation promulgated simultaneously herewith contains § 413.16 which states the applicability of standards of performance for purposes of pretreatment standard for new sources.

A preliminary Development Document was made available to the public at approximately the time of publication of the notice of proposed rulemaking, and the final Development Document, entitled "Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the Copper, Nickel, Chromium and Zinc Segment of the Electroplating Point Source Category," is now being published. The economic analysis report, entitled "Economic Analysis of Proposed Effluent Guidelines for the Electroplating Point Source Category (Copper, Nickel, Chromium, and Zinc)" (September, 1973), was made available at the time of proposal. Copies of the final Development Document and economic analysis report will continue to be maintained for inspection and copying during the comment period at the EPA Information Center, Room 227, West Tower, Waterside Mall, 401 M Street, SW., Washington, D.C. Copies will also be available for inspection at EPA regional offices and at State water pollution control agency offices. Copies of the Development Document may be purchased from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402. Copies of the economic analysis report will be available for purchase through the National Technical Information Service, Springfield, Virginia 22151.

On June 14, 1973, the Agency published procedures designed to insure that, when certain major standards, regulations, and guidelines are proposed, an explanation of their basis, purpose and environmental effects is made available to the public (38 FR 15653), the procedures are applicable to major standards, regulations and guidelines which are proposed on or after December 31, 1973, and which either prescribe national standards of environmental quality or require national emission, effluent or performance standards or limitations.

The Agency determined to implement these procedures in order to insure that the public was provided with background information to assist it in commenting on the merits of a proposed action. In brief, the procedures call for the Agency to make public the information available to it delineating the major environmental effects of a proposed action, to discuss the pertinent nonenvironmental factors affecting the decision, and to explain the viable options available to it and the reasons for the option selected.

The procedures contemplate publication of this information in the FEDERAL REGISTER, where this is practicable. They provide, however, that where such publication is impracticable because of the length of these materials, the material may be made available in an alternate format.

The Development Document referred to above contains information available to the Agency concerning the major environmental effects of the regulation proposed below. The information includes: (1) The identification of pollutants present in waste waters resulting from the electroplating of copper, nickel, chromium or zinc, the characteristics of these pollutants, and the degree of pollutant reduction obtainable through implementation of the proposed standard; and (2) the anticipated effects on other aspects of the environment (including air, subsurface waters, solid waste disposal and land use, and noise) of the treatment technologies available to meet the standard proposed.

The Development Document and the economic analysis report referred to above also contain information available to the Agency regarding the estimated cost and energy consumption implications of those treatment technologies and the potential effects of those costs on the price of electroplating. The two reports

exceed, in the aggregate, 100 pages in length and contain a substantial number of charts, diagrams and tables. It is clearly impracticable to publish the material contained in these documents in the FEDERAL REGISTER. To the extent possible, significant aspects of the material have been presented in summary form in the preamble to the proposed regulation containing effluent limitations guidelines, new source performance standards and pretreatment standards for new sources within the electroplating category (38 FR 27694; October 5, 1973). Additional discussion is contained in the analysis of public comments on the proposed regulation and the Agency's response to those comments. This discussion appears in the preamble to the promulgated regulation (40 CFR Part 413) which currently is being published in the rules and regulations section of this Part II of the FEDERAL REGISTER (39 FR 11510).

The options available to the Agency in establishing the level of pollutant reduction obtainable through the best practicable control technology currently available, and the reasons for the particular level of reduction selected are discussed in the documents described above. In applying the effluent limitations guidelines to pretreatment standards for the introduction of incompatible pollutants into municipal systems by existing sources in the copper, nickel, chromium and zinc on ferrous and nonferrous materials subcategory, the Agency has, essentially, three options. The first is to declare that the guidelines do not apply. The second is to apply the guidelines unchanged. The third is to modify the guidelines to reflect: (1) Differences between direct dischargers and plants utilizing municipal systems which affect the practicability of the latter employing the technology available to achieve the effluent limitations guidelines; or (2) characteristics of the relevant pollutants which require higher levels of reduction (or permit less stringent levels) in order to insure that the pollutants do not interfere with the treatment works or pass through them untreated.

As described in the Development Document, the process waste waters from the electroplating subcategory contain high concentrations of heavy metals and cyanide which could interfere with the operation of publicly owned treatment works, pass through such works untreated or inadequately treated or otherwise be incompatible with such treatment works. In the opinion of the EPA, these process waste waters should be treated to the level required by the application of the best practicable control technology currently available before discharge of these materials to publicly owned treatment works.

Interested persons may participate in this rulemaking by submitting written comments in triplicate to the EPA Information Center, Environmental Protection Agency, Washington, D.C. 20460, Attention: Mr. Philip B. Wisman. Comments on all aspects of the proposed regulations are solicited. In the event comments are in the nature of criticisms as to the adequacy of data which is available, or which may be relied upon by the Agency, comments should identify and, if possible, provide any additional data which may be available and should indicate why such data is essential to the development of the regulations. In the event comments address the approach taken by the Agency in establishing pretreatment standards for existing sources, EPA solicits suggestions as to what alternative approach should be taken and why and how this alternative better satisfies the detailed requirements of sections 301, 304 and 307(b) of the Act.

A copy of all public comments will be available for inspection and copying at the EPA Information Center, Room 227, West Tower, Waterside Mall, 401 M Street SW., Washington, D.C. 20460. The EPA information regulation, 40 CFR 2, provides that a reasonable fee may be charged for copying.

In consideration of the foregoing, it is hereby proposed that 40 CFR Part 413 be amended to add § 413.14. All comments received on or before April 29, 1974, will be considered.

Dated: March 20, 1974.

JOHN QUARLES,
Acting Administrator.

Part 413 is proposed to be amended by adding § 413.14 to Subpart A as follows:

§ 413.14 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in 40 CFR 413.12 above shall apply and, subject to the provisions of 40 CFR Part 128 concerning pretreatment, process waste water from this subcategory may not be introduced into a publicly owned treatment works, except in compliance with such limitations.

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