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Title 3—The President

PROCLAMATION 4280

National Maritime Day, 1974

By the President of the United States of America

A Proclamation

Since the beginning of our Nation, maritime enterprise has helped to forge the spirit of America and shape its destiny.

In our early years, our merchant marine was a major force in fostering our economic growth and defending our freedom. Down through the years, the American merchant marine continued to serve our economic aspirations and to assist our military forces in times of emergency.

Today, when the United States is the world leader in trade and military power, the dual roles of our merchant marine remain vital to the national interests.

Under the Merchant Marine Act of 1970, new generations of highly advanced and efficient ships are being introduced into our merchant fleet to reinforce America's presence in the world's shipping lanes and to insure that our maritime capacities remain equal to their challenges.

To promote public awareness of our maritime heritage, the Congress in 1933 (48 Stat. 73) designated the anniversary of the first transatlantic voyage by a steamship, the SAVANNAH, on May 22, 1819, as National Maritime Day, and requested the President to issue a proclamation annually in observance of that day.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby urge the people of the United States to honor our American merchant marine on May 22, 1974, by displaying the flag of the United States at their homes and other suitable places, and I request that all ships sailing under the American flag dress ship on that day.

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

Richard Nixon

[FR Doc.74-7961 Filed 4-3-74;12:53 pm]

PROCLAMATION 4281

Cancer Control Month, 1974

By the President of the United States of America

A Proclamation

Cancer is the second leading cause of death among Americans today. This year, 350,000 Americans will die of it. Striking at young and old, cancer is varied, insidious, and relentless.

In the past, we have learned to cope with and cure other, equally frightening illnesses. With years of research, we have virtually eliminated such plagues as diphtheria, cholera, smallpox and typhus in America. And we are going to conquer cancer. The struggle will be long, difficult and costly, and the victory may come by inches. But it will come.

Today, medical efforts against cancer, conceived and developed in our great research institutions, are going forward all over America.

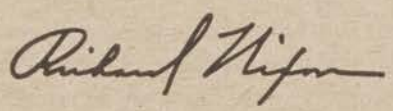
The National Cancer Program, authorized by the National Cancer Act of 1971, provides twin ventures in cancer control and cancer research, as cancer control efforts translate the results of research into useful tools for the bedside physician and for the community effort in cancer prevention. There must be no slowdown in these efforts.

As a means of giving continued emphasis to the need for a broad, systematic attack on cancer, the Congress, by a joint resolution of March 28, 1938 (52 Stat. 148), requested the President to issue annually a proclamation setting aside the month of April as Cancer Control Month.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby proclaim the month of April, 1974, as Cancer Control Month, and I invite the Governors of the States and the Commonwealth of Puerto Rico, and the appropriate officials of all other areas under the United States flag to issue similar proclamations.

To give new emphasis to this serious problem, and to encourage the determination of the American people to meet it, I also ask the medical and health professions, the communications industries, and all other interested persons and groups to unite during this appointed time in public reaffirmation of our Nation's strong commitment to control cancer.

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



APRIL 3, 1974.

[FR Doc.74-7978 Filed 4-3-74;3:07 pm]

PROCLAMATION 4282

25th Anniversary of NATO

By the President of the United States of America

A Proclamation

A quarter-century ago, on April 4, 1949, in Washington, twelve nations, united in a determination to preserve their freedoms, integrity, and common heritage, signed the North Atlantic Treaty. In succeeding years Greece, Turkey, and the Federal Republic of Germany became parties to that accord and members of the North Atlantic Treaty Organization—which was established to fulfill the Treaty's commitment to a joint defense.

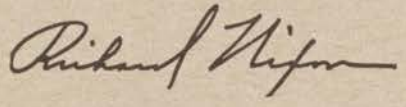
In those early years the military threat to the West was clear. Today, while collective defense remains the first task of the alliance, opportunities have arisen—resulting from more than two decades of Western cohesion—which have allowed the allies to engage in a broad new enterprise aimed at reducing tensions between East and West.

The Atlantic alliance remains the cornerstone of United States foreign policy. In addition to advancing the cause of peace, members can enlarge the purposes of our historic alliance by reinvigorating our association to meet the interrelated security, political, economic, and environmental problems that confront us in the complex world of this decade and beyond. Understanding, cooperation, and consultation must be the hallmark of our on-going relationship. The achievements of the past must not be sacrificed to the pursuit of national interests narrowly conceived. I rededicate the United States today to that course, for it is only in this way that the Alantic nations can truly serve the cause of peace and prosperity for succeeding generations.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby direct the attention of the Nation to this the twenty-fifth anniversary of the signing of the North Atlantic Treaty; and I call upon all agencies and officials of the Federal Government, upon the Governors of the States, and upon the officers of local governments to encourage and facilitate the suitable observance of this event throughout this 25th anniversary year with particular attention to April, the month which marks the historic signing of the treaty.

I also urge all citizens to participate in appropriate activities and ceremonies in recognition of the achievement of the North Atlantic Treaty Organization and its contribution to America's security and well-being.

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



[FR Doc.74-8069 Filed 4-4-74;12:00 pm]

PROCLAMATION 4283

Small Business Week, 1974

By the President of the United States of America

A Proclamation

The history of America is in large measure the history of independent enterprise. From the earliest days of our history, the trader and the merchant, pushing westward, laid the foundations for what has become the world's greatest economic achievement. "What most astonishes me," wrote de Tocqueville of our young Nation in the 1830's "is not so much the marvelous grandeur of some undertaking as the innumerable multitude of small ones."

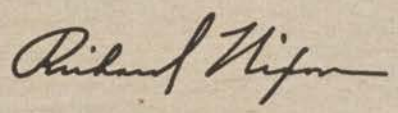
It is upon the foundation established by those small undertakings that the most dynamic society known to man has been built. And today America's small businesses continue to thrive.

Nineteen out of every twenty firms are considered small business. They provide approximately 35 million jobs and contribute more than $476 billion annually to the gross national product.

The pioneering spirit that underlies our success as a Nation will continue to flourish for as long as the small businessman remains the mainstay of our economy and our society.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby designate the week beginning May 19, 1974, as Small Business Week. I ask all Americans to share with me during this week a deep pride in the many accomplishments of our Nation's small businessmen and women, and in the invaluable contribution they have made to our free way of life.

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



[FR Doc.74-8070 Filed 4-4-74;12:00 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 5—Administrative Personnel

CHAPTER I—CIVIL SERVICE COMMISSION

PART 213—EXCEPTED SERVICE

Department of Commerce

Section 213.3314 is amended to show that one position of Deputy Assistant Secretary for Domestic Commerce, is excepted under Schedule C.

Effective on April 5, 1974. § 213.3314 (m)(17) is added as set out below.

§ 213.3314 Department of Commerce.

* * * * *

(m) *Office of the Assistant Secretary for Domestic and International Business.*

* * *

(17) Deputy Assistant Secretary for Domestic Commerce.

* * * * *

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

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.74–7877 Filed 4–4–74;8:45 am]

Title 7—Agriculture

SUBTITLE A—OFFICE OF THE SECRETARY OF AGRICULTURE

PART 2—DELEGATIONS OF AUTHORITY BY THE SECRETARY OF AGRICULTURE AND GENERAL OFFICERS OF THE DEPARTMENT

Subpart D—Delegations of Authority to Other General Officers and Agency Heads

DELEGATIONS OF AUTHORITY TO DIRECTOR, OFFICE OF INVESTIGATION; CORRECTION

Part 2 of 7 CFR Subtitle A is amended to correct the delegations of authority to the Director, Office of Investigation.

1. Section 2.33(b) is amended to read as follows:

§ 2.33 Delegations of authority to the Inspector General.

* * * * *

(b) Direct or control all investigation activities by and for the Department. This includes the authority to:

* * * * *

§ 2.34 [Revoked and reserved]

2. Section 2.34 is revoked and reserved.

Effective date. These amendments shall become effective on April 5, 1974.

Dated: March 29, 1974.

EARL L. BUTZ,
Secretary of Agriculture.

[FR Doc.74–7858 Filed 4–4–74;8:45 am]

PART 2—DELEGATIONS OF AUTHORITY BY THE SECRETARY OF AGRICULTURE AND GENERAL OFFICERS OF THE DEPARTMENT

Subpart J—Delegations of Authority by the Assistant Secretary for Administration

DIRECTOR, OFFICE OF PLANT AND OPERATIONS; CORRECTION

Part 2 of CFR Subtitle A is amended to correct the delegations of authority by the Assistant Secretary for Administration.

Section 2.79(b)(1) is amended to read as follows:

§ 2.79 Director, Office of Plant and Operations.

* * * * *

(b) * * *

(1) Make determinations and findings authorizing the use of negotiation in accordance with 41 U.S.C. 252(c) (11), (12), and (13) with respect to purchases and contracts.

* * * * *

Effective date. This amendment shall become effective on April 5, 1974.

Dated: March 25, 1974.

JOSEPH R. WRIGHT, Jr.,
Assistant Secretary for Administration.

[FR Doc.74–7859 Filed 4–4–74;8:45 am]

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

[Lemon Reg. 633]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

This regulation fixes the quantity of California-Arizona lemons that may be shipped to fresh market during the weekly regulation period April 7–13, 1974. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 910. The quantity of lemons so fixed was arrived at after consideration of the total available supply of lemons, the quantity of lemons currently available for market, the fresh market demand for lemons, lemon prices, and the relationship of season average returns to the parity price for lemons.

§ 910.933 Lemon Regulation 633.

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

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

(i) The committee has submitted its recommendation with respect to the quantity of lemons it deems advisable to be handled during the ensuing week. Such recommendation resulted from consideration of the factors enumerated in the order. The committee further reports the demand for lemons has improved somewhat on a seasonal basis. Average f.o.b. price was $5.77 per carton the week ended March 30, 1974 compared to $5.94 per carton the previous week. Track and rolling supplies at 172 cars were up 20 cars from last week.

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

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted

to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on April 2, 1974.

(b) *Order.* (1) The quantity of lemons grown in California and Arizona which may be handled during the period April 7, 1974, through April 13, 1974, is hereby fixed at 230,000 cartons.

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

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

Dated: April 13, 1974.

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

[FR Doc.74-8063 Filed 4-4-74;8:45 am]

Title 8—Aliens and Nationality

CHAPTER I—IMMIGRATION AND NATURALIZATION SERVICE, DEPARTMENT OF JUSTICE

MISCELLANEOUS AMENDMENTS TO CHAPTER

Pursuant to section 552 of Title 5 of the United States Code (80 Stat. 383) and the authority contained in section 103 of the Immigration and Nationality Act (66 Stat. 173; 8 U.S.C. 1103) and 8 CFR 2.1, miscellaneous amendments, as set forth herein, are prescribed in Parts 100, 103, 214, 242, 299, and 316a of Chapter I of Title 8 of the Code of Federal Regulations.

In Part 100, Statement of Organization Border Patrol Sector No. 15—El Paso, Tex. of § 100.4(d) is amended by deleting "Columbus, N. Mex." from the listing of Border Patrol stations and by adding thereto "Deming, N. Mex." and "Ysleta, Tex."

In Part 103, the last sentence of § 103.6(e) is amended to clarify that the existing jurisdiction to declare breached or cancel an immigration bond executed on Form I–352 lies with the district director having custody of the file containing the bond (Form I–352).

In Part 214, the second sentence of § 214.2(h)(11) is amended editorially. The third sentence of § 214.2(h)(11) is amended to clarify that no appeal lies from the denial of an application for an extension of temporary stay filed by a petitioner on Form I–129B on behalf of a group of beneficiaries of a previously approved visa petition by the same petitioner according nonimmigrant classification as temporary workers or trainees under section 101(a)(15)(H) of the Immigration and Nationality Act. Under existing regulations, an application for an extension of nonimmigrant stay generally is filed on Form I–539, and there is no appeal from a denial of an application for extension of temporary stay. However, as provided in § 214.2(h)(11), an application for extension of temporary stay on behalf of a group of nonimmigrant temporary worker or trainee beneficiaries is filed on Form I–129B; the sole purpose of this provision is to permit the petitioner to seek an extension of stay for a group of temporary workers or trainees by submitting a single application (Form I–129B) and fee, rather than to require each member of the group to submit an individual Form I–539 application and fee. Existing regulations also provide (§ 214.2(h)(1)) that Form I–1129B shall be used to petition to accord nonimmigrant status as a temporary worker or trainee and provide (§ 214.2(h)(6)) for an appeal to a regional commissioner from a district director's denial of such petition. Therefore, § 214.2(h)(11) is being amended to make it clear that no appeal lies from the denial of a Form I–129B filed solely as an application for extension of temporary stay.

In Part 242, § 242.1(a) is amended to empower assistant district directors for investigations to issue orders to show cause, and § 242.7 is amended to vest assistant district directors for investigations with authority to cancel orders to show cause prior to commencement of the deportation hearing for a reason set forth in § 242.7. Section 242.2(a) is amended to vest officers in charge empowered to issue orders to show cause under § 242.1(a) and assistant district directors for investigations with authority to issue warrants of arrest. Corollary amendments are made in §§ 242.2 (a), (b), (c), and (d).

A number of immigration forms have been reissued and now reflect more recent edition dates, accordingly, the listing of forms in § 299.1 is amended to reflect the current edition dates of the specified forms.

Executive Order No. 11767, dated February 19, 1974, designates the "Organization of African Unity" as a public international organization entitled to enjoy the privileges, exemptions, and immunities provided by the International Organizations Immunities Act. Accordingly, in Part 316a, § 316a.4 is amended by adding the "Organization of African Unity" to the listing therein of public international organizations.

In the light of the foregoing, the following amendments to Chapter I of Title 8 of the Code of Federal Regulations are hereby prescribed:

PART 100—STATEMENT OF ORGANIZATION

In § 100.4(d), Sector No. 15—EL PASO, TEX. is amended to read as follows:

§ 100.4 Field Service.

* * * * *

(d) *Border Patrol Sectors.* Border Patrol sector headquarters and stations are situated at the following locations:

* * * * *

SECTOR NO. 15—EL PASO, TEX.

Alamogordo, N. Mex.
Carlsbad, N. Mex.
Deming, N. Mex.
El Paso, Tex.
Fabens, Tex.
Fort Hancock, Tex.
Las Cruces, N. Mex.
Lordsburg, N. Mex.
Sierra Blanca, Tex.
Truth or Consequences, N. Mex.
Ysleta, Tex.

* * * * *

PART 103—POWERS AND DUTIES OF SERVICE OFFICERS; AVAILABILITY OF SERVICE RECORDS

In § 103.6(e), the last sentence is amended. As amended, § 103.6(e) reads as follows:

§ 103.6 Surety bonds.

* * * * *

(e) *Breach of bond.* A bond is breached when there has been a substantial violation of the stipulated conditions. A final determination that a bond has been breached creates a claim in favor of the United States which may not be released or discharged by a Service officer. The district director having custody of the file containing the immigration bond executed on Form I–352 shall determine whether the bond shall be declared breached or cancelled, and shall notify the obligor on Form I–323 or Form I–391 of the decision, and, if declared breached, of the reasons therefor, and of the right to appeal in accordance with the provisions of this part.

PART 214—NONIMMIGRANT CLASSES

In § 214.2(h)(11), the second and third sentences are amended. As amended, § 214.2(h)(11) reads as follows:

§ 214.2 Special requirements for admission, extension, and maintenance of status.

* * * * *

(h) *Temporary employees.* * * *

(11) *Extension of stay.* An extension of stay may be authorized in increments of not more than 12 months each under the same terms and conditions that apply to an admission, except that an applicant for an individual extension on Form I–539 shall not require a new petition to continue previously authorized employment or training. A new petition shall be required on behalf of an applicant who seeks to pursue employment or training other than that previously authorized and the applicant, if he is maintaining status, may be granted an extension of stay for the period of validity of the approved petition without a Form I–539. Form I–129B shall be used when filing an application for a group extension: *Provided,* That when Form I–129B is filed solely for that purpose, no appeal shall lie from the denial thereof. In the case of an alien defined in section 101(a)(15)(H)(ii) of the Act, the application for

extension shall be accompanied by a labor certification or a notice that such certification cannot be made; and the alien shall not be granted an extension which would result in an unbroken stay in the United States for more than 3 years.

* * * * *

PART 242—PROCEEDINGS TO DETERMINE DEPORTABILITY OF ALIENS IN THE UNITED STATES: APPREHENSION, CUSTODY, HEARING, AND APPEAL

1. In § 242.1(a), the existing third sentence is amended. As amended, § 242.1(a) reads as follows:

§ 242.1 Order to show cause and notice of hearing.

(a) *Commencement.* Every proceeding to determine the deportability of an alien in the United States is commenced by the issuance and service of an order to show cause by the Service. In the proceeding the alien shall be known as the respondent. Orders to show cause may be issued by district directors, acting district directors, deputy district directors, assistant district directors for investigations, and officers in charge at Albany, N.Y.; Cincinnati, Ohio; Dallas, Tex.; Hammond, Ind.; Harlingen, Tex.; Milwaukee, Wis.; Norfolk, Va.; Pittsburgh, Pa.; Providence, R.I.; San Diego, Calif.; Salt Lake City, Utah; St. Louis, Mo.; Spokane, Wash.

* * * * *

2. Section 242.2 is amended in the following respects: In paragraph (a), the existing second, third, seventh, eighth, and ninth sentences are amended; in paragraph (b), the ninth and tenth sentences are amended; in paragraph (c), the first sentence is amended; and paragraph (d) is amended. As amended, §§ 242.2(a), (b), (c), and (d) read as follows:

§ 242.2 Apprehension, custody and detention.

(a) *Warrant of arrest.* At the commencement of any proceeding under this part, or at any time thereafter and up to the time the respondent becomes subject to supervision under the authority contained in section 242(d) of the Act, the respondent may be arrested and taken into custody under the authority of a warrant of arrest. However, such warrant may be issued by no one other than a district director, acting district director, deputy district director, assistant district director for investigations, or officer in charge of an office enumerated in § 242.1(a), and then only whenever, in his discretion, it appears that the arrest of the respondent is necessary or desirable. If, after the issuance of a warrant of arrest, a determination is made not to serve it, any officer authorized to issue such warrant may authorize its cancellation. When a warrant of arrest is served under this part, the respondent shall have explained to him the contents of the order to show cause, the reason for his arrest and his right to be represented by counsel of his own choice at no expense to the Government. He shall be advised that any statement he makes may be used against him. He shall also be informed whether he is to be continued in custody or, if release from custody has been authorized, of the amount and conditions of the bond or the conditions under which he may be released. A respondent on whom a warrant of arrest has been served may apply to the district director, acting district director, deputy district director, assistant district director for investigations, or officer in charge of an office enumerated in § 242.1(a), for release or for amelioration of the conditions under which he may be released. The district director, acting district director, deputy district director, assistant district director for investigations, or officer in charge of an office enumerated in § 242.1(a), when serving the warrant of arrest and when determining any application pertaining thereto, shall furnish the respondent with a notice of decision, which may be on Form I–286, indicating whether custody will be continued or terminated, specifying the conditions, if any, under which release is permitted, and advising the respondent appropriately whether he may apply to a special inquiry officer pursuant to paragraph (b) of this section for release or modification of the conditions of release or whether he may appeal to the Board. A direct appeal to the Board from a determination by a district director, acting district director, deputy district director, assistant district director for investigations, or officer in charge of an office enumerated in § 242.1(a), shall not be allowed except as authorized by paragraph (b) of this section.

(b) *Authority of special inquiry officers; appeals.* After an initial determination pursuant to paragraph (a) of this section, and at any time before a deportation order becomes administratively final, upon application by the respondent for release from custody or for amelioration of the conditions under which he may be released, a special inquiry officer may exercise the authority contained in section 242 of the Act to continue or detain a respondent in, or release him from, custody, and to determine whether a respondent shall be released under bond, and the amount thereof, if any. Application for the exercise of such authority may be made to any available special inquiry officer who is stationed at the Service office which has administrative jurisdiction over the proceeding under the order to show cause or who conducts hearings there. If no such special inquiry officer is available, application may be made to any available special inquiry officer stationed in the region wherein said Service office is located. The determination of the special inquiry officer in respect to custody status or bond shall be entered on Form I–342 at the time such determination is made and shall be accompanied by a memorandum by the special inquiry officer as to the reasons for his determination. The special inquiry officer shall promptly notify the respondent and the Service of such determination. Consideration under this paragraph by the special inquiry officer of an application or request of an alien regarding custody or bond shall be separate and apart from any deportation hearing or proceeding under this part, and shall form no part of such hearing or proceeding or of the record thereof. The determination of the special inquiry officer as to custody status or bond may be based upon any information which is available to the special inquiry officer, or which is presented to him by the alien or the Service. The alien and the Service may appeal to the Board of Immigration Appeals from any such determination. After a deportation order becomes administratively final, the respondent may appeal directly to the Board from a determination by the district director, acting district director, deputy district director, assistant district director for investigations, or officer in charge of an office enumerated in § 242.1(a), except that no appeal shall be allowed when the Service notifies the alien that it is ready to execute the order of deportation and takes him into custody for that purpose. An appeal to the Board shall be taken from a determination by a special inquiry officer or from an appealable determination by a district director, acting district director, deputy district director, assistant district director for investigations, or officer in charge of an office enumerated in § 242.1(a) by filing a notice of appeal with the district director within 5 days after the date when written notification of the determination is served upon the respondent and the Service. Upon the filing of a notice of appeal, the district director shall immediately transmit to the Board all records and information pertaining to the determination from which the appeal has been taken. The filing of such an appeal shall not operate to delay compliance, during the pedency of the appeal, with the custody directive from which appeal is taken, or to stay the administrative proceeding or deportation.

(c) *Revocation.* When an alien who, having been arrested and taken into custody, has been released, such release may be revoked at any time in the discretion of the district director, acting district director, deputy district director, assistant district director for investigations, or officer in charge of an office enumerated in § 242.1(a), in which event the alien may be taken into physical custody and detained. If detained, unless a breach has occurred, any outstanding bond shall be revoked and cancelled. The provisions of paragraph (b) of this section shall govern availability to the respondent of recourse to other administrative authority for release from custody.

(d) *Supervision.* Until an alien against whom a final order of deportation has been outstanding for more than six months is deported, he shall be subject to supervision by a district director, acting district director, deputy district director, assistant district director for investigations, or officer in charge of an office enumerated in § 242.1(a), and required to comply with the provisions of section 242(d) of the Act relating to his availability for deportation.

* * * * *

3. In § 242.7, the first sentence is amended. As amended, § 242.7 reads as follows:

§ 242.7 Cancellation of proceedings.

If an order to show cause has been issued, any district director, acting district director, deputy district director, assistant district director for investigations, or officer in charge of an office enumerated in § 242.1(a) may cancel the order to show cause or, prior to the actual commencement of the hearing under a served order to show cause, terminate proceedings thereunder, if in either case he is satisfied that the respondent is actually a national of the United States, or is not deportable under the immigration laws, or is deceased, or is not in the United States, or that the proceeding was inprovidently begun; or after actual commencement of hearing such officer may move that the case be dismissed for any of the foregoing reasons or that the case be remanded to his jurisdiction on the ground that it has come to his attention that there are involved the foreign relations of the United States which require further consideration. Cancellation of an order to show cause or termination of proceedings or remand of a case pursuant to the foregoing shall be without prejudice to the alien or the Service. If an order to show cause has been cancelled or proceedings have been terminated pursuant to this section, any outstanding warrant of arrest shall also be cancelled. A special inquiry officer may, in his discretion, terminate deportation proceedings to permit respondent to proceed to a final hearing on a pending application or petition for naturalization when the respondent has established prima facie eligibility for naturalization and the case involves exceptionally appealing or humanitarian factors; in every other case, the deportation hearing shall be completed as promptly as possible notwithstanding the pendency of an application for naturalization during any stage of the proceedings.

PART 299—IMMIGRATION FORMS

In § 299.1 the listing of forms is amended to reflect the current edition dates of the following forms:

§ 299.1 Prescribed forms.

Form No.	*Title and description*
* * * * *	
I–191 (1–1–74)	Application for Advance Permission to Return to Unrelinquished Domicile.
* * * * *	
I–418 (2–1–74)	Passenger List—Crew List.
* * * * *	
I–485 (11–1–73)	Application for Status as Permanent Resident.
I–485A (12–1–73)	Application by Cuban Refugee for Permanent Residence.
* * * * *	
I–538 (11–1–73)	Application by Nonimmigrant Student (F–1) for Extension of Stay, School Transfer or Permission to Accept or Continue Employment.
* * * * *	
I–600 (1–1–74)	Petition to Classify Orphan as an Immediate Relative.
* * * * *	

PART 316a—RESIDENCE, PHYSICAL PRESENCE AND ABSENCE

§ 316a.4 [Amended]

The listing of public international organizations in § 316a.4 *International Organizations Immunities Act designations* is amended by adding thereto in alphabetical sequence the following organization: "Organization of African Unity (OAU) (E.O. 11767, Feb. 19, 1974)".

Compliance with the provisions of section 553 of Title 5 of the United States Code (80 Stat. 383) as to notice of proposed rule making and delayed effective date is unnecessary in this instance and would serve no useful purpose because the amendments to § 100.4(d) relate to agency management and organization; the amendment to § 103.6(e) is clarifying in nature; the amendments to § 214.2 (h)(11) are editorial and clarifying in nature; the amendments to §§ 242.1(a), 242.2 (a), (b), (c), and (d), and 242.7 relate to agency management; the amendments to § 299.1 are editorial in nature, and the amendment to § 316a.4 adds a public international organization to the listing.

Effective date. This order shall become effective on April 5, 1974.

Dated: April 1, 1974.

L. F. CHAPMAN, Jr.,
Commissioner of Immigration and Naturalization.

[FR Doc.74–7843 Filed 4–4–74;8:45 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 74–WE–9–AD; Amdt. 39–1810]

PART 39—AIRWORTHINESS DIRECTIVES

Douglas Model DC–10 Airplanes

There has been a failure of the landing gear control valve on a Douglas Model DC–10 airplane that prevented activation of the alternate freefall system for landing gear extension. Since this condition is likely to exist or develop in other airplanes of the same type design, an airworthiness directive is being issued to require a daily check of the freedom of movement of the bypass control crank until the modification in Douglas Alert Service Bulletin No. A32–76, Revision 1, dated March 1, 1974, or later FAA-approved revisions, is incorporated on the DC–10 airplanes with the factory serial numbers listed in Bulletin No. A32–76, Revision 1, dated March 1, 1974 or later FAA-approved revisions.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than thirty days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 FR 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

DOUGLAS AIRCRAFT. Applies to Model DC–10, Series 10, 30 and 40 airplanes with the factory serial numbers listed in Douglas Alert Service Bulletin No. A32–76, Revision 1, dated March 1, 1974, or later FFA-approved revisions.

Compliance required as indicated.

To prevent a failure to actuate of the landing gear alternate freefall system caused by a jamming of the landing gear control valve slide, Part No. AYG7043–1, in the sleeve, Part No. AYG 7039–1, accomplish the following:

(a) Beginning with the effective date of this AD, on each day in which the aircraft is used, and after any use of the alternate gear extension handle, check the bypass control crank for freedom of movement. The landing gear control valve, Part No. AYG7050, is located in the right hand wheel well, forward center panel of the keel webb. The bypass control crank is next to the keel webb on the forward lower end of the valve. Freedom of movement of the bypass valve is verified by manually moving the crank up and down. If the crank cannot be moved freely by hand, free the crank by exerting a downward force. The downward force exerted must not be excessive. If the crank freedom of movement is not achieved, replace the landing gear control valve, Part No. AYG7050, prior to further flight. Continue these checks for crank freedom of movement until a stop is installed on the landing gear control valve in accordance with Douglas Alert Service Bulletin No. A32–76, Revision 1, dated March 1, 1974, or later FAA–approved revisions.

(b) Within the next 1500 hours in service after the effective date of this AD, unless previously accomplished, install a stop on the landing gear control valve, Part No. AYG7050, in accordance with Douglas Alert Service Bulletin No. A32–76, Revision 1 dated March 1, 1974 or later FAA-approved revisions. This installation of an external stop on the valve housing will prevent the lever moving to a point that would allow internal jamming.

(c) The Chief, Aircraft Engineering Division, FAA Western Region, may approve equivalent inspection procedures or modifications.

(d) Aircraft may be operated to a base for accomplishment of the maintenance required by this AD per FAR's 21.197 and 21.199.

This amendment becomes effective April 8, 1974.

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

Issued in Los Angeles, Calif., on March 28, 1974.

ROBERT O. BLANCHARD,
Acting Director, FAA Western Region.

[FR Doc.74–7827 Filed 4–4–74;8:45 am]

[Docket No. 74-SO-14, Amdt. 39-1809]

PART 39—AIRWORTHINESS DIRECTIVES

Slick Models Series Magnetos

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring that impulse coupling pawl rivets be inspected for looseness at the next annual inspection or within the next 100 hours time in service, whichever occurs first, and if found loose, replace with an improved coupling on Slick Models 447, 662, 664, 667, 668, and 680 magnetos was published in 39 FR 5639.

Interested persons have been afforded an opportunity to participate in making of the amendment. No objections were received.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (37 FR 13697), § 39.13 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

SLICK ELECTRO, INC. Applies to Slick magneto Models 447, 662, 664, 667, 668, 676, and 680 manufactured prior to August 1973 with Serial Numbers 3080608 and below.

Compliance required within the next 100 hours time in service or at the next annual inspection whichever occurs first after the effective date of this AD unless already accomplished, and thereafter at intervals not to exceed 100 hours time in service from the last inspection.

To prevent failure of the magneto impulse coupling due to loose pawls, accomplish the following:

(1) Remove the impulse coupling hub from the shaft and inspect the pawl rivets for looseness. Use a pair of pliers on the head of the rivet; use caution with the pliers so as not to damage the head of the rivet. If the rivet turns in the plate, the hub assembly should be replaced. (See paragraph (3) for correct replacement assemblies.)

(2) For proper spring tension in reassembly, refer to instructions on page 25 of Slick green service manual (Form No. 1012), or page 27 in their yellow service manual (Form No. 1020).

Note: Reference Slick Service Bulletin No. 1-71.

(3) The repetitive inspections required in paragraphs (1) and (2) above are no longer required when the impulse coupling is replaced with the appropriate new impulse coupling assemblies listed below:

Slick Magneto Model	*Impulse Coupling Complete*
662 and 680	M-2369
664	M-2370
667	M-2371
668	M-2372
676	M-2373
447	M-2374

NOTE: Reference Slick Service Letter 1-73.

This amendment is effective May 3, 1974.

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

Issued in East Point, Ga., on March 27, 1974.

DUANE W. FREER,
Acting Director, Southern Region.

[FR Doc.74-7828 Filed 4-4-74;8:45 am]

[Airspace Docket No. 74-SO-1]

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

Alteration of Control Zone; Correction

On March 13, 1974, FR Doc. 74-5693 was published in the FEDERAL REGISTER (39 FR 9650), amending Part 71 of the Federal Aviation Regulations by altering the Atlanta, Ga., transition area.

In the amendment, the latitudinal ordinate for the Griffin-Spaulding County Airport was published as 34°13'30" N in lieu of 33°13'30" N. It is necessary to amend FR Doc. 74-5693 to reflect this change. Since this amendment is editorial in nature, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, effective immediately, FR Doc. No. 74-5693 is amended as follows:

In line four of the Atlanta, Ga., transition area description "* * * latitude 34°13'30" N * * *" is deleted and "* * * latitude 33°13'30" N * * *" is substituted therefor.

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

Issued in East Point, Ga., on March 29, 1974.

DUANE W. FREER,
Acting Director, Southern Region.

[FR Doc.74-7829 Filed 4-4-74;8:45 am]

[Airspace Docket No. 74-SW-4]

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

Alteration of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Wharton, Tex., transition area.

On February 14, 1974, a notice of proposed rulemaking was published in the FEDERAL REGISTER (39 FR 5640) stating the Federal Aviation Administration proposed to alter the transition area at Wharton, Tex.

Interested persons were afforded an opportunity to participate in the rulemaking through 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., June 20, 1974, as hereinafter set forth.

In § 71.181 (39 FR 440), the Wharton, Tex., transition area is amended to read:

WHARTON, TEX.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Wharton Municipal Airport (latitude 29°15'15" N, longitude 96°09'15" W); within 2.5 miles each side of the Eagle Lake, Tex., VORTAC 162° radial extending from the 5-mile radius to 23.5 miles southeast of the Eagle Lake VORTAC and within 3.5 miles each side of the 153° bearing of the Wharton BRN (latitude 29°15'17" N, longitude 96°09'11" W) extending from the 5-mile radius to 11.5 miles southeast of the RBN and within 3.5 miles each side of the 324° bearing from the Wharton RBN extending from the 5-mile radius to 11.5 miles northwest of the RBN excluding the portion within the El Campo, Tex., transition area.

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

Issued in Fort Worth, Tex., on March 28, 1974.

ALBERT H. THURBURN,
Acting Director, Southwest Region.

[FR Doc.74-7830 Filed 4-4-74;8:45 am]

[Docket No. 13594; Special Federal Aviation Reg. 28]

PART 103—TRANSPORTATION OF DANGEROUS ARTICLES AND MAGNETIZED MATERIALS

Carriage of Flammable Liquids in Cargo Aircraft in State of Alaska

The purpose of this Special Federal Aviation Regulation is to allow the carriage of flammable liquids, other than pyroforic liquids, in cargo-only aircraft within the State of Alaska in quantities that exceed the maximum quantity limitations of 49 CFR 172.5 but are not in excess of 55 gallons per outside container.

Section 103.9 provides that no person may carry any dangerous article in a cargo-only aircraft except, among other articles, those that: (1) Are specified in 49 CFR 172.5 as acceptable for shipment by rail express; (2) do not exceed the maximum quantity for each outside container specified in 49 CFR 172.5 for rail express; and (3) are packaged, marked, and labeled as specified in 49 CFR Part 173 for shipment by rail express. Gasoline and other flammable liquids, as defined in 49 CFR 173.115(a), are limited to a maximum quantity of 10 gallons for each outside container by 14 CFR 172.5.

The FAA has received numerous petitions from operators of cargo-only aircraft in the State of Alaska for exemptions from Part 103 to permit the carriage of gasoline and other flammable liquids in quantities exceeding the limits of 49 CFR 172.5 when other means of transporting larger quantities are unavailable or impracticable. The justification submitted by those operators in support of their petitions has been basically the need to supply the isolated sites of exploration teams and other facilities located in areas not served by ground transportation or where roads can only be used during the summer months.

The carriage of gasoline and other flammable liquids in 55-gallon drums has been authorized by the FAA in Alaska for a number of years by the issuance of deviation authorizations as provided for in § 103.5. However, § 103.5 provides that deviation authorizations may be issued only for one or more flights for a particular operation. Due to the large number of separate operations needed to meet the demand for these liquids, the issue of individual authorizations does not appear to be a practical means of

meeting this need. Accordingly, this Special Federal Aviation Regulation is being issued for a period of one year to allow for the collection of data and information on operations conducted under it so that a determination can be made whether it should be proposed for incorporation into the generally applicable regulations set forth in Part 103.

It should be noted that this regulation does not allow the carriage of a pyroforic liquid, which is defined in 49 CFR 173.115 (c) as a flammable liquid that becomes self-igniting when exposed to normal atmospheric conditions incident to transportation.

The FAA is not aware of any accident or incident caused by the carriage of flammable liquids in 55-gallon drums in aircraft in the State of Alaska pursuant to deviation authority issued by the FAA, and believes that the requirements set forth in this regulation are sufficient to provide a level of safety equivalent to that provided by Part 103 for the carriage of flammable liquids in quantities of 10 gallons or less.

In view of the increased need for transportation by air of large quantities of gasoline and other flammable liquids to isolated Alaskan communities during the winter months, I find that notice and public procedure on this Special Federal Aviation Regulation is impracticable and contrary to the public interest, and that good cause exists for making this regulation effective immediately.

(Secs. 313(a), 601, 902(h), Federal Aviation Act of 1958; (49 U.S.C. 1354(a), 1421, 1472 (h)); sec. 6(c), Department of Transportation Act; (49 U.S.C. 1655(c)))

In consideration of the foregoing, the following Special Federal Aviation Regulation is adopted, effective April 5, 1974:

SPECIAL FEDERAL AVIATION REGULATION NO. 28

Contrary provisions of § 103.9 of the Federal Aviation Regulations notwithstanding, any operator of an aircraft while conducting operations entirely within the State of Alaska may deviate from the provisions of § 103.9 to the extent necessary to permit the transportation in cargo-only aircraft of any flammable liquid listed in 49 CFR 172.5, except a pyroforic liquid as defined in 49 CFR 173.115(c) in quantities greater than 10 U.S. gallons but not exceeding 55 U.S. gallons for each outside container, subject to the following conditions:

1. The flammable liquid may be carried only when means of transportation other than by air are impractical, and the carriage is not solely for the purpose of economic advantage or convenience.

2. No person other than a required flight crewmember or a person assigned to the handling of the flammable liquid may be carried.

3. No person may smoke, carry a lighted cigarette, cigar, or pipe, or operate any device capable of causing an open flame or spark in the aircraft.

4. Whenever the owner or operator of an airport, or an authorized representative thereof, has designated a location for loading or unloading flammable liquids or is present on the airport during the loading or unloading of the aircraft, the flammable liquid may not be loaded or unloaded at a location other than the one designated by the owner or operator, or his authorized representative.

5. The aircraft may not be loaded or unloaded while—

(a) Any person is smoking or carrying a lighted cigarette, cigar, or pipe within 50 feet of the aircraft.

(b) Any engine or any device capable of causing an open flame or spark is being operated within 50 feet of the aircraft.

(c) The aircraft's engines or electrical or avionic equipment, except position lights in the steady position, are being operated.

6. During loading and unloading the aircraft shall be positively grounded.

7. No person may fill a container with a flammable liquid or discharge a flammable liquid from a container while that container is inside the aircraft.

This Special Federal Aviation Regulation shall terminate April 5, 1975, unless sooner superseded or rescinded.

Issued in Washington, D.C., on March 28, 1974.

JAMES E. DOW,
Acting Administrator.

[FR Doc.74-7826 Filed 4-4-74;8:45 am]

CHAPTER II—CIVIL AERONAUTICS BOARD

SUBCHAPTER D—SPECIAL REGULATIONS

[Reg. SPR-74; Amdt. No. 5]

PART 372a—TRAVEL GROUP CHARTERS

Authorizing Amendments

Correction

In FR Doc. 74-6666 appearing at page 10886 in the issue of Friday, March 22, 1974, make the following changes:

1. In the third column, last line of the fourth complete paragraph on page 10886, add "(Emphasis added)" following "* * * flights.[5]"

2. At the bottom of the first column of page 10889, after footnote "[20]", add

"[21] See SPDR-33, p. 9."

Title 16—Commercial Practices

CHAPTER I—FEDERAL TRADE COMMISSION

[Docket No. 8892]

PART 13—PROHIBITED TRADE PRACTICES

St. Joe Minerals Corp.

Subpart—Acquiring corporate stock or assets: § *13.5 Acquiring corporate stock or assets.*

(Sec. 6, 38 Stat. 721; (15 U.S.C. 46). Interprets or applies sec. 7, 38 Stat. 731, as amended: 15 U.S.C. 18)) [Cease and desist order, St. Joe Minerals Corporation, New York, N.Y., Docket 8892, Mar. 11, 1974]

In the Matter of St. Joe Minerals Corporation, a Corporation.

Consent order requiring a New York City producer of lead and zinc, among other things to cease acquiring, without prior Commission approval, any corporations engaged in the production or sale in the United States of more than 30,000 tons per year of lead ore or related lead products. This prohibition is in effect until October 25, 1977.

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

I. *It is ordered,* That for a period commencing with the effective date of this order and continuing until the expiration of 5 years from October 25, 1972, St. Joe Minerals Corporation, its subsidiaries, successors and assigns or any concern controlled by a concern which is in control of St. Joe Minerals Corporation shall cease and desist from acquiring or agreeing to acquire directly or indirectly without the prior approval of the Federal Trade Commission ("Commission") all or any part of the stock or share capital, operating assets in excess of $800,000 in any twelve month period, or any interest in or any interest of any one or more concerns, corporate or non-corporate, engaged in the year preceding the acquisition in the production or sale in the United States of more than 30,000 tons per year (in lead content of the concern's end product) of lead ore, lead concentrates, primary lead, secondary lead, lead oxides or lead alloys or any combination thereof, or from entering into any arrangements with any such concern by which St. Joe Minerals Corporation obtains the United States market share in whole or in part of such concern in the above-described products; *Provided, however,* That nothing in this paragraph shall prevent the acquisition of, or of any interest in, mines which are not in production, mineral reserves or other mineral properties which are not being mined, or mines or other operating assets whose production is not being sold directly or indirectly in the United States.

It is further provided, That the term interest as used in this paragraph shall not apply to either (1) a debt interest or a security interest acquired incident to a sale or (2) an interest arising out of the conversion of a debt or security interest acquired incident to a sale, if disposed of within 12 months after such conversion.

II. *It is further ordered,* That on October 25, 1973 and on each anniversary date thereafter until the expiration of the prohibitions in paragraph I of this order St. Joe Minerals Corporation shall submit a report in writing to the Commission listing, for the year preceding such date, all its acquisitions of, mergers with, and agreements to acquire or merge with any concern engaged in the production or sale in the United States of any of the products listed in paragraph I; the date of each such acquisition, merger or agreement; the products involved and such additional information as may from time to time be required.

III. *It is further ordered,* That St. Joe Minerals Corporation shall notify the Commission at least 30 days prior to any proposed changes in its corporate status which may affect compliance obligations arising out of the order such as dissolution, assignment or sale resulting in the emergence of successor corporations and that this order shall be binding on any such successor.

Issued: March 11, 1974.

By the Commission.

[SEAL] CHARLES A. TOBIN,
Secretary.

[FR Doc.74-7860 Filed 4-4-74;8:45 am]

Title 24—Housing and Urban Development

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

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

[Docket No. FI-234]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

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

§ 1914.4 Status of participating communities

* * * * * * *

State	County	Location	Map No.	State map repository	Local map repository	Effective date of authorization of sale of flood insurance for area
*	*	*	*	*	*	*
Alabama	Lawrence	Multon, town of.				Apr. 1, 1974. Emergency.
Illinois	Cook	River Grove, village of.				Do.
Do	Jersey	Unincorporated areas.				Do.
Do	Randolph	do				Do.
Do	Whiteside	Albany, village of.				Do.
Louisiana	St. Landry Parish.	Palmetto, village of.				Do.
Mississippi	Bolivar	Shaw, city of				Do.
Do	Holmes	Durant, city of				Do.
Missouri	Scott	Commerce, city of.				Do.

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

Issued: March 25, 1974.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.74-7779 Filed 4-4-74;8:45 am]

[Docket No. FI-235]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

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

§ 1914.4 Status of participating communities.

* * * * * * *

State	County	Location	Map No.	State map repository	Local map repository	Effective date of authorization of sale of flood insurance for area
*	*	*	*	*	*	*
Minnesota	McLeod	Hutchinson, city of.				Apr. 2, 1974, Emergency.
Mississippi	Panola	Batesville, city of				Do.
Do	Coahoma	Clarksdale, city of				Do.
Missouri	Mississippi	Wyatt, city of				Do.
New York	Tompkins	Ithaca, city of				Do.
Pennsylvania	Wyoming	Laceyville, borough of.				Do.
Do	Armstrong	Leechburg, borough of.				Do.
Do	Montgomery	Skippack, township of.				Do.
South Carolina	Pickens	Unincorporated areas.				Do.
Virginia	Warren	Front Royal, town of.				Do.
Washington	Pacific	Ilwaco, town of				Do.
Do	do	Raymond, city of				Do.
Do	Okanogan	Tonasket, town of				Do.
Wisconsin	Waupaca	Clintonville, city of.				Do.
Do	Fond Du Lac	Unincorporated areas.				Do.
Do	Waukesha	Waukesha, city of				Do.

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

Issued: March 26, 1974.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.74-7780 Filed 4-4-74;8:45 am]

[Docket No. FI-236]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

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

§ 1914.4 Status of participating communities.

* * * * * * *

State	County	Location	Map No.	State map repository	Local map repository	Effective date of authorization of sale of flood insurance for area
*	*	*	*	*	*	*
Colorado	Huerfano	Unincorporated areas.				Apr. 4, 1974 emergency.
Connecticut	Hartford	Enfield, town of				Do.
Idaho	Kootenai	Unincorporated areas.				Do.
Illinois	Carroll	Savanna, city of				Do.
Do.	Madison	East Alton, village of.				Do.
New Jersey	Bergen	Fair Lawn, borough of.				Do.
North Dakota	Morton	Mandan, city of				Do.
Pennsylvania	Berks	South Heidelberg, township of.				Do.
Do.	Lackawanna	Jessup, borough of.				Do.
Do.	Schuylkill	Minersville, borough of.				Do.
Do.	York	Washington, township of.				Do.
Virginia	Brunswick	Unincorporated areas.				Do.
Do.	Hanover	do.				Do.

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

Issued: March 27, 1974.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.74-7778 Filed 4-4-74;8:45 am]

Title 29—Labor

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

PART 1910—OCCUPATIONAL SAFETY AND HEALTH STANDARDS

Emergency Temporary Standard for Exposure to Vinyl Chloride

1. *Background.* Vinyl chloride (chloroethene), Chemical Abstracts Service Registry No. 75015, is a synthetic chemical made by oxychlorination of ethylene or by hydrochlorination of acetylene. It is the parent compound of a series of thermoplastic resin polymers and copolymers which are widely used for containers, wrapping tissues, electrical insulation, pipe, conduit and a variety of other products. Vinyl chloride has been made commercially in this country since 1939 and present production is in excess of seven billion pounds per year.

Vinyl chloride (VC) is a gas at ambient temperature and pressure and is a chlorinated hydrocarbon which has moderate liver toxicity. The present standard sets a ceiling value of 500 parts per million (ppm) (29 CFR 1910.93).

On January 22, 1974, the Occupational Safety and Health Administration was informed by the National Institute for Occupational Safety and Health (NIOSH) that the B. F. Goodrich Chemical Company reported that deaths of several of its employees from a rare form of liver cancer may have been occupationally related. As a result of this notification, and after consultation with NIOSH and a joint inspection of the plant by OSHA, NIOSH, and the Kentucky Department of Labor, a fact-finding hearing on possible hazards involved with the manufacture and use of both VC and polyvinyl chloride was announced on January 30, 1974 (39 FR 3874), and held on February 15, 1974.

2. *Carcinogenicity of VC.* Information produced at the hearing demonstrated that exposure of laboratory animals (mostly Sprague-Dawley rats) to VC by inhalation at and below the current OSHA standard of 500 ppm induced tumors, including angiosarcomas of the liver. Professor Cesare Maltoni, of the Instituto di Oncologia, Bologna, Italy, reported on a series of experiments on the effect of exposure of rats, mice, and hamsters to VC at concentrations of 10,000; 6,000; 2,500; 500; 250; and 50 ppm for varying periods of time (TR 43–63). Some of the experiments have been concluded, and others are still ongoing. The experimental results so far reported are that tumors have been observed in groups of animals exposed to VC at concentrations as low as 250 ppm. No tumors have been observed in the group of animals exposed to VC at a concentration of 50 ppm. It also appears so far that the total number of tumors, as well as the numbers of angiosarcomas of the liver, decrease as the concentrations of VC are reduced to 250 ppm. Finally, another experiment by Professor Maltoni is underway involving the exposure of 300 animals to VC at concentrations of 50 ppm, in order to assess in a more definitive way whether that level of exposure produces tumors in animals. Data reported by Torkelson, Oyen and Rowe (American Industrial Hygiene Association J 22:354–361 (1961)) indicate that exposure to VC at concentrations of 50 ppm failed to induce tumors in rats, hamsters, rabbits, and dogs.

The employees of the B. F. Goodrich Chemical Company who died from angiosarcoma of the liver had an average exposure of approximately 19 years to vinyl chloride, at unknown concentrations, and variable exposures to other volatile chemicals. (TR 93). Some employees of Union Carbide Company and Goodyear Company are also reported in a post-hearing comment from NIOSH dated March 11, 1974, to have had exposure to vinyl chloride and to have died from angiosarcoma of the liver. Finally, autopsies of four deceased employees revealed that liver angiosarcoma tumors were histologically indistinguishable from the angiosarcoma tumors observed in Professor Maltoni's experimental animals. It is concluded therefore, that vinyl chloride is carcinogenic for humans.

We therefore conclude that the present standard for VC should be lowered from a ceiling of 500 ppm to a ceiling of 50 ppm for the following reasons:

(a) In light of the evidence referred to above including the Maltoni experiments demonstrating that VC is carcinogenic in animals at 250 ppm, we conclude that VC must be considered carcinogenic in man at the same level;

(b) Although Professor Maltoni did not induce tumors in his experimental animals at an exposure concentration of 50 ppm, these data do not support the concept that occupational exposure of employees to concentrations of 50 ppm throughout their working lifetime would be without detrimental health effects;

(c) The question whether safe levels of exposure to carcinogens exist for humans and, if so, what such levels would be, is the subject of continuing scientific deliberation. In the case of VC, Professor Maltoni did not observe tumors in his animals at exposure concentrations of 50 ppm. In addition, Torkelson, Oyen, and Rowe found that exposure to concentrations of 50 ppm of VC failed to induce tumors in rats, hamsters, rabbits, and dogs. Accordingly, there is insufficient evidence at this time to conclude that VC at concentrations of 50 ppm or below poses a grave danger to humans.

(d) The emergency temporary standard adopted represents a substantial reduction in the permissible level of exposure and, in our practical judgment, is the lowest level that can be complied with immediately; and

(e) This standard will be in effect for a period of no longer than six months, during which time the whole question of possible safe exposure of humans to VC will be reconsidered more fully and in the light of more information, including experiments which are under way at this time (TR 47, 49, 71–74).

3. *Petitions for an emergency temporary standard.* In a telegram to the Assistant Secretary of Labor, received on or about March 14, 1974, the President of the United Rubber Workers International Union urged the establishment of an emergency temporary standard for VC. During the hearing of February 15, 1974, the Industrial Union Department, AFL–CIO, and the United Rubber Workers International Union made a joint petition for an emergency temporary standard for VC (TR 141–148), which was also joined by the Oil, Chemical and Atomic Workers International Union (TR 37). At the same hearing, several participants urged, on the other hand, a regular rulemaking proceeding as the most suitable for the orderly development of relevant information (TR 112, 180).

The petitions for an emergency temporary standard specified in detail the contents of the standard requested. In substance, the request is to issue a comprehensive fully-developed standard based on the recommendations of the Standards Advisory Committee on Carcinogens submitted to the Assistant Secretary of Labor on or about August 27, 1973. The recommendations are far-ranging, and cover special categories of operations, signs and labels, medical surveillance, reporting, etc., including a permit system for the use of a carcinogen.

We agree that an emergency temporary standard is necessary; we cannot say on the basis of the information developed so far that a comprehensive standard, such as the one requested, is either necessary or even desirable. It has been decided to promulgate a standard containing only those essential provisions which are deemed necessary to provide protection to employees from grave danger until a regular rulemaking proceeding in accordance with sections 6 (b) and (c) of the Act can be concluded. The reasons for a decision to establish a ceiling value of 50 ppm have already been stated. A decision on other possible, appropriate provisions is best made after consideration of all relevant data and views that interested persons may submit during the proceeding soon to be initiated.

With respect to arguments in opposition to issuance of an emergency temporary standard, the concern and efforts of several companies participating at the hearing for the protection of their employees are recognized. It may also be that some employers in some plants have fully complied with the interim controls recommended by NIOSH on January 30, 1974. There is, however, reason to believe that employees are currently being exposed to VC at concentrations well above 50 ppm. This was asserted several times at the hearing, and not seriously questioned. Moreover, a report, dated March 1974, of a survey by the staff of the Office of Standards Development, OSHA, of several facilities manufacturing VC and polyvinyl chloride revealed concentrations for some job classifications as high as 229 ppm. Therefore, a regulation is considered necessary to provide, immediately, adequate protection to workers ex-

posed to VC. Also, the eight-hour, time-weighted average standard suggested by several participants at the hearing (see, for instance, TR 178), has been rejected. The March 1974 report of the survey revealed that several kinds of work or operations are of short duration. Loading or unloading of a tank car may require approximately 15 minutes. The cleaning of a reactor may require approximately half an hour. An eight-hour, time-weighted average standard would permit exposure to VC at concentrations of 400 ppm for one hour. Such upward excursions, several times the 50 ppm level, cannot be permitted to occur.

4. *The standard.* The standard set out below contains only the requirements deemed necessary to provide protection before the conclusion of the rulemaking proceeding to be commenced shortly.

Because exposure to VC is hazardous, and because such exposure can occur in the processes of synthesizing or polymerizing of VC or in the handling of VC polymers or copolymers which contain absorbed VC, this standard applies to all such processes and to the handling, reacting, manufacturing, processing, releasing, repackaging, or storage of any of these materials. The monitoring requirements serve two purposes, to trigger into operation a compliance program and to check the effectiveness of the program. Also, engineering controls are favored for compliance, and respirators are intended to provide protection until such controls can be installed or in cases where such controls are not feasible.

Accordingly, by reason of the foregoing and on the basis of the record of the hearing of February 15, 1974, with exhibits, the written submissions received before the hearing pursuant to the notice of the hearing, the post-hearing written submissions by the participants at the hearing, the March 1974 report of a fact-finding survey recommendations received from NIOSH, and the other data referred to herein, it is found (1) that VC at concentrations in excess of 50 ppm is physically harmful and carcinogenic; (2) that exposure to VC at concentrations in excess of a concentration of 50 ppm poses a grave danger to employees; (3) that employees are presently exposed to VC at concentrations in excess of 50 ppm; and (4) that the emergency temporary standard set out below is necessary to provide immediate protection to employees from such danger.

Pursuant to section 6(c) of the Occupational Safety and Health Act of 1970, a proceeding will commence shortly in accordance with section 6(b) of the Act, in which the emergency temporary standard will serve as a proposed rule, together with other subsidiary rules. As soon as possible a draft environmental impact statement will be filed with the President's Council on Environmental Quality, and copies will be provided to other appropriate Federal agencies for their comments.

Pursuant to sections 6(c) and 8(c)(3) of the Williams-Steiger Occupational Safety and Health Act of 1970 (84 Stat. 1596, 1599; (29 U.S.C. 655, 657)), and Secretary of Labor's Order No. 12–71 (36 FR 8754), 29 CFR Part 1910 is amended by adding thereto a new § 1910.93q to read as set forth below. In addition, pursuant to section 4(b)(2) of the Act (84 Stat. 1592; (29 U.S.C. 653)), the standard in the new § 1910.93q is determined to be more effective than the corresponding standards now in Subpart B of Part 1910, in Parts 1915, 1916, 1917, 1918, and 1926 of title 29, Code of Federal Regulations, and in Part 50–204 of Title 41 of the Code of Federal Regulations. Therefore, these corresponding standards are superseded by the new standard in § 1910.93q.

1. In 29 CFR Part 1910, § 1910.93 is amended by deleting from Table G–1 the line: "* * * C Vinyl chloride * * * 500 * * * 1300".

2. Part 1910 of Title 29 of the Code of Federal Regulations is amended by adding thereto a new § 1910.93q to read as follows:

§ 1910.93q Vinyl chloride.

(a) *Scope and application.* (1) This section applies to any area or operation in which vinyl chloride (chloroethene), Chemical Abstracts Service Registry Number 75015, is manufactured, reacted, handled, processed, released, repacked, or stored.

(2) This section does not apply to the handling, storage, or other use of vinyl chloride polymers and copolymers in the form of fabricated products.

(b) *Permissible exposure.* The occupational environment shall be controlled so that no employee is exposed to vinyl chloride at a concentration in excess of 50 parts per million (ppm) (127.0 mg/cum).

(c) *Monitoring*—(1) *Initial monitoring.* As soon as possible but not later than April 22, 1974, every employer of an employee working in an area or operation in which vinyl chloride is manufactured, reacted, handled, processed, released, repacked, or stored shall begin monitoring the ambient air of the area to determine whether it contains vinyl chloride in concentrations in excess of 50 ppm.

(2) *Frequency.* Monitoring of a sufficient number of employees so that a representative sample of exposures to vinyl chloride may be determined shall be accomplished not less frequently than weekly until all results for three consecutive weeks are at or below 50 ppm. Thereafter, monitoring shall be conducted not less frequently than monthly so long as the concentrations of vinyl chloride do not exceed 50 ppm. If a monitoring sample reveals vinyl chloride in concentrations in excess of 50 ppm, weekly monitoring shall be resumed until all results for three consecutive weeks are at or below 50 ppm.

(3) *Method of monitoring.* Personnel monitoring shall be accomplished by collecting samples by suitable devices worn by the employee. The samples shall be analyzed by gas chromatography or by any other method which is of equivalent sensitivity. The analytical procedure shall be sensitive to 5 ppm of vinyl chloride in air with an accuracy of ±20 percent for a ten minute air sample.

(4) *Employee observation of monitoring.* Employees working in an area or operation whose ambient air is monitored, or their representatives, shall be given a reasonable opportunity to observe the personnel monitoring required by this section.

(5) *Recordkeeping.* The results of all monitoring shall be recorded in writing. The records shall be retained for at least 5 years and shall be made available for inspection and copying by representatives of the Assistant Secretary of Labor for Occupational Safety and Health and the Director of the National Institute for Occupational Safety and Health (NIOSH).

(6) *Employee access.* Each employee and former employee shall have access to such records of the results of monitoring required by this section as will indicate his own exposure to airborne concentrations of vinyl chloride.

(7) *Employee notification.* Each employer shall promptly notify any employee who has been or is being exposed to vinyl chloride in concentrations in excess of 50 ppm, and shall inform him of the corrective action being taken.

(d) *Compliance.* (1) Whenever any monitoring sample reveals vinyl chloride at a concentration in excess of 50 ppm, or whenever any accident, such as rupture of equipment or spillage, indicates the likelihood of a greater than usual release of vinyl chloride into the ambient air, all employees exposed to such concentrations shall be withdrawn to a safe area and shall not be permitted to reenter the work area unless they wear either Type C continuous flow or pressure demand air supplied respirators or self-contained breathing apparatus.

(2) Work which may reasonably be expected to release vinyl chloride in concentrations in excess of 50 ppm, such as repair, maintenance or cleaning of reactors or other equipment containing vinyl chloride, shall be accomplished only by employees wearing Type C continuous flow or pressure demand air supplied respirators or self-contained breathing apparatus.

(3) In any case covered by paragraphs (d)(1) or (d)(2) of this section, in addition to providing the required respirators, the employer shall examine and analyze the source of the excessive concentrations of vinyl chloride in order to determine feasible engineering or operational controls appropriate to reduce the airborne concentrations to the permissable level. Such controls shall be implemented as quickly as possible.

(4) Periodic tests shall be conducted for equipment leaks and for emissions of vinyl chloride which may result from work practices.

3. In 29 CFR Part 1910, § 1910.19 is revised to read as follows:

§ 1910.19 Special provisions for air contaminants.

(a) *Asbestos dust.* Section 1910.93a shall apply to the exposure of every employee to asbestos dust in every employment and place of employment covered by § 1910.12, § 1910.13, § 1910.14, § 1910.15, or § 1910.16, in lieu of any dif-

ferent standard on exposure to asbestos dust which would otherwise be applicable by virtue of any of those sections.

(b) *Vinyl chloride.* Section 1910.93q shall apply to the exposure of every employee to vinyl chloride in every employment and place of employment covered by § 1910.12, § 1910.13, § 1910.14, § 1910.15, or § 1910.16, in lieu of any different standard on exposure to vinyl chloride which would otherwise be applicable by virtue of any of those sections.

Effective date. These amendments shall become effective on April 5, 1974.

(Secs. 4, 6, and 8, 84 Stat. 1592, 1596, 1599 (29 U.S.C. 653, 655, 657); Secretary of Labor's Order No. 12–71, 36 FR 8754.)

Signed at Washington, DC., this 2d day of April 1974.

JOHN STENDER,
Assistant Secretary of Labor.

[FR Doc.74–7890 Filed 4–4–74;8:45 am]

Title 32A—National Defense, Appendix

CHAPTER X—OFFICE OF OIL AND GAS, DEPARTMENT OF THE INTERIOR

[Oil Import Reg. 1 (Rev. 5), Amdt. 65]

OIL IMPORT REG. 1—OIL IMPORT REGULATIONS

Canadian Imports

There appeared in the FEDERAL REGISTER on February 11, 1974 (39 FR 5193) a proposal to amend several sections of Oil Import Regulation 1 (Revision 5), as amended. Amendment 64 to Oil Import Regulation 1 (Revision 5) made the changes related to the proposed rulemaking for all sections except for sections 29 and 33, both of which pertain to Canadian imports. Publication of amendment of sections 29 and 33 was deferred until discussions could be held with the Canadian government to determine their export policy. Those discussions have been concluded. The Canadian government plans to continue to control exports along the lines of their present controls for at least through September 1974 at which time the method of control may be modified significantly. Accordingly, interested parties should note that, although sections 29 and 33 are written to provide allocations for the entire allocation period May 1, 1974 through April 30, 1975, licenses will only be issued initially for one half of the May 1, 1974 through April 30, 1975 allocation period and the licenses will only be valid for a six month period unless extended by the Director. This procedure will provide for needed flexibility should the Canadian export policy change to the extent that it is necessary to further modify the affected sections of the Oil Import Regulation to conform to such changes.

As stated in the preamble to Amendment 64 the three tier system proposed for making allocations under section 29 did not receive complete acceptance. Also, the proposed change to section 29 was predicated on a continuation of the Federal mandatory crude allocation program in its present form. The Federal Energy Office has now proposed changes to that program. For these reasons it has been decided to retain the historical basis for making allocations of Canadian imports into Districts I–IV. The major change is a provision that requires that a person having an allocation of Canadian imports must process the entire volume of Canadian imports in his own facility.

The changes to section 33 are strictly technical in nature with the exception of the licensing periods referred to above.

This amendment also amends section 3 to provide that entries for consumption of Canadian imports by pipeline under a license issued pursuant to these regulations may be made until midnight of May 15, following the end of the allocation period in which the license authorizing such imports from Canada was issued. This fifteen day overlap is necessary to prevent disruption of pipeline operations at the end of each allocation period.

This amendment 65 becomes effective on April 5, 1974.

WILLIAM A. VOGELY,
Acting Deputy Assistant Secretary of the Interior.

Approved

WILLIAM E. SIMON,
Deputy Secretary of the Treasury.

A new paragraph (f) is added to section 3 to read as follows:

Sec. 3. Allocation periods.

* * * * *

(f) Notwithstanding the provisions of paragraphs (a) and (c) of this section entries for consumption of Canadian imports by pipeline may be made until midnight of May 15 following expiration of the allocation period in which a license authorizing such imports from Canada was issued.

Section 29 is amended in its entirety to read as follows:

Sec. 29. Canadian Imports—Districts I–IV.

(a) As used in this section, the term "Canadian imports" means imports from Canada of crude oil which has been produced in Canada and unfinished oils which have been derived from crude oil or natural gas produced in Canada and which have been transported into the United States by overland means or over waterways other than ocean waterways.

(b) To be eligible for an allocation of imports under this section, a person must have in Districts I–IV a facility capable of processing Canadian imports.

(c) The Director shall, in accordance with the terms of paragraph (d)(1) of this section, make allocations for the allocation period May 1, 1974 through April 30, 1975 of not to exceed 762,000 average barrels daily of Canadian imports into Districts I–IV.

(d)(1) The Director shall make allocations not subject to license fees of Canadian imports to eligible applicants who received allocations of such imports for the period January 1, 1973 through December 31, 1973, pursuant to section 23 or from the Oil Import Appeals Board under section 21, or from both. Each such applicant shall be entitled to an allocation of Canadian imports calculated in accordance with the following formula:

$$\frac{\text{Sum of each eligible applicant's allocation of Canadian imports in 1973 pursuant to section 23 and section 21-expressed in barrels per day}}{\text{Sum of all allocations of Canadian imports in 1973 pursuant to section 23 and section 21-expressed in barrels per day}} \times 762{,}000 \text{ barrels/day}$$

(2) The Director shall issue before May 1, 1974 to each eligible applicant a license equal to one half of the allocation calculated pursuant to subparagraph (1) of this paragraph. Such licenses shall expire on October 31, 1974 unless extended by the Director. The Director shall issue before November 1, 1974 a second license to each eligible applicant equal to the remainder of the allocation calculated pursuant to subparagraph (1) of this paragraph. Such licenses shall expire on April 30, 1975.

(e)(1) Except as provided for in subparagraph (2) of this paragraph a person who imports Canadian imports must process all such imports in his own facility. For the purpose of this paragraph, blending by mechanical means does not constitute processing.

(2)(i) Canadian imports may be exchanged on a barrel for barrel basis for other Canadian imports but each person receiving crude oil or unfinished oils in the exchange must process the crude oil or unfinished oil received in his own facilities. Settlements, credits, monetary, or accounting adjustments reflecting the relative values of the oils involved in the exchange are permissible.

(ii) Canadian imports which are sold to meet the requirements of regulations published by the Federal Energy Office shall not be subject to the provisions of paragraph (e) of this section.

(f) If a person who receives an allocation of Canadian imports under this section fails to import the total quantity of imports specified in the allocation, or if he fails to process all such imports (or Canadian imports received in exchange for such imports) in his facilities before July 1, 1975, or if he fails to meet the requirement of paragraph (e) of this section, then any allocation of Canadian imports for Districts I–IV to which such person may otherwise be entitled for the first allocation period beginning after April 30, 1975 shall be reduced by the Director by the amount of Canadian im-

ports which such person has failed to import, or by the amount of Canadian imports and exchanged oil which such person has failed to process in his facilities before July 1, 1975 or by the amount of Canadian imports by which he failed to meet the requirements of paragraph (e) of this section, except that the Director need not make such a reduction to the extent that (1) such person demonstrates to the satisfaction of the Director that such failures were without such person's fault and were beyond his control, or (2) such person on or before September 1, 1974, in writing, relinquishes all or part of an allocation made under this section and returns to the Director licenses issued thereunder.

(g) Any allocation relinquished by a person pursuant to paragraph (f) of this section shall be reallocated to all eligible applicants in the same proportion that each received an allocation under paragraph (d)(1) of this section.

(h) A person to whom an allocation is made by the Director under this section shall report and certify in writing to the Director, not later than July 15, 1974, (1) the total quantity of Canadian imports which that person imported during the period January 1, 1973 through April 30, 1974, pursuant to an allocation made under section 23 of this regulation, and (2) the quantity of such imports that were processed in his facilities before July 1, 1974. The amount so reported and certified shall be subject to verification by the Director. If a person to whom an allocation is made under this section fails to file by July 15, 1974 the written report and certification required by this paragraph, the Director shall suspend all licenses issued under an allocation made under this section until the written report and certification are received.

(i) An allocation made pursuant to this section shall not be sold, assigned or otherwise transferred.

(j) An application for an allocation under this section shall be made by letter or telegram to the Director, Office of Oil and Gas, Department of the Interior, Washington, D.C. 20240 unless an application has been previously filed. Applications must be received by the Director within ten (10) days after the publication of this section 29 in the FEDERAL REGISTER. An application must contain the following information, which shall be certified by an officer of the applicant:

(1) The nature of each of the applicant's facilities in which Canadian imports will be processed.

(2) The location of each such facility.

(3) The total barrels of Canadian imports and other qualified inputs processed in each such facility during the calendar year ending December 31, 1973.

An officer of an applicant shall also certify in his application that, if an allocation of Canadian imports is made to the applicant under this section, the applicant will process all such imports (and all oil exchanged for such imports) in such facilities before July 1, 1975.

(k) Licenses issued pursuant to this section shall permit the entry or withdrawal from warehouse for consumption of Canadian imports only into Districts I–IV. Except for licenses issued pursuant to this section 29, section 23, section 32, and section 21 when Canadian imports into Districts I–IV are specifically granted by the Oil Import Appeals Board no other licenses issued pursuant to this regulation shall permit the importation of Canadian imports into Districts I–IV.

Section 33 is amended in its entirety to read as follows:

Sec. 33. Canadian Imports, District V.

(a) For the allocation period May 1, 1974, through April 30, 1975, the Director shall allocate, as provided in paragraph (c) of this section, approximately 252,000 average barrels daily of Canadian imports into District V among eligible persons having refinery capacity in this district.

(b) As used in this section, the term "Canadian imports" means imports from Canada of crude oil which has been produced in Canada and unfinished oils except ethane, propane, and butanes which have been derived from crude oil or natural gas liquids produced in Canada and which have been transported into the United States by overland means or over waterways other than ocean waterways.

(c)(1) The Director shall make allocations not subject to license fee to each eligible applicant for the allocation period beginning May 1 of each year on the basis of the pro rata share of the allocation of Canadian imports into District V made to each applicant for the calendar year 1973, relative to the total of all allocations of Canadian imports made to all applicants for the calendar year 1973.

(2) The Director shall issue before May 1, 1974 to each eligible applicant a license equal to one half of the allocation calculated pursuant to subparagraph (1) of this paragraph. Such licenses shall expire on October 31, 1974 unless extended by the Director. The Director shall issue before November 1, 1974 a second license to each eligible applicant equal to the remainder of the allocation calculated pursuant to subparagraph (1) of this paragraph. Such licenses shall expire on April 30, 1975.

(d) Each eligible applicant desiring an allocation under this section shall make application by letter to the Director, within ten (10) days after publication of this section in the FEDERAL REGISTER. Such applications shall include the location of the facility in which the Canadian imports will be processed and shall be signed by an officer of the company.

(e) No allocation made pursuant to this section shall be sold, assigned, or otherwise transferred.

(f) Licenses issued pursuant to this section shall permit the entry or withdrawal from warehouse for consumption of Canadian imports only into District V. Except for licenses issued pursuant to this section 33, section 32, and section 21 when Canadian imports into District V are specifically granted by the Oil Import Appeals Board no other licenses pursuant to this regulation shall permit the importation of Canadian imports into District V.

[FR Doc.74-7917 Filed 4-3-74;10:12 am]

Title 35—Panama Canal

CHAPTER I—CANAL ZONE REGULATIONS

SUBCHAPTER E—EMPLOYMENT AND COMPENSATION IN THE CANAL ZONE

PART 253—REGULATIONS OF THE SECRETARY OF THE ARMY

Subpart D—Compensation and Allowances

APPLICATION TO CERTAIN PROVISIONS OF FEDERAL WAGE SYSTEM

The purpose of these amendments is to provide for administrative application in the Canal Zone of appropriate provisions of the Federal Wage System established by Pub. L. 92–392, approved August 19, 1972.

Effective the first day of the first pay period beginning after July 1, 1973, Part 253 of Title 35, Code of Federal Regulations is amended as follows:

1. The table of sections for Part 253 is amended by revising the listing for § 253.155 to read as follows:

Sec.
253.155 Environmental and night shift differentials for manual-type positions.

2. Section 253.2 is amended by adding a paragraph (o) reading as follows:

§ 253.2 Definitions.

* * * * *

(o) "Federal Wage System" means the system for fixing and adjusting the rates of pay for prevailing rate employees of the Government that was established by Pub. L. 92–392 and implemented by the U.S. Civil Service Commission in FPM Supplement 532–1 and related issuances.

3. Section 253.113 is revised to read as follows:

§ 253.113 Manual category.

(a) Those manual-type occupational groupings that elbsewhere in the federal government are usually covered by the Federal Wage System, i.e., those that encompass the unskilled, semiskilled, and skilled manual-labor occupations in the trades, crafts, and related employment. This category does not include those positions that are specifically excepted and placed in the special category.

(b) The Board shall prescribe standards for grading manual category jobs. Whenever a job-grading standard under the Federal Wage System is utilized, the Board shall modify it if necessary to take into account any significant differences in knowledge, skill, or responsibility requirements that are found between the job covered by the Federal Wage System standard and the Canal Zone position to which it is applied.

4. In § 253.154, paragraphs (a) and (b) are revised to read as follows:

§ 253.154 Individual pay determinations.

* * * * *

(a) *Nonmanual category.* Salary changes and retention for employees in

this category shall be governed by Subparts B, C, and E of 5 CFR Part 531.

(b) *Manual category.* Wage determinations for employees in this category shall be made in accordance with regulations published by the Board. Such regulations shall conform as nearly as is practicable with regulations prescribed under the Federal Wage System by the U.S. Civil Service Commission.

* * * * *

5. Section 253.155 is revised to read as follows:

§ 253.155 Environmental and night shift differentials for manual-type positions.

The head of each department, in coordination with the heads of other departments, may authorize payment of environmental differential for manual-type positions to compensate for exposure to hazards, physical hardships, and working conditions of an unusually severe nature which have not been considered in determining the base rate of pay for the position in question. Differentials for night work may also be established for manual-type positions. Any differential prescribed under this section shall conform with like differentials established under the Federal Wage System to the extent that it is practicable under local conditions. Such differential shall be treated as part of the basic compensation for the position to the extent it is so treated in the Federal Wage System.

6. Section 253.156 is revised to read as follows:

§ 253.156 Pay savings.

(a) Whenever an employee's rate of basic compensation, that is established in relation to rates of compensation for the same or similar work in the continental United States, is converted under 2 C.Z.C. sec. 144(b), 76A Stat. 17, to a rate of basic compensation established in relation to rates in areas other than the continental United States, such employee shall, pending transfer to another position for which the rate of basic compensation is established in relation to rates in the continental United States, continue to receive the rate of basic compensation (but excluding environmental and night shift differentials) to which he was entitled immediately prior to such conversion. The saved rate shall be paid so long as he remains in the same position as that in which he was serving at the time his rate was converted, or until subsequent change is effected to another position unless the change is made without an increase in pay to a position of equal or higher level. If the subsequent change is made to a position of equal or higher level and application of the normal pay fixing rule would result in a decrease in pay, the employee's saved rate shall be preserved. He shall not be eligible for within-grade salary increases granted to non-manual employees, step increases granted to manual employees, or across-the-board increases granted to manual employees for so long as he remains in a position the salary for which is derived from or fixed in relation to wage rates existing in the Republic of Panama or elsewhere outside the continental United States.

(b) Paragraph (a) of this section does not apply to a manual category employee whose grade is reduced as a result of the initial application of a job standard prescribed by the Board under § 253.113(b) during the conversion period resulting from administrative adoption of the Federal Wage System. Such employee shall be entitled to pay retention under regulations issued by the Board under § 253.154(b).

(c) Whenever under § 253.134 a recomputation of the tax allowance necessitated by a change in tax laws would result in decreases in base salary or wage rates, the employees so affected shall, pending individual raises or general increases in base salary or wage rates which will fully offset the pay decreases attributable to the tax allowance recomputation, continue to receive the rates of pay to which they were entitled immediately prior to the effective date of such recomputation.

(2 C.Z.C. 142, 155, 76A Stat., 16, 19; 35 CFR 251.2)

Dated: March 26, 1974.

HOWARD H. CALLAWAY,
Secretary of the Army.

[FR Doc.74-7835 Filed 4-4-74;8:45 am]

Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

SUBCHAPTER C—AIR PROGRAMS

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Indiana: Promulgation of Transportation Control Plan

On May 31, 1972 (37 FR 10842), pursuant to section 110 of the Clean Air Act and 40 CFR Part 51, the Administrator approved, with specific exceptions, State plans for the implementation of the national ambient air quality standards. On that date, the Governor of Indiana was advised that the attainment date for the national photochemical oxidant and carbon monoxide standards in the Metropolitan Indianapolis Intrastate Region was extended for two years.

On January 31, 1973, the United States Court of Appeals for the District of Columbia Circuit ordered that the Administrator rescind the extensions granted the States for submission and implementation of the transportation and/or land use control portions of their implementation plans. The affected States were required to submit control plans by April 15, 1973. The plans were required to show attainment of the national ambient air quality standards for photochemical oxidants and/or carbon monoxide as expeditiously as practicable, but no later than May 31, 1975.

On April 9, 1973, the State of Indiana held public hearings in Indianapolis on proposed revisions to its plan but did not submit these revisions to the Administrator, within the schedule set by the Administrator.

On June 22, 1973, the Administrator disapproved the Indiana plan because the State had chosen not to make a submittal (38 FR 16650). The Administrator initially proposed on July 2, 1973 (38 FR 17682) and subsequently reproposed a transportation control plan for Marion County, Indiana, on November 8, 1973 (38 FR 30975). The reproposal was subjected to public hearing on November 28, 1973 in Indianapolis. A State revision was submitted October 19, 1973. This revision was reviewed and discussed with State officials in conjunction with EPA's reproposed transportation plan of November 8, 1973. The State revision was found to be inconsistent with the requirements of the Clean Air Act by EPA for the reasons noted herein.

The transportation control plan being promulgated herein is based upon the EPA reproposal of November 8, 1973 and incorporates the comments and other related data received at and subsequent to the public hearing of November 28, 1973. A complete transcript of the hearing is available for inspection at the Environmental Protection Agency, Region V, 1 North Wacker Drive, Chicago, Illinois, 60606. A general Preamble was published on November 6, 1973 (38 FR 30626) and is incorporated by reference.

Pollution in the Region. The Region is comprised of approximately 3,000 square miles of land located in the central portion of Indiana. It consists of eight counties: Boone, Hamilton, Hancock, Hendricks, Johnson, Marion, Morgan, and Shelby. The population of the Region is about 1.1 million; Marion County, which includes Indianapolis, comprises approximately 400 square miles of land or about 13 percent of the Region's population. Based on the associated density of vehicular and stationary sources of hydrocarbon emissions, Marion County is known to be the most polluted portion of the Region with regard to oxidant pollution.

Continuous-monitoring air quality data collected for Marion County by the State indicated that the photochemical oxidant standard was not exceeded during 1972. This point formed the basis for the State transportation control plan submitted by the Governor on October 19, 1973. Based on this data it was concluded that the attainment of the standard would continue through 1975.

Analysis, however, of the 1971, 1972, and 1973 oxidant air quality data demonstrated inadequate calibration of the monitor during the latter two years. During the summer of 1971 two oxidant monitors, one located at the Washington Township Fire Station and one located at the State Board of Health Building, were operated and calibrated monthly by EPA personnel using the EPA calibration method (neutral buffered KI procedure). In September, 1971 oxidant monitoring was assumed by the State. The monitor located at the State Board of Health Building, 1330 West Michigan Street, was returned to EPA and the

monitor located at the Washington Township Fire Station was relocated to the State Board of Health Building where it was placed in operation. This instrument was not calibrated by means of the EPA method until September, 1972 and was subsequently not calibrated until the monitor became inoperable one year later. At the present time, a properly calibrated substitute monitor is now operating at the same location.

In the judgment of the Environmental Protection Agency, the 1972 and 1973 data are invalid due to lack of adequate instrument calibration. The 1971 data has a dependable calibration record and has been determined to be sufficiently valid to allow dependable definition of the oxidant pollution problems in the county.

The primary national ambient air quality standard for photochemical oxidants is an average of 160/ug m^3 (0.08 ppm) for a 1-hour period not to be exceeded more than once per year. This standard was exceeded for 111 hours during the oxidant season of 1971 at the two locations where oxidants were being measured within Marion County. Concentrations measured at the two locations showed good correlation and were generally within 10 percent of each other. The highest concentration recorded was 0.14 ppm on September 8. Because the primary standard is written in terms of a concentration that is not to be exceeded more than once per year, this plan is based upon the second highest measured concentration of 0.13 ppm.

From the 1971 baseline air quality measurement, a 38 percent reduction in overall hydrocarbon emissions as determined from Appendix J (40 CFR Part 51) is required within Marion County to achieve the primary national standard for photochemical oxidants. Stationary source solvent use restrictions of Indiana's APC–15 coupled with the impact of the Federal Motor Vehicle Control Program (FMVCP) will not provide adequate reduction in overall hydrocarbon emissions by May 31, 1975. The regulations being promulgated herein are intended to provide the additional emission reduction necessary. Due to the extended period of time necessary to implement these strategies, the Administrator is granting an extension until March 1, 1976 to provide for full impact of the regulations.

The Environmental Protection Agency has received cooperation from the City of Indianapolis and from the State of Indiana in expanding the scope of the existing oxidant air sampling program for Marion County during the ensuing year. The expanded system should be operational before the commencement of the 1974 oxidant season which historically extends from June through September. At the conclusion of this critical sampling period, the more recent air quality data will be examined in relation to the photochemical oxidant standard. Any variations above or below the standard will be analyzed in conjunction with the associated total non-methane hydrocarbon emission data and meteorological data. Any revisions to the transportation control strategies (promulgated herein) deemed appropriate by the Administrator will then be made at that time.

EPA has also agreed to conduct further investigations into the emission inventory. EPA has received cooperation from the City of Indianapolis and from the State of Indiana to support and assist this review of the emission inventory.

State Transportation Control Plan. The State of Indiana held public hearings in Indianapolis on April 9, 1973, to address proposed revisions to the implementation plan pertaining to transportation controls. As previously stated, those proposed revisions were formally submitted to the EPA by the Governor of Indiana, on October 19, 1973. EPA reviewed the proposal to determine if it was consistent with provisions of the Clean Air Act. The Clean Air Act requires that the control plan must be adequate to attain and maintain the oxidant air quality standard with the exception of one incident per year in excess of the standard. The State proposal utilized a 1972 baseline for air quality data. With meteorological factors and emission variability, control must be based on the year for which valid data demonstrates the lowest emissions/air quality relationship. Comparison of this relationship for 1972 to that of 1971 demonstrates that the 1971 baseline must be utilized for the development of transportation control plans adequate to assure attainment and maintenance of the oxidant standard by May 31, 1975. The State proposal, therefore, does not appear to be approvable. Public comment is invited on or before May 6, 1974.

EPA Transportation Control Plan. The transportation control plan for Marion County proposed by the Environmental Protection Agency on November 8, 1973, was based upon a required reduction in overall hydrocarbon emissions from 1971 levels of 38 percent. At the time of the proposal, it was estimated that existing stationary source controls due to APC–15 coupled with the impact of the FMVCP would account for only a 25 percent reduction in hydrocarbon emissions by mid-1975. To achieve the additional 13 percent reduction necessary, the Administrator proposed the following strategies:

(1) Establishment of an annual idle mode vehicle emission inspection program for all light duty vehicles registered in Marion County.

(2) Require that all pre-1968 and/or pre-controlled vehicles (or trucks) presently in use in Marion County be retrofitted with non-catalytic emission reduction devices.

(3) Require that all service stations in Marion County purchase, install, and operate appropriate vapor removal devices to control emissions during the filling of gasoline storage tanks and the filling of automobile gas tanks.

(4) Require parking surcharges applicable to all off-street parking facilities located within the Metropolitan Indianapolis Area.

(5) Require the creation of exclusive express bus/carpool lanes leading into the central business district, from Marion County.

(6) Restrict the total availability of on-street parking spaces within the City of Indianapolis.

(7) Require the creation of a metropolitan bus/carpool matching service for use by all commerical, institutional, and industrial entities located within Marion County.

The Federal proposal was subjected to public hearing on November 28, 1973, in Indianapolis. At the hearing and continuing thereafter, comments were received regarding the proposal from City and State officials, and from concerned commercial industrial entities and private citizens. The primary public comments relate to the socio-economic impact of the parking surcharge strategy and the present stage of development of control technology pertaining to Stage II vapor recovery operations under gasoline marketing (filling of automobile tanks). The proposed surcharge was withdrawn as a strategy on January 15, 1974, by EPA. Vapor recovery at vehicular tanks has been determined to be unnecessary to achieve the standards. Following the public hearing, City and State officials worked with the EPA in examining the oxidant problem and the various strategies not only in terms of their air quality impact, but also with respect to their social and economic impact on the community.

Subsequent to the Public Hearing, EPA determined that hydrocarbon emission data utilized for certain major sources within the County was subject to some degree of question. This issue was clarified and the emission data base was further refined by examining data that has been previously obtained under procedures outlined in section 114 of the Clean Air Act. Under these procedures, requests are sent to the polluant sources requiring that specific accurate emission data be made available to EPA under penalty of law. An examination of the 114 data obtained in Marion County revealed that the reductions in overall hydrocarbon emissions from stationary sources would be greater by mid-1975, than was previously anticipated. As a result of these new data projections the need for additional controls of hydrocarbon emissions has been shown to be 2424 tons per year.

Further consultation with City officials resulted in the development of a viable transportation control strategy. Based upon the additional reduction necessary in overall hydrocarbon emissions, the following strategies are being promulgated herein by EPA. All other strategies proposed on November 8, 1973 are hereby withdrawn.

(1) An annual idle-mode vehicle emission inspection program will be established for all light duty motor vehicles registered within Marion County. The program is intended to be incorporated into the existing State vehicle safety inspection program, which is operated through a system of certified service stations. The City of Indianapolis will seek the necessary enabling legislation at the approaching session of the State General Assembly in January 1975. Responsibility for establishing the program is shared by the State, County of Marion, and all municipalities in Marion County. Associated time schedules for the implementation of the emission inspection program have been adjusted to

coincide with the City and State actions. Therefore, the program will be initiated in July 1975 with completion of the first inspection cycle one year later.

(2) All service stations and gasoline distribution centers in Marion County will be required to install and have in operation by March 1, 1976 equipment to prevent the loss of gasoline vapors during the filling of service station storage tanks. Certain changes in the regulations have been made regarding safety and other matters. This is simply a clarification of EPA intentions regarding all such regulations. Some dates in the program implementation schedules have been adjusted to provide ample time for the selection, ordering, installation and testing of appropriate control equipment by the affected gasoline distributors and service station owners, taking into consideration the date in promulgating this rulemaking.

Air Pollution Impact of the Control Strategies. To achieve the air quality standard, hydrocarbon emissions must be reduced by 2424 tons per year, in addition to the hydrocarbon emission reductions expected from compliance with APC–15 and the FMVCP. This projection is based upon the following calculations:

(1) Total estimated hydrocarbon emissions in Marion County during 1971 were 64,651 tons/year.

(2) Based upon a 1971 measured oxidant value of 0.13 ppm, a 38 percent reduction in overall hydrocarbon emissions from 1971 levels is necessary. The "safe" emission level, based upon the above data, is 40,084 tons/year.

(3) The additional reduction needed to attain the air quality standard is therefore 42,508−40,084=2424 tons/year.

Hydrocarbon emission totals for Marion County for the base year 1971, the present year (1973), and the year 1975 are shown in Table 1. This table does not include the effect of the two regulations being promulgated herein. Their effect is shown in Table 2.

TABLE 1.—*Emmission inventory totals: Marion County*

[Tons per year]

Category	1971	1973	1975
Stationary sources:			
Fuel combustion [1]	2,500	2,850	3,200
Process losses: [2]			
Point sources	19,300	16,622	6,663
Area sources	7,500	8,180	8,344
Solid waste disposal: [3]			
Point sources	45	47	50
Area sources	250	264	280
Subtotal	29,595	27,963	18,537
Mobile Source Related:			
Emissions: [4]			
Gasoline marketing	4,620	4,290	3,955
Motor vehicles	30,000	24,750	19,500
Railroads	436	476	516
Subtotal	35,056	29,516	23,971
Total emissions	64,651	57,479	42,508

[1] Fuel combustion: Utilities and large and small boiler operations.
[2] Process losses: Point sources—petroleum refining, cooking operations, etc.; area sources—solvent use, dry cleaning, degreasing operations, etc.
[3] Solid waste disposal: Incinerators, backyard burning and open burning.
[4] Mobile sources: Motor vehicles-light and heavy duty gasoline-powered motor vehicles; gasoline marketing-filling station storage tanks and tank trucks, and filling automobile gas tanks.

The expected reductions in overall hydrocarbon emissions due to the implementation of the promulgated control strategies are illustrated in Table 2.

TABLE 2.—*Expected hydrocarbon reduction: Marion County*

[Tons per year]

Strategy	July 1975	January 1976	July 1976
1. County-wide emission inspection program	111	778	1,335
2. Gasoline marketing controls	436	1,090	1,310
Total impact	547	1,868	2,645

ECONOMIC AND SOCIAL IMPACT OF THE TRANSPORTATION CONTROL PLAN

During the course of discussions and evaluation of the plan, possible strategy combinations were examined not only with respect to air pollution impact, but also with respect to the associated impact upon the social and economic framework of the affected community. The final strategy promulgated herein by EPA is expected to result in the necessary emission within the county—at minimal cost to the individual citizen.

Part 52 of Chapter I, Title 40, of the Code of Federal Regulations is amended as follows:

Subpart P—Indiana

1. In § 52.770, paragraph (c) is revised to read as follows:

§ 52.770 Identification of Plan.

* * * * *

(c) Supplemental information was submitted on:

(1) March 16, 1972, by the Indiana Air Pollution Control Board

(2) April 11, May 1, and 16, 1972

(3) October 19, 1973 by the Governor of Indiana

(4) January 3, 1974 by the State Board of Health

2. In § 52.772, paragraph (b) is revised to read as follows:

§ 52.772 Extensions.

* * * * *

(b) The Administrator hereby extends for 9 months the attainment date for the national standard for photochemical oxidants in the Metropolitan Indianapolis Intrastate Region.

3. Section 52.786 is revised to read as follows:

§ 52.786 Inspection and Maintenance Program.

(a) Definitions:

(1) "Inspection and maintenance program" means a program to reduce emissions from in-use vehicles through identifying vehicles that need emission control related maintenance and requiring that such maintenance be performed.

(2) "Light-duty vehicle" means a motor vehicle rated a 6,000 lb. GVW (gross vehicle weight) or less.

(3) All other terms used in this section that are defined in Part 51, Appendix N of this chapter, are used herein with the meanings so defined.

(b) This regulation is applicable in the County of Marion, Indiana (including all cities, towns and municipal corporations therein).

(c) The State of Indiana shall establish and cause the implementation of an inspection and maintenance program applicable to all gasoline-powered light duty vehicles which are registered in Marion County. Such program shall conform with this § 52.786. The Consolidated City of Indianapolis, the County of Marion, and other municipalities within the County of Marion, shall take all legislative, executive, or other action necessary to establish and implement the program required by this regulation.

(d) Not later than April 1, 1975, the State of Indiana, the County of Marion and the Consolidated City of Indianapolis shall jointly submit to the Administrator, for his approval, legally adopted legislation and/or regulations establishing the regulatory scheme for the inspection/maintenance program required by paragraph (c) of this section. The legislation and/or regulations shall include:

(1) Provisions requiring inspection of all light-duty motor vehicles subject to the inspection program required by paragraph (c) of this section at periodic intervals no more than 1 year apart by means of an idle test. Any class or category of vehicles that are found to be rarely used on public streets and highways (such as classic or antique vehicles) may be exempted.

(2) Provisions for regulatory criteria that are consistent with achieving an eleven percent reduction of hydrocarbon emissions from light-duty vehicles.

(3) Provisions ensuring that failed vehicles receive, within 30 days, the maintenance necessary to achieve compliance with the inspection standards. These provisions shall impose sanctions against owners of non-complying vehicles, require retest of failed vehicles following maintenance, require a suitable distinctive tag or sticker for display on complying vehicles, and include such other measures as are necessary or appropriate.

(4) Provisions establishing a certification program to ensure that testing stations performing the required tests have the necessary equipment and knowledgeable operators to perform the tests satisfactorily, imposing sanctions against non-complying testing stations, and containing such other measures as necessary or appropriate to a testing program.

(5) Provisions prohibiting vehicles from being intentionally readjusted or modified subsequent to the inspection and/or maintenance in such a way as would cause them no longer to comply with the inspection standards. These may include authorization of spot checks of idle adjustments or of a suitable type of physical seal or tag on vehicles. These provisions shall include appropriate penalties for violation by any person.

(6) Designation of agency or agencies responsible for conducting, overseeing, and enforcing the inspection/maintenance program. Private parties may be designated to conduct parts of the program to certify compliance.

(e) After July 1, 1976, the State of Indiana, County of Marion, the Consolidated City of Indianapolis, and other

municipalities in Marion County shall not allow the operation on streets, roads, or highways under their ownership or control of any light duty motor vehicle subject to the inspection program established pursuant to paragraph (c) of this section that does not comply with the applicable standards and procedures adopted in accordance with paragraph (d) of this section.

(f) After July 1, 1976, no person shall operate or allow the operation of any motor vehicle subject to the inspection program established pursuant to paragraph (c) of this section that does not comply with the applicable standards and procedures adopted in accordance with paragraph (d) of this section.

(g) No later than October 1, 1974, the State of Indiana, County of Marion, and the Consolidated City of Indianapolis shall jointly submit to the Administrator, for his approval, a detailed compliance schedule showing the steps they will take to establish, operate and enforce the inspection program required by paragraph (c) of this section including:

(1) A detailed description of the inspection program required by paragraph (c) (including a description of the way in which the program will be established, operated, and enforced and the respective responsibilities of the State, county, and municipalities for such tasks).

(2) A descripton of the legal authority for establishing and enforcing the inspection/maintenance program, including the text of proposed or adopted legislation and regulations.

(3) Specific dates (day, month, and year) by which various steps to implement the inspection/maintenance system will be completed, such steps to include, at a minimum, the following: submitting final plans and specifications for the system to the Administrator for this approval (this date to be no later than February 1, 1975), ordering necessary equipment (this date to be no later than April 15, 1975), commencement of on-site construction and/or installation, and system operational (this date to be no later than July 1, 1975).

(4) An identification of the sources and amounts of funds necessary to implement the system together with written assurances from the chief executive officers of the State, city, and county that they will seek such necessary funding from the appropriate legislative bodies.

(5) Other provisions necessary or appropriate to carry out the program.

4. Section 52.787 is added to read as follows:

§ 52.787 Gasoline transfer vapor control.

(a) "Gasoline" means any petroleum distillate having a Reid vapor pressure of 4 pounds or greater.

(b) This section is applicable in the County of Marion, Indiana (including all cities, towns and municipal corporations therein).

(c) No person shall transfer or permit the transfer of gasoline from any delivery vessel into any stationary source container with a capacity greater than 250 gallons unless such container is equipped with a submerged fill pipe and unless the displaced vapors from the storage container are processed by a control system that prevents release to the atmosphere of no less than 90 percent by weight of organic compounds in said vapors displaced from the stationary storage container location. The control system shall include one or more of the following:

(1) A vapor-tight return line from the storage container to the delivery vessel and a system that will ensure that the vapor return line is connected before gasoline can be transferred into the container. If a "vapor-balance return" system is used to meet the requirements of this section, the system shall be so constructed as to be readily adapted to retrofit with an adsorption system, refrigeration-condensation system or equivalent system connected to the stationary storage container.

(2) Refrigeration-condensation system or adsorption system connected to the stationary storage container.

(3) An equivalent system, approved by the Administrator or his designee, designed to recover or eliminate no less than 90 percent by weight of the organic compounds in the displaced vapor.

(d) No person shall own or operate a delivery vessel containing gasoline unless the delivery vessel is so designed and maintained as to be vapor-tight at all times. This paragraph (d) shall not apply to delivery vessels in transit through Marion County which neither are filled nor deliver gasoline therein, nor shall this paragraph (d) be construed to prohibit safety-valves on other devices required by governmental safety regulations. Delivery vessels which are filled in Marion County but do not deliver in Marion County may be controlled only for filling.

(e) No person shall own or operate a facility for the filling of delivery vessels with gasoline unless the facility is equipped with a control system, which can recover or eliminate at least 90 percent by weight of the organic compounds in the vapors displaced from the delivery vessel during filling.

(f) After March 1, 1976, no person shall intentionally release gasoline vapors from a delivery vessel, except to a control system that can recover or eliminate at least 90 percent by weight of organic compounds in the vapors released.

(g) The provisions of paragraph (c) of this section shall not apply to the following:

(1) Stationary containers having a capacity less than 550 gallons used exclusively for the fueling of farming equipment.

(2) Any stationary container having a capacity less than 2,000 gallons installed prior to promulgation of this paragraph.

(3) Transfer made to storage tanks equipped with floating roofs or their equivalent.

(4) Gasoline storage compartments of 1,000 gallons or less in gasoline delivery vessels in use on the promulgated date of this regulation will not be required to be retrofitted with a vapor return system until January 1, 1977.

(h) The operation of a source, otherwise, subject to paragraphs (c), (d), or (e) of this section, shall not be a violation of paragraphs (c), (d), or (e), respectively, if the following acts shall be completed with respect to such source before the following dates:

(1) October 1, 1974.—The owner of the source or his designee shall submit to the Administrator, a final control plan, which describes at a minimum the steps that will be taken by the source to achieve compliance with the applicable provisions of paragraphs (c), (d), and (e) of this section.

(2) February 1, 1975.—Negotiate and sign all necessary contracts for control systems, or issue orders for the purchase of component parts to accomplish emission control.

(3) April 1, 1975.—Initiate on-site construction or installation of control system equipment.

(4) February 1, 1976.—Complete on-site construction or installation of control system equipment.

(5) March 1, 1976.—Achieve final compliance with the applicable provisions of paragraph (c), (d), and (e) of this section.

(6) Any owner of a source subject to the compliance schedule in this paragraph shall certify to the Administrator, within 5 days after the deadline for each increment of progress, whether or not the required increment of progress has been met.

(i) As an alternative to compliance with the schedule under paragraph (h) of this section:

(1) The owner of a source which is in compliance with the provisions of paragraphs (c), (d), or (e) of this section, shall certify such compliance to the Administrator by October 1, 1974. The Administrator may request whatever supporting information he considers necessary for proper certification.

(2) A source for which a compliance schedule is adopted by the State and approved by the Administrator may operate in conformity with such compliance schedule.

(3) The owner of a source may submit to the Administrator, by October 1, 1974, a proposed alternative compliance schedule. No such schedule may provide for compliance after March 1, 1976. Until promulgated by the Administrator, such source shall conform with applicable portions of paragraphs (c), (d), (e), or (h) of this section. Upon promulgation of the compliance schedule by the Administrator, no person shall own or operate the source except in conformity with the promulgated schedule.

(j) Nothing in this section shall preclude the Administrator from promulgating a separate schedule for any source to which the application of the compliance schedule in paragraph (h) of this section fails to satisfy the requirements of § 51.15 (b) and (c) of this chapter.

(k) Any new container, facility, or vessel subject to this regulation that is placed in operation after October 1, 1974, shall within 30 days of commencing operation submit a compliance schedule in conformity with paragraph (i) of this section and shall otherwise comply with this section. Any facility subject to this regulation that is placed in operation after March 1, 1976, shall comply with the applicable requirements of this section immediately upon commencing operation.

Additional technical and economic information related to this preamble is contained in the "Technical Support Document for the Indianapolis Marion County Transportation Control Plan." This document, along with the State Transportation Plan proposal submitted October 19, 1973 is available for inspection at the Environmental Protection Agency, Region V, One North Wacker Drive, Chicago, Illinois 60606.

Dated: March 29, 1974.

JOHN QUARLES,
Acting Administrator.

[FR Doc.74-7885 Filed 4-4-74;8:45 am]

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

New Hampshire: Approval of Plan Revision

On May 31, 1972 (37 FR 10842), pursuant to section 110 of the Clean Air Act, the Administrator approved a plan implementing National Ambient Air Quality Standards for the State of New Hampshire. This publication contains the Administrator's approval of a revision to that plan.

On October 15, 1973, in a letter to the Governors of fourteen States, the Administrator advised that the responsible State agencies proceed quickly to devise and initiate plans to prevent, to the greatest degree possible, any detrimental air pollution effects that might result from a probable low sulfur fuel shortage during the coming winter months. The Administrator emphasized the need for States to undertake feasible energy conservation measures either prior to or concurrent with any variance requests in order to minimize the need for variances. Among the other measures recommended was the formulation, according to the anticipated degree of shortage, of a comprehensive variance plan for sulfur content in fuel regulations. Priorities for granting variances would be established which would encourage the distribution (or allocation) of available low sulfur fuel to areas where it would be most needed for the protection of public health. The Administrator described the procedures governing Governors' submissions of such variances to the Environmental Protection Agency for approval as implementation plan revisions. Criteria for approval would be as follows:

1. Compliance with EPA procedural requirements.

2. A demonstration (a) that fuel with a sulfur content low enough to enable compliance with the applicable regulation is in fact unavailable to the source, (b) that the variance requires the use of the lowest sulfur content fuel that is available, and (c) that the time period involved reflects the reasonably predicted period of shortage.

3. A demonstration that low sulfur fuel that might have been available to the source involved (a) is no longer available, or (b) has been allocated or distributed to other sources deserving higher priority either because of air quality considerations, or because of a Federally imposed allocation plan.

On December 14, 1973, the New Hampshire Air Pollution Control Commission submitted for the Administrator's approval a revision to Regulation 5 of the approved State implementation plan for the State of New Hampshire.

After a careful evaluation of the State's submittal, the Administrator has determined that the procedure is in accordance with the criteria stated above, and is therefore in accordance with the procedural and substantive requirements of 40 CFR Part 51, Information submitted by the State, corroborated by the Agency's own information, indicates that fuel allocation and redistribution measures cannot obviate the need for the revision requested, either in the degree or in the time allowed. The Administrator is not at this time specifically approving or disapproving the State's criteria for review. Information submitted by the State will be reviewed by EPA for each supplier to evaluate whether individual variances should be approved. Accordingly, the revision to the New Hampshire implementation plan which sets forth procedures for granting variances to any source to burn up to 2.5 percent sulfur fuel with the stated exceptions is approved for 120 days beginning December 12, 1973, subject to the conditions specified below:

A. Each supplier must submit a written statement to the New Hampshire Air Pollution Control Commission and the Environmental Protection Agency Region I certifying that the following conditions exist. The required submittal must list each condition as given below and each condition must be followed by an exact statement certifying that such condition is a true statement of the supplier's inability to redistribute, supply, and/or obtain conforming fuel.

1. Sufficient conforming fuel is not available for delivery to the source(s) for which a variance is sought.

2. No opportunities to obtain conforming fuel which could be delivered prior to April 15, 1974, have been refused.

3. There are no existing agreements or contracts to obtain conforming fuel from any source and/or other supplier which are not being fully utilized to procure as much conforming fuel as possible.

4. Efforts are now being made and will continue to be made to procure conforming fuel oil.

5. Upon the procurement of conforming fuel such fuel will be introduced into the supply system as expeditiously as practicable in accordance with the New Hampshire Contingency Plan, including EPA conditions for approval.

6. If requested by EPA or the State, the supplier shall verify that all of the subject conditions are met by the presentation of official company documents relative to the subject conditions.

B. The State, upon such a satisfactory showing by the supplier shall:

1. Make all reasonable efforts to insure that any source utilizing such variance to its supplier shall implement a comprehensive conservation of energy program.

2. Require each supplier utilizing the variance to report to the State on the first day of each month on the quantity, source of supply and sulfur content of all residual fuel oil delivered to each customer during the preceding month.

C. In the event that any supplier utilizing the variance obtains a supply of low sulfur oil adequate to serve its customers prior to the expiration of the variance, such variance shall terminate on such prior date.

The State's submittal is available for public inspection during normal business hours at the following addresses: Air Pollution Control Commission, State Laboratory Building, Concord, New Hampshire 03301, and EPA Region I Office of Public Affairs, Room 2203 John F. Kennedy Federal Building, Boston, Massachusetts 02203. In addition, EPA's evaluation of the State's submittal is available during normal business hours at the EPA address listed above.

The Agency finds that good cause exists for not publishing this action as a notice of proposed rulemaking and for making it effective immediately upon publication for the following reasons:

1. The emergency nature of the current fuel shortage requires that the affected source know immediately the fuel restrictions which are applicable to it so that it may make arrangements to obtain the appropriate fuel.

2. The implementation plan revision was adopted in accordance with procedural requirements of State and Federal laws, which provided for an adequate public hearing and comment, and further participation would be impracticable.

Dated: March 29, 1974.

JOHN QUARLES,
Acting Administrator,
Environmental Protection Agency.

[FR Doc.74-7887 Filed 4-4-74;8:45 am]

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Review of Indirect Sources in Rhode Island; Correction

In the promulgation of the regulation on indirect sources, appearing at page 7269 in the issue of Monday, February 25, 1974, the State of Rhode Island's legal authority for the review of indirect sources was incorrectly disapproved. To correct this error, paragraph (c) in § 52.2074 (Legal authority) of Subpart 00 is revoked.

Dated: March 29, 1974.

JOHN QUARLES,
Acting Administrator.

[FR Doc.74-7888 Filed 4-4-74;8:45 am]

Title 47—Telecommunication

CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

[FCC–74–285]

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

Equipment Authorization of RF Devices; Memorandum Opinion and Order

In the matter of amendment of Part 0 and 2 of the rules relating to equipment authorization of RF devices.

1. The Commission has for consideration a request for delay of the effective date of the labeling requirements in the above referenced matter submitted by the Consumer Electronics Group of the Electronics Industries Association (CEG). It should be noted that the request by CEG was submitted as part of a Petition for Reconsideration of the amendment of our rules relating to equipment authorization of RF devices. The history of this proceeding is described in the Report and Order adopting the revised rules (FCC 74–113, released February 15, 1974, 39 FR 5912 (February 18, 1974)).

2. CEG requests a postponement of the March 25, 1974 effective date of § 2.1045 of the revised rules concerning the labeling of equipment. CEG asserts that the switch to the new labels will require expensive retooling and the lead time provided by the Commission is inadequate. Since a longer lead time is necessary, stay of the effective date will be granted for ninety days to include each of the revised rules on the labeling requirements, i.e., §§ 2.925, 2.969, 2.1003, and 2.1045 pending consideration of the petitions for reconsideration of the above entitled rule amendments.

3. In view of the foregoing: *It is ordered*, That the effective date of §§ 2.925, 2.969, 2.1003 and 2.1045 is stayed until June 25, 1974.

Adopted: March 27, 1974.

Released: March 28, 1974.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] VINCENT J. MULLINS,
Secretary.

[FR Doc.74–7872 Filed 4–4–74;8:45 am]

Title 49—Transportation

CHAPTER II—FEDERAL RAILROAD ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

PART 213—TRACK SAFETY STANDARDS

Civil Penalties

The Federal Railroad Administration (FRA) is adding a new Appendix B to Part 213 to reflect a policy determination made by FRA in carrying out the duties and responsibilities contained in section 209 of the Federal Railroad Safety Act of 1970 (45 U.S.C. 438) and delegated to the Federal Railroad Administrator by the Secretary of Transportation (49 CFR 1.49(n)). Section 209 provides, in pertinent part, "(t)he Secretary (Administrator) shall * * * make applicable to any railroad safety rule, regulation, order, or standard issued under this title a civil penalty for violation thereof, in such amount, not less than $250 nor more than $2,500, as he deems reasonable."

Section 213.15 provides that a violation of any requirement of Part 213 is subject to a civil penalty of at least $250 but not more than $2,500, with each day the violation continues being treated as a separate offense. The addition of Appendix B is based upon a consideration by the FRA of the seriousness of noncompliance by an owner of track with one or more of the particular sections established in Part 213. The basic penalty which would be assessed for a violation ranges from $500 to $1,000, depending upon the section which is violated. Additionally, each rule or part of a rule is subject to a penalty between $1,000 to $2,500 for a hazardous violation. For the purposes of this section, a hazardous violation is defined as one involving an immediate hazard of death or injury, or where an actual accident, death or injury results from the violation. The Administrator also specifically reserves the authority to assess the maximum penalty of $2,500 for a violation of any section or subsection. The authority to so assess a maximum penalty would be used in cases where a track owner repeatedly violated the same section without affecting the necessary repairs and a serious accident resulted from those violations. The Administrator may also levy the maximum penalty in those instances where an extremely serious accident results from a violation of the provisions of Part 213.

As provided in section 209 of the Federal Railroad Safety Act of 1970 (45 U.S.C. 438), the FRA will attempt to settle these claims administratively, using procedures similar to those established under the Federal Claims Collection Act (31 U.S.C. 951–953), before transmittal to the Attorney General. 2 U.S. CODE CONG. ADMIN. NEWS 4104 (91st Cong., 2d Sess. 1970). In no case, however, will a claim be compromised for less than $250, with again each day the violation continues consisting of a separate offense, as provided in paragraph (b) of § 213.15.

As stated above, the addition of Appendix B is a statement of policy by the FRA. Therefore, in accordance with the provisions of section 553 of the Administrative Procedure Act (5 U.S.C. 553), notice and public procedures are not required and this amendment may be made effective in less than 30 days after publication.

In 49 CFR Chapter II, Part 213 is amended by adding a new Appendix B to the Part as follows:

APPENDIX B—SCHEDULE OF CIVIL PENALTIES

Appendix B reflects a statement of policy by the Federal Railroad Administration in making applicable to Part 213 a specific civil penalty for a violation of particular sections of this part.

		Violation	Hazardous[1] violation
Subpart A—General:			
213.5	Responsibility of track owners	$1,000	$2,000
213.7	Designation of qualified persons to supervise certain renewals and inspect track	500	1,000
213.9	Classes of track; operating speed limits	1,000	2,000
213.11	Restoration or renewal of track under traffic conditions	1,000	1,000
213.13	Measuring track not under load	500	1,000
Subpart B—Roadbed:			
213.33	Drainage	500	1,000
213.37	Vegetation	500	1,000
Subpart C—Track geometry:			
213.53	Gage	750	1,500
213.55	Alinement	750	1,500
213.57	Curves; elevation and speed limitations	750	1,500
213.59	Elevation of curved track; runoff	750	1,500
213.61	Curve date for classes 4 through 6	500	1,000
213.63	Track surface	750	1,500
Subpart D—Track surface:			
213.103	Ballast; general	500	1,000
213.105	Ballast; disturbed track	500	1,000
213.109	Crossties	750	1,500
213.113	Defective rails	1,000	2,500
213.115	Rail end mismatch	500	1,000
213.117	Rail end batter	500	1,000
213.119	Continuous welded rail	500	1,000
213.121	Rail joints		
213.121a		500	1,000
213.121b		500	1,000
213.121c		1,000	2,500
213.121d		500	1,000
213.121e		500	1,000
213.121f		500	1,000
213.121g		500	1,000
213.123	Tie plates	500	1,000
213.125	Rail anchoring	750	1,500
213.127	Track spikes	750	1,500
213.129	Track shims	500	1,000
213.131	Planks used in shimming	500	1,000
213.133	Turnouts and track crossings generally	500	1,000
213.135	Switches	500	1,000
213.137	Frogs	500	1,000
213.139	Spring rail frogs	750	1,500
213.141	Self-guarded frogs	500	1,000
213.143	Frog guard rails and guard faces; gage	500	1,000
Subpart E—Track appliances and track-related devices:			
213.205	Derails	500	1,000
213.207	Switch heaters	500	1,000
Subpart F—Inspection:			
213.233	Track inspections	500	1,000
213.235	Switch and track crossings inspections	500	1,000
213.237	Inspection of rail	750	1,500
213.239	Special inspections	500	1,000
213.241	Inspection records	750	1,500

NOTE: [1] For the purposes of this appendix, a hazardous violation is one involving an immediate hazard of death or injury, or when an actual accident, death or injury results from the violation. The Administrator reserves the authority to assess the maximum penalty of $2,500 for a violation of any section or subsection contained in Part 213.

(Secs. 202, 209, 84 Stat. 971, 975 (45 U.S.C. 431, 438, § 1.49(n)), Regulations of the Office of the Secretary of Transportation; 49 CFR 1.49(n))

In consideration of the foregoing, effective immediately Part 213 of Title 49 of the Code of Federal Regulations is amended as set forth above.

Issued in Washington, D.C., on March 29, 1974.

JOHN W. INGRAM,
Administrator.

[FR Doc.74–7721 Filed 4–4–74;8:45 am]

CHAPTER X—INTERSTATE COMMERCE COMMISSION

[Rev. S.O. 1138, Amdt. 2]

PART 1033—CAR SERVICE

Colorado and Southern Railway Co.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 29th day of March 1974.

Upon further consideration of Revised Service Order No. 1138 (38 FR 14943 and 33482), and good cause appearing therefor:

It is ordered, That: § *1033.1138 Service Order No. 1138* (The Colorado and Southern Railway Company authorized to operate over tracks of the Colorado & Wyoming Railway Company. The Colorado & Wyoming Railway Company authorized to operate over jointly owned tracks of the Atchison, Topeka and Santa Fe Railway Company and the Colorado and Southern Railway Company) be, and it is hereby, amended by substituting the following paragraph (f) for paragraph (f) thereof:

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

Effective date. This amendment shall become effective at 11:59 p.m., March 31, 1974.

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

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

By the Commission, Railroad Service Board.

[SEAL] JOSEPH M. HARRINGTON,
Acting Secretary.

[FR Doc.74-7905 Filed 4-4-74;8:45 am]

[2nd REV. S.O. 1119]

PART 1033—CAR SERVICE

Demurrage on Freight Cars

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 29th day of March 1974.

It appearing, that an acute shortage of all types of railroad-owned freight cars exists throughout all sections of the country; that certain carriers are unable to furnish an adequate supply of freight cars to shippers located on their lines; that these shortages of freight cars are impeding the movement of many commodities; that many freight cars are ordered and held by shippers for loading which are later returned to the carrier without being used in transportation service; that such practices immobilize large numbers of freight cars needed by shippers for the transportation of other freight; and that the existing demurrage and detention rules, regulations, and practices of the railroads are ineffective to control such use of freight cars. It is the opinion of the Commission that an emergency exists requiring immediate action to promote car service in the interest of the public and the commerce of the people. Accordingly, the Commission finds that notice and public procedure are impracticable and contrary to the public interest, and that good cause exists for making this order effective upon less than thirty days' notice.

It is ordered, That:

§ 1033.1119 **Demurrage on freight cars.**

(a) Each common carrier by railroad subject to the Interstate Commerce Act shall observe, enforce, and obey the following rules, regulations, and practices with respect to its demurrage rules and charges.

(b) Description of cars subject to this order. Except as otherwise provided in paragraph (c) of this section, this order shall apply to freight cars which are subject to demurrage rules applicable to detention of cars.

(c) Exceptions:

(1) The provisions of this order shall not apply to freight cars listed on pages 1119–1121, inclusive, of the Official Railway Equipment Register, I.C.C. R.E.R. 390 issued by W. J. Trezise, or reissues, thereof, as having any of the following descriptions and mechanical designations:

Mechanical Designation: RA, RAM, RCD, RS, RSB, RSM, RSTC, and RSTM.
Mechanical Designation: SC, SM, and ST.
Mechanical Designation: ALL CLASS T.
Mechanical Designation: XT.

(2) The provisions of this order shall not apply to freight cars while subject to the provisions of Agent B. B. Maurer's Tariffs 8–0, I.C.C. H–30; 551–L, I.C.C. H–50; 552–P, I.C.C. H–47; and 719–F, I.C.C. H–53; nor to perishable protective charges published in Agent W. T. Jamison's National Perishable Protective Tariff No. 18, I.C.C. 37; supplements thereto, or reissues thereof.

(d) Cars subject to this order:

(1) When empty cars placed on orders are not used in transportation service, demurrage will be charged for all detention, including Saturdays, Sundays, and holidays (see list in Item 25, Freight Tariff 4–I, I.C.C. H–36), from actual or constructive placement until released, with no free time allowance.

(2) Charges for cars detained as described in subparagraph (1) of this paragraph shall be assessed at the following rates, until car is released:

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

(3) In the application of this section, a demurrage day consists of a 24-hour period, or fraction thereof, computed from the hour of actual or constructive placement of the car, except that on cars placed in advance of the date for which ordered for loading, time will be computed from 7:00 a.m. of the day for which so ordered.

(4) When a car so ordered and placed on a public track or on an industrial interchange track is not used and no advice from the party who ordered the car has been received within 48 hours (two days), exclusive of Saturdays, Sundays, and holidays (see list in Item 25, Freight Tariff 4–I, I.C.C. H–36) from the first 7:00 a.m. after placement (see subparagraph (3) of this paragraph), the car shall be removed and treated as released at the time of removal. Such cars shall be subjected to demurrage charges as provided herein.

(5) (i) In the event a car is rejected account not suitable for loading, this section will not apply if the party ordering the car advises the carrier of rejection and condition that caused the car to be rejected, within 48 hours (two days) exclusive of Saturdays, Sundays, and holidays (see list in Item 25, Freight Tariff 4–I, I.C.C. H–36) after actual placement (see subparagraph (3) of this paragraph).

(ii) If rejection has not been made within time specified in subparagraph (5) (i) of this paragraph, demurrage will be charged for all detention, computed under subparagraphs (1), (2), and (3) of this paragraph.

(e) If the application of demurrage rules published in any tariff lawfully in effect results in demurrage charges greater than those provided in this order, such greater charges shall apply.

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

(g) Regulations suspended—announcement required: The operation of all rules and regulations, insofar as they conflict with the provisions of this order, is hereby suspended and each railroad subject to this order, or its agent, shall publish, file, and post a supplement to its tariff affected hereby, in substantial accordance with the provisions of Rule 9(k) of the Commission's Tariff Circular No. 20, announcing such suspension.

(h) Effective date: This order shall become effective at 7:00 a.m., April 1, 1974.

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

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

Stat. 911; (49 U.S.C. 1(10–17), 15(4), and 17(2)))

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

By the Commission, Railroad Service Board.

[SEAL] JOSEPH M. HARRINGTON,
Acting Secretary.

[FR Doc.74-7906 Filed 4-4-74;8:45 am]

[S.O. 1181]

PART 1033—CAR SERVICE

St. Louis-San Francisco Railway Co.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 1st day of April, 1974.

It appearing, that the St. Louis-San Francisco Railway Company (SL-SF), is unable to operate over its line between Enid, Oklahoma, and Arkansas City, Kansas, because of extensive damage from flooding; that The Atchison, Topeka, and Santa Fe Railway Company (ATSF) has consented to the use of its lines between Perry, Oklahoma, and Arkansas City, Kansas, and between Ponca City, Oklahoma, and Blackwell, Oklahoma, by the SL-SF; that use of the aforementioned ATSF tracks by the SL-SF will enable the SL-SF to restore service on a portion of its damaged line; that operation by the SL-SF over the aforementioned tracks of the ATSF is necessary in the interest of the public and the commerce of the people; that notice and public procedure herein are impracticable and contrary to the public interest; and that good cause exists for making this order effective upon less than thirty days' notice.

It is ordered, That:

§ 1033.1181 Service Order No. 1181.

(a) *St. Louis-San Francisco Railway Company authorized to operate over tracks of the Atchison, Topeka and Santa Fe Railway Company.* The St. Louis-San Francisco Railway Company (SL-SF) be, and it is hereby, authorized to operate over tracks of The Atchison, Topeka and Santa Fe Railway Company (ATSF), between Perry, Oklahoma, and Arkansas City, Kansas, a distance of approximately 58.2 miles, and between Ponca City, Oklahoma, and Blackwell, Oklahoma, a distance of approximately 16 miles.

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

(c) *Rates applicable.* Inasmuch as this operation by the SL-SF over tracks of the ATSF is deemed to be due to carrier's disability, the rates applicable to traffic moved by the SL-SF over these tracks of the ATSF shall be the rates which were applicable on the shipments at the time of shipment as originally routed.

(d) *Effective date.* This order shall become effective at 12:01 a.m., April 1, 1974.

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

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

It is further ordered, That copies of this order shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this order 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 by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.47-7904 Filed 4-4-74;8:45 am]

Title 10—Energy

CHAPTER I—ATOMIC ENERGY COMMISSION

PART 2—RULES OF PRACTICE

Requests To Impose Requirements by Order on a Licensee, or To Modify, Suspend or Revoke a License

The Atomic Energy Commission has adopted amendments to its Rules of Practice in 10 CFR Part 2, that make specific provision for members of the public to request the Director of Regulation to institute a proceeding to modify, suspend or revoke a license, or take such other action as may be proper. Under existing rules such requests are not precluded, though there is no specific provision therefor. The purpose of the amendments is to provide a procedure for the submittal of such requests to the Director of Regulation.

The amendments add new § 2.206 that provides for the filing of a request addressed to the Director of Regulation to modify, suspend or revoke a license, or take such action as may be proper.

Upon the filing of such a request, the Director of Regulation may institute the requested proceeding, or advise the person who filed the request that no proceeding will be instituted and the reasons therefor.

Unless otherwise directed by the Commission, any request for modification, suspension or revocation of a license, or for other like action, will be referred to the Director of Regulation and processed pursuant to new § 2.206.

Pursuant to the Atomic Energy Act of 1954, as amended, and sections 552 and 553 of Title 5 of the United States Code, the following amendments to Title 10, Chapter I, Code of Federal Regulations, Part 2 are published as a document subject to codification.

1. Paragraph (a) of § 2.200 of 10 CFR Part 2 is amended to read as follows:

§ 2.200 Scope of subpart.

(a) This subpart prescribes the procedures in cases initiated by the regulatory staff, or upon a request by any person, to impose requirements by order on a licensee or to modify, suspend, or revoke a license, or for such other action as may be proper.

* * * * *

2. A new § 2.206 is added to 10 CFR Part 2 to read as follows:

§ 2.206 Requests for action under this subpart.

(a) Any person may file a request for the Director of Regulation to institute a proceeding pursuant to § 2.202 to modify, suspend or revoke a license, or for such other action as may be proper. Such a request shall be addressed to the Director of Regulation and shall be filed either (1) by delivery to the Public Document Room at 1717 H Street NW., Washington, D.C., or (2) by mail or telegram addressed to the Director of Regulation, U.S. Atomic Energy Commission, Washington, D.C. 20545. The requests shall specify the action requested and set forth the facts that constitute the basis for the request.

(b) Within a reasonable time after a request pursuant to paragraph (a) of this section has been received, the Director of Regulation shall either institute the requested proceeding in accordance with this subpart or shall advise the person who made the request in writing that no proceeding will be instituted in whole or in part, with respect to his request, and the reasons therefor.

Effective date. The foregoing amendments become effective on April 5, 1974.

(Sec. 161, Pub. L. 83-703, 68 Stat. 948 (42 U.S.C. 2201))

Dated at Germantown, Md., this 1st day of April 1974.

For the Atomic Energy Commission.

PAUL C. BENDER,
Secretary of the Commission.

[FR Doc.74-7842 Filed 4-4-74;8:45 am]

CHAPTER II—FEDERAL ENERGY OFFICE

PART 210—GENERAL ALLOCATION AND PRICE RULES

PART 212—MANDATORY PETROLEUM ALLOCATION REGULATIONS

Definition of "Covered Products"

The price regulations of the Federal Energy Office, which were adopted from

the Cost of Living Council petroleum price regulations, apply to "covered products" which have been defined as certain substances described in the 1972 edition, Standard Industrial Classification Manual under industry codes 1311, 1321, and 2911. The FEO has regulated the prices of these products pursuant to both the authority delegated to it by the Cost of Living Council under the Economic Stabilization Act of 1970 and the authority of the Emergency Petroleum Allocation Act of 1973.

However, the authority under the Emergency Petroleum Allocation Act of 1973 only extends to crude oil, residual fuel oil and refined petroleum products. Certain products such as asphalt, road oil, refinery gas, petroleum wax and petroleum coke are not subject to the provisions of the Allocation Act. Previously, prices of these products have only been controlled under the authority of the Stabilization Act.

Because the Economic Stabilization Act expires on April 30, 1974 and because the Cost of Living Council has decontrolled the prices charged for related products, such as asphalt which is not produced in refineries, the FEO is amending the definition of "covered products" in its price regulations to conform to the substances over which it has price regulation authority under the Allocation Act. Therefore, "covered products" is now defined to mean crude oil, residual fuel oil, and refined petroleum products. Since the products which are decontrolled by this action have never been within the scope of the Allocation Act, it is not necessary to comply with the procedures under section 4(g) of that Act for exempting products from FEO regulations.

Because the purpose of these amendments is to provide immediate guidance and information with respect to the mandatory petroleum price regulations and to permit the amendments to be implemented during the month of April, the Federal Energy Office finds that normal rulemaking procedure is impracticable and that good cause exists for making these amendments effective in less than 30 days.

(Emergency Petroleum Allocation Act of 1973, Pub. L. 93–159, E.O. 11748, 38 FR 33575; Economic Stabilization Act of 1970, as amended, Pub. L. 92–210, 85 Stat. 743; Pub. L. 93–28, 87 Stat. 27; E.O. 11730, 38 FR 19345; Cost of Living Council Order 47, 39 FR 24)

In consideration of the foregoing, Parts 210 and 212 of Chapter II, Title 10 of the Code of Federal Regulations are amended as set forth below, effective immediately.

Issued in Washington, D.C., April 3, 1974.

WILLIAM N. WALKER,
General Counsel,
Federal Energy Office.

1. Section 210.21 is amended in the definition of "covered products" and in appropriate alphabetical order, a definition of the term "natural gas" is added to read as follows:

§ 210.21 Definitions.

* * * * *

"Covered products" means crude oil, residual fuel oil, and refined petroleum products.

* * * * *

"Natural gas" means natural gas as defined by the Federal Power Commission.

* * * * *

2. A new § 210.34 is added to Part 210, to read as follows:

§ 210.34 Petroleum refinery products.

(a) Petroleum refinery products such as petroleum wax, petroleum coke, asphalt, road oil, and refinery gases which are not crude oil, refined petroleum products, or residual fuel oils are exempt from the provisions of Parts 211 and 212 of this chapter.

(b) *Definitions.* "Asphalt" means asphalt as defined in ASTM standard D–288.

"ASTM" means American Society for Testing Materials.

"Petroleum coke" means a solid residue, the final product of the condensation process in cracking, consisting mainly of highly polycyclic aromatic hydrocarbons very poor in hydrogen, including petroleum coke which when calcinated yields almost pure carbon or artificial graphite suitable for production of carbon or graphite electrodes, structural graphite, motor brushes, dry cells, etc. It includes both forms listed below:

(1) *Marketable.* Those grades of coke produced in delayed or fluid cokers which may be recovered as relatively pure carbon. This "green" coke may be further purified by calcining or may be sold in the "green" state.

(2) *Catalyst.* In many catalytic operations (i.e., catalytic cracking) carbon is deposited on the catalyst, deactivating the catalyst. The catalyst is reactivated by burning off the carbon, using it as a fuel in the refinery process. This carbon or coke is not recoverable in a concentrated form. For statistical purposes, the amount of catalyst coke may be estimated by using an average weight percent (1.5%–8.5%) of charging stock.

"Petroleum wax" means petroleum wax as defined in ASTM standard D–288.

"Refinery gas" means a form of gas normally produced in the refining of crude oil which is predominately used for refinery fuel.

"Road oil" means any heavy petroleum oil, including residual asphaltic oils, used as a dust palliative and surface treatment of roads and highways. It is generally produced in six grades from 0, the most liquid, to 5, the most viscous.

§ 212.31 [Amended]

3. Section 212.31 is amended in the definition of "covered products" to read as follows:

* * * * *

"Covered products" means crude oil, residual fuel oil and refined petroleum products.

4. Section 212.31 is amended to add, in appropriate alphabetical order, definitions of the terms "crude oil," "ethane," "butane," "LPG," "propane," "propane-butane mix," and "refined petroleum product," to read as follows:

* * * * *

"Crude oil" means domestic and imported crude petroleum.

* * * * *

"Ethane" means a hydrocarbon whose chemical composition is C_2H_6.

* * * * *

"Butane" means a hydrocarbon whose chemical composition is predominantly C_4H_{10} including isobutane and normal butane, as well as any mixture of butane containing ninety (90) percent or more of butane. Butane also includes butane in raw mixed streams of natural gas liquids, whether or not further fractionated or processed to recover butane.

* * * * *

"LPG" means liquefied petroleum gas, and includes propane and butane, and propane/butane mixes, but not ethane.

* * * * *

"Propane" means a hydrocarbon whose chemical composition is predominantly C_3H_8 including propane (i) in raw mixed streams of natural gas liquids, whether or not further fractionated or processed to recover propane, and (ii) propane-butane mixes.

* * * * *

"Propane-butane mix" means a mix containing ten (10) percent of more by weight of propane.

* * * * *

"Refined petroleum product" means gasoline, kerosene, middle distillates (including Number 2 fuel oil), LPG, refined lubricating oils, or diesel fuel.

[FR Doc.74–8012 Filed 4–3–74;4:51 pm]

Title 12—Banks and Banking

CHAPTER VI—FARM CREDIT ADMINISTRATION

PART 615—FUNDING AND FISCAL AFFAIRS

Farm Credit Investment Bonds

The Farm Credit Administration, by its Federal Farm Credit Board, took final action on amendments to its regulations and authorized their issuance effective February 4, 1974. These amendments (1) restate the authority to issue Farm Credit Investment Bonds, and (2) clarify purchase eligibility and registration requirements for Farm Credit Investment Bonds. Because these amendments restate and clarify requirements and extend a privilege to members of Farm Credit institutions, it is found that notice of proposed rulemaking provided for in 5 U.S.C. 553 is unnecessary, and any delay in the issuance of these amendments is not in the public interest.

Chapter VI of Title 12 of the Code of Federal Regulations is amended by revising §§ 615.5110 and 615.5120 to read as follows:

§ 615.5110 Authority to issue.

Any Farm Credit Bank may issue Farm Credit Investment Bonds directly to members and employees of the banks, the production credit associations and the Federal land bank associations within limitations set forth in § 615.5120. The bonds are subject to the limitation contained in the Federal Reserve Board's Regulation Q which establishes the amount, the rate, the maturity and the early redemption penalty for consumer-type deposits under $100,000.

§ 615.5120 Purchase eligibility requirement.

(a) *Limitations.* Eligibility to purchase Farm Credit Investment Bonds shall be limited to members and employees of the Farm Credit banks and associations except any bank officers, directors and employees who are involved in setting the term or rate, and employees of the Farm Credit Administration except officials precluded by regulation. A member of a Farm Credit association or of a bank for cooperatives need not be an active borrower to be eligible. A member of any Farm Credit institution may purchase investment bonds from any of the institutions in the district which offer the purchase program. Patrons, members, employees, or stockholders of other financing institutions discounting loans with the Federal Intermediate Credit Bank or of any legal entity which is a borrower from any Farm Credit institution as such are ineligible as they are not members of a Farm Credit institution. Stock or participation certificates shall not be sold merely to qualify a party for the purchase of Farm Credit Investment Bonds. For purposes of this section "member" means a stockholder or participation certificate holder who acquired stock or participation certificates to obtain a loan, to purchase stock for investment, or to qualify for other services of the association or bank, A person who assumes a loan is not a member unless he becomes a stockhloder or participation certificate holder in connection with that loan. Employee means a regular full-time employee of a Farm Credit bank or association or the Farm Credit Administration.

(b) *Form and ownership.* Farm Credit Investment Bonds are issued only in registered form. The registration used must express the actual ownership of and interest in the bond and will be considered by the issuing institution as conclusive of such ownership and interest. No designation of an attorney, agent or other representative to request or receive payment on behalf of the owner or co-owner, nor any restriction on the right of the owner or co-owner to receive payment of the bond or interest, except as provided in this section, may be made in the registration or otherwise. Registrations requested in applications for purchase shall be clear, accurate, complete and conform with one of the registration provisions set forth in this section, and include the appropriate taxpayer identifying number. The following provisions shall apply for registration of Farm Credit Investment Bonds:

(1) In all cases the member's name (whether a natural person, fiduciary, or legal entity) or employee's name must appear as owner of the Bond.

(2) A Bond may be registered in the name of a fiduciary only if the fiduciary is in fact the member.

(3) A member or employee may not use a form of registration (such as a gift to a minor, irrevocable trust, etc.) which would divest himself of ownership. However, a minor may be named as co-owner or beneficiary.

(4) If a member is a natural person, a second natural person, member or nonmember, may be named as co-owner or beneficiary. Co-ownership may not involve a fiduciary or private organization.

(5) In the co-ownership form the connective "or" shall serve the same purpose as "joint tenants with right of survivorship."

(Secs. 5.9, 5.18, 85 Stat. 619, 621, 624)

E. A. JAENKE,
Governor,
Farm Credit Administration.

[FR Doc.74-7882 Filed 4-4-74;8:45 am]

Proposed Rules

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

DEPARTMENT OF THE TREASURY

United States Customs Service

[19 CFR Part 111]

CUSTOMHOUSE BROKERS

Proposal Regarding Time in Which To File for Review of Denial of License

Notice is hereby given that under the authority of R.S. 251, as amended (19 U.S.C. 66), and sections 624, 641, 46 Stat. 759, as amended (19 U.S.C. 1624, 1641), it is proposed to amend § 111.17 of the Customs Regulations. This section presently provides for a further review of a denial of an application for a customhouse broker's license by the Commissioner of Customs and by the Secretary of the Treasury at the written request of the applicant. The proposed amendment provides that the written request of the applicant for further review by the Commissioner of Customs must be received by the Commissioner within 60 days of the denial. It also provides that upon a decision of the Commissioner affirming the denial of the license, the applicant's written request for further review by the Secretary of the Treasury must be received by the Secretary within 30 days of the affirmation of that denial.

Accordingly, it is proposed to amend § 111.17 of the Customs Regulations to read as follows:

§ 111.17 Review of the denial of a license.

(a) *By the Commissioner.* Upon the denial of an application for a license, the applicant may file with the Commissioner of Customs, in writing, a request that further opportunity be given for the presentation of information or arguments in support of the application by personal appearance, or in writing, or both. This request must be received by the Commissioner within 60 days of the denial.

(b) *By the Secretary.* Upon the decision of the Commissioner affirming the denial of an application for a license, the applicant may file with the Secretary of the Treasury, in writing, a request for such additional review as the Secretary shall deem appropriate. This request must be received by the Secretary within 30 days of the Commissioner's affirmation of the denial of an application for a license.

Prior to the adoption of the foregoing proposal, consideration will be given to any relevant data, views, or arguments which are submitted to the Commissioner of Customs, Attention: Regulations Division, Washington, D.C. 20229, and received on or before May 6, 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] VERNON D. ACREE,
Commissioner of Customs.

Approved: March 28, 1974.

JAMES B. CLAWSON,
Assistant Secretary of the Treasury.

[FR Doc.74-7896 Filed 4-4-74;8:45 am]

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[50 CFR Part 216]

MARINE MAMMALS

Incidental Taking in the Course of Commercial Fishing Operations

The Marine Mammal Protection Act of 1972 (Pub. L. 92-522) provides in section 101(a)(2) that during the twenty-four month period initially following the date of the enactment of the Act, the taking of marine mammals incidental to the course of commercial fishing operations shall be permitted and shall not be subject to the provisions of sections 103 and 104. Subsequent to such twenty-four months, marine mammals may be taken incidental to commercial fishing operations under permits issued pursuant to section 104, subject to regulations promulgated in accordance with section 103 of the Act, and in accordance with procedures promulgated under section 104.

On March 13, 1974, a notice of intent to prescribe regulations was published in the FEDERAL REGISTER (39 FR 9685). Pursuant to that intent, proposed regulations are hereby published in accordance with section 103 of the Marine Mammal Protection Act of 1972.

Written comments, views, and objections may be made with respect to these proposed regulations to the Director, National Marine Fisheries Service, Washington, D.C. 20235, until April 30, 1974.

As provided for in section 103(d) of the Act, regulations will be prescribed on the record after opportunity for an agency hearing. The hearing will be conducted in conformance with all regulations governing such hearings which may be prescribed and in conformance with 5 U.S.C. 553, 556, and 557. Following the hearing, final regulations will be promulgated. The time and place of such hearings will be published in the FEDERAL REGISTER. Regulations Governing the Taking and Importing of Marine Mammals, Title 50, Wildlife and Fisheries, Chapter II, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce, Part 216, were published in the FEDERAL REGISTER on January 15, 1974 (39 FR 1851), as amended on January 22, 1974 (39 FR 2181).

Section 216.24 is hereby proposed to be revised to read as follows:

§ 216.24 Taking and related acts incidental to commercial fishing operations.

(a) After October 20, 1974, no marine mammals may be taken in the course of a commercial fishing operation unless the taking constitutes an incidental catch as defined in § 216.3, a general permit and certificate of inclusion have been obtained in accordance with these regulations, and such taking is not in violation of such permit. It is the immediate goal that the incidental kill or serious injury of marine mammals occurring in the course of commercial fishing operations be reduced to insignificant levels approaching a zero mortality and serious injury rate.

(b) Permits: (1) General permits to allow the taking of marine mammals in connection with commercial fishing operations will be issued to persons using fishing gear within any one of the following five general categories:

(i) *Towed or Dragged Gear.* Shall include those commercial fishing operations utilizing towed or dragged gear such as bottom otter trawls, bottom pair trawls, multi-rig trawls, and dredging gear.

(ii) *Encircling Gear; Tuna Purse Seining.* Shall include those commercial fishing operations utilizing purse seines solely for tuna.

(iii) *Encircling Gear; Seining Other Than Tuna.* Shall include those commercial fishing operations utilizing seines for species of fish other than tuna.

(iv) *Stationary Gear.* Shall include commercial fishing operations utilizing stationary gear such as traps, pots, wiers, and pound nets.

(v) *Other Gear.* Shall include those commercial fishing operations utilizing trolling, gill nets, hook and line gear, and any gear not classified under paragraph (b)(1) (i), (ii) (iii), or (iv) of this section.

(2) Permits shall be issued as general permits to a class of fishermen using one of the general categories of gear set forth above. Any member of such class may apply for a general permit on behalf of all members of the class. Subsequent to

a grant of the general permit, individuals may make application to be included under the terms of a general permit.

(3) General permit terms and conditions will be valid indefinitely, but from time to time shall be subject to review, modification, suspension or revocation.

(4) Upon proper application for inclusion under the general permit, certificates of inclusion shall be issued to masters or other persons in charge of vessels engaged in commercial fisheries, or if no vessels are involved, to those who participate in commercial fishing operations. Such certificates are not subject to public hearings prior to issuance. Such certificates shall not be transferable but will be valid on any vessel or boat for which the individual named in the permit is the master or person in charge.

(5) The certificate must be in the possession of the person to whom it was issued in the course of his fishing operations and shall be shown upon request to an enforcement agent or other designated agent of the National Marine Fisheries Service.

(6) Crew members of vessels are not required to possess permits.

(c) Applications: (1) Applications for a general permit will be accepted on the effective date of these regulations. After issuance of a general permit, applications for inclusion under such general permit will be accepted at any time. All persons included under a general permit will receive a certificate evidencing such inclusion and setting forth the period of time during which they may conduct fishing operations under the general permit. Initial certificates shall be valid through December 31, 1975. Thereafter, certificates will expire on December 31 of the year issued.

(2) Applications for general permits or certificates of inclusion should be addressed as follows:

Residents of the States of Washington, Oregon, Idaho, Montana, Wyoming, Colorado, North Dakota, South Dakota, and Utah, should make application to the Regional Director, National Marine Fisheries Service, Seattle, Washington 98102.

Residents of the States of California, Nevada, Arizona, Hawaii, and the territories of American Samoa, Guam, and Trust Territories, should make application to the Regional Director, National Marine Fisheries Service, Terminal Island, California 90731.

Residents of the State of Alaska should make application to the Regional Director, National Marine Fisheries Service, Juneau, Alaska 99801.

Residents of the States of Maine, Vermont, New Hampshire, New York, Massachusetts, Connecticut, Rhode Island, New Jersey, District of Columbia, Pennsylvania, Delaware, Maryland, Virginia, West Virginia, Ohio, Michigan, Wisconsin, Illinois, Indiana, and Minnesota, should make application to the Regional Director, National Marine Fisheries Service, Gloucester, Massachusetts 01930.

Residents of the States of North Carolina, South Carolina, Florida, Mississippi, Louisiana, Texas, Georgia, Oklahoma, Alabama, Nebraska, Iowa, Tennessee, Missouri, New Mexico, Kentucky, Kansas, Puerto Rico, Virgin Islands, and Arkansas, should make application to the Regional Director, National Marine Fisheries Service, St. Petersburg, Florida 33701.

(3) Applications should contain:

(i) The name of the person(s) which is to appear on the certificate of inclusion;

(ii) The category of the general permit under which the applicant(s) wishes to be included;

(iii) The species of fish sought and general area of operations;

(iv) Identity of State or local commercial fishing licenses, if any, under which fishing operations are conducted and dates of expiration;

(v) Name and signature of person, persons, or organization making application.

(4) Applications should contain a payment of $5.00 for each person named in paragraph (c)(3)(i) of this section.

(5) The Regional Director receiving applications for a general permit shall determine the adequacy and completeness of such applications received by him and if found to be adequate and complete, will forward them to the Director, National Marine Fisheries Service, who will forthwith publish a notice of such application in the FEDERAL REGISTER, giving interested parties thirty days in which to submit written data or views with respect to the granting of such permit.

(6) If within thirty days after the date of publication of notice with respect to an application for a general permit any interested party or parties requests a hearing in connection therewith, the Director may conduct a hearing. Any hearing held in connection with a general permit shall be conducted in the same manner as hearings held in connection with scientific or display applications under § 216.33.

(7) The Regional Director receiving applications for certificates of inclusion shall determine the adequacy and completeness of such applications and, upon his determination that such applications are adequate and complete, he shall immediately approve such applications and thereafter notify the applicants of his approval and issue a certificate to approved applicants.

(d) Terms and conditions of fishing operations under general permits:

(1) *Towed or dragged gear.* (i) A certificate holder may take marine mammals so long as such taking is an incidental occurrence in the course of normal commercial fishing operations. Marine mammals taken incidental to commercial fishing operations shall be immediately returned to the environment where captured without further injury.

(ii) A certificate holder may take such steps as are necessary to protect his catch, gear, or person from depredation, damage, or threat of personal injury without inflicting death or injury to any marine mammal.

(iii) Only after all means permitted by paragraph (d)(1)(ii) of this section have been taken to deter a marine mammal from depredating the catch, damaging the gear, or causing personal injury, may the certificate holder injure or kill the animal causing the depredation or damage, or threatening personal injury.

(iv) Marine mammals taken in the course of commercial fishing operations shall be subject to the provisions of § 216.3 with respect to "Incidental catch," and may not be retained except where a specific permit has been obtained authorizing the retention.

(v) All occurrences resulting in death or injury to marine mammals in the course of commercial fishing operations under the conditions of a general permit shall be reported in writing to the Regional Director, National Marine Fisheries Service, where a certificate application was made, or to an enforcement agent or other designated agent of the National Marine Fisheries Service, at the earliest opportunity but no later than five days after such occurrence, except that if a vessel at sea returns to port later than five days after such occurrence, then it shall be reported within forty-eight hours after arrival in port. Reports must include:

(*a*) The location where the death or injury took place;

(*b*) The identity and number of marine mammals killed or injured; and

(*c*) A description of the circumstances which led up to and caused the death or injury.

(vi) Failure to comply with the provisions of the general permit including, but not limited to, failure to submit upon demand to an inspection by an authorized Federal enforcement agent, or failure to adhere to the provisions of these regulations will subject the certificate holder to a revocation of his certificate and also subject the certificate holder, vessel, and master to the penalties provided for under the Act.

(2) *Encircling gear; tuna purse seining.* (i) A certificate holder may take marine mammals, so long as such taking is an incidental occurrence in the course of normal commercial fishing operations. Marine mammals taken incidental to commercial fishing operations shall be immediately returned to the environment where captured without further injury.

(ii) A certificate holder may take such steps as are necessary to protect his catch, gear, or person from depredation, damage, or threat of personal injury without inflicting death or injury to any marine mammal.

(iii) All certificate holders shall maintain daily logs of all sets in which marine mammals are taken. Such logs must include the location and date of set, weather and water conditions, estimated number and species of marine mammals caught, method used to remove marine mammals from net, amount and kind of tuna caught, and an actual count of marine mammals killed, if any, on each set. Such logs shall be subject to inspection at the discretion of the Regional Director, National Marine Fisheries Service, Terminal Island, California, or the Director, NMFS, Washington, D.C., or their designated agents.

(iv) Certificates will be valid only on vessels equipped with a porpoise safety panel in their purse seine and using other gear and procedures as herein described. The porpoise safety panel shall be installed as follows:

(*a*) Beginning approximately 100 fathoms from the bunt or skiff end of the net, the porpoise safety panel shall be installed consisting of one strip of 280 meshes deep of one and one-half inch stretch mesh, plus a corkline border strip 33 meshes deep, for a total of 313 meshes deep, minimum depth, extending a minimum of 130 fathoms in length.

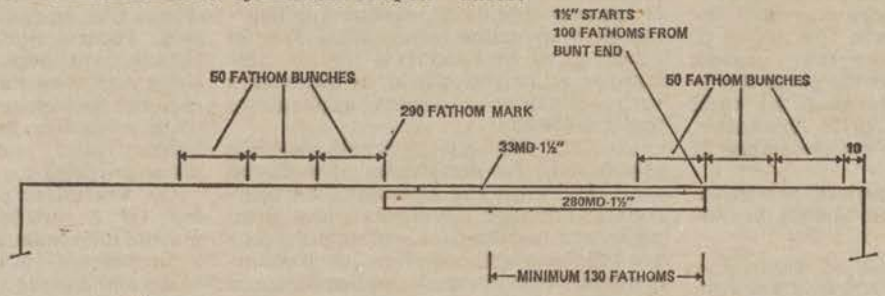
(*b*) Each end of the porpoise safety panel must be identified with an easily distinguishable marker which may be separate from the corkline or may be a single cork in the corkline of a different color than the one on either side.

(*c*) Throughout the length of the corkline in which the porpoise safety panel is located or a minimum of 130 fathoms in nets constructed entirely at 1½" mesh, hand hold openings are to be secured either by false hangings, the installation of small sections of 1½" stretch mesh, or by hand-constructed webbing of the same size as 1½" stretch mesh. In any event, by whatever means these areas are closed to prevent porpoise entrapment, proof of its utility to achieve the desired result shall be its resistance to the insertion of a cylindrical shaped object, no larger than one and three-eights inches in diameter.

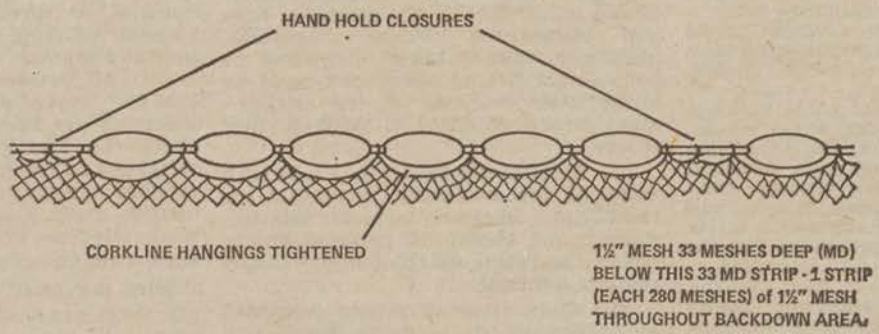
(*d*) Porpoise safety panels installed in purse seines on the effective date of these regulations which have been certified by the master or owner of a vessel to the Regional Director, National Marine Fisheries Service, Terminal Island, California, pursuant to the interim regulations effective January 22, 1974 (39 FR 2481), and which have been conditionally approved by the Regional Director for use pending an initial inspection of the net by an authorized agent of the National Marine Fisheries Service or which has been inspected and found to be in conformity with such interim regulations by the Regional Director, as evidenced by notification to the master or owner of the vessel by the Regional Director, shall be deemed to meet the specifications described above for tuna purse seining encircling gear until replaced due to normal wear and tear, or until July 1, 1975, whichever event first occurs. All vessels utilizing purse seine nets constructed entirely with one and one-half inch or smaller stretch mesh to catch and land tuna shall be considered in compliance with the requirement to install a porpoise safety panel.

Five figures are included in these regulations to illustrate and clarify some of the requirements of this class of permit.

(*e*) Other required gear and procedures:



LOCATION OF PORPOISE SAFETY PANEL INSERTION
Figure 1 - 216.24 d (2)(iv)



STANDARD SEINE
Figure 2 - 216.24 d (2)(iv)

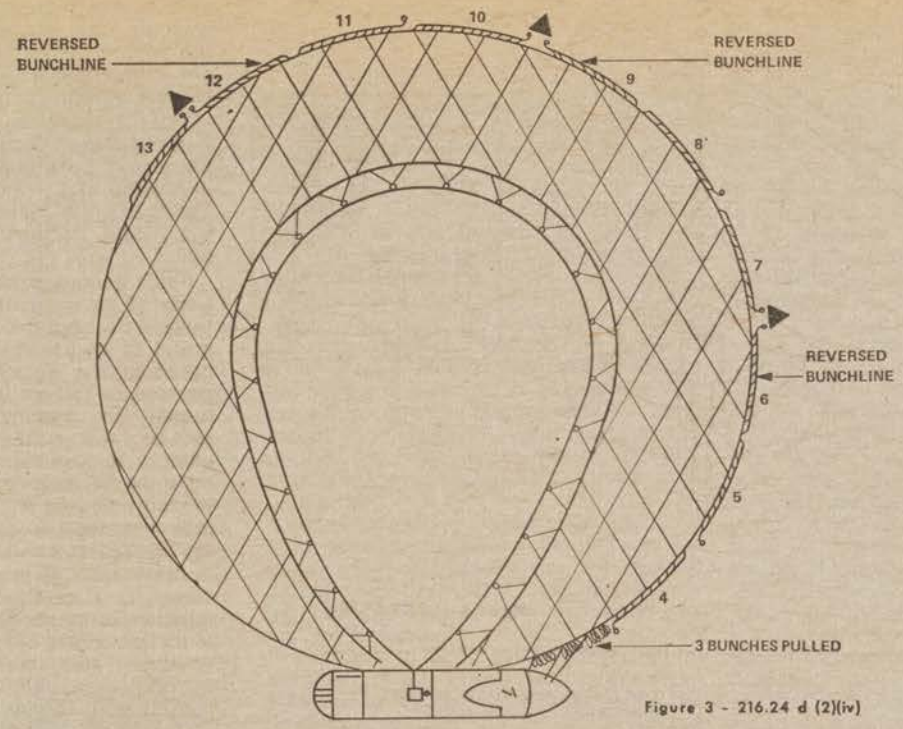


Figure 3 - 216.24 d (2)(iv)

LOCATION OF REVERSE BUNCHLINES FOR USE WITH SPEEDBOATS TO HOLD NET OPEN USING A TOTAL OF 13 BUNCH LINES. TRIANGLES DENOTE TOWING POINTS.

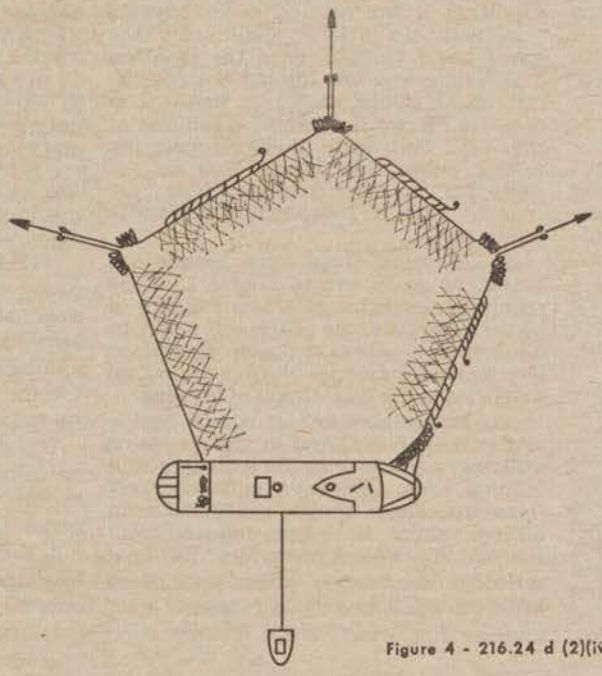
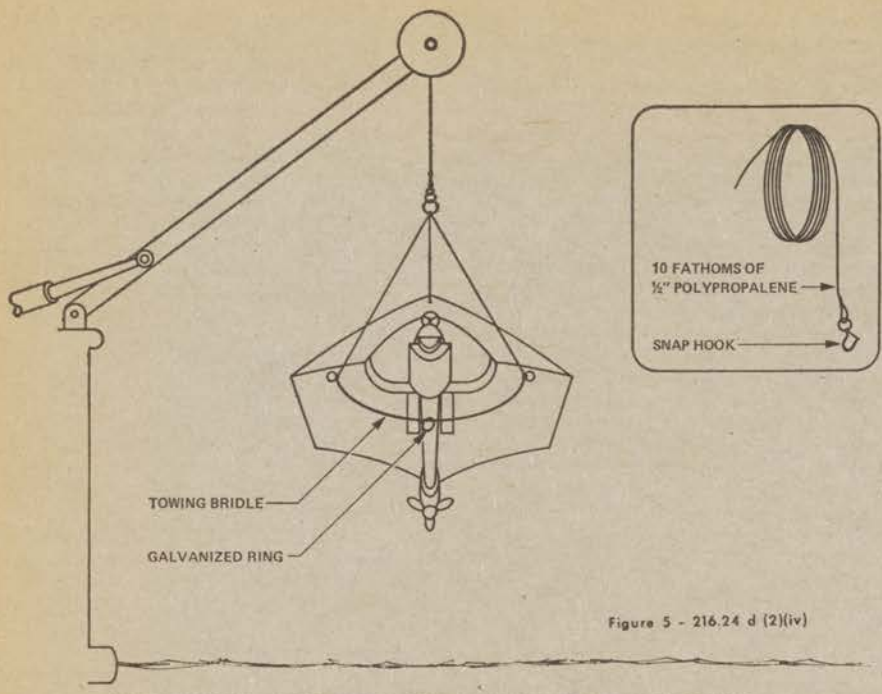


Figure 4 - 216.24 d (2)(iv)

SPEEDBOATS HOLDING NET OPEN, AFTER THE NET IS PURSED, UTILIZING THE THREE REVERSED BUNCH LINES.



SPEEDBOAT RIGGED WITH TOWING BRIDLE. INSET: LINE KEPT IN SPEEDBOAT TO CONNECT BUNCH LINES TO TOWING BRIDLE.

(*1*) Throughout the entire net, corkline hangings shall be inspected following each trip. Hangings found to have loosened to the extent that a cylindrical object with a 1⅜'' diameter will not meet resistance when inserted between the cork and corkline hangings, must be tightened so that a cylindrical object with a one and three-eighths inch diameter cannot be inserted.

(*2*) Main purse lines shall consist of torque-balanced cable with the exception of the centerpieces which may consist of standard cable of the necessary size and breaking strength. At a minimum, the main purse line, and any excess purse line shall consist of torque-balanced cable. Torque-balanced cable is a three strand preformed right lay wire rope which is resistant to rotation under load or strain in accordance with standards published by the Director.

(*3*) Nets shall contain bunch lines arranged similar to the diagram reproduced herein. The arrangements of bunch lines should allow up to 5 bunch lines to be pulled in normal fishing operations and for the use of speed boats to hold the net open by towing on reversed bunch lines as indicated in figure 3. Each towing point at the conjunction of reversed bunch lines must be marked with a red 40'' polyform or equal inflatable float so that towing points can be easily located. When the corklines move together in a manner that causes the area inside the net to be reduced so that porpoises trapped inside the net cannot return easily to the surface to breathe, or such condition of the net (collapse) appears imminent, the master shall order the speed boats to hook onto the reversed bunch lines and tow the net open to the pentagonal shape shown in figure 4 in order to correct or prevent a collapse of the net. Certificate holders operating vessels under this permit that do not carry two or more auxiliary boats are excused from the provisions of this paragraph (c).

(v) All tuna purse seine vessels operated by a certificate holder shall be required to carry a platform suitable to be used over the side of the seine skiff to allow crew members to physically release live marine mammals during drying up and prior to the final stages of brailing.

(vi) Following a net set where marine mammals are captured in the course of utilizing a purse seine for catching and landing tuna, backdown and other release procedures shall be continued until all live animals have been released from the net. "Backdown procedure" means a series of maneuvers, which take place after the net is tied down following a set and pursing, which keeps the net open to the greatest degree and allows porpoise or other marine mammals to leave the pursed net over the net floats which are submerged as a result of the vessel moving astern.

(vii) Inspection of purse seine nets and other gear required by these regulations may be made at any time at the discretion of the Regional Director, National Marine Fisheries Service, Terminal Island, California, or his designated agent.

(viii) Failure to comply with the provisions of this permit including, but not limited to, failure to submit upon demand to an inspection by an authorized agent of the National Marine Fisheries Service, or failure to satisfy the requirements of any general provisions of this section, will subject vessel masters or owners to immediate revocation of the right to be included under this general permit and further subject masters, vessels or owners to the penalties provided for under the Act.

(*3*) *Encircling gear; seining other than tuna.* (i) A certificate holder may take marine mammals so long as such taking is an incidental occurrence in the course of normal commercial fishing operations. Marine mammals taken incidental to commercial fishing operations shall be immediately returned to the environment where captured without further injury.

(ii) A certificate holder may take such steps as are necessary to protect his catch, gear, or person from depredation, damage, or threat of personal injury without inflicting death or injury to any marine mammal.

(iii) Only after all means permitted by paragraph (d)(3)(ii) of this section have been taken to deter a marine mammal from depredating the catch, damaging the gear, or causing personal injury, may the certificate holder injure or kill the animal causing the depredation or damage, or threatening personal injury.

(iv) Marine mammals taken in the course of commercial fishing operations shall be subject to the provisions of § 216.3 with respect to "Incidental catch," and may not be retained except where a specific permit has been obtained authorizing the retention.

(v) All occurrences resulting in death or injury to marine mammals in the course of commercial fishing operations under the conditions of a general permit shall be reported in writing to the Regional Director, National Marine Fisheries Service, where a certificate application was made, or to an enforcement

agent or other designated agent of the National Marine Fisheries Service, at the earliest opportunity but no later than five days after such occurrence, except that if a vessel at sea returns to port later than five days after such occurrence, then it shall be reported within forty-eight hours after arrival in port. Reports must include:

(*a*) The location where the death or injury took place;

(*b*) The identity and number of marine mammals killed or injured; and

(*c*) A description of the circumstances which led up to and caused the death or injury.

(vi) Failure to comply with the provisions of the general permit including, but not limited to, failure to submit upon demand to an inspection by an authorized Federal enforcement agent, or failure to adhere to the provisions of these regulations will subject the certificate holder to a revocation of his certificate and also subject the certificate holder, vessel owner and master to the penalties provided for under the Act.

(4) *Stationary gear.* (i) A certificate holder may take marine mammals so long as such taking is an incidental occurrence in the course of normal commercial fishing operations. Marine mammals taken incidental to commercial fishing operations shall be immediately returned to the environment where captured without further injury.

(ii) A certificate holder may take such steps as are necessary to protect his catch, gear, or person from depredation, damage, or threat of personal injury without inflicting death or injury to any marine mammal.

(iii) Only after all means permitted by paragraph (d) (4) (ii) of this section have been taken to deter a marine mammal from depredating the catch, damaging the gear, or causing personal injury, may the certificate holder injure or kill the animal causing the depredation or damage or threatening personal injury.

(iv) Marine mammals taken in the course of commercial fishing operations shall be subject to the provisions of § 216.3 with respect to "Incidental catch," and may not be retained except where a specific permit has been obtained authorizing the retention.

(v) All occurrences resulting in death or injury to marine mammals in the course of commercial fishing operations under the conditions of a general permit shall be reported in writing to the Regional Director, National Marine Fisheries Service, where a certificate application was made, or to an enforcement agent or other designated agent of the National Marine Fisheries Service, at the earliest opportunity but no later than five days after such occurrence, except that if a vessel at sea returns to port later than five days after such occurrence, then it shall be reported within forty-eight hours after arrival in port. Reports must include:

(*a*) The location where the death or injury took place;

(*b*) The identity and number of marine mammals killed or injured; and

(*c*) A description of the circumstances which led up to and caused the death or injury.

(vi) Failure to comply with the provisions of the general permit including, but not limited to, failure to submit upon demand to an inspection by an authorized Federal enforcement agent, or failure to adhere to the provisions of these regulations will subject the certificate holder to a revocation of his certificate and also subject the certificate holder, vessel, owner and master to the penalties provided for under the Act.

(5) *Other gear.* (i) A certificate holder may take marine mammals so long as such taking is an incidental occurrence in the course of normal commercial fishing operations. Marine mammals taken incidental to commercial fishing operations shall be immediately returned to the environment where captured without further injury.

(ii) A certificate holder may take such steps as are necessary to protect his catch, gear, or person from depredation damage, or threat of personal injury without inflicting death or injury to any marine mammal.

(iii) Only after all means permitted by paragraph (d) (5) (ii) of this section have been taken to deter a marine mammal from depredating the catch, damaging the gear, or causing personal injury, may the certificate holder injure or kill the animal causing the depredation or damage, or threatening personal injury.

(iv) Marine mammals taken in the course of commercial fishing operations shall be subject to the provisions of § 216.3 with respect to "Incidental catch," and may not be retained except where a specific permit has been obtained authorizing the retention.

(v) All occurrences resulting in death or injury to marine mammals in the course of commercial fishing operations under the conditions of a general permit shall be reported in writing to the Regional Director, National Marine Fisheries Service, where a certificate application was made, or to an enforcement agent or other designated agent of the National Marine Fisheries Service, at the earliest opportunity but no later than five days after such occurrence, except that if a vessel at sea returns to port later than five days after such occurrence, then it shall be reported within forty-eight hours after arrival in port. Reports must include:

(*a*) The location where the death or injury took place;

(*b*) The identity and number of marine mammals killed or injured; and

(*c*) A description of the circumstances which led up to and caused the death or injury.

(vi) Failure to comply with the provisions of the general permit including, but not limited to, failure to submit upon demand to an inspection by an authorized Federal enforcement agent, or failure to adhere to the provisions of these regulations will subject the certificate holder to a revocation of his certificate and also subject the certificate holder, vessel, and master to the penalties provided for under the Act.

(e) Importation: (1) It shall be illegal to import into the United States any fish, whether frozen or otherwise prepared, if such fish were caught in a manner which is prohibited by these regulations whether or not any marine mammals were in fact taken incident to the catching of the fish.

(2) Effective October 20, 1974, fish which is presented for importation into the United States shall be accompanied by shipping documentation showing:

(i) The country of origin;

(ii) The species of fish; and

(iii) A statement from a responsible official of the country of origin that the fishing technology permitted by the country of origin does not result in serious injury or death to marine mammals in excess of the U.S. standards prescribed by these regulations.

(iv) A statement by a responsible official of the country of origin or the master of the vessel which caught the fish that such fish were not caught in a manner prohibited for U.S. fishermen. Country of origin for the purposes of this section shall mean the country under whose flag the fish catching vessels are documented and whose fish are a part of any cargo or shipment of fish to be imported into the U.S. regardless of any transshipments. Any shipment of fish not accompanied by proper documentation shall be denied entry into the United States.

(v) Any nation may certify to the United States Government a list of vessels by name and official number fishing under such nation's flag, which are fishing in conformance with these regulations. Identification of such certified vessels in documentation for shipments presented for importation may be accepted in lieu of the statement required in paragraphs (e) (2) (iii) and (iv) of this section.

(f) Any duly authorized agents of the Secretary may from time to time, after timely oral or written notice to the vessel owner or charterer, board and/or accompany commercial fishing vessels documented under the laws of the United States, whenever the Secretary determines that there is space available, on regular fishing trips, for the purpose of conducting research or observation operations. Such research and observation operations shall be carried out in such manner as to minimize interference with commercial fishing operations. No masters, charterer, operator or owner of such vessel shall impair or in any way interfere with the research or observations being carried out. The Secretary shall provide for the payment of all reasonable costs directly related to the quartering and maintaining of such agents on board such vessels.

Dated: March 29, 1974.

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

[FR Doc.74-7661 Filed 4-4-74;8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 74-WE-6]

CONTROL ZONE

Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the description of Victorville, Calif. control zone.

Interested persons may participate in the proposed rulemaking by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Airspace and Procedures Branch, Federal Aviation Administration, 15000 S. Aviation Blvd., P.O. Box 92007, Worldway Postal Center, Lawndale, California 90261. All communications received on or before May 6, 1974, will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Administration, 15000 S. Aviation Blvd., Lawndale, California 90261.

Due to a reduction in qualified air traffic control personnel and less demanding flying training requirements, the Commanding Officer of George AFB has requested the use of the NOTAM to designate the effective hours of the Victorville, Calif. control zone. This capability will allow for infrequent changes in the regular hours of operation and provide for the occasional exercise, that may occur, without resulting in the time consuming rule making process.

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

In § 71.181 (39 FR 354) the description of the Victorville, Calif. control zone is amended to read as follows:

VICTORVILLE, CALIF.

Within a 5-mile radius of George AFB, Victorville, Calif. (latitude 34°35'45" N., longitude 117°22'55" W.). This control zone shall be effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

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

Issued in Los Angeles, Calif., on March 29, 1974.

ROBERT O. BLANCHARD,
Acting Director, Western Region.

[FR Doc.74-7831 Filed 4-4-74;8:45 am]

FEDERAL TRADE COMMISSION

[16 CFR Part 502]

DETERGENT PRODUCTS

Common Name and Ingredient Listing; Extension of Time for Filing Comments

In the FEDERAL REGISTER of Friday, February 8, 1974 (39 FR 4887) the Commission gave notice of a proposal to issue regulations under the Fair Packaging and Labeling Act which would require the use of a common name and require the inclusion of a list of ingredients on the label of packaged detergent products. Interested persons were afforded the opportunity to file with the Secretary, Federal Trade Commission, Washington, D.C. 20580 any written data, views or arguments by April 9, 1974.

The Chemical Specialties Manufacturers Association, Inc., 50 East 41st Street, New York, New York 10017 and the Soap and Detergent Association, 475 Park Avenue, South, New York, New York 10016, have requested that the time for filing comments in this matter be extended on the grounds that additional time is required for collecting data and views and the preparation of constructive response to the notice.

Good reason therefor appearing, the time for filing comments in this matter is hereby extended to June 10, 1974.

By direction of the Commission dated March 29, 1974.

[SEAL] CHARLES A. TOBIN,
Secretary.

[FR Doc.74-7894 Filed 4-4-74;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 STATE

[Public Notice Cm 125]

SECRETARY OF STATE'S ADVISORY COMMITTEE ON PRIVATE INTERNATIONAL LAW, STUDY GROUP ON MARITIME BILLS OF LADING

Notice of Meeting

A meeting of the Study Group on Maritime Bills of Lading, a subgroup of the Secretary of State's Advisory Committee on Private International Law, will be held at 3:00 p.m. on Friday, April 26, 1974, in room 5519 of the Department of State. The meeting will be open to the public.

The purpose of the meeting will be to consider a report on the sixth session of the Working Group on International Legislation on Shipping of the United Nations Commission on International Trade Law which took place in Geneva, Switzerland, in February 1974.

Members of the general public who desire to attend the meeting will be admitted up to the limits of the capacity of the meeting room. Entrance to the Department of State building is controlled and entry will be facilitated if arrangements are made in advance of the meeting. It is requested that prior to April 26, 1974, members of the general public who plan to attend the meeting inform their name and affiliation and address to Mr. Robert E. Dalton, Office of the Legal Adviser, Department of State; the telephone number is area code 202, 632–2107. All non-government attendees at the meeting should use the C Street entrance to the building.

Dated: March 28, 1974.

ROBERT E. DALTON,
Executive Director.

[FR Doc.74–7869 Filed 4–4–74;8:45 am]

[Public Notice Cm 126]

STUDY GROUP 1 OF THE U.S. NATIONAL COMMITTEE FOR THE INTERNATIONAL TELEGRAPH AND TELEPHONE CONSULTATIVE COMMITTEE (CCITT)

Notice of Meeting

The Department of State announces that Study Group 1 of the U.S. CCITT National Committee will meet on May 1, 1974 at 10:00 a.m. in room 502, of the Federal Communications Commission, 1919 M Street, NW., Washington, D.C. This Study Group deals with U.S. Government regulatory aspects of international telegraph and telephone operations and tariffs.

The agenda of the May 1 meeting will include:

(a) A review of proceedings at the meeting of CCITT Study Group I which took place in Geneva, Switzerland, March 25–29, 1974, and

(b) A review of U.S. international record carrier studies to estimate the possible effect on revenues of a significant change in practices for counting chargeable words in international telegrams.

Members of the general public who desire to attend the meeting on May 1 will be admitted up to the limit of the capacity of the meeting room.

Dated: April 1, 1974.

RICHARD T. BLACK,
Chairman,
U.S. National Committee.

[FR Doc.74–7810 Filed 4–4–74;8:45 am]

DEPARTMENT OF THE TREASURY

Comptroller of the Currency

REAL ESTATE LOAN ACTIVITIES

Notice of Commencement of Fair Housing Lending Practices Pilot Project

In order to determine compliance by national banks with the provisions of section 805, Title VIII of the Civil Rights Act of 1968 (42 U.S.C. 3605), the Comptroller of the Currency, acting pursuant to section 34 of the National Bank Act, as amended (12 U.S.C. 161), has determined to field test several methods of collecting and reporting data relating to racial, ethnic, and other personal characteristics of loan applicants. Three procedures have been adopted for trial by national banks having offices located in any of eighteen selected Standard Metropolitan Statistical Areas. For each procedure, forms designed for the collection and reporting of data have been prescribed by the Comptroller of the Currency and will be distributed in adequate quantities to all participating national banks. A list of the Standard Metropolitan Statistical Areas selected for the test is appended hereto as Exhibit A.

Effective June 1, 1974, each national bank having offices located in any of the Selected Metropolitan Statistical Areas is required to collect racial, ethnic, and other data in accordance with applicable instructions with respect to loan applications and inquiries received in any office located in a selected Standard Metropolitan Statistical Area concerning loans for the purpose of purchasing, constructing, improving, repairing or maintaining a dwelling. Each participating national bank shall report the results of its data collection in accordance with instructions for the Standard Metropolitan Statistical Area in which its offices are located. All reports are to be submitted to the Comptroller of the Currency, Room 4116, Main Treasury Building, Washington, D.C. 20220.

Dated: April 1, 1974.

[SEAL] JAMES E. SMITH,
Comptroller of the Currency.

EXHIBIT A

The metropolitan areas selected for the program are:

Atlanta, Georgia
Baltimore, Maryland
Bridgeport, Connecticut
Buffalo, New York
Chicago, Illinois
Cleveland, Ohio
Galveston-Texas City, Texas
Jackson, Mississippi
Jersey City, New Jersey
Memphis, Tennessee
Montgomery, Alabama
San Antonio, Texas
San Diego, California
Tampa-St. Petersburg, Florida
Topeka, Kansas
Tucson, Arizona
Vallejo-Fairfield-Napa, California
Washington, D.C.

[FR Doc.74–7893 Filed 4–4–74;8:45 am]

United States Customs Service

[T.D. 74–116]

FOREIGN CURRENCIES

Certification of Rates

MARCH 28, 1974.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified the following rates of exchange which varied by 5 per centum or more from the quarterly rate published in Treasury Decision 74–40 for the following countries. Therefore, as to entries covering merchandise exported on the dates listed, whenever it is necessary for Customs purposes to convert such currency into currency of the United States, conversion shall be at the following daily rates:

Austria schilling:	
Mar. 21, 1974	$0.0523
Mar. 22, 1974	.0524
Belgium franc:	
Mar. 21, 1974	.025315
Mar. 22, 1974	.025200
Germany deutsche mark:	
Mar. 20, 1974	.3844
Mar. 21, 1974	.3914
Mar. 22, 1974	.3875

Netherlands guilder:	
Mar. 21, 1974	.3715
Mar. 22, 1974	.3691
Switzerland franc:	
Mar. 18, 1974	.3231
Mar. 19, 1974	.3246
Mar. 20, 1974	.3270
Mar. 21, 1974	.3300
Mar. 22, 1974	.3270

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

[FR Doc.74-7895 Filed 4-4-74;8:45 am]

DEPARTMENT OF DEFENSE

Department of the Navy

BOARD OF VISITORS, UNITED STATES NAVAL ACADEMY

Notice of Meetings

Pursuant to the provisions of the Federal Advisory Committee Act [Pub. L. 92-463 (1972)] notice is hereby given that the Board of Visitors, United States Naval Academy, will meet on April 24-25, 1974, at the United States Naval Academy, Annapolis, Maryland.

The purpose of the meetings will be to make such inquiry as the Board shall deem necessary into the state of morale and discipline, the curriculum, instruction, physical equipment, fiscal affairs, and academic methods of the Naval Academy.

Dated: March 28, 1974.

H. B. ROBERTSON, Jr.,
Rear Admiral, JAGC, U.S. Navy,
Acting Judge Advocate General.

[FR Doc.74-7867 Filed 4-4-74;8:45 am]

Office of the Secretary

DEFENSE INTELLIGENCE AGENCY SCIENTIFIC ADVISORY COMMITTEE

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 closed meeting of the DIA Scientific Advisory Committee will be held at the Pentagon, Washington, D.C. on Tuesday, April 9, 1974.

This meeting commencing at 9:00 a.m. will be to discuss classified matters.

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

APRIL 2, 1974.

[FR Doc.74-7897 Filed 4-4-74;8:45 am]

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket Nos. 73-17, 73-18]

MBH CHEMICAL CORP.

Registration as a Bulk Manufacturer of Phenmetrazine and Methylphenidate

On January 22, 1973, the MBH Chemical Corporation located at Orange, New Jersey, (MHB) filed an application for registration as a bulk manufacturer of controlled substances including phenmetrazine and methylphenidate which are included in Schedule II of the Controlled Substances Act (CSA).

On April 12, 1973, two notices were published in the FEDERAL REGISTER by the Bureau of Narcotics and Dangerous Drugs (BNDD) a predecessor agency to the Drug Enforcement Administration (DEA). One was notice of BMH's application covering phenmetrazine (Docket (DEA). One was notice of MBH's application covering methylphenidate (Docket No. 73-18). The notice in Docket No. 73-17 provided that:

> Any person registered to manufacture phenmetrazine in bulk may, on or before May 14, 1973, file written comments on or an objection to the issuance of the proposed registration * * *

and request a hearing.

The notice in Docket No. 73-18 gave "any person registered to manufacture methylphenidate in bulk" 30 days from April 12, 1973, to file comments or objections and to request a hearing.

On May 14, 1973, Western Fher Laboratories, Division of Fher Corporation Ltd. located at Ponce, Puerto Rico (Fher), a registered manufacturer of bulk phenmetrazine, filed written objections to MBH's proposed registration and requested a hearing.

On May 21, 1973, the Pharmaceuticals Division of the Ciba-Geigy Corporation located at Summit, New Jersey (Ciba), a registered manufacturer of bulk methylphenidate, filed written objections to MBH's proposed registration and requested a hearing.

By letter dated June 18, 1973, MBH requested that administrative hearing procedures be conducted for both phenmetrazine and methylphenidate and on October 15, 1973, DEA published two notices of hearings setting October 30, 1973, as the date for the hearing on MHB's applications.

A consolidated hearing began as scheduled in Washington, D.C., before Administrative Law Judge William E. Brennan. The parties presented exhibits, stipulations and arguments. There was no testimony of witnesses. On December 18, 1973, the filings of Proposed Findings of Fact, Conclusions of Law, Briefs and Reply Briefs were completed.

On March 6, 1974, Judge Brennan submitted his Findings of Fact, Issues Presented, Conclusions of Law, and Opinion. Based on these factors he recommended to the Administrator "that the objections of Fiher, Ciba-Geigy, and DEA in Docket Numbers 73-17 and 73-18, to the registration of MBH as a bulk manufacturer of phenmetrazine and methylphenidate be denied".

Judge Brennan made the following Findings of Fact:

1. Phenmetrazine is presently classified as a "new drug" within the meaning of the Federal Food, Drug and Cosmetic Act (21 U.S.C. 321(p)); (F.F.D.&C. Act).

2. MBH does not presently hold an approved New Drug Application (NDA) for phenmetrazine, but has declared on the record its intention to secure such approval prior to its proposed bulk manufacture of this controlled substance.

3. The process and production of phenmetrazine is subject to outstanding U.S. Patent No. 2,835,699, issued to Boehringer Ingelheim GmbH, Rhein, Germany (Boehringer) on May 20, 1958.

4. Under a written agreement dated August 12 and August 19, 1971, Boehringer granted Fher an exclusive license for use of the above mentioned patent or secret processes for both the manufacture and sale of phenmetrazine.

5. MBH does not hold a license under the Boehringer Patent and has been informed in writing that it cannot expect to become a licensee under said Patent "* * * for any purpose."

6. MBH disputes both the validity of the Boehringer Patent and its applicability to MBH's proposed manufacture of phenmetrazine.

7. Phenmetrazine is a "controlled substance" within the meaning of the CSA, as it is included in Schedule II of the CSA.

8. Methylphenidate is manufactured by Ciba under a process described in U.S. Patent No. 2,838,519, issued to Ciba on June 10, 1958.

9. MBH does not hold a patent for methylphenidate nor does it possess a license under any patent for the manufacture of this controlled substance.

10. MBH disputes both the validity of the Ciba patent and its applicability to MBH's proposed manufacture of methylphenidate.

11. Methylphenidate is a "controlled substance" within the meaning of the CSA, as it is included in Schedule II of the CSA.

12. After an investigation of MBH's manufacturing facility by the Compliance Investigations Division of DEA, DEA has found that MBH fully complies with all necessary physical and nonphysical security requirements of DEA for registration as a bulk manufacturer of Schedule II controlled substances, including phenmetrazine and methylphenidate.

13. No evidence was presented that MBH does not comply with all necessary physical and nonphysical security requirements of DEA relative to the bulk manufacture of Schedule II controlled substances.

Judge Brennan found the following major issues presented:

1. May the Administrator, pursuant to section 303 of the CSA (21 U.S.C. 823), register an applicant to manufacture controlled substances in Schedule II where said substances are the subject of outstanding patents and the applicant does not hold a patent or a license under a patent for said substances? (This issue is presented in both Docket Numbers 73-17 and 73-18).

2. May the Administrator, pursuant to section 303 of the CSA (21 U.S.C. 823), register an applicant to manufacture a controlled substance in Schedule II, where said substance is a New Drug within the meaning of section 201(p) of the F.F.D. & C. Act (21 U.S.C. 321(p))

and the applicant does not hold an approved New Drug Application as required by section 505 of the F.F.D. & C. Act (21 U.S.C. 355)? (This issue is presented in Docket No. 73–17.)

(A peripheral issue was raised by MBH as to whether the objections of Ciba in Docket No. 73–18 were timely filed. Judge Brennan concluded that the filing was timely and the Administrator, on reviewing the record, agrees with that conclusion. The objection of MBH in this regard is, therefore, denied.)

Judge Brennan reached the following Conclusions of Law:

1. In regard to the patent and license issue (raised in Docket No. 73–17 and Docket No. 73–18) DEA does not have authority to determine the validity of United States patents, nor to determine rights under such patents. Further, patent matters are irrelevant to the registration of an applicant under section 303 of the CSA. Registration under section 303 of the CSA is not a license to infringe any patent, nor to violate any other law. Thus, the patent issue (No. 1, above) is answered in the affirmative.

2. In regard to the New Drug issue (raised in Docket No. 73–17) section 303 of the CSA does not require an approved NDA as a condition precedent to registration as a bulk manufacturer. No regulation of DEA requires an approved NDA as a condition precedent to registration as a bulk manufacturer. Thus, the NDA issue (No. 2, above) is answered in the affirmative.

ADMINISTRATOR'S FINDINGS OF FACT

On reviewing the record, the Administrator finds that Judge Brennan's findings of fact accurately set forth the facts in this matter.

ADMINISTRATOR'S FINDINGS OF ISSUES PRESENTED

On reviewing the record, the Administrator finds that the issues as stated by Judge Brennan accurately set forth the issues in this matter.

ADMINISTRATOR'S CONCLUSIONS OF FACT AND LAW

1. As to the patent and license issue (Docket No. 73–17 and Docket No. 73–18) the Administrator agrees that DEA does not have the authority (or indeed the competence) to determine the validity of United States patents nor to determine rights under such patents. The Administrator agrees that registration under section 303 of the CSA does not confer a license to infringe any patent, or to violate any law. If a registrant infringes a patent, the patent holder can protect his rights under the patent laws.

2. As to the New Drug issue (Docket No. 73–17) the Administrator is not persuaded that section 303 of the CSA does not require an approved NDA as a condition precedent to registration as a bulk manufacturer. However, he does find that no regulation promulgated by BNDD or DEA sets forth the condition. Accordingly, in connection with a complete review of all existing DEA regulations which the Administrator has ordered, the NDA issue will be studied.

The Administrator notes from the record that MBH has insisted that it does not contest the requirements of section 505 of the F.F.D. & C. Act and, therefore, cannot and will not seek to introduce phenmetrazine into interstate commerce before obtaining an approved NDA. (Although the issue was not raised in connection with methylphenidate the Administrator must and does conclude that the MBH position as to this drug is the same.) The precise benefits which might flow to MBH from registration as a bulk manufacturer of phenmetrazine and methylphenidate without the authority or intention to market the drugs in interstate commerce is unclear. However, that is what MBH has requested and, by the following order, receives.

ADMINISTRATOR'S ORDER

Under the authority vested in the Attorney General by sections 303 and 304 of the Comprehensive Drug Abuse Prevention & Control Act of 1970 (21 U.S.C. 823 and 824) and redelegated to the Administrator of the Drug Enforcement Administration by § 0.100 as amended, Title 28, Code of Federal Regulations, and Reorganization Plan No. 2 of 1973, the Administrator orders that the application of the MBH Chemical Corporation for registration as a bulk manufacturer of phenmetrazine and methylphenidate be granted effective May 6, 1974.

Dated: April 1, 1974.

JOHN R. BARTELS, Jr.,
Administrator,
Drug Enforcement Administration.

[FR Doc.74–7863 Filed 4–4–74;8:45 am]

[Docket No. 73–13]

QUALITY MEDICAL PHARMACY, ET AL.

Revocation of Certificate of Registration

In the matter of: John D. Gardner, d/b/a, Quality Medical Pharmacy; Fleet Pharmacy, Inc., d/b/a, Washington Main Pharmacy; Ruby M. Beaman, d/b/a, Quality Professional Pharmacy.

On May 3, 1973, the Director of the Bureau of Narcotics and Dangerous Drugs (a predecessor agency of the Drug Enforcement Administration), issued the following orders to show cause:

(1) To Quality Medical Pharmacy, 10425 South Figueroa, Los Angeles, California, as to why its Certificate of Registration (BNDD Registration AQ5330042), issued on April 30, 1973, should not be revoked for the reason that aon or about voked for the reason that on or about June 23, 1960, John Gardner, a corporate officer of the respondent corporation was adjudged guilty, at the Superior Court of the State of California of violating section 11501, Health and Safety Code of the California General Statutes, a felony provision of said law relative to controlled substances; and intentionally and materially falsified his March 12, 1973, Application for Registration by indicating that he had never been convicted of a felony, under State or Federal law.

(2) To Fleet Pharmacy, Inc., d/b/a Washington Main Medical Pharmacy, 1842 South Main Street, Los Angeles, California, as to why its Certificate of Registration (BMDD Registration AFO-0318659) issued on February 12, 1973, should not be revoked for the reason that on or about June 23, 1960, John Gardner, a corporate officer of the respondent corporation was adjudged guilty, at the Superior Court of the State of California of violating section 11501, Health and Safety Code of the California General Statutes, a felony provision of said law relative to controlled substances; and intentionally and materially falsified his March 12, 1973, Application for Registration by indicating that he had never been convicted of a felony, under State or Federal law.

(3) To Ruby M. Beaman, d/b/a Quality Professional Pharmacy, 9115 South Main Street, Los Angeles, California, as to why its Certificate of Registration (BNDD Registration AB2078978) issued on June 14, 1972, should not be revoked for the reason that on or about June 23, 1960, John Gardner, a corporate officer of the respondent corporation was adjudged guilty, at the Superior Court of the State of California of violating section 11501, Health and Safety Code of the California General Statutes, a felony provision of said law relative to controlled substances.

In addition, and in accordance with the provisions of section 304(d) of the Controlled Substances Act (21 U.S.C. 824 (d)), and pursuant to the authority granted to him under § 0.100, as amended, Title 28, Code of Federal Regulations, the Director, coincident with the issuance of these orders to show cause, ordered the immediate suspension of the above BNDD Registrations. These actions were taken in view of the serious nature of the aforesaid criminal violation, and therefore, the Director determined that for the Respondents to retain its Certificates of Registration during the pendency of these proceedings would result in imminent danger to the public health and safety.

On July 2, 1973, the Respondent requested a hearing on these matters and on August 27, 1973, an Administrative Hearing was held before Erwin L. Stuller, Administrative Law Judge, in Los Angeles, California. Following that hearing, Proposed Findings of Fact and Conclusions of Law were submitted to Judge Stuller by counsel for the Government and the Respondent.

On February 8, 1974, Judge Stuller filed, in substance, the following recommended findings of fact and conclusions of law, and his recommended decision with the Drug Enforcement Administration:

It was stipulated that John D. Gardner was the sole proprietor of the pharmacy doing business as Quality Medical Pharmacy; that John D. Gardner, for the period pertinent hereto, was the president of Fleet Pharmacy, Inc., which did business as Washington Main Medical Pharmacy; and, that John D. Gardner

was the owner and pharmacist in charge of Quality Professional Pharmacy.

The credible evidence establishes that on June 23, 1960, John Gardner, the principal Respondent herein, was adjudged guilty of having violated section 11501 of the Health and Safety Code of the State of California, a felony. An Information filed in that case indicated that John Gardner and one Alma Maxey on the 20th day of January 1959 did willfully, unlawfully and feloneously sell, furnish and give away a narcotic, to wit, opium. Opium is a narcotic drug and a substance defined in the CSA as a Controlled Substance. On March 20, 1962, John Gardner was convicted of two counts of forgery. He was sentenced to prison for a term of five years to life on the narcotics charge and six months to fourteen years on the forgery charge. On May 7, 1964, he was paroled and discharged from parole on May 5, 1966.

The forgery charge concerned Respondent's forging of a physician's name to prescriptions which were never issued to patients but which were billed by Gardner to the County of Los Angeles. The Respondent's State Pharmaceutical License was revoked in 1962 and reinstated on July 15, 1966. It was not until 1969 that the California Board of Pharmacy permitted Mr. Gardner to own and operate his own pharmacy in the State. A Certificate of Rehabilitation was granted the Respondent, John Gardner, on April 5, 1972. By this certificate he was allowed to exercise some of the civil and political rights which had been suspended by the State. Mr. Gardner was not granted a pardon.

In late 1969 or early 1970 Mr. Gardner became the owner of Fleet Pharmacy, Inc. In April of 1972 he became owner of Manchester-Community Hospital Pharmacy and in November of that year he established Quality Medical Pharmacy.

On November 4, 1972, John Gardner completed and signed an application for registration under the CSA for Schedules II, III, IV, and V drugs. He signed the application as owner of the retail pharmacy doing business as Quality Medical Pharmacy. The application indicated that the applicant had not been convicted of a felony under the State or Federal laws relating to manufacture, distribution or dispensing of controlled substances. Mr. Gardner was the only person who signed this application. As a result of the application being filed by Mr. Gardner a Certificate of Registration under the CSA was issued to Quality Medical Pharmacy. This Registration Certificate expired on April 30, 1973.

On or about March 13, 1973, an application for registration under the CSA was completed and signed for Quality Medical Pharmacy. The application indicated that the applicant had not been convicted of a felony under state or federal law relating to the manufacture, distribution or dispensing of controlled substances. The application was signed by Charlie H. Crump as pharmacist and John D. Gardner as owner. The evidence establishes that Mr. Gardner signed the application and then Mr. Crump signed the application with the understanding that his signature was required only for the purpose of indicating that Mr. Gardner as owner was giving Mr. Crump the Power of Attorney under the CSA to order controlled substances for the pharmacy. Thereafter, and as a result of the filing of the application, a Controlled Substances Registration Certificate No. AQ5330042 was issued on April 30, 1973, to Quality Medical Pharmacy with an expiration date of April 30, 1974.

On January 26, 1973, an application for registration under the CSA was signed for Fleet Pharmacy, Incorporated, doing business as Washington Main Medical Pharmacy. The application indicates that Fleet Pharmacy, Incorporated, had a previous registration (No. AF0318659) which had expired on September 30, 1972. The application states that the applicant had not been convicted of a felony under any state or federal law relating to the manufacture, distribution or dispensing of controlled substances and that no previous registration held by the applicant, corporation, firm, partner or officer of the applicant under the Controlled Substances Act had been surrendered, revoked, suspended, denied, or that such action is still pending. The application was signed by Lutfalla T. Sawabini, Pharmacist and John D. Gardner as president of the corporation. As a result of the filing of the application, a BNDD Registration Certificate No. AF0318659 was issued to Fleet Pharmacy, Incorporated, on February 12, 1973, with an expiration date of September 30, 1973. This registration certificate expired prior to the filing of briefs in this case.

The application for a registration for Ruby M. Beaman doing business as Quality Professional Pharmacy was not made part of the record. However, the evidence indicates that a Controlled Substances Registration Certificate No. AD2078979 issued on June 14, 1972, with an expiration date of July 31, 1973, was issued to Ruby M. Beaman. This certificate expired prior to the hearing in his case.

Section 304 of the CSA (21 U.S.C. 824) provides that a registration issued pursuant to section 303 of the CSA (21 U.S.C. 823) may be suspended or revoked by the Attorney General upon a finding that the registrant has materially falsified any application filed pursuant to, or required by, section 303 of the CSA; has been convicted of a felonly under the CSA or any other law of the United States, or of any State, relating to any substance defined in the CSA as a controlled substance; or has had his State license or registration suspended, revoked, or denied by competent State authority and is no longer authorized by State law to engage in the manufacturing, distribution, or dispensing of controlled substances. Each registration concerned herein was issued pursuant to section 303 of the CSA.

In regard to the order to show cause concerning the registration of Ruby M. Beaman, doing business as Quality Professional Pharmacy, the Drug Enforcement Administration (hereinafter referred to as the Administration) failed to put the application for registration of that pharmacy in evidence. The registration certificate of this pharmacy indicates that the registrant is Ruby M. Beaman. Therefore, the evidence fails to indicate that this registrant has materially falsified an application or has been convicted of a felony relating to a controlled substance or has had her State license or registration suspended, revoked, or denied by competent State authority and is no longer authorized by the State to engage in the manufacturing, distribution, or dispensing of controlled substances. It is noted that John D. Gardner was the equitable owner and pharmacist in charge of the Quality Professional Pharmacy. However, it has not been established that the registration of that pharmacy, which is in the name of Ruby M. Beaman, was or could be transferred to Mr. Gardner. As the registration has long since expired, it would appear that the issues in regard to this pharmacy are moot. However, it must be concluded that the Administration has failed to carry its burden to establish a factual and legal basis for revocation of this pharmacy's registration.

In regard to Fleet Pharmacy, Incorporated, doing business as Washington Main Medical Pharmacy, it is quite evident that the registrant concerned is Fleet Pharmacy, Incorporated. The evidence also establishes that the application for the registration concerned was executed by John D. Gardner as president of the corporate registrant. While the evidence did establish that Mr. Gardner was the president and principal stockholder of the corporation, as well as being a signator to the application for registration, he at no time was either the registrant or the applicant, but merely the agent of the corporate registrant and applicant. In regard to the application concerned, although the evidence does establish that John Gardner was convicted of a felony in the State of California relating to a substance defined in the CSA as a controlled substance, there is no evidence that the applicant-registrant corporation here was ever convicted of such a felony. It is noted that the question on the application concerning the conviction of a felony reads, "4(b) Has the applicant been convicted of a felony under State or Federal law relating to the manufacture, distribution, or dispensing of controlled substances?". The following question asked on the application is, "4(c) Has any previous registration held by the applicant, corporation, firm, partner, or officer of the applicant under the CSA been surrendered, revoked, suspended, denied, or is it pending such action?". A clear distinction is made by these questions between the person or entity who is the applicant for the registration as in 4(b) and an agent of the applicant such as a corporation, firm, partner, or officer as indicated in 4(c). It is made obvious by these questions that the application question, 4(b), regarding a conviction of felony, only relates to the person or en-

tity who is the applicant and who will become the registrant if the applicant is accepted. In this case, Fleet Pharmacy, Incorporated, is the applicant and became the registrant.

The question in 4(c) refers both to the applicant and specific agents of the applicant. As the evidence in this case has not established that Fleet Pharmacy, Incorporated, has committed a felony, nor that the corporation or officers or agents of the applicant have had a registration under the CSA that has been surrendered, revoked, suspended, denied, or that such action was pending at the time the application herein was executed and is no longer authorized by State law to engage in the manufacture, distribution, or dispensing of controlled substances, the Administration has failed to establish that this registrant has materially falsified any application filed pursuant to, or required by, the Act. Therefore, revocation of the registration of the Fleet Pharmacy, Incorporated, is unwarranted.

Quality Medical Pharmacy is not a person, corporation, partnership, or other entity. It is a trade name, referred to in some states as a fictitious name or assumed name for purposes of carrying on a business. In this case, Quality Medical Pharmacy is a trade name for a retail pharmaceutical business, a sole proprietorship, owned and operated by John D. Gardner. Mr. Gardner was a person actually engaged in the activity for which a registration is required under the CSA. Therefore, Mr. Gardner is the applicant and registrant for the certificates in question that were issued to Quality Medical Pharmacy. As the evidence in this case has established that John D. Gardner has been convicted of a felony under a state law relating to a substance defined in the CSA as a controlled substance, and as it has been established that Mr. Gardner is the registrant to whom the Controlled Substance Registration Certificate No. AQ5330042 has been issued, therefore, the Administration has established grounds for revoking that certificate. The record discloses that the applications for registration which were signed on November 4, 1972, and March 12, 1973, were materially falsified in that they indicated that the applicant therein had not been convicted of a felony under a state law relating to the manufacture, distribution, or dispensing of controlled substances; whereas he had been so convicted. Each material falsification is a sufficient additional basis for the revocation of the registration certificate in question here.

In regard to the suspension of all of the registration certificates concerned herein, section 304(d) of the CSA (21 U.S.C. 824(d)) provides:

> The Attorney General may, in his discretion, suspend any registration simultaneously with the institution of proceedings under this Section, in cases where he finds that there is an imminent danger to the public health and safety. Such suspensions shall continue in effect until the conclusion of such proceedings, including judicial review thereof, unless sooner withdrawn by the Attorney General or dissolved by a Court of competent jurisdiction.

The Director of the Bureau of Narcotics and Dangerous Drugs pursuant to authority granted to him under § 0.100 of Title 28, Code of Federal Regulations, as amended, and as the delegate of the Attorney General under the authority of section 304(d) of the CSA (21 U.S.C. 824(d)), coincident with the issuance of the orders to show cause in this case ordered the immediate suspension of the above BNDD Registrations. The Administration contends that this action was taken in view of the serious nature of the aforesaid criminal violation and the material misstatements and falsifications contained in the applications. Based on this, the Director determined that for the Respondents to retain their registrations during the pendency of the proceedings would result in imminent danger to public health and safety.

The evidence in this case, in addition to establishing Mr. Gardner's narcotics conviction and false statements made on two of the applications concerned, also indicates that during periods of time pertinent hereto he had persons working for him in his various retail pharmacies whose presence, together with other circumstances that will be discussed later, posed an imminent danger to the public health and safety. The evidence establishes that Mr. Crump had had his niece as a relief pharmacist at Manchester Pharmacy, although at that time he knew that she had been convicted of illegal importation of cocaine.

Mr. Gardner had his son, Flynnard, working for him. He picked up drugs for all of Mr. Gardner's pharmacies. Flynnard is an admitted narcotics addict and upon arrest both of his arms displayed needle marks as evidence of his addiction. Mr. Gardner was aware of his problems and at one point indicated that he had intended to have his son hospitalized.

The evidence presented indicates that large amounts of controlled substances that had been purchased for Mr. Gardner's various pharmacies could not be accounted for and must be presumed to have been diverted to the illicit street markets, thus posing an imminent danger to the public health and safety.

The Quality Professional Pharmacy ceased to do business on March 9, 1973. Thereafter, Quality Professional Pharmacy purchased large amounts of controlled substances from the Pacific Drug Distributors. Pacific Drug Distributors were not aware of the fact that Quality Professional Pharmacy had been closed. They became alarmed at the very large purchases of the controlled substances by the pharmacy and informed the California State Board of Pharmacy of these purchases on April 10, 1973, when the distributor received a suspicious order from Quality Professional Pharmacy for a large amount of barbiturates. On April 12, 1973, the State Board started audits of several of Mr. Gardner's pharmacies. There is testimony that on April 12, 1973, Maxine Brown, an employee of Mr. Gardner's, requested the Supervisor of the Pacific Drug Distributors, Mr. Porter, to "destroy certain records" evidencing the distributions of controlled substances to Quality Professional Pharmacy and other pharmacies owned by Mr. Gardner. Mr. Porter refused to comply with the request. Then Mr. Gardner took the telephone from Ms. Brown and asked Mr. Porter to "* * * do what I could to get his son out of trouble". The records of Pacific Drug Distributors substantiate the large amounts of controlled substances sold to Quality Professional Pharmacy and Manchester-Community Hospital Pharmacy between March 14, 1973, and April 11, 1973. The evidence indicates that many of the purchases were picked up by Mr. Gardner's son and paid for with checks signed by Mr. Gardner. The audit conducted by the State Board indicated large amounts of controlled substances purchased by the Respondent's pharmacies in the few months immediately prior to the audit could not be accounted for. In determining these shortages credit was given the Respondents for controlled substances reported stolen. The audit revealed that Quality Medical Pharmacy, Quality Professional Pharmacy and Washington Main Pharmacy had substantial shortages, while Manchester-Community Hospital Pharmacy had overages. The net result indicated that Mr. Gardner's four pharmies could not account for the following controlled substances;

Secobarbital (1½ grains or 100 mg)—in excess of 40,000 capsules.
Tuinal (3 grains or 200 mg)—in excess of 28,000 capsules.
Robitussin AC (syrup)—in excess of 5,200 ounces or 41 gallons.

Therefore, this evidence of substantial shortages of controlled substances, large purchases by one of Mr. Gardner's pharmacies after it had ceased doing business; attempts to cover up the purchases; failure to keep adequate records of controlled substances; and questionable practices in regard to the hiring of employees by Mr. Gardner established that the suspension of the registrations concerned by the Director of the Bureau of Narcotics and Dangerous Drugs was by no means arbitrary or capricious. This information is indicative of the fact that an imminent danger to public health and safety would probably result if Mr. Gardner's pharmacies were allowed to continue to possess and dispense controlled substances. Therefore, the suspension of the registrations to the date of this decision was justified and not an abuse of discretion.

The proposed findings of fact, conclusions of law and arguments which are not discussed or reflected in this decision have been considered and found not justified.

Based upon the foregoing recommended findings of fact and recommended conclusions of law, I recommend to the Drug Enforcement Administration that:

(1) BNDD Registration No. AQ5330042 of John D. Gardner, doing business as Quality Medical Pharmacy of Los Angeles, California, be revoked.

(2) Although I find that there is no legal basis for the revocation of the registrations of Fleet Pharmacy, Incorporated, doing business as Main Medical Pharmacy, BNDD Registration No. AF 0318659 and Ruby M. Beaman, doing business as Quality Professional Pharmacy, BNDD Registration AB2078978, as these registrations have expired I do not recommend that they be reinstated but I recommend that should these entities reapply for registration, these applications be given hospitable consideration.

ADMINISTRATOR'S FINDINGS OF FACT, CONCLUSIONS OF LAW AND FINAL ORDER

Due to the serious nature of Mr. Gardner's convictions for unlawfully selling opium, forgery of prescriptions and for intentionally and materially falsifying his applications for registration, the Administrator, pursuant to § 1316.65, Title 21, Code of Federal Regulations, hereby adopts in part the findings of fact, but does not accept the conclusions of law and recommended decision submitted by the Administrative Law Judge with respect to Fleet Pharmacy, Incorporated, doing business as Main Medical Pharmacy and Ruby M. Beaman, doing business as Quality Professional Pharmacy.

Under Judge Stuller's interpretation of section 304(a)(2) of the statute, felony convictions of corporate officers or agents would not constitute grounds for revocation of a controlled substance registration certificate so long as a single officer remained apart from this conduct. Even were a corporation convicted, there would be nothing to prevent the same person from assuming another corporate identity in order to obtain a registration to handle controlled substances. The proposed construction of section 304(a)(2) would render the new corporation eligible for registration on the technical grounds that it has never been convicted of a drug-related felony and would thus disregard the conviction of its closely related predecessor. A potentially endless series of these corporate transmutations would divest section 304 of its clearly intended impact.

It could not have been the intent of Congress to allow such a simple legal subterfuge to evade the reach of regulatory legislation in such a critical and closely controlled industry. A reading of the legislative history of the Controlled Substances Act reveals that the problem of diversion of controlled substances from legitimate sources was of major concern to the Congress in its enactment of this legislation. The report of the Senate Committee on the Judiciary states that:

> * * * the overall purpose of the bill [the Controlled Substances Act] is to improve the administration and regulation of the manufacture, importation and exportation of the controlled dangerous substances covered under its provisions, so that the widespread diversion presently occurring can be halted.[1]

[1] Senate Report 91-613, Senate Committee on the Judiciary, p. 3.

It is equally clear from the legislative history that Congress intended the Act to create a system of flexible penalties (criminal, civil and regulatory) to accomplish the necessary control of illicit diversion.

In his decision on the matter in which this contention was first raised, the Director authoritatively dismissed it by stating that:

> It would seem a sophistry to argue that a pharmacy is innocent because it is its proprietor who violates the law. Lest that argument be made in this or in any future matter, it is the position of the Director that an act violative of laws relating to controlled substances committed by an owner, proprietor, partner, or corporate officer of a pharmacy justifies the denial of an application for registration or the revocation or suspension of a certificate of registration of the pharmacy.[2]

This rationale has been adhered to each time the issue has been raised and there is no reason to depart from it now.[3]

Applicable Federal law on the liability of corporations for criminal activity of their officers and recent State court decisions indicate that a strict interpretation of section 304(a)(2) runs counter to the recent developing case law in this area.

Therefore, in accordance with the provisions of § 1316.66, Title 21, Code of Federal Regulations, and in view of the foregoing, it is the Administrator's opinion that John D. Gardner, the stipulated sole proprietor of Quality Medical Pharmacy, the President of Fleet Pharmacy, Inc., d/b/a Washington Main Pharmacy, and the owner and pharmacist of Ruby M. Beaman, d/b/a Quality Professional Pharmacy, was convicted of a drug-related felony under California State law, to wit, the willful, unlawful and feloneous sale of opium.

Further, that John D. Gardner did intentionally and materially falsify his applications for registration for Quality Medical Pharmacy and Fleet Pharmacy, d/b/a Washington Main Pharmacy, by indicating that he had never been convicted of a felony relating to a controlled substance.

Therefore, under the authority vested in the Attorney General by section 304 of the Comprehensive Drug Abuse Prevention & Control Act of 1970 (21 U.S.C. 824), and redelegated to the Administrator of the Drug Enforcement Administration by § 0.100, as amended, Title 28, Code of Federal Regulations, and the Reorganization Plan No. 2 of 1973, the Administrator hereby orders that the Certificates of Registration of Quality Medical Pharmacy (BNDD Registration AQ5330042) Fleet Pharmacy, Inc., d/b/a Washington Main Medical Pharmacy (BNDD Registration AF0318659); and Ruby M. Beaman, d/b/a Quality Professional Pharmacy (BNDD Registration AB2078979) be, and hereby are revoked, effective April 5, 1974.

Dated: April 1, 1974.

JOHN R. BARTELS, Jr.,
Administrator,
Drug Enforcement Administration.

[FR Doc.74-7860 Filed 4-4-74;8:45 am]

[2] In the Matter of Leonard S. Cohen, t/a Senate Drug Store, 38 FR 73, April 17, 1973, page 9523-4.

[3] In the Matter of River Forest Pharmacy, Inc., 38 FR 191, Oct. 3, 1973, page 27417.
In the Matter of Afro-American Pharmacy, Inc., 38 FR 192, Oct. 4, 1973, page 27634.
In the Matter of Four Corners Pharmacy, Inc., 38 FR 215, Nov. 8, 1973, page 30892.

SCHEDULES OF CONTROLLED SUBSTANCES

Withdrawal of Petition To Remove Levo-desoxyephedrine From Control; Correction

On February 7, 1974, the Drug Enforcement Administration published in the FEDERAL REGISTER (39 FR 4789) a notice of withdrawal of the petition to remove levo-desoxyephedrine from control.

In the notice, the petitioner, Richardson-Merrell, Inc. was referred to as a "bulk manufacturer of that substance." Richardson-Merrell, Inc. is not a bulk maunfacturer of levo-desoxyephedrine but a manufacturer of a non-controlled product utilizing levo-desoxyephedrine as an ingredient purchased from other manufacturers.

Dated: April 1, 1974.

ANDREW C. TARTAGLINO,
Acting Deputy Administrator.

[FR Doc.74-7861 Filed 4-4-74;8:45 am]

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

CHARLES SHELDON ANTELOPE RANGE AND SHELDON NATIONAL ANTELOPE REFUGE

Public Hearing Regarding Wilderness Proposal

Notice is hereby given in accordance with provisions of the Wilderness Act of September 3, 1964 (Pub. L. 88-577:78 890-896:16 U.S.C. 1131-1136), that a public hearing will be held beginning at 9 a.m. May 11 at the Washoe County Library, 301 South Center Street, Reno, Nevada, to be continued at 9 a.m. May 13, in the Memorial Hall, Lake County Courthouse, Lakeview, Oregon on a proposal leading to a recommendation to be made to the President of the United States by the Secretary of the Interior regarding the desirability of including a portion of the Charles Sheldon Antelope Range and Sheldon National Antelope Refuge within the National Wilderness Preservation System. The wilderness study included the entire acreage within the Sheldon Refuge and Range, which is located in Washoe and Humboldt Counties, Nevada, and Lake County, Oregon.

A study summary containing a map and information on the Sheldon Refuge and Range may be obtained from the Refuge Manager, Box 111, Lakeview, Oregon 97630; or the Regional Director, Bureau of Sport Fisheries and Wildlife, 1500 Plaza Building, 1500 NE., Irving Street, P.O. Box 3737, Portland, Oregon 97208; State Director, Bureau of Land

Management, Federal Office Building, Room E–2841, 2800 Cottage Way, Sacramento, California 25825 and State Director, Bureau of Land Management, Federal Building, Room 3008, 300 Booth Street, Reno, Nevada 89502.

Individuals or organizations may express their oral or written views by appearing at this hearing, or they may submit written comments for inclusion in the official record of the hearing to the Regional Director, Bureau of Sport Fisheries and Wildlife at the above address by June 13, 1974.

F. V. SCHMIDT,
Acting Director, Bureau of Sport Fisheries and Wildlife.

APRIL 2, 1974.

[FR Doc.74–7879 Filed 4–4–74;8:45 am]

UL BEND NATIONAL WILDLIFE REFUGE

Public Hearing Regarding Wilderness Proposal

Notice is hereby given in accordance with provisions of the Wilderness Act of September 3, 1964 (Pub. L. 88–577:78 890–896:16 U.S.C. 1131–1136), that a public hearing will be held beginning at 9 a.m. May 20 at the Malta City Hall, Legion Room, Malta, Montana on a proposal leading to a recommendation to be made to the President of the United States by the Secretary of the Interior regarding the desirability of including a portion of the UL Bend Refuge within the National Wilderness Preservation System. The wilderness study included the entire acreage within the UL Bend National Wildlife Refuge, which is located in Phillips, Montana.

A study summary containing a map and information on the UL Bend Wilderness proposal may be obtained from the Refuge Manager, Bowdoin National Wildlife Refuge, Box J, Malta, Montana 59538, or the Regional Director, Bureau of Sport Fisheries and Wildlife, P.O. Box 25486, Denver Federal Center, Denver, Colorado 80225.

Individuals or organizations may express their oral or written views by appearing at this hearing, or they may submit written comments for inclusion in the official record of the hearing to the Regional Director at the above address by June 20, 1974.

F. V. SCHMIDT,
Acting Director, Bureau of Sport Fisheries and Wildlife.

APRIL 2, 1974.

[FR Doc.74–7880 Filed 4–4–74;8:45 am]

UPPER MISSISSIPPI RIVER WILD LIFE AND FISH REFUGE

Public Hearing Regarding Wilderness Proposal

Notice is hereby given in accordance with provisions of the Wilderness Act of September 3, 1964 (Pub. L. 88–577:78 890–896:16 U.S.C. 1131–1136), that a public hearing will be held beginning at 7:30 p.m. May 6 at the Winona High School Auditorium, 901 Gilmore Avenue, Winona, Minnesota to be continued at 7:30 p.m. on May 7 at the Western Wisconsin Technical Institutional Auditorium, 6th and University, La Crosse, Wisconsin to be continued at 7:30 p.m. on May 8 at the Hemstead High School Auditorium, 3715 Pennsylvania Avenue, Dubuque, Iowa to be continued at 7:30 p.m. on May 9 at the Lincoln School Auditorium, 414 3rd. Street, Savannah, Illinois on a proposal leading to a recommendation to be made to the President of the United States by the Secretary of the Interior regarding the desirability of including a portion of the Upper Mississippi River Refuge within the National Wilderness Preservation System. The wilderness study included the entire acreage within the Upper Mississippi River Refuge, which is located in Houston, Wabasha and Winona Counties, Minnesota; Allamakee, Clayton, Clinton, Dubuque, Jackson and Scott Counties Iowa; Carroll, Jo Daviess, Rock Island, Whiteside Counties, Illinois; Buffalo, Crawford, Grant, La Crosse, Trempealeau and Vernon Counties, Wisconsin.

A study summary containing a map and information on the Upper Mississippi River Refuge may be obtained from the Refuge Manager, Upper Mississippi River Wild Life and Fish Refuge, Box 226, Winona, Minnesota 55989 or the Regional Director, Bureau of Sport Fisheries and Wildlife, Federal Building, Fort Snelling, Twin Cities, Minnesota 55111.

Individuals or organizations may express their oral or written views by appearing at this hearing, or they may submit written comments for inclusion in the official record of the hearing to the Regional Director at the above address by June 10, 1974.

F. V. SCHMIDT,
Acting Director, Bureau of Sport Fisheries and Wildlife.

APRIL 2, 1974.

[FR Doc.74–7878 Filed 4–4–74;8:45 am]

National Park Service

[Order No. 1]

SUPERINTENDENTS, ET AL., ROCKY MOUNTAIN REGION

Delegation of Authority

SECTION 1. *Superintendents.* The National Park Service Superintendents of the Rocky Mountain Region, in the administration, operation and development of the areas under their supervision, are authorized to exercise all of the authority now or hereafter delegated to the Regional Director, Rocky Mountain Region, by the Director, National Park Service, except with respect to the following:

(a) Approval of Master Plans.

(b) Acceptance of an offer in settlement of a timber trespass unless (1) the trespass is an innocent one, (2) the damages therefrom do not exceed $5,000, and (3) payment of the full amount of the damages is offered.

(c) Sales of timber pursuant to the Federal Property and Administrative Services Act of 1949, and the Federal Property Management Regulations when the fair market value of the timber involved in any single transaction exceeds $1,000.

(d) Approval of programs for destruction and disposition of wild animals which are damaging the land or its vegetative cover, and of permits to collect rare or endangered species.

(e) Acceptance of donations of personal property valued in excess of $10,000, and acceptance of donations of money in excess of $10,000.

(f) Authority to designate areas at which recreation fees will be charged as specified by the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), as amended.

(g) Authority to select from the fees established by 43 CFR Part 18, (38 FR 3385), as amended, the specific fees to be charged at the designated areas in accordance with the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), as amended.

(h) Authority to execute, approve, and administer contracts and to issue purchase orders for equipment, supplies and services, including construction, as follows:

(1) Superintendents, Grade GS–12 and below—in excess of $2,000.

(2) Superintendents, Grade GS–13—in excess of $50,000.

(3) Superintendents, Grade GS–14—in excess of $100,000.

(4) Superintendents, Grade GS–15—in excess of $200,000.

The limitations in this paragraph (h) apply only to open market or nonmandatory sources of supply. Each office may continue to issue orders to GSA Centers and sources under established Federal Supply Schedules of Contracts in amounts exceeding $2,000.

(i) Authority with respect to the preservation of historical and archeological data (including relics and specimens) which might otherwise be lost as a result of the construction of a dam.

(j) Authority to approve land acquisition priorities.

(k) Authority to execute the land acquisition program, including contracting for acquisition of lands and related property, and options and offers to sell related thereto.

(l) Authority to issue revocable special use permits having a term of more than 10 years.

(m) Authority to hire, rent, or purchase personal property from employees.

(n) Authority to conduct archeological investigations and salvage activities.

SEC. 2. *Delegation*—(a) *Associate Regional Director, Administration.* The Associate Regional Director, Administration, is authorized to exercise all the procurement and contracting authority now or hereafter vested in the Regional Director, Rocky Mountain Region, except authority to contract for acquisition of land and related property, and options and offers to sell related thereto. This authority may be exercised by the Associate Regional Director, Administration, in behalf of any office or area for which the Rocky Mountain Regional Office serves as the field finance office.

(b) *Regional Chief, Division of Contracting and Property Management.* The Regional Chief, Division of Contracting and Property Management, is authorized to exercise all the procurement and contracting authority now or hereafter vested in the Regional Director, Rocky Mountain Region, except authority to contract for acquisition of land and related property, and options and offers to sell related thereto. This authority may be exercised by the Regional Chief, Division of Contracting and Property Management, in behalf of any office or area for which the Rocky Mountain Regional Office serves as the field finance office.

(c) *Regional Chief, Branch of General Services.* The Regional Chief, Branch of General Services may execute and approve purchase orders not in excess of $2,000 for equipment, supplies, and services. This authority may be exercised by the Regional Chief, Branch of General Services in behalf of any office or area for which the Rocky Mountain Regional Office serves as the field finance office.

(d) *Regional Contract Specialist.* The Regional Contract Specialist may execute and approve purchase orders not in excess of $2,000 for equipment, supplies, and services. This authority may be exercised by the Regional Contract Specialist in behalf of any office or area for which the Rocky Mountain Regional Office serves as the field finance office.

(e) *Regional General Supply Specialist.* The Regional General Supply Specialist may execute and approve purchase orders not in excess of $1,000 for equipment, supplies, and services. This authority may be exercised by the Regional General Supply Specialist in behalf of any office or area for which the Rocky Mountain Regional Office serves as the field finance office.

(f) *Regional Land Acquisition Officer.* The Regional Land Acquisition Officer is authorized to execute the land acquisition program, including contracting for acquisition of lands and related properties, and acceptance of offers to sell to, or exchange with the United States, lands or interests in lands, and to execute all necessary agreements and conveyances incidental thereto. Acceptance of deeds giving to the United States lands or interests of lands. Approve on behalf of the National Park Service offers of settlement in condemnation cases.

SEC. 3. *Redelegation.* The authority delegated in this Order No. 1 may not be redelegated, except that a Superintendent may, in writing, redelegate to any officer or employee the authority delegated by this order and may authorize written redelegation of such authority. Each redelegation shall be published in the FEDERAL REGISTER.

(National Park Service Order No. 77, 38 FR 7478, as amended)

Dated: February 27, 1974.

LYNN H. THOMPSON,
Regional Director,
Rocky Mountain Region.

[FR Doc.74-7832 Filed 4-4-74;8:45 am]

DEPARTMENT OF AGRICULTURE

Cooperative State Research Service

COOPERATIVE FORESTRY RESEARCH ADVISORY BOARD AND ADVISORY COMMITTEE

Notice of Meeting

The Cooperative Forestry Research Advisory Board and the Cooperative Forestry Research Advisory Committee will meet April 16–17, 1974, at Virginia Polytechnic Institute and State University, Blacksburg, Virginia, at 8:30 a.m.

The meetings are open to the public and will be held in Cheatham Hall on the university campus.

The Advisory Board, in separate meeting, will consider recommendations for the allocation of research funds.

The Advisory Committee, in separate meeting, will evaluate forestry research requirements and make suggestions for cooperative research activities.

In joint sessions the Board and Committee will become acquainted with the McIntire-Stennis research at the host institution.

The names of Board and Committee members and agenda are available upon request to the recording secretary of the Board, R. L. Lovvorn, USDA, CSRS, Washington, D.C. 20250, or the recording secretary of the Committee, J. D. Sullivan, USDA, CSRS, Washington, D.C. 20250. Written statements may be filed with the Committee before or after the meeting.

R. L. LOVVORN,
Administrator.

[FR Doc.74-7911 Filed 4-4-74;8:45 am]

Soil Conservation Service

CHICOT WATERSHED PROJECT, ARKANSAS

Notice of Availability of Draft Environmental Impact Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Soil Conservation Service, U.S. Department of Agriculture, has prepared a draft environmental impact statement for the Chicot Watershed Project, Chicot County, Arkansas, USDA–SCS–FIS–WS–(ADM)–74–27–(D)–AR.

The environmental impact statement concerns a plan for watershed protection, flood prevention and agricultural water management. The planned works of improvement include the accelerated application of conservation land treatment, supplemented by 123 miles of channel work consisting of 32.5 miles of work in existing man-made ditches, 59.7 miles of channel work in existing streams and 30.8 miles of new channel.

A limited supply is available at the following locations to fill single copy requests.

Soil Conservation Service, USDA, South Agriculture Building, Room 5227, 14th and Independence Avenue, SW., Washington, D.C. 20250

Soil Conservation Service, USDA, Room 5029, Federal Building, 700 West Capitol, Little Rock, Arkansas 72203

Copies of the draft environmental impact statement have been sent for comment to various federal, state, and local agencies as outlined in the Council on Environmental Quality Guidelines. Comments are also invited from others having knowledge of or special expertise on environmental impacts.

Comments concerning the proposed action or requests for additional information should be addressed to M. J. Spears, State Conservationist, Soil Conservation Service, Post Office Box 2323, Little Rock, Arkansas 72203.

Comments must be received on or before May 30, 1974, in order to be considered in the preparation of the final environmental impact statement.

Dated: March 27, 1974.

(Catalog of Federal Domestic Assistance Program No. 10.904, National Archives Reference Services)

WILLIAM B. DAVEY,
Deputy Administrator for Water Resources, Soil Conservation Service.

[FR Doc.74-7834 Filed 4-4-74;8:45 am]

DEPARTMENT OF COMMERCE

Domestic and International Business Administration

COMPUTER PERIPHERALS, COMPONENTS AND RELATED TEST EQUIPMENT TECHNICAL ADVISORY COMMITTEE

Notice of Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92–463), notice is hereby given that a meeting of the Input/Output Equipment Subgroup and the Memory Equipment Subgroup of the Computer Peripherals, Components, and Related Test Equipment Technical Advisory Committee will be held Thursday, April 11, 1974, at 9:30 a.m. in the Variel Building Conference Room, Data Products Corporation, 6219 DeSota Avenue, Woodland Hills, California.

Members advise the Office of Export Administration, Bureau of East-West Trade, with respect to questions involving technical matters, worldwide availability and actual utilization of production and technology, and licensing procedures which may affect the level of export controls applicable to computer peripherals, components, and related test equipment, including technical data related thereto, and including those whose export is subject to multilateral (COCOM) controls.

Agenda items are as follows:

1. Opening remarks and review of purpose of subgroups by chairmen.
2. Presentation of papers or comments by the public.
3. Discussion on technology transfer criteria.
4. Executive Session: Continuation of detailed discussion on technology transfer criteria.

The public will be permitted to attend the discussion of agenda items 1–3, and a limited number of seats will be avail-

able to the public for these agenda items. To the extent time permits, members of the public may present oral statements to the subgroups. Interested persons are also invited to file written statements with the subgroups.

With respect to agenda item 4, "Executive Session," the Assistant Secretary of Commerce for Administration, on December 20, 1973, determined, pursuant to section 10(d) of Pub. L. 92–463, that this agenda item should be exempt from the provisions of sections 10(a)(1) and (a)(3), relating to open meetings and public participation therein, because the meeting will be concerned with matters listed in 5 U.S.C. 552(b)(1).

Further information may be obtained from Irving L. Wieselman, Chairman of the Input/Output Equipment Subgroup, Data Products Corporation, 6219 DeSoto Avenue, Woodland Hills, California 91364, (A/C 213 + 887–8000).

Minutes of those portions of the meeting which are open to the public will be available 30 days from the date of the meeting upon written request addressed to: Central Reference and Records Inspection Facility, U.S. Department of Commerce, Washington, D.C. 20230.

Dated: April 2, 1974.

RAUER H. MEYER,
Director, Office of Export Administration, Bureau of East-West Trade, U.S. Department of Commerce.

[FR Doc.74–7844 Filed 4–4–74;8:45 am]

WOLFGANG G. PRENOSIL, ET AL.

Order Denying Export Privileges for an Indefinite Period; Correction

In FR Doc. 74–6806 appearing in the FEDERAL REGISTER for Monday, March 25, 1974 on page 11125, the following changes should be made:

In the second and third lines of the first paragraph the name reading "Apexa Deutschland G.m.b.H., and Bauteile fuer Elektronik (Apexa)" should read "Apexa Deutschland G.m.b.H., Bauteile fuer Elektronik (APEXA)".

In the fourth paragraph in line 12–14 the name reading "Apexa Deutschland GmbH, otherwise called Bauteile fuer Elektronik (Apexa)" should read "Apexa Deutschland GmbH, Bauteile feur Elektronik (Apexa)".

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

[FR Doc.74–7823 Filed 4–4–74;8:45 am]

Maritime Administration

TANKER CONSTRUCTION PROGRAM

Notice of Determination That Vessels Which Are Subject of Certain Applications Are Covered by Tanker Program; Environmental Impact Statement

An environmental impact statement entitled, Maritime Administration Tanker Construction Program, NTIS Report No. EIS730725–F, was published on May 30, 1973. The statement concerns proposed assistance to private industry to aid in the construction in the United States of a fleet of oil-carrying vessels during the decade of the 1970's. Vessel classes included range from approximately 35,000 DWT to 400,000 DWT.

The Maritime Subsidy Board has received the following application for assistance under the Tanker Construction Program and has determined that the vessels to be constructed with such assistance are of the type, design and characteristics of those vessels treated in the above mentioned environmental impact statement. As a consequence the Board has found that no supplement to the impact statement mentioned herein, nor any new impact statement need be prepared with respect to these vessels. Future Board action with respect to the application will be, from an environmental standpoint, based on the above mentioned impact statement. This application is:

Hawaiian International Shipping Corporation—Application for four ships. These are to be of MarAd Design T8–S–100b, 89,700 DWT, identical to the nine ships now under construction at NASSCO for Aeron Marine Shipping Company (3), Third Group, Inc. (4) and Chestnut Shipping Company (2), and known as the "San Clemente" class tanker. These are described in detail in the EIS as the example of the "Intermediate Tanker" given in Section II. The environmental impact of such designs are covered throughout the statement in various sections.

The basis for the Board's determinations, as described herein, are available for public inspection in the Office of the Secretary, Room 3099, Maritime Administration, Commerce Department Building, 14th and E Streets, NW., Washington, D.C. 20230.

Dated: April 3, 1974.

By order of the Maritime Subsidy Board, Maritime Administration.

JAMES S. DAWSON, Jr.,
Secretary, Maritime Subsidy Board.

[FR Doc.74–7992 Filed 4–4–74;8:45 am]

FEDERAL SHIP MORTGAGE INSURANCE OR GUARANTEE

Notice of Interpretive Ruling

Notice is hereby given that pursuant to authority granted under section 1109 of the Merchant Marine Act, 1936, as amended (the Act), (46 U.S.C. 1279b), and delegated under Department of Commerce Organization Order 10–8, 38 FR 19707, the Assistant Secretary of Commerce for Maritime Affairs has ruled that, for the purpose of determining the obligation of the Secretary of Commerce under any contract of insurance or guarantee heretofore or hereafter entered into pursuant to Title XI of the Act (46 U.S.C. 1271–1280), a default in any payment of principal or interest, or both, due under any debt instrument covered by such contract of insurance or guarantee shall be deemed to have occurred and to be covered by such contract of insurance or guarantee when and to the extent such payment is repaid by order (whether or not final) of a court of competent jurisdiction pursuant to any provision of the Bankruptcy Act, Title 11 of the United States Code, or any applicable state law.

Dated: April 4, 1974.

By order of the Assistant Secretary of Commerce for Maritime Affairs.

JAMES S. DAWSON, Jr.,
Secretary, Maritime Administration.

[FR Doc.74–8071 Filed 4–4–74;12:39 pm]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Social Security Administration

ADVISORY COMMITTEE ON MEDICARE ADMINISTRATION, CONTRACTING, AND SUBCONTRACTING

Notice of Public Meeting

Notice is hereby given, pursuant to Pub. L. 92–463, that the Advisory Committee on Medicare Administration, Contracting, and Subcontracting, established pursuant to section 1114(f) of the Social Security Act, as amended, which advises the Secretary of Health, Education, and Welfare on Medicare matters, will meet on Monday, April 15, 1974, at 9 a.m., in the conference room on the 31st floor at 299 Park Avenue, New York, New York. This meeting is open to the public. However, there will be no formal agenda and no time allotted for public discussion because the Committee will be entirely involved in drafting its report to the Secretary.

Further information on the Committee may be obtained from Mr. Max Perlman, Executive Secretary of the Committee, Room 585 East Building, Social Security Administration, 6401 Security Boulevard, Baltimore, Maryland 21235, telephone 301–594–9134. Members of the public planning to attend should notify the Executive Secretary.

(Catalog of Federal Domestic Assistance Program No. 13.800, Health Insurance for the Aged-Hospital Insurance; 13.801, Health Insurance for the Aged-Supplementary Medical Insurance)

Dated: April 1, 1974.

MAX PERLMAN,
Executive Secretary, Advisory Committee on Medicare Administration, Contracting, and Subcontracting.

[FR Doc.74–7899 Filed 4–4–74;8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Interstate Land Sales Registration

[Docket No. N–74–222]

GLENCO DEVELOPMENT COMPANY, INC.

Order of Suspension

In the matter of Te-Ke-Ki Addition No. 1, OILSR No. 0–1200–29–32, Admin-

istrative Proceedings Division File No. 73–46.

Notice is hereby given that:

The Department of Housing and Urban Development sent to the Developer a Notice of Proceedings and Opportunity for Hearing, which was received August 24, 1973, informing the Developer of alleged untrue statements or omissions of material facts to the Developer's Statement of Record. The Developer failed to request a hearing pursuant to 24 CFR 1720.160 within 15 days of said Notice.

Therefore, pursuant to 15 U.S.C. 1706(d) and 24 CFR 1710.45(b)(1) the Department of Housing and Urban Development issued an Order of Suspension dated October 5, 1973, which Order was to suspend the Statement of Record filed by the Developer. However, the Order of Suspension could not be served because the Developer had moved leaving no address. Accordingly, pursuant to 15 U.S.C. 1706(d) and 24 CFR 1710.45(b)(1), the Order of Suspension is being issued as follows:

ORDER OF SUSPENSION

1. Glenco Development Company, Inc., hereinafter referred to as the developer, being subject to the provisions of the Interstate Land Sales Full Disclosure Act (Pub. L. 90–448) (15 U.S.C. 1701 *et seq.*) and the Rules and Regulations lawfully promulgated thereto pursuant to 15 U.S.C. 1718 has filed its Statement of Record covering its subdivision, located in Benton County, Missouri (OILSR No. 0–1200–29–32), which became effective August 5, 1970, pursuant to 24 CFR 1710.21 of the Interstate Land Sales Regulations. Said Statement is still in effect.

2. Pursuant to lawful delegation, as authorized by 15 U.S.C. 1715, the authority and responsibility for administration of the Interstate Land Sales Full Disclosure Act has been vested in the Interstate Land Sales Administrator.

3. Pursuant to 15 U.S.C. 1706(d) and 24 CFR 1710.45(b)(1), if it appears to the Interstate Land Sales Administrator at any time that a Statement of Record, which is in effect, includes any untrue statement of a material fact or omits to state any material fact required to be stated therein, or necessary to make the statement therein not misleading, the Administrator may, after notice, and after an opportunity for a hearing requested within 15 days of receipt of such notice, issue an order suspending the Statement of Record.

4. A Notice of Proceedings and Opportunity for Hearing was served on the Developer on August 24, 1973, pursuant to 15 U.S.C. 1706(d) and 24 CFR 1710.45(b)(1) informing the Developer of information obtained by the Office of Interstate Land Sales Registration showing an untrue statement of a material fact or an omission of a material fact required to be stated therein or necessary to make the statements therein not misleading in the above-specified Statement of Record. The Developer was notified of his right to request a hearing and that if he failed to request a hearing he would be deemed in default and the proceedings would be determined against him, the allegations of which would be determined to be true. The Developer has failed to request a hearing pursuant to 24 CFR 1720.160 within 15 days of service of said Notice of Proceedings and Opportunity for Hearing.

Therefore, pursuant to the provisions of 15 U.S.C. 1706(d) and 24 CFR 1710.45(b)(1), the Statement of Record filed by the Developer covering its subdivision is hereby suspended, effective as of April 5, 1974. This Order of Suspension shall remain in full force and effect until the Statement of Record has been properly amended as required by the Interstate Land Sales Full Disclosure Act and the implementing Regulations.

Any sales or offers to sell made by the Developer or its agents, successors, or assigns while this Order of Suspension is in effect will be in violation of the provisions of said Act.

Issued in Washington, D.C., April 1, 1974.

By the Secretary.

GEORGE K. BERNSTEIN,
Interstate Land Sales Administrator.

[FR Doc.74–7883 Filed 4–4–74;8:45 am]

[Docket No. N–74–223]

GLENCO DEVELOPMENT CO.

Order of Suspension

In the matter of Te-Ke-Ki of Wyoming Unit No. 1, OILSR No. O–1806–59–5, Administrative Proceedings Division File No. 73–47.

Notice is hereby given that:

The Department of Housing and Urban Development sent to the Developer a Notice of Proceedings and Opportunity for Hearing, which was received August 24, 1973, informing the Developer of alleged untrue statements or omissions of material facts to the Developer's Statement of Record. The Developer failed to request a hearing pursuant to 24 CFR 1720.160 within 15 days of said Notice.

Therefore, pursuant to 15 U.S.C. 1706(d) and 24 CFR 1710.45(b)(1) the Department of Housing and Urban Development issued an Order of Suspension dated October 6, 1973, which Order was to suspend the Statement of Record filed by the Developer. However, the Order of Suspension could not be served because the Developer had moved leaving no address. Accordingly, pursuant to 15 U.S.C. 1706(d) and 24 CFR 1710.45(b)(1), the Order of Suspension is being issued as follows:

ORDER OF SUSPENSION

1. Glenco Development Company, Inc., hereinafter referred to as the developer, being subject to the provisions of the Interstate Land Sales Full Disclosure Act (Pub. L. 90–448) (15 U.S.C. 1701 et seq.) and the Rules and Regulations lawfully promulgated thereto pursuant to 15 U.S.C. 1718 has filed its Statement of Record covering its subdivision, located in Albany County, Wyoming, which became effective August 13, 1971, pursuant to 24 CFR 1710.21 of the Interstate Land Sales Regulations. Said Statement is still in effect.

2. Pursuant to lawful delegation, as authorized by 15 U.S.C. 1715, the authority and responsibility for administration of the Interstate Land Sales Full Disclosure Act has been vested in the Interstate Land Sales Administrator.

3. Pursuant to 15 U.S.C. 1706(d) and 24 CFR 1710.45(b)(1), if it appears to the Interstate Land Sales Administrator at any time that a Statement of Record, which is in effect, includes any untrue statement of a material fact or omits to state any material fact required to be stated therein or necessary to make the Statement therein not misleading, the Administrator may, after notice, and after an opportunity for a hearing requested within 15 days of receipt of such notice, issue an order suspending the Statement of Record.

4. A Notice of Proceedings and Opportunity for Hearing was served on the Developer on August 24, 1973, pursuant to 15 U.S.C. 1706(d) and 24 CFR 1710.45(b)(1) informing the Developer of information obtained by the Office of Interstate Land Sales Registration showing an untrue statement of a material fact or an omission of a material fact required to be stated therein or necessary to make the statements therein not misleading in the above-specified Statement of Record. The Developer was notified of his right to request a hearing and that if he failed to request a hearing he would be deemed in default and the proceedings would be determined against him, the allegations of which would be determined to be true. The Developer has failed to request a hearing pursuant to 24 CFR 1720.160 within 15 days of service of said Notice of Proceedings and Opportunity for Hearing.

Therefore, pursuant to the provisions of 15 U.S.C. 1706(d) and 24 CFR 1710.45(b)(1), the Statement of Record filed by the Developer covering its subdivision is hereby suspended, effective April 5, 1974. This Order of Suspension shall remain in full force and effect until the Statement of Record has been properly amended as required by the Interstate Land Sales Full Disclosure Act and the implementing Regulations.

Any sales or offers to sell made by the Developer or its agents, successors, or assigns while this Order of Suspension is in effect will be in violation of the provisions of said Act.

Issued in Washington, D.C., April 1, 1974.

By the Secretary.

GEORGE K. BERNSTEIN,
Interstate Land Sales Administrator.

[FR Doc.74–7884 Filed 4–4–74;8:45 am]

ATOMIC ENERGY COMMISSION

[Docket Nos. 50–475, 50–476]

CONSUMERS POWER CO.

Notice of Receipt of Application for Construction Permits and Facility Licenses and Availability of Applicant's Environmental Report: Time for Submission of Views on Antitrust Matters

Consumers Power Company (the applicant), pursuant to section 103 of the Atomic Energy Act of 1954, as amended, has filed an application, which was docketed February 28, 1974, for authorization to construct and operate two generating units utilizing pressurized water nuclear reactors. The application was tendered on October 29, 1973. Following a preliminary review for completeness, the application was rejected on November 8, 1973, for lack of sufficient information. The applicant submitted additional information on February 11, 1974, and the application was found to be acceptable for docketing. Docket Nos. 50–475 and 50–476 have been assigned to the application and should be referenced in any correspondence relating to the application.

The proposed nuclear facility, designated by the applicant as the Quanicassee Plant, is located in Hampton Township, Bay County, Michigan, and each unit is designed for initial operation at approximately 3425 megawatts (thermal), with a net electrical output of approximately 1150 megawatts.

A Notice of Hearing with opportunity for public participation is being published separately.

Any person who wishes to have his views on the antitrust matters of the application presented to the Attorney General for consideration should submit such views to the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Chief, Office of Antitrust and Indemnity, Directorate of Licensing, on or before May 29, 1974. The request should be filed in connection with Docket Nos. 50–475–A and 50–476–A.

A copy of the application is available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. 20545, and at the Bay City Public Library, 708 Center Avenue, Bay City, Michigan 48706.

The applicant has also filed, pursuant to the National Environmental Policy Act of 1969, and the regulations of the Commission in Appendix D to 10 CFR Part 50, an Environmental Report dated February 1974. The report, which discusses environmental considerations related to the construction and operation of the proposed facility is being made available for public inspection at the aforementioned locations and at the State Planning Division, Bureau of Programs and Budget, Executive Office of the Governor, Lewis Cass Building, Lansing, Michigan 48913, and the Bay Regional Planning Commission, County Building, Bay City, Michigan 48706.

After the Environmental Report has been analyzed by the Commission's Director of Regulation or his designee, a draft environmental statement will be prepared by the Commission's Regulatory staff. Upon preparation of the draft environmental statement, the Commission will, among other things, cause to be published in the FEDERAL REGISTER a summary notice of availability of the draft statement, with a request for comments from interested persons on the draft statement. The summary notice will also contain a statement to the effect that comments of Federal agencies and State and local officials will be made available when received. Upon consideration of comments submitted with respect to the draft environmental statement, the Regulatory staff will prepare a final environmental statement, the availability of which will be published in the FEDERAL REGISTER.

Dated at Bethesda, Md., this 14th day of March 1974.

For the Atomic Energy Commission.

KARL KNIEL,
Chief, Light Water Reactors Branch 2–2, Directorate of Licensing.

[FR Doc.74–7250 Filed 3–28–74;8:45 am]

[Docket Nos. 50–452A, 50–453A]

DETROIT EDISON CO.

Notice of Receipt of Attorney General's Advice and Time for Filing of Petitions To Intervene on Antitrust Matters

The Commission has received, pursuant to section 105c of the Atomic Energy Act of 1954, as amended, a letter of advice from the Attorney General of the United States, dated March 22, 1974, a copy of which is attached as Appendix A.

Any person whose interest may be affected by this proceeding may, pursuant to § 2.714 of the Commission's rules of practice, 10 CFR Part 2, file a petition for leave to intervene and request a hearing on the antitrust aspects of the application. Petitions for leave to intervene and requests for hearing shall be filed by May 6, 1974, (1) by delivery to the AEC Public Document Room at 1717 H Street NW., Washington, D.C., or (2) by mail or telegram addressed to the Secretary, U.S. Atomic Energy Commission, Washington, D.C., 20545, Attn: Chief, Public Proceedings Branch.

For the Atomic Energy Commission.

ABRAHAM BRAITMAN,
Chief, Office of Antitrust and Indemnity, Director of Licensing.

APPENDIX A

MARCH 22, 1974.

In the matter of Detroit Edison, Company Greenwood Energy Center, Units 2 & 3, AEC Docket Nos. 50–452A and 50–453A.

You have requested our advice pursuant to the provisions of section 105 of the Atomic Energy Act of 1954, as amended, in regard to the above-cited application.

The Applicant. Applicant is the largest electric utility in Michigan in terms of electric load. Its electric operations are carried out over the southeastern section of the lower peninsula of Michigan, including the Detroit Metropolitan Area. Its electric bulk power supply system and operations, which include 22 conventional steam, nuclear steam, gas turbine, and internal combustion generating stations, are horizontally integrated through 2,036 miles of extra-high and high voltage transmission lines. Additionally, it operates 2,587 miles of transmission or subtransmission at 22 kv, 24 kv, and 40 kv. Applicant's total generating capacity as of July 20, 1972, was 7,316 megawatts; and its system peak was 6,049 megawatts. Applicant's generation expansion program includes the addition of 6,000 megawatts of new capacity over the next decade, of which 4,600 mw will be nuclear.

Applicant is also vertically integrated, operating as of 1970, 37,733 pole miles of distribution facilities serving 1,528,000 customers some 29,177,867,000 kilowatt hours of electricity.

Relations with other utilities. Applicant is interconnected with Consumers Power Company through extra-high and high voltage transmission lines and closely coordinates its planning and operations (including reserve sharing and coordinated development) with Consumers Power through the Michigan Pool Agreement. Applicant is also interconnected with Ontario Hydro system in Canada and with major utilities in Ohio.

Applicant's monopoly of generation in southeast Michigan is almost complete. Relatively small amounts of generation are owned and operated by a rural electric cooperative (Thumb Electric Cooperative), a municipal distribution system (the City of Wyandotte), and a municipal street lighting system (Detroit), respectively. Applicant supplies power at wholesale to two rural electric cooperatives and two small village distribution systems located within its service area.

Results of antitrust review. In 1971 we informed the Commission that no antitrust hearing would be necessary in regard to Detroit Edison's Enrico Fermi Unit No. 2. At that time, Applicant submitted a commitment to eliminate or revise a provision in the 1962 Michigan Pool Agreement which might have unreasonably restricted entrance of third parties into the pool or the negotiation of independent coordination arrangements. In the course of our antitrust review of the instant license application, several additional questions concerning anticompetitive conduct by Applicant were raised. For its part, Applicant denied that its policies and practices have been or are inconsistent with the antitrust laws. However, in order to eliminate any questions as to the policies that it intends to follow during the license period of the Greenwood Nuclear Units, Applicant indicated its willingness to formalize these policies and to have them included as conditions to the license. As a result of discussions with the Department, these policies have been articulated and are set out in the attachment to Applicant's letter to the Department dated March 21, 1974, which is attached hereto.

In its commitments, Applicant affirms that it will make the following types of arrangements with other bulk power suppliers in Michigan: access to the Greenwood Nuclear Units; coordination and sharing of reserves; unit power sales and purchases which would reduce costs for the parties; and third party use of its transmission facilities for wheeling services.

Conclusion. On the strength of these policy commitments and Applicant's agreement that the Commission include them as conditions to the license, we conclude that an antitrust hearing will not be necessary with respect to the instant application.

MARCH 21, 1974.

In regards to The Detroit Edison Company, (Greenwood Units 2 and 3, AEC Docket Nos. 50–452A and 50–453A).

As a result of conferences held between representatives of Detroit Edison and the Antitrust Division of the U.S. Department of Justice, agreements have been reached regarding certain matters in the above captioned docket.

Detroit Edison presently is willing to accept conditions to its construction permit, if and when issued by the Commission, which are identical to those attached to this letter.

Very truly yours,

WILLIAM G. MEESE.

MARCH 21, 1974.

Policy commitments of the Detroit Edison Company to be appended as conditions to Greenwood Nuclear Units No. 2 and No. 3 AEC license AEC Dockets 50–452A and 50–453A.

1. As used herein:

(a) "Southeastern Michigan" means the counties of: Huron, Ingham, Lapeer, Lenawee, Livingston, Oakland, Macomb, Monroe, St. Clair, Sanilac, Tuscola, Washtenaw, and Wayne. An entity shall be deemed to be in the "Southeastern Michigan" area if it has electric power generation, transmission, or distribution facilities located contiguous to, or in whole, or in part in the above-described area.

(b) "Bulk Power" means the electric power, and any attendant energy, supplied or

made available at transmission or subtransmission voltage by one entity to another.

(c) "Entity" means person, a private or public corporation, a municipality, a cooperative, an association, a joint stock association or business trust owning, operating, or proposing to own or operate equipment or facilities for the generation, transmission or distribution of electricity: *Provided*, That, except for municipalities or rural electric cooperative, "entity" is restricted to those which are or will be public utilities under the laws of the state in which the entity transacts or will transact business or under the Federal Power Act, and are or will be providing electric service under a contract or rate schedule on file with and subject to the regulation of a state regulatory commission or the Federal Power Commission.

(d) "Cost" means any operating and maintenance expenses involved together with any ownership costs which are reasonably allocable to the transaction consistent with industry practices. No value shall be included for loss of revenues from sale of power at wholesale or retail by one party to a customer which another party might otherwise serve. Cost shall include a reasonable return on Applicant's investment. The sale of a portion of the capacity of a generating unit shall be upon the basis of a rate that will recover to the seller the pro rata part of the fixed costs and operating and maintenance expenses of the unit: *Provided*, That, in circumstances in which Applicant and one or more entities in the Southeastern Michigan area take an undivided interest in a unit in fee, construction costs and operation and maintenance expenses shall be paid pro rata.

2. (a) Applicant shall interconnect with, and coordinate reserves by means of the sale and purchase of emergency and/or scheduled maintenance bulk power with, any entity (ies) in the Southeastern Michigan area engaging in or proposing to engage in electric bulk power supply on terms that will provide for Applicant's costs in connection therewith and allow the other party(ies) full access to the benefits of reserve coordination.

(b) Emergency service and/or scheduled maintenance service to be provided by each party shall be furnished to the fullest extent available from the supplying party and desired by the party in need. Applicant and each party(ies) shall provide to the other emergency service and/or scheduled maintenance service if and when available from its own generation and from generation of others to the extent it can do so without impairing service to its customers including other electric systems to whom it has firm commitments.

(c) Applicant and the other party(ies) to a reserve sharing arrangement shall from time to time jointly establish the minimum reserves to be installed and/or provided under contractual arrangements as necessary to maintain in total a reserve margin sufficient to provide adequate reliability of power supply to the interconnected systems of the parties. If Applicant plans its reserve margin with other Michigan companies, the reserves jointly established hereunder shall be on the same basis. Unless otherwise agreed upon, minimum reserves shall be calculated as a percentage of estimated peak load responsibility. No party to the arrangement shall be required to maintain greater reserves than the percentage of its estimated peak load responsibility which results from the aforesaid calculation, provided that, if the reserve requirements of Applicant are increased over the amount Applicant would be required to maintain without such interconnection, then the other party(ies) shall be required to carry or provide for as its (their) reserves the full amount in kilowatts of such increase.

(d) The parties to such reserve sharing arrangement shall provide such amounts of operating reserve capacity as may be adequate to avoid the imposition of unreasonable demands on the other in meeting the normal contingencies of operating its system. However, in no circumstances shall the operating reserve requirements exceed the installed reserve requirement.

(e) Interconnections will not be limited to low voltages when higher voltages are available from Applicant's installed facilities in the area where interconnection is desired, when the proposed arrangement is found to be technically and economically feasible. Control and telemetering facilities shall be provided as required for safe and prudent operation of the interconnected systems.

(f) Interconnection and coordination agreements shall not embody any restrictive provisions pertaining to inter-system coordination. Good industry practice as developed in the area from time to time (if nonrestrictive) will satisfy this provision.

3. Applicant will sell bulk power from new generating capacity planned or under construction at its costs to or purchase bulk power from any other entity(ies) in the Southeastern Michigan area engaging in or proposing to engage in generation of electric power when such transactions would serve to reduce the overall costs of new bulk power supply for itself or for the other party(ies) to the transaction. This refers specifically to the opportunity to coordinate in the planning of new generation, transmission and related facilities. This provision shall not be construed to require Applicant to purchase or sell bulk power if it finds such purchase or sale infeasible or its costs in connection with such purchase or sale would exceed its benefits therefrom.

4. Applicant and any successor in title shall offer an opportunity to participate in the Greenwood Nuclear Units 2 and 3 to any entity in Southeastern Michigan which shall indicate its interest therein prior to June 30, 1974 and shall offer an opportunity to participate in any nuclear generating unit(s) which they or either of them may construct, own and operate in the State of Michigan, severally or jointly, during the term of the instant license, or any extension or renewal thereof, to any entity(ies) in the Southeastern Michigan area by either a reasonable ownership interest in such unit(s), or by a contractual right to purchase a reasonable portion of the output of such unit(s) at the cost thereof if the entity(ies) so elects. Such notice of intention to participate in future units must be given to Applicant in writing prior to the placement of orders for major equipment. In connection with such access, Applicant will also offer transmission service as may be required for delivery of such power to such entity(ies) on a basis that will fully compensate Applicant for its cost.

5. (a) Applicant shall facilitate the exchange of bulk power by transmission over its transmission facilities between or among two or more entities in the Southeastern Michigan area with which it is interconnected; and between any such entity(ies) and any entity(ies) engaging in bulk power supply outside the Southeastern Michigan area between whose facilities Applicant's transmission lines and other transmission lines would form a continuous electrical path: *Provided*, That (1) permission to utilize such other transmission lines has been obtained: (2) *Provided*, That the reliability of Applicant's bulk power system is not thereby impaired, and (3) the arrangements reasonably can be accommodated from a functional and technical standpoint. Such transmission shall be on terms that fully compensate Applicant at applicable filed rates. Any entity(ies) requesting such transmission arrangements shall give reasonable advance notice of its (their) schedule and requirements. (The foregoing applies to any entity(ies) to which Applicant may be interconnected in the future as well as those to which it is now interconnected.)

(b) Applicant shall include in its planning and construction program sufficient transmission capacity as required for the transactions referred to in subparagraph (a) of this paragraph: *Provided*, That any entity(ies) in the Southeastern Michigan area give Applicant sufficient advance notice as may be necessary to accommodate its (their) requirements from a functional and technical standpoint and that such entity(ies) fully compensate Applicant for its cost. Applicant shall not be required to construct transmission facilities which will be of no demonstrable present or future benefit to Applicant.

6. Applicant will sell power at applicable filed rates for resale to any entity(ies) in the Southeastern Michigan area now engaging in or proposing to engage in retail distribution of electric power.

7. The foregoing conditions shall be implemented in a manner consistent with the provisions of the Federal Power Act and Michigan Public Act 106 of 1909 as thereafter amended and all rates, charges or practices in connection therewith are to be subject to the approval of regulatory agencies having jurisdiction over them.

[FR Doc.74-7838 Filed 4-4-74;8:45 am]

[Docket Nos. 50-458A, 50-459A]

GULF STATES UTILITIES CO.

Notice of Receipt of Attorney General's Advice and Time for Filing of Petitions To Intervene on Antitrust Matters

The Commission has received, pursuant to section 105c. of the Atomic Energy Act of 1954, as amended a letter of advice from the Attorney General of the United States, dated March 25, 1974, a copy of which is attached as Appendix A.

Any person whose interest may be affected by this proceeding may, pursuant to § 2.714 of the Commission's rules of practice, 10 CFR Part 2, file a petition for leave to intervene and request a hearing on the antitrust aspects of the application. Petitions for leave to intervene and requests for hearing shall be filed by May 6, 1974, either (1) by delivery to the AEC Public Document Room at 1717 H Street NW., Washington, D.C., or (2) by mail or telegram addressed to the Secretary, U.S. Atomic Energy Commission, Washington, D.C. 20545, Attn: Chief, Public Proceedings Branch.

For the Atomic Energy Commission.

ABRAHAM BRAITMAN,
Chief, Office of Antitrust & Indemnity, Directorate of Licensing.

APPENDIX A

MARCH 25, 1974.

In regard: River Bend Station Units 1 and 2—Gulf States Utilities Company AEC Docket Nos. 50-458A and 50-459A Department of Justice File 60-415-58.

You have requested our advice pursuant to the provisions of section 105 of the Atomic

Energy Act of 1954, as amended, in regard to the above-cited application.

Applicant. The applicant is a large electrical utility principally engaged in the business of generating electrical energy and distributing and selling such energy at retail in Southeast Texas and South Central Louisiana, an approximately 28,000 square mile area with an estimated population of 221,000. The applicant sells electric energy at retail to 292 communities in this territory. It sells for resale electric energy to ten municipal systems, six rural electric cooperatives, and one other utility. Applicant is seeking a license to build and operate two generating units in West Feliciana Parish, Louisiana, to be known as River Bend Station, Units 1 and 2. Each of these units will have a generating capacity of approximately 940 megawatts. River Bend Station Unit 1 is scheduled to be in service in February 1980; Unit 2 in September 1981.

Structure of the Electric Power Supply Market in Louisiana. Applicant is one of the five major privately owned companies supplying power in bulk and at retail in Louisiana; the other four are: Louisiana Power and Light Company (LP&L); Central Louisiana Electric Company (CLECO); Southwestern Electric Power Company (SWEPCO), which operates in Arkansas and Texas as well as in a small area in the northeast corner of Louisiana; and New Orleans Public Service, Inc. (NOPSI), an affiliate of LP&L which serves metropolitan New Orleans.

Applicant's 1970 system peak was 3,039 mw., with a little more than one-half of its business in Louisiana. LP&L's 1970 peak load was 1872 mw. CLECO's 1970 system peak was 575 mw. SWEPCO's 1970 system peak was 1383 mw., two-fifths of which represented loads in Louisiana, with the remainder in Texas and Arkansas. NOPSI's 1970 peak was 1164 mw.

There are a number of municipal electric utilities in Louisiana. Some of these generate all or a major part of their power requirements; others purchase electric power in bulk and distribute it at retail. The generating municipals' 1970 loads totaled approximately 500 mw.; their combined 1970 generating capacity was 900 mw.

There are 13 cooperative utilities operating rural distribution systems in Louisiana. Another cooperative is based principally in Texas but conducts some operations in Louisiana. Their combined 1970 peak load was approximately 900 mw.

Twelve of the 13 Louisiana cooperatives have organized a generation and transmission cooperative, Cajun Electric Power Cooperative (formerly Louisiana Electric Cooperative), to handle their bulk power supply functions; Cajun has recently put its generating facilities into operation. However, the cooperatives presently obtain almost all of their bulk power supply by purchase from Applicant and the other private utilities. The remaining cooperative, Southwest Louisiana Electric Membership Cooperative (SLEMCO), is one of the largest rural electric cooperatives in the United States and comprises roughly one-third of the total cooperative load in Louisiana. It has no generating facilities, but obtains part of its power supply from the privately-owned utilities in Louisiana and part from Southwestern Power Administration under an arrangement in which power generated at federal hydroelectric facilities in the Southwest is wheeled over transmission facilities furnished by the private utilities.

Virtually all the high voltage and extra-high voltage transmission lines in the State of Louisiana are owned and operated by Applicant and the other privately-owned utilities discussed above. Applicant and these other privately-owned utilities also dominate the retail electric power market in Louisiana, with over five-sixths of that business. All the cooperative systems together and all of the municipal systems together have less than one-twelfth of such business, respectively.

Competition in Lousiana. There has been vigorous competition among electric utilities in Louisiana. Until 1970, Louisiana law prohibited utilities from taking over customers already being served by another utility, LSA RS 45:123, but the law did not apply to new customers. See "Louisiana Power and Light Co. v. Charpentier," 165 So. 2d 614 (La. Ct. App. 1964). In 1970 LSA RS 45:123 was amended to allow (except in certain cases) a utility preference in serving new customers within 300 feet of its existing lines. Since large new loads (particularly industrial loads) would, in many instances, not be located within 300 feet of an existing distribution line, competition continues to exist. Further competition exists for service to suburban areas which are annexed by expanding municipalities. The existing supplier within the city, whether municipal system or franchised utility, thereupon has the opportunity to compete for new loads with the previous supplier in the area.

Competitive Conduct of the Applicant. This is different from most of the other cases in which the Department of Justice has rendered antitrust advice in that prior to receiving the Commission's request for advice the Department had been conducting an antitrust investigation of the Applicant's conduct. That investigation was concerned with basically the same antitrust allegations against the Company as those set forth in the decision of the United States Court of Appeals for the District of Columbia Circuit in "City of Lafayette v. Securities & Exchange Commission," 454 F. 2d 941 (C.A. D.C. 1972). In essence a number of municipal systems in Louisiana had alleged that over a number of years and through a variety of methods Applicant, together with the other major privately-owned utilities in Louisiana, attempted to frustrate the development of a power pool among the municipals, and others. The allegations of concerted anticompetitive action related exclusively to activities in Louisiana.

It is unnecessary to detail here the allegations or our conclusions with respect thereto. Within the past year or so, Applicant has evidenced a constructive attitude in its relations with the smaller systems in Louisiana. In the course of our antitrust review of the instant license application, Applicant has discussed with the Department its future policies in this regard. While not conceding that any of its prior conduct may have been anticompetitive, Applicant has indicated in the attached letter to the Department the policies which it will follow with respect to such aspects of its operations in Louisiana as access to nuclear units, interconnection and reserve sharing, wheeling, and exchanges of bulk power. Similar policies will be followed by Applicant in connection with its operations in Texas although there, it should be noted, its activities have not raised the same degree of antitrust concern. The Applicant has agreed that the policy commitments set forth in the attachment to its March 20, 1974 letter to the Department may be imposed as conditions to the permit requested for the instant River Bend units. Applicant will shortly file an application for a construction permit for two nuclear units known as Blue Hills Units 1 and 2 which it plans to build in Texas. License conditions generally similar to those involved here will be acceptable to Applicant in connection with the Blue Hills Units permits.

These developments enable the Department to inform the Commission that it would not appear necessary that an antitrust hearing be held on the instant application and should enable the Department, when it receives the Blue Hills application, to advise the Commission that no antitrust hearing will be necessary concerning the application.

Conclusion. If the policy commitments contained in the attachment to Applicant's March 20, 1974 letter were to be imposed by the Commission as conditions to the permit applied for in the instant docket, as we hereby recommend, an antitrust hearing on this application would appear unnecessary.

MARCH 20, 1974.

Re: Gulf States Utilities Company, River Bend Nuclear Power Plant Units 1 and 2; Application for License to Construct Nuclar Utilization Facilities; AEC Dockets Nos. 50–458 and 50–459.

We appreciate the opportunity to discuss various matters involved in the review by your section of the Department of Justice relating to the pending license application of this Company (Applicant) before the Atomic Energy Commission for the construction of nuclear utilization facilities, as referenced above.

We understand that your review of this application has raised certain questions under the antitrust laws relating to the bulk power supply policies of the Applicant. While it is the position of Applicant that its activities, and in particular its bulk power supply policies, should not concern any such questions, the Applicant submits this letter setting forth certain statements regarding such policies.

In order to obviate the possibility of a hearing on possible antitrust issues in the above-referenced proceeding, the Applicant sets forth in the appendix to this letter policies which it will maintain during the period of this license, subject to the understandings stated herein. It is understood that this statement of policy satisfies the Department's antitrust questions and will enable the Department to render a no hearing antitrust advice letter. In the event the Atomic Energy Commission in any event should institute a hearing on antitrust issues or attempt to impose different, inconsistent or additional conditions, Applicant does not intend by this letter or the statement of policies attached to waive, and instead hereby reserves all of its rights under law to appear in such proceeding and contest the imposition of different, inconsistent or additional conditions.

During our discussions with you about participation in the subject nuclear units, we advised you that we have not constructed and have not planned to construct any jointly-owned electric generating plants on our system, and we have not and have not planned to sell unit power from any present or future electric generating units. While Applicant appreciates that financial and business conditions in the future may require it to change such policies and for such reason reserves the right to do so, Applicant understands that the proposed license conditions relating to participation apply only to nuclear units in Louisiana.

Applicant intends to file later this year an application for a construction permit for certain nuclear units to be located in Texas which are to be known as Blue Hills Units Nos. 1 and 2. Applicant will enter into similar policy commitments concerning such specific units; *Provided,* That as to other nuclear generating units which Applicant may construct, own and operate in Texas, the power from which is intended for use in Applicant's general system operation, Applicant will merely confirm to you by letter its intention, under conditions then existing and in accordance with applicable law, to allow participation in such other units on conditions

similar to those afforded under Policy Commitment 8.

We have now filed with the Federal Power Commission copies of the power interconnection agreements entered into by Applicant with Cajun Electric Power Cooperative, Inc. and with the Cities of Lafayette and Plaquemine, Louisiana. Such agreements contain terms and provisions for bulk supply coordination and transmission service. Such agreements with Cajun and the Cities were offered and negotiated by Applicant in pursuit of the policy commitments attached, and it is Applicant's understanding that such agreements (as subject to regulatory action and change by actions of the parties) comply with such commitments.

Nothing in this letter shall be construed to be a waiver by the Applicant of its rights to appear and express its position on behalf of or in opposition to any specific proposals relating to bulk power supply before any legislative, administrative, judicial, or other body.

The Applicant would not object to an inclusion of this letter in, and the statements and policies expressed herein being made conditions to the license applied for before the U.S. Atomic Energy Commission as referenced above, specifically related to the River Bend Nuclear Power Station Plant Units for which the subject application is pending.

The commitments made are subject to the following understandings:

(1) Applicant does not intend by these commitments to become a common carrier.

(2) Applicant reserves all rights and protection afforded it by law with respect to retail distribution of electricity in those areas in which it holds franchises to conduct its business.

(3) That any license conditions imposed by the Atomic Energy Commission upon Applicant based in whole or in part upon these commitments shall be subject to continuing jurisdiction; and that Applicant shall have the right to seek relief from or modification of such conditions by appropriate legal recourse through the Atomic Energy Commission, its successor agencies, or through any other administrative, legislative, or judicial authority having jurisdiction.

(4) That none of these commitments shall require Applicant to enter into any binding arrangements with another party until the financial responsibility of such party is evident or reasonably assured nor prior to resolution of any substantial questions as to the lawful authority of such party to engage in the transaction.

(5) All of the understandings and comitments of the Applicant are contained in the commitments herein made and this cover letter.

(6) None of the commitments herein made shall be construed as a waiver by Applicant of its rights to contest whether or not a future factual situation is inconsistent with the commitments herein made or to contest by appropriate legal proceedings the validity of any regulation, order, or requirement imposed upon Applicant by any governmental or regulatory authority, including but not limited to the Atomic Energy Commission and the Federal Power Commission, or their successor agencies.

(7) Enforcement of any of the commitments shall only be through appropriate proceedings before the Atomic Energy Commission.

Very truly yours,

NORMAN R. LEE,
President, Gulf States Utilities Company.

MARCH 20, 1974.

Policy commitments of Gulf States Utilities Company to be appended as conditions to River Bend Nuclear Power Plant, Units 1 and 2 AEC license AEC Dockets Nos. 50-458 and 50-459.

Definitions. 1. "Bulk Power" means the electric power, and any attendant energy, supplied or made available at transmission or subtransmission voltage by an entity from its generating facilities.

2. "Entity" means person, a private or public corporation, governmental agency, an association, a joint stock association, business trust, municipality, or rural electric cooperative owning, operating, or proposing to own or operate equipment or facilities for the generation, transmission, or distribution of electricity primarily for sale or resale to the public. Provided, that, except for municipalities, governmental agencies, or rural electric cooperatives, "entity" is further restricted to those which are or will be public utilities under the laws of the State in which the entity transacts or will transact business or under the Federal Power Act, and are or will be providing electric service under a contract or rate schedule on file with and subject to the regulation of a State regulatory commission or the Federal Power Commission.

3. "Cost" means all operating and maintenance expenses and ownership and capital costs properly allocable to the particular transaction. "Cost" to be shared by participants under condition 8 shall include all costs of acquisition, construction, ownership, capital, operation, and maintenance reasonably allocable to the subject unit. Costs shall include no value for loss of revenues from sale of power at wholesale or retail by one party to a customer which another party might otherwise serve, except as otherwise authorized by any regulatory authority having jurisdiction. Costs shall include a reasonable return on Applicant's investment.

Policy commitments. 1. Applicant shall interconnect with and coordinate reserves by means of the sale and purchase of emergency and/or scheduled maintenance bulk power with any entity(ies) in or within reasonable proximity to Applicant's service area in Louisiana engaging in or proposing to engage in electric bulk power supply on terms that will provide for Applicant's costs in connection therewith and allow the other entity(ies) full access to the benefits and obligations of reserve coordination.

2. Such emergency service and/or scheduled maintenance service to be provided by each entity shall be furnished to the fullest extent available from the supplying entity and desired by the entity in need. Applicant and each entity(ies) shall provide to the other such emergency service and/or scheduled maintenance service if and when available from its own generation and from generation of others to the extent it can do so without impairing service to its customers including other electric systems to whom it has firm commitments.

3. Applicant and the other entity(ies) which is (are) party(ies) to a reserve sharing arrangement shall from time to time jointly establish the minimum reserves to be installed and/or provided as necessary to maintain in total a reserve margin sufficient to provide adequate reliability of power supply to the interconnected systems of the parties, consistent with good utility industry practice in the region. If Applicant plans its reserve margin on a pooled basis with other regional companies, the reserves jointly established hereunder shall be on the same basis. Unless otherwise agreed upon or established by such regional practice, minimum reserves shall be calculated as a percentage of estimated peak load responsibility.

No party to the arrangement shall be required to maintain greater reserves than the percentage of its estimated peak load responsibility which results from the aforesaid calculation; provided, that if the reserve requirements of Applicant are increased over the amount Applicant would be required to maintain without such interconnection, then the other party(ies) shall be required to carry or provide for as its (their) reserves the full amount in kilowatts of such increase.

4. The entities which are parties to such a reserve sharing agreement shall provide such amounts of ready reserve capacity as may be adequate to avoid the imposition of unreasonable demands on the others in meeting the normal contingencies of operating its system. However, in no circumstances shall the ready reserve requirement exceed the installed reserve requirement.

5. Interconnctions will not be limited to low voltages when higher voltages are available from Applicant's installed facilities in the area where interconnection is desired, when the proposed arrangement is found to be technically and economically feasible. Control and telemetering facilities shall be provided as required for safe and prudent operation of the interconnected systems.

6. Interconnection and coordination agreements shall not embody any unlawful or unreasonably restrictive provisions pertaining to intersystem coordination. Good industry practice as developed in the area from time to time (if not unlawfully or unreasonably restrictive) will satisfy this provision.

7. Applicant will sell (when available) bulk power at its costs to or purchase (when needed) bulk power from any other entity(ies) in or within reasonable proximity to Applicant's service area in Louisiana engaging in or proposing to engage in generation of electric power at such entity(ies) cost when such transactions would serve to reduce the overall costs of new bulk power supply, each for itself and for the other party(ies) to the transactions and would serve to coordinate the planning of new generation, transmission, and related facilities by both the Applicant and the other entity. This provision shall not be construed to require Applicant to purchase or sell bulk power if it finds such purchase or sale infeasible or its costs in connection with such purchase or sale would exceed its benefits therefrom.

8. Applicant and any successor in title shall offer an opportunity to participate in River Bend Nuclear Units Nos. 1 and 2 for the term of the instant license, or any extension or renewal thereof, or such shorter term as Applicant and the participant(s) may mutually agree upon, to any entity(ies) in or within reasonable proximity to Applicant's service area in the State of Louisiana which has in writing requested participation therein prior to March 1, 1974, and which no later than March 31, 1975 has entered into an executory contract with respect to such participation, having taken all necessary action for it to lawfully do so prior to so doing, to a fair and reasonable extent and on reasonable terms and conditions and on a basis that will fully compensate Applicant for its costs incurred and to be incurred and that will not adversely affect the financing and constructing of such nuclear units. Applicant shall similarly offer an opportunity to participate in any additional nuclear generating unit(s) the power from which is intended for use in Applicant's general system operations, which the Applicant may construct, own, and operate in Louisiana during the term of the instant license, or any extension or renewal thereof. Participation shall be either by ownership of or purchase of unit participation power from the respective nuclear units. Participation in any form shall be on an equitable basis whereby the participants, in proportion to their interests, share fully in all costs and

risks of the respective nuclear unit. In connection with such participation, Applicant will offer transmission service as may be required for delivery of such power to such participant(s) on a basis that will fully compensate Applicant for its costs.

9. Applicant shall facilitate the exchange of bulk power by transmission over its transmission facilities between two or more entities engaging in bulk power supply in its service area in Louisiana with which it is interconnected; and between any such entity (ies) and any entity(ies) engaging in bulk power supply outside Applicant's service area in Louisiana between whose facilities Applicant's transmission lines and other transmission lines would form a continuous electrical path: *Provided*, That (1) Permission to utilize such other transmission lines has been obtained by the entities involved, (2) Applicant has appropriate agreements for transmission service with the entities interconnected with Applicant at both the receiving and delivery points on Applicant's system, and (3) the arrangements reasonably can be accommodated from a functional and technical standpoint. Such transmission shall be on terms that fully compensate Applicant for its cost. Any entity(ies) requesting such transmission arrangements shall give reasonable advance notice of its (their) schedule and requirements. (The foregoing applies to any entity(ies) engaging in bulk power supply to which Applicant may be interconnected in the future as well as those to which it is now interconnected.)

10. Applicant shall include in its planning and construction program sufficient transmission capacity as required for the transactions referred to in paragraph 9: *Provided*, That any entity(ies) in its service area in Louisiana give Applicant sufficient advance notice as may be necessary to accommodate its (their) requirements from a functional and technical standpoint and that such entity(ies) fully compensates Applicant for its cost. Applicant shall not be required to construct transmission facilities which will be of no demonstrable present or future benefit to Applicant.

11. Applicant will sell power (when available) for resale to any entity(ies) in its service area in Louisiana now engaging in or proposing in good faith to engage in retail distribution of electric power, whenever power to meet the needs of such entity(ies) is not available from alternate sources at competitive costs.

12. The foregoing conditions shall be in all respects implemented on reasonable terms and conditions in a manner consistent with the provisions of the Federal Power Act and other applicable federal and state laws and regulatory orders, and shall be subject to force majeure, applicable curtailment programs, and engineering and technical feasibility for Applicant's system. None of the foregoing conditions shall require Applicant to sell power, perform any service, or engage in any course of action on a basis which would be unlawfully preferential or discriminatory under any applicable law or that would impair Applicant's ability to render adequate and reliable service to its own customers. All rates, charges or practices in connection therewith are to be subject to the approval of regulatory agencies having jurisdiction over them.

[FR Doc.74-7839 Filed 4-4-74;8:45 am]

[Docket Nos. 50-275 OL, 50-323 OL]

PACIFIC GAS AND ELECTRIC CO.

Special Prehearing Conference

In the matter of Pacific Gas and Electric Company, (Diablo Canyon Nuclear Power Plant, Units 1 and 2).

The special prehearing conference on the issuance of facility operating licenses which was initiated on March 26, 1974, will reconvene on May 3, 1974, or immediately subsequent to the completion of the evidentiary hearings on environmental matters which will reconvene on April 30, 1974.

The hearings will be held in the Gold Room, The Royal Inn, 214 Madonna Road, San Luis Obispo, California, commencing at 10:00 a.m., local time.

The points which will be considered at this prehearing conference will be only the petition to intervene from the Mothers for Peace; and the petition of the Scenic Shoreline Preservation Conference, Inc., concerning suspension of construction activities.

Issued at Washington, D.C., this 2nd day of April 1974.

It is so ordered.

ATOMIC SAFETY AND LICENSING BOARD,
ELIZABETH S. BOWERS,
Chairman.

[FR Doc.74-7840 Filed 4-4-74;8:45 am]

[Docket No. 50-323 NEPA]

PACIFIC GAS AND ELECTRIC CO.

Hearing on Energy Conservation

In the matter of Pacific Gas and Electric Company (Diablo Canyon Nuclear Power Plant, Unit 2).

Pursuant to the hearings on March 27, 1974, the evidentiary hearing on energy conservation will begin on April 30, 1974, at 10:00 a.m., local time, in the Gold Room, The Royal Inn, 214 Madonna Road, San Luis Obispo, Calif.

The public is invited to attend this proceeding. Limited appearances relating to the question of energy conservation will be accepted at that time. Limited appearances will be limited to five (5) minutes but there is no limitation on the submittal of written statements for inclusion in the record. Twenty (20) copies of written statements should be presented.

Issued at Washington, D.C., this 2nd day of April 1974.

It is so ordered.

ATOMIC SAFETY AND LICENSING BOARD,
ELIZABETH S. BOWERS,
Chairman.

[FR Doc.74-7841 Filed 4-4-74;8:45 am]

COMMITTEE FOR PURCHASE OF PRODUCTS AND SERVICES OF THE BLIND AND OTHER SEVERELY HANDICAPPED

PROCUREMENT LIST 1974

Addition to Procurement List

Notice of proposed addition to Procurement List 1974, November 29, 1973 (38 FR 33038), was published in the FEDERAL REGISTER on September 28, 1973 (38 FR 27107).

Pursuant to the above notice the following commodity is added to Procurement List 1974.

COMMODITY

Class 6515:	*Price*
Kit, Shaving, Surgical Preparation, (IB), 6515-676-7372, Kit	$0.36

By the Committee.

CHARLES W. FLETCHER,
Executive Director.

[FR Doc.74-7573 Filed 4-4-74;8:45 am]

PROCUREMENT LIST 1974

Addition to Procurement List

Notice of proposed addition to Procurement List 1974, November 29, 1973 (38 FR 33038), was published in the FEDERAL REGISTER on January 17, 1974 (39 FR 2136),

Pursuant to the above notice the following service is added to Procurement List 1974.

SERVICE

Industrial class 7641:	*Price*
Furniture Rehabilitation (GI), Long Beach, California, plus 100-mile radius, excluding San Diego County and San Clemente.	List of prices available from GSA, FSS, Region 9.

By the Committee.

CHARLES W. FLETCHER,
Executive Director.

[FR Doc.74-7833 Filed 4-4-74;8:45 am]

PROCUREMENT LIST 1974

Addition to Procurement List

Notice of proposed addition to Procurement List 1974, November 29, 1973 (38 FR 33038) was published in the FEDERAL REGISTER on September 10, 1973 (38 FR 24680).

Pursuant to the above notice the following commodity is added to Procurement List 1974.

COMMODITY

Class 8105	*Price*
Bag, Cloth, Lunch (RF) 8105-664-3715, Bundle of 100	$17.20

By the Committee.

C. W. FLETCHER,
Executive Director.

[FR Doc.74-7837 Filed 4-4-74;8:45 am]

PROCUREMENT LIST 1974

Notice of Proposed Additions

Notice is hereby given pursuant to section 2(a)(2) of Pub. L. 92-28; 85 Stat. 79, of the proposed additions of the following services to Procurement List 1974, November 29, 1973 (38 FR 33038).

SERVICES

INDUSTRIAL CLASS 7699

Typewriter Repair, U.S. Customs, New York, New York.
Office Machine Repair, U.S. Customs, New York, New York.
Office Machine Repair, 26 Federal Plaza, New York, New York.

Comments and views regarding this proposed addition may be filed with the Committee on or before May 6, 1974. Communications should be addressed to the Executive Director, Committee for

Purchase of Products and Services of the Blind and Other Severely Handicapped, 2009 Fourteenth Street North, Suite 610, Arlington, Virginia 22201.

By the Committee.

CHARLES W. FLETCHER,
Executive Director.

[FR Doc.74-7836 Filed 4-4-74;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[OPP-32000/32]

NOTICE OF 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 June 4, 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 sixty-day period before commencing processing. If claims are not received, the application will be processed in normal procedure. However, if claims are received within sixty days, the applicants against whom the particular claims are asserted will be advised of the alternatives available under the Act. No claims will be accepted for possible EPA adjudication which are received after June 4, 1974.

APPLICATIONS RECEIVED

EPA File Symbol 9854-E. Air-Tite Products Company, P.O. Box 281, Vineland, New Jersey 08360. *Air-Tite 772 Disinfectant, Germicide, Deodorant.* Active Ingredients: Benzalkonium chloride 10.0 percent; 1,3,5,7-tetraazatricyclo [3.3.1.13.7] decane 20.0 percent. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 30971-R. Aspengold Corporation, 3267 Candelaria NE., Albuquerque, New Mexico 87107. *Aspengold Non Selective Herbicide.* Active Ingredients: Isoctyl Ester of 2,4-Dichlorophenoxyacetic Acid 1.35 percent; Bromacil (5-bromo-3-sec-butyl-6 methyluracil) 0.61 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 30971-E. Aspengold Corporation, 3267 Candelaria NE., Albuquerque, New Mexico 87107. *Aspengold Selective Herbicide.* Active Ingredients: Isoctyl Ester of 2,4-Dichlorophenoxyacetic Acid 36.4 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 11556-40. Chemagro, Division of Baychem Corporation, Box 4913, Kansas City, Missouri 64120. *Co-Ral (coumaphos Spray-Foam Wound Treatment.* Active Ingredients: *O,O*-Diethyl *O*-(3-chloro-4-methyl-2-oxo-2*H*-1-benzopyran-7-yl) phosphorothioate 3.0 percent. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 464-LNU. The Dow Chemical Company, P.O. Box 1706, Midland, Michigan 48640. *Dow Ronnel 6 Insecticidal Concentrate.* Active Ingredients: Ronnel [O,O-dimethyl O-(2,4,5-trichlorophenyl) phosphorothioate] 51.3 percent. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 5605-RUG. Farmingdale Garden Labs, Inc., 136 Verdi Street, Farmingdale, New York 11735. *Pool Care Products Jumbo Chlorine Tablets.* Active Ingredients: Calcium hypochlorite 70 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 279-934. FMC Corporation, Agricultural Chemical Division, 100 Niagara Street, Middleport, New York 14105. *C-O-C-S 3 Dust Fungicide.* Active Ingredients: Copper expressed as metallic 3.00 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 279-2128. FMC Corporation, Agricultural Chemical Division, 100 Niagara Street, Middleport, New York 14105. *Methyl Parathion 3 Parathion 6 EC Insecticide.* Active Ingredients: O,O-Dimethyl O-p-nitrophenyl thiophosphate 28.80 percent; Parathion: O,O-Diethyl O-p-nitrophenyl thiophosphate 57.60 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 6799-I. Griffin Chemical Co., 1326 S. 7th Street, Louisville, Kentucky 40208. *W-6D Algaecide.* Active Ingredients: Poly[oxyethylene(dimethyliminio)ethylene (dimethyliminio) - ethylene dichloride] 60.0 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 5905-55. Helena Chemical Company, 5100 Poplar Avenue, Suite 2900, Memphis, Tennessee 38117. *Helena Brand 4 lb. Methyl Parathion Emulsifiable Insecticide Concentrate.* Active Ingredients: O,O-dimethyl O-p-nitrophenyl phosphorothioate 45.6 percent; Xylene 47.4 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 12059-G. Jag Chemical Corporation, 1865 New Highway, Farmingdale, New York 11735. *Challenger.* Active Ingredients: Pyrethrins 0.3 percent; Piperonyl Butoxide, Technical 3.0 percent; Petroleum Distillate 96.7 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 404-GEI. McConnon & Company, 25 McConnon Rd., Winona, Minnesota 55987. *McConnon Sugar Fly Bait Containing Vapona Insecticide.* Active Ingredients: 2,2-dichlorovinyl dimethyl phosphate 0.46 percent; Related Compounds 0.04 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 1021-RGNO. McLaughlin Gormley King Company, 8810 Tenth Avenue North, Minneapolis, Minnesota 55427. *MGK Mouse Tracking Powder Concentrate 2018.* Active Ingredients: Scilliroside glycoside (from red squill) 0.5 percent; Stearic acid, industrial grade 3.0 percent. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 34078-E. Precision Gas Products, 681 Mill St., Rahway, New Jersey 07065. *Sterilizing Gas Mixture I.* Active Ingredients: Ethylene Oxide 20 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 34078-E. Precision Gas Products, 681 Mill St., Rahway, New Jersey 07065. *Sterilizing Gas Mixture II.* Active Ingredients: Ethylene Oxide 10 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 34078-G. Precision Gas Products, 681 Mill St., Rahway, New Jersey 07065. *Sterilizing Gas Mixture III.* Active Ingredients: Ethylene Oxide 11 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 34078-U. Precision Gas Products, 681 Mill St., Rahway, New Jersey 07065. *Sterilizing Gas Mixture IV.* Active Ingredients: Ethylene Oxide 12 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 34078-L. Precision Gas Products, 681 Mill St., Rahway, New Jersey 07065. *Sterilizing Gas Mixture V.* Active Ingredients: Propylene Oxide 8 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 557-RIIN. Swift Chemical Company, 111 West Jackson Blvd., Chicago, Illinois 60604. *Swift Chinch Bug Killer.* Active Ingredients: Chlorpyrifos 00.51 percent; Heavy Aromatic Naphtha 94.70 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 557-RIIE. Swift Chemical Company, 111 West Jackson Blvd., Chicago, Illinois 60604. *Swift Copper Fungicide Spray.* Active Ingredients: Copper (CU) 53.0 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 557-RIIL. Swift Chemical Company, 111 West Jackson Blvd., Chicago, Illinois 60604. *Swift 5 percent Chlordane.* Active Ingredients: Chlordane 5 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 557-RIOE. Swift Chemical Company, 111 West Jackson Blvd., Chicago, Illinois 60604. *Swift M8E Chlordane.* Active Ingredients: Chlordane 70.7 percent; Heavy Aromatic Naphtha 22.2 percent. Method of Support: Application proceeds under 2 (c) of interim policy.

EPA File Symbol 557-RIIO. Swift Chemical Company, 111 West Jackson Blvd., Chicago, Illinois 60604. *Swift Nutritional Spray for Florida Plants.* Active Ingredients: Copper (CU) (inbasic copper sulfate) 8.00 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 557-RIIA. Swift Chemical Company, 111 West Jackson Blvd., Chicago, Illinois 60604. *Swift 10 Percent Chlordane.* Active Ingredients: Chlordane 10.0 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 557-RIII. Swift Chemical Company, 111 West Jackson Blvd., Chicago, Illinois 60604. *Vigoro Chinch Bug and Sod Webworm Killer.* Active Ingredients: O,O-diethyl O-(3,5,6-trichloro-2-pyridyl) phosphorothioate 2.20 percent; Heavy Aromatic Naphtha 91.10 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 557–RIIR. Swift Chemical Company, 111 West Jackson Blvd., Chicago, Illinois 60604. *Vigoro Citrus Spray.* Active Ingredients: Ethion 5.70 percent: Petroleum Oil 90.79 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 557–RIIT. Swift Chemical Company, 111 West Jackson Blvd., Chicago, Illinois 60604. *Vigoro 50 Percent Cythion The Premium Grade Malathion Spray.* Active Ingredients: Malathion 50.0 percent; Heavy Aromatic Naphtha 42.0 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 557–RIOG. Swift Chemical Company, 111 West Jackson Blvd., Chicago, Illinois 60604. *Vigoro 45 Percent Chlordane Spray.* Active Ingredients: Chlordane, Technical 45.0 percent; Heavy Aromatic Naphtha 50.0 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 557–RION. Swift Chemical Company, 111 West Jackson Blvd., Chicago, Illinois 60604. *Vigoro Knockdown (Root and Weed Killer) Non-Selective.* Active Ingredients: Monuron Trichloroacetate (3-(P-Chlorophenyl)-1,1-dimethylurea trichloroacetate) 4.0 percent Aromatic Petroleum Derivative 91.0 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 557–RIIG. Swift Chemical Company, 111 West Jackson Blvd., Chicago, Illinois 60604. *Vigoro Liquid Copper Fungicide.* Active Ingredients: Copper as Metallic (from Copper Ammonium Carbonate) 8.0 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 557–RIOU. Swift Chemical Company, 111 West Jackson Blvd., Chicago, Illinois 60604. *Vigoro Miscible Oil.* Active Ingredients: Petroleum Oil 97.0 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 557–RIOR. Swift Chemical Company, 111 West Jackson Blvd., Chicago, Illinois 60604. *Vigoro Soil Fumigant and Root Knot Control Contains Nemagon.* Active Ingredients: 1,2-Dibromo-3-chloropropane 41.0 percent; Other Halogenated Compounds 2.1 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 557–RIIU. Swift Chemical Company, 111 West Jackson Blvd., Chicago, Illinois 60604. *Swift Wettable & Dusting Sulphur.* Active Ingredients: Sulphur (S) 90.0 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 1016–70. Union Carbide Corporation, Agricultural Products, P.O. Box 1906, Salinas, California 93901. *Union Carbide Sevin 4 Oil Carbaryl Insecticide.* Active Ingredients: Carbaryl (1-naphthyl methylcarbamate) 49.0 percent; Petroleum oils 46.25 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 984–AG. Whitmoyer Laboratories, Inc., 19 North Railroad Street, Myerstown, Pennsylvania 17067. *One Time Rat and Mouse Killer Ready-to-Use Bait.* Active Ingredients: N-3-pyridylmethyl N'-p-nitrophenyl urea 2 percent. Method of Support: Application proceeds under 2(a) of interim policy.

EPA File Symbol 984–AE. Whitmoyer Laboratories, Inc., 19 North Railroad Street, Myerstown, Pennsylvania 17067. *PMP–787 Concentrate Rat and Mouse Killer Ready-to-Mix Concentrate.* Active Ingredients: N-3-pyridylmethyl N'-p-nitrophenyl urea 40 percent. Method of Support: Application proceeds under 2(a) of interim policy.

EPA File Symbol 984–AR. Whitmoyer Laboratories, Inc., 19 North Railroad Street, Myerstown, Pennsylvania 17067. *PMP–787 Mouse Killer Mouse Tracking Powder.* Active Ingredients: N-3-pyridylmethyl N'-p-nitrophenyl urea 10 percent. Method of Support: Application proceeds under 2(a) of interim policy.

EPA Reg. No. 769–211. Woolfolk Chemical Works, Ltd., P.O. Box 938, Fort Valley, Georgia 31030. Security Fire Ant Killer 5 percent Granulated Heptachlor. Active Ingredients: Heptachlor 5.00 percent, Related Compounds 1.94 percent. Method of Support: Application proceeds under 2(c) of interim policy.

Dated: March 27, 1974.

JOHN B. RITCH, Jr.,
Director, Registration Division.

[FR Doc.74–7413 Filed 4–4–74;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[FCC 74–318]

CABLE TELEVISION AND BROADCAST

Annual Fees Suspended

MARCH 29, 1974.

On March 4, 1974, the Supreme Court handed down its decision in "National Cable Television Association, Inc. v. United States, ____ U.S. ____," 42 U.S.L.W. 4306, in which, after stating that it could not be sure that the Commission had used the correct standard in adopting an annual fee for cable television systems (see § 1.1116(b) of the Commission's rules and regulations, 47 CFR 1.1116(b)) under the Independent Offices Appropriations Act of 1952, 31 U.S.C. 483a, the Court directed that the case be remanded to the Commission for further proceedings consistent with the opinion.

In view of the substantial questions raised by the opinion of the Supreme Court, the Commission, by order of March 29, 1974, effective April 1, 1974, has suspended collection of the annual fees for cable television systems and broadcast stations pending revision of the schedule of fees. Annual fees for cable television systems for calendar year 1973, which become payable on April 1, 1974, and annual fees for broadcast stations which become payable on or after April 1, 1974 for the preceding twelve months, should not be submitted pending further action by the Commission. Cable television systems and broadcast stations which may have paid in advance an annual fee that would not have been payable until April 1, 1974 or thereafter will receive a refund of such fee upon a request with accompanying documentation. Any annual fees payable on or after April 1, 1974 that are submitted on or after that date will be returned. The appropriate annual fees for calendar year 1973 for cable systems and for the annual fee period for broadcast stations will be announced after further proceedings.

The Commission is considering what additional action, if any, is appropriate.

Action by the Commission March 29, 1974. Commissioners Wiley (Chairman), Lee, Reid, and Hooks.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] VINCENT J. MULLINS,
Secretary.

[FR Doc.74–7871 Filed 4–4–74;8:45 am]

CTAC FUND BOARD

Notice of Meeting

MARCH 29, 1974.

Pursuant to Public Law 92–463, notice is hereby given of a meeting of the Cable Television Technical Advisory Committee Fund Board's Annual Meeting, on April 17, 1974, to be held at the FCC's Cable Television Bureau, 2025 M Street, NW., Washington, D.C., Room 6331. The time will be 3:30 pm.

(1) Election of Directors.
(2) Election of Officers.
(3) Modification of By-Laws so as to Provide a Fiscal Year Ending August 31 instead of December 31 Each Year.
(4) Such Other Business as is Appropriate for the Meeting.

Any member of the public may attend or may file a written statement with the Committee either before or after the meeting. Any member of the public wishing to make an oral statement must consult with the committee prior to the meeting. Inquiries may be directed to Mr. S. R. Effros, FCC 1919 M Street, NW., Washington, D.C. 20554—(202) 632–6468.

Dated: March 28, 1974.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] VINCENT J. MULLINS,
Secretary.

[FR Doc.7873 Filed 4–4–74;8:45 am]

[Docket No. 19882–19885; FCC 74R–109]

JIMMIE H. HOWELL, ET AL.

Memorandum Opinion and Order Enlarging Issues

In regard applications of: Jimmie H. Howell, Milton, Florida, Docket No. 19882, File No. BP–19402; H. Byrd Mapoles, tr/as, Mapoles Broadcasting Co., Milton, Florida, Docket No. 19883, File No. BP–19403; Aaron J. Wells, Milton, Florida, Docket No. 19884, File No. BP–19430; Radio Santa Rosa, Inc., Milton, Florida, Docket No. 19885, File No. BP–19431 for construction permits.

1. By order, released December 4, 1973, FCC 73–1249, 38 FR 34150, the Commission designated the above-captioned mutually exclusive applications for hearing on a § 1.65 issue directed against Jimmie H. Howell and a standard comparative issue. Now before the Review Board is a petition to enlarge issues filed on December 26, 1973, by Howell requesting the Board to add issues against H. Byrd Mapoles, tr/as Mapoles Broadcasting Company (hereinafter Mapoles), Aaron J.

Wells and Radio Santa Rosa, Inc. (hereinafter Santa Rosa).[1]

ISSUES REQUESTED AGAINST MAPOLES

2. *Financial and misrepresentation issues.* Howell's request for a financial issue against Mapoles is predicated on the contention that the applicant's $36,000 estimated cost of operation is unreasonably low. Howell alleges that it will cost $36,000 just to pay the salaries of the eight individuals Mapoles proposes to employ at the new station, without any provision for any other operating expenses. In addition, Howell contends that Mapoles' financial statement accompanying its application does not reflect certain mortgages and obligations on his airplane, autos, radio equipment at his FM station WXBM–FM, and certain other personal assets. Failure to reflect these encumbrances on his financial statement, argues Howell, is sufficient to warrant the addition of a misrepresentation issue. In its comments, the Broadcast Bureau submits that if in response to the petition to enlarge issues Mapoles does not itemize its first year cost of operation, a financial issue might be required. The Bureau also suggests that a misrepresentation issue might be warranted if Mapoles' response confirms Howell's allegations that the financial statement was inaccurate.

5. With respect to the alleged failure to submit an accurate financial statement with its original application, the Board is of the view that such failure does not appear to have been with the intention of deliberately misleading the Commission. The omitted liabilities do not appear to be of decisional significance since the applicant does not rely on the personal assets of Mr. Mapoles to construct its proposed station but rather on a $50,000 bank loan. Therefore, since we perceive no motive for deliberately concealing these facts from the Commission and since the matter allegedly concealed has not been shown to be of any decisional significance, we will deny Howell's request for misrepresentation and failure to disclose issues. See generally, WIOO, Inc., 37 FCC 2d 140, 25 RR 2d 169 (1972); Voice of Reason, Inc., 23 FCC 2d 782, 19 RR 2d 288 (1970); and Orange County Broadcasting Co., 15 FCC 2d 991, 15 RR 2d 306 (1969), in which misrepresentation or failure to disclose issues were added for failure to disclose liabilities by those intending to finance the operation of the proposed station.

6. *Concentration of control issue.* By letter dated March 5, 1973, Clayton W. Mapoles, father of H. Byrd Mapoles, the applicant herein, purportedly transferred ownership of the building, tower, ground system, transmitting and monitoring equipment and land which comprised his previously licensed, but subsequently revoked, standard broadcast station, WEBY, to his son, the applicant herein. Consideration for the transaction was $25,000, to be paid any time over the next ten years. Howell alleges that this transaction was not at arm's length, is unenforceable, and therefore warrants addition of a concentration of control issue.[7] Since petitioner has failed to allege specific allegations of fact accompanied by the requisite support as set forth in § 1.229(c) of the Commission's rules, the Board will deny Howell's request. Mere conjecture or surmise is insufficient to warrant the enlargement of issues. See John H. Spottswood, 32 FCC 2d 487, 23 RR 2d 248 (1971), and cases cited therein.

3. In opposition, Mapoles contends that its proposed facilities will be located in the same building as its FM station (WXBM–FM), and that its staff will be shared with the proposed station so that, contrary to Howell's assertion, there will not be eight full-time employees working for the proposed AM station. In addition, Mapoles asserts that the expenses for rent, utilities and maintenance will be shared with WXBM–FM. Mapoles contends that in light of this sharing arrangement, its estimated cost of operation of $36,000 is reasonable and will be covered by its $50,000 proposed bank loan. With respect to the alleged misrepresentation, Mapoles attaches to its opposition a financial amendment filed with the Administrative Law Judge on January 21, 1974.[2] Mapoles asserts that there had been an earlier clerical error with respect to the mortgage on his residence and that the equipment at WXBM–FM is being used pursuant to a lease agreement with Universal CIT Credit Corporation and therefore has not been included as either an asset or a liability on its financial statement. In reply, Howell maintains that by virtue of Mapoles' tendered amendment, the applicant has admitted its original misrepresentation and violation of § 1.514[3] of the Commission's rules with regard to its financial posture. In addition, argues Howell, omission of any reference in the AM application to the intended sharing of AM–FM personnel also constitutes grounds for adding a misrepresentation issue.

4. The Board will deny Howell's request for a financial issue. The applicant's allocation of $36,000 to meet its first year salary expenses does not appear unreasonable on its face,[4] particularly in light of Mapoles' intention to implement a sharing arrangement of AM and FM station personnel. Moreover, the applicant has a surplus of several thousand dollars to meet any additional first year operating expenses.[5,6] Since Howell has not specifically alleged that Mapoles' operating expenses will exceed its financial resources, the Board finds no basis for adding the requested issue. See § 1.229(c); California Stereo, Inc., supra, at footnote 4.

ISSUES REQUESTED AGAINST WELLS

7. Concentration of control and undisclosed principal issues. In support of this request, petitioner alleges the following: Wells' brother-in-law, Mr. Albert Golden, owns and controls the Santa Rosa State Bank at Milton, Florida, and his sister, Mrs. Albert Golden, is the Executive Assistant to the publisher of the only newspaper in Milton; the Goldens' son (Wells' nephew), Mr. Curtis Golden, owns and operates Radio Station WSRA, Milton, Florida; and Mr. Ira Wells, the brother of applicant Aaron Wells, along with Curtis Golden and Albert Golden, comprise three members of the Board of Directors of the Santa Rosa State Bank in Milton—the bank which will assist in the financing of the Wells proposed radio station. Howell alleges that the Golden family controls all of the mass media of communications in Milton and that a grant of the Wells application would result in a 100 percent concentration of control of mass media in Milton, Santa Rosa County, Florida.

8. In its comments, the Bureau alleges that Howell has not supported its assertions and, even assuming their truth, precedent offers no justification for the addition of hidden ownership or concentration of control issues. The Bureau contends that there is no evidence to indicate that any of the Goldens have an ownership interest in Wells' application; that a loan commitment from the Santa Rosa Bank provides no basis for adding a real-party-in-interest or hidden ownership issue; and that family relationship alone does not warrant a concentration of control issue, citing American Broadcasting Companies, Inc., 25 FCC 2d 489, 19 RR 2d 1184 (1970); Stuart W. Epperson, 35 FCC 565 (1963); and West Georgia Broadcasting Co., 23 FCC 255 (1957). In addition, the Bureau points out that the renewal application of WSRA has been dismissed with prejudice and that Howell has failed to account for

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[1] Also before the Board are the following: (a), (b) and (c), oppositions, filed on January 25, 1974, by Mapoles, Wells, and Santa Rosa; (d) erratum in opposition, filed on February 1, 1974, by Santa Rosa; (e) comments, filed on January 24, 1974, by the Broadcast Bureau; (f), (g) and (h), replies to the oppositions, filed on February 15, 1974, by Howell; (i), (j), statement pursuant to § 1.65 and addendum thereto, filed March 4 and March 5, 1974, respectively, by Radio Santa Rosa, Inc.

[7] The facts, as alleged, would more appropriately be considered in the context of a request for a real-party-in-interest issue. Since Wells, in its petition to enlarge issues, filed on December 26, 1973, requests a real-party-in-interest issue predicated on similar allegations as those of Howell, disposition of this matter will be detailed in the Board's resolution of Wells' petition to enlarge issues.

[2] The amendment was accepted by the Administrative Law Judge by memorandum opinion and order, released February 5, 1974, FCC 74M–130.

[3] Reference in the petition to § 1.513 is presumably an inadvertent error. Section 1.514 appropriately deals with disclosure.

[4] See California Stereo, Inc., 39 FCC 2d 401, 26 RR 2d 887 (1973).

[5] In order to meet its estimated first year costs of $38,500, the applicant shows available revenue in excess of $90,000: (a) $50,000 bank loan; (b) $1,000 in existing capital; (c) $40,000, based on the past revenues of Station WEBY. Taking only into account the $50,000 bank loan and the $1,000 in existing capital, the applicant has in excess of $12,000 to cover any additional operating expenses not detailed in its application.

[6] See Eastern Broadcasting Co., 39 FCC 2d 700, 26 RR 2d 1229 (1973).

the competing operation of WXBM–FM, licensed to H. Byrd Mapoles, Milton, Florida.

9. In opposition, Wells points out that, contrary to Howell's allegation, Curtis Golden no longer owns or operates Station WSRA. Moreover, argues Wells, neither Albert nor Curtis Golden have an interest in any radio broadcast stations—the only operating radio station is WXBF–FM owned by H. Byrd Mapoles and therefore the Golden family does not control the mass media of communications in Milton. Wells also contends that employment at a local newspaper is insufficient ground upon which to predicate the addition of a concentration of control issue.[8] In any event, argues Wells, there is no basis for the requested issue since the applicant has no interest in any newspaper or other mass media of communication.

10. Wells also opposes addition of a hidden ownership issue. Wells argues that the test for a real-party-in-interest issue is whether some third person has an ownership interest or is or will be in a position to actually or potentially control the operation of the stations, citing Creek County Broadcasting Co., 31 FCC 2d 462, 22 RR 2d 891 (1971). Wells contends that closer family ties than are present here have been rejected as insufficient ground to add hidden ownership issues, citing Northeast Oklahoma Broadcasting, Inc., 42 FCC 2d 237, 27 RR 2d 524 (1971); and Corvallis Broadcasting Corp., 38 FCC 2d 30, 52 RR 2d 824 (1972). Wells also maintains that there is no evidence suggesting that as a result of the family relationships which exist at the bank the applicant will, in fact, be controlled by the bank, citing D. H. Overmeyer Communications Co. 4 FCC 2d 496, 8 RR 2d 96 (1966).[9] In order to dispel any question of hidden ownership, however, Wells submits the affidavits of himself, Mr. Albert Golden, Mrs. (Jewell) Albert Golden and Curtis Golden, all of whom deny the existence of any hidden ownership.

11. Howell's request for concentration of control and real-party-in-interest issues will be denied. We agree with both the Bureau and Wells that petitioner has failed to allege any facts sufficient to warrant addition of the requested issues. First, it appears that Mrs. Golden no longer has an ownership interest in the local newspaper and Radio Station WSRA is no longer owned by Curtis Golden. However, even assuming that the Goldens had mass media interests in Milton, it is well established that family relationship alone is insufficient to warrant the addition of a concentration of control issue. See Morris's Incorporated, FCC 73R–411, 44 FCC 2d 321, released December 18, 1973; Stuart W. Epperson, supra. With regard to the bona fides of the bank loan commitment from the Santa Rosa State Bank and request for a real-party-in-interest or hidden ownership issue, petitioner's allegations are based on surmise and speculation and therefore totally unacceptable. There is no indication either from a review of the bank loan commitment or petitioner's bare assertions regarding the family relationship at the bank that the bank will assume either direct or indirect control of the proposed station. The requested issues, therefore, must be denied. See Northern Oklahoma Broadcasting, Inc., 42 FCC 2d 237, 27 RR 2d 524 (1974); cf. KALT–FM, Inc. FCC 73R–351, 43 FCC 2d 252, released October 12, 1973.

ISSUES REQUESTED AGAINST SANTA ROSA

12. Financial Issues. Santa Rosa intends to partially finance the construction of its proposed station from capital contributions of its two stockholders, Robert Smith and Leon Hinote, both of whom have secured $25,000 bank loans. The loan to Mr. Hinote is secured by certificates of deposit; the loan to Mr. Smith, from the Santa Rosa State Bank, is unsecured. In addition, the applicant has secured a $75,000 bank loan from the Santa Rosa State Bank on the personal guarantees of Robert Smith and Leon Hinote and certain real estate of Leon Hinote. The terms of repayment provide that only interest need be paid during the first year. Howell alleges that addition of a financial issue is warranted since the loan to Mr. Smith contains no terms or provisions for repayment of the loan as required by section III, paragraph 4 of the application and the bank loan to the applicant in the sum of $75,000 is most unusual: the real estate serving as collateral is already encumbered and Mr. Hinote is financially weak since he owes the bank $61,004 on real estate valued at approximately $54,000.

13. First, the Board agrees with the Bureau and Santa Rosa that no financial issue is warranted based on the bank's failure to set forth the terms of repayment in its loan commitment letter to Mr. Smith. "Where a loan runs to a stock subscriber, not to the applicant, it is not necessary to specify the terms of repayment of that loan." Calojay Enterprises, Inc., FCC 71–1262, 33 FCC 2d 690 at 691. Also see Western Communications, Inc., 39 FCC 2d 1077, 1083, 26 RR 2d 1456, 1465 (1972). However, while it is true that the Commission will not substitute its judgment for a bank in determining whether a loan should be made to an individual or applicant, the Commission will review the reasonableness of such loan by requiring the submission of individual stockholders' balance sheets. See Calojay Enterprises, Inc., supra. We disagree with Santa Rosa's argument that this principle should be limited to stock subscription commitments and should not apply to capital contribution obligations. We fail to see the distinction and are of the view that the general principle enunciated in Calojay applies in all situations where there is some reason to suspect the bona fides of a bank loan commitment. Since Santa Rosa has included in its opposition the balance sheets of both Mr. Smith and Mr. Hinote, the Board has reviewed the reasonableness of the bank's loan commitments in our discussion below.

14. Mr. Hinote's balance sheet reflects a net worth of $176,950.[10] In addition, attached to Santa Rosa's opposition is a letter from the Santa Rosa State Bank stating that it agrees to cancel the real estate mortgage on the land given as collateral for the $75,000 loan commitment to the applicant and that it is aware of the $61,004 mortgage. Since Mr. Hinote's net worth is in excess of $170,000, the Board is of the view that the bank had ample justification to agree to lend the applicant $75,000 secured by Mr. Smith's and Mr. Hinote's personal guarantees and certain real estate. In addition, although Mr. Smith's net worth is less than $30,000, it does not appear to have been unreasonable for the bank to lend him $25,000, unsecured, particularly in light of its having done business with him satisfactorily since 1966. We will, therefore, deny Howell's request for financial issues based upon these allegations.[11]

15. *Concentration of control and hidden ownership issues/relationship of Santa Rosa State Bank and Santa Rosa, Inc.* Howell alleges that the Santa Rosa State Bank's loan to the applicant coupled with the employment of Robert Smith at Radio Station WSRA and the extensive media interests of the Golden family in Milton, all evidence a situation which warrants the addition of concentration of control, hidden ownership and misrepresentation issues.[12] In opposition, Santa Rosa argues that Howell has failed to allege facts reflecting that the Santa Rosa State Bank's relationship with the applicant is anything but that of lender-borrower. In addition, the applicant has attached a letter from the bank in which its president attests to

[8] Wells points out that Mrs. Golden has disposed of her publishing interests in the Milton Times and that Wells' brother is not president of the Times as alleged by Howell; it was Mrs. Golden who served as its president prior to the sale of the paper to the Milton Press Gazette. Ira Wells, according to Wells, has no position or interest with any Milton medium of communication.

[9] Wells also points out that he is relying upon over $70,000 of his personal funds, in addition to the $50,000 bank loan, to finance the station.

[10] On March 4 and 5, 1974, Santa Rosa filed a statement pursuant to Section 1.65, and addendum thereto, informing the Commission that Mr. Hinote, along with a Mr. Stokes, purchased realty in Florida and jointly assumed an obligation with the First National Charter Bank of Milton in the amount of $64,987.72. This transaction has a de minimus effect on Mr. Hinote's net worth and the applicant has submitted a statement from the Santa Rosa Bank in which its president expresses awareness of this matter and states that it does not affect the bank's loan commitments to Mr. Hinote.

[11] We agree with Santa Rosa that, contrary to Howell's assertion, provision was made in section III, page 2 of its application for first year payments of interest and principal to the Gates Radio Company. Therefore, no financial issue is warranted based on this erroneous allegation.

[12] The Board's disposition of the misrepresentation allegations are discussed, infra at paragraph 17.

the exclusive creditor-debtor relationship which exists between it and Santa Rosa. Santa Rosa also argues that the net worth of Mr. Smith and Mr. Hinote exceeds $200,000, and thereby demonstrates, in and of itself, the baselessness of Howell's charges. With regard to Mr. Smith's employment at WSRA, Santa Rosa alleges that the income derived from his employment was a nominal $307.50 in 1973,[13] and that Mr. Smith serves as part-time correspondent for other stations as well. Finally, Santa Rosa points out that there have been no specific allegations by Howell which demonstrate a hidden relationship between the Goldens, the bank and the applicant.

16. The Board agrees with both Santa Rosa and the Bureau that Howell has not pleaded sufficient facts to demonstrate and support the alleged surreptitious relationship between the bank and the applicant. We will therefore deny petitioner's request for concentration of control and hidden ownership issues. See Calojay Enterprises, Inc., supra, and our discussion at paragraph 11, supra.

17. *Misrepresentation issues.* Howell alleges that Santa Rosa misrepresented facts regarding the ownership of the property proposed as a transmitter-studio site when it represented that it owned the property "free and clear." Howell contends that the property was encumbered and that Mr. Hinote had entered into an agreement to sell the site—a fact of which the Commission was never informed. In opposition, Santa Rosa argues that the land was mortgaged with the Santa Rosa State Bank, but that it had negotiated with the bank in April to cancel the mortgage; subsequently, the bank issued a letter expressing its willingness to lend the applicant $75,000, secured by the personal guarantees of Mr. Smith and Mr. Hinote and the property in question. It was in a statement of June 5 submitted with the Santa Rosa application, the applicant notes, that Mr. Hinote agreed to personally guarantee the loan and represented that he owned the land "free and clear," based upon his prior negotiations with the bank, and substantiated, in the opposition pleading, by the bank's president. Although the Board is of the view that Mr. Hinote should have explained the cancellation of the prior mortgage in his June 5 letter, we are not persuaded that a substantial question has been raised as to whether the applicant deliberately sought to deceive the Commission. If Mr. Hinote had been dealing with a second bank in pledging the property as security, there may have been good reason to suspect, not only the bona fides of the Santa Rosa's bank commitment, but Mr. Hinote's candor with respect to the applicant's financial qualifications as well. This was not the case, however. Mr. Hinote was dealing with the same bank and we can perceive no reason for making the representation in question other than with the prior understanding he had had with the bank as set forth in the opposition. We will, therefore, deny Howell's request for a misrepresentation issue based on these allegations.

18. With respect to the availability of its proposed site, Santa Rosa contends that, although it had entered into an agreement to sell the property proposed as its transmitter site on March 13, 1973, in May, 1973, prior to the filing of its application, it renegotiated the sale and substituted other property in its place. Therefore, argues the applicant, at the time it filed its application, it had assurances that the former agreement would be rescinded and that the site would be available as represented. In its opposition, the applicant attaches an affidavit from the proposed buyer confirming the facts as set forth above. The Board agrees with Santa Rosa that it did have reasonable assurance that its proposed site would be available as represented and we will, therefore, deny Howell's request for a misrepresentation issue. See Seaborn Rudolph Hubbard, 19 FCC 2d 630, 17 RR 2d 177 (1969).

19. Howell also requests a misrepresentation issue based upon Santa Rosa's representation that its estimated first year operating costs were based, in part, on a complete operating cost breakdown supplied by station WCNV, Crestview, Florida. In support of this assertion, Howell submits a statement from Vernon Cooper, partner of WCNV, stating that neither he nor his partner nor a station salesman released a complete breakdown of the costs of operating the station to Mr. Smith. Mr. Cooper does state, however, that Mr. Smith visited him in May, 1973 and that "the cost of operating a radio station was discussed briefly." However, Mr. Cooper continues, the matters discussed were limited to the "broadest of terms and generalizations as it lasted for a period of only a few minutes." In opposition, Santa Rosa contends that Mr. Cooper's unsworn letter does not comply with the affidavit requirement of § 1.229(c) of the Commission's rules. In addition, Mr. Smith avers that his meeting with Mr. Cooper lasted about 45 minutes; that he did not request the station's financial records but that he did discuss the station's operating procedures and the cost of its operation; and that Mr. Cooper's information was based on his "personal knowledge and memory as a long time broadcaster in a small market radio station * * *".

20. The Board agrees with Santa Rosa that Mr. Cooper's letter does not comply with the affidavit requirement of § 1.229 (c) and therefore is procedurally defective. Moreover, Mr. Cooper's letter does substantiate that a conversation took place with Mr. Smith and that cost of operating a station was discussed. Although the recollections of the individuals differ with respect to the details and length of the conversation, we agree with Santa Rosa that Howell has failed to demonstrate the materiality or significance of the de minimus differences in recollection. Moreover, the interview with Mr. Cooper does not appear to have been the applicant's sole basis for estimating its first year operating costs and there is no challenge by Howell to the reasonableness of the estimate. We will, therefore, deny petitioner's request for a misrepresentation issue based on these allegations.

21. *News Management and Character Issues.* Howell predicates its request for news management issue on allegations that Mr. Hinote, while serving in his capacity as sheriff in Milton, Florida, was compelled by the courts to turn over for public inspection certain arrest information. Petitioner predicates its requests for a character issue on two newspaper articles reporting two incidents which occurred during Hinote's term as sheriff—a diamond ring which turned up missing after it was taken into custody but which was later returned to its owner, and a tractor which was confiscated by the sheriff but which was parked on private property rather than on the Sheriff Department's parking lot. Although Mr. Hinote, in opposition, attests to his knowledge of the circumstances surrounding these incidents, the Board is of the view that no extensive discussion of his recollection is necessary. Howell's petition is totally defective under the requirements of § 1.229(c) of the Commission's rules. The Board fails to find any support for adding a "news management" issue in a court order directing Sheriff Hinote to release arrest records for public inspection. Although the sheriff's decision to withhold this information may have been improper, we are not of the view that judicial action limiting the discretionary powers of a public official adversely reflects, in itself, on the official's character. Similarly, newspaper articles reporting possible improprieties, all of which have been denied, are hearsay and insufficient to support enlargement of issues under § 1.229(c) of the Commission's rules. In this regard, the Board has stated that it has "* * * in the past ordinarily declined to intervene in matters of alleged violations of Federal or local law where the matters have not been presented to or acted upon by the authority charged with the responsibility of interpreting and enforcing those laws." WIOO, Inc., 40 FCC 2d 217 at 219–220, 26 RR 2d 1611 at 1614 (1973). In the instant case, it appears that the local authorities were well aware of these incidents and yet brought no charges against Mr. Hinote. Petitioner's attempt to litigate these bare allegations before the Commission is highly inappropriate. We will, therefore, deny the requested misrepresentation issue.

22. Suburban Issue. Howell maintains that Santa Rosa's community survey is grossly inadequate since no problems or comments are specified opposite the name of the particular interviewee, and because there is no disclosure as to who prepared the survey. In opposition, Santa Rosa points out that at pages 7 and 20 of Exhibit 8 in its application, the applicant states that the survey was conducted under the supervision of Mr.

[13] See Erratum in Opposition, filed on February 1, 1974, by Santa Rosa.

Smith and that he personally interviewed each community leader and supervised the survey of the members of the general public. The applicant argues that the specific comments elicited of the interviewees need not be reflected in its survey.

23. The Board agrees with both the Bureau and Santa Rosa that there is no requirement that the applicant set forth the responses elicited from the interviewees opposite their names. In this regard, therefore, petitioner's allegations are without merit. See Q & A 21 of the Primer on Ascertainment of Community Problems by Broadcast Applicants, 27 FCC 2d 650, 21 RR 2d 1507 (1971). With regard to the applicant's survey of the general public, however, the applicant states that the survey was conducted under the supervision of Mr. Smith, majority stockholder and proposed General Manager of Santa Rosa. There is no indication, however, to what extent Mr. Smith participated in the survey of the general public or whether the survey was conducted by principals, employees, or prospective employees of the applicant. See Q & A 11(b) of the Primer on Ascertainment of Community Problems by Broadcast Applicants, supra; Voice of Dixie, Inc., FCC 74-225, —— FCC 2d ——, released March 15, 1974. In light of this deficiency, the Board will add a Suburban issue.

24. Rule 1.65 Issue. Howell alleges that Santa Rosa failed to amend its application to reflect the purchase of stock from one of the applicant's original stockholders, Mr. Glynn Elliot. According to petitioner, Mr. Elliot's interest was purchased for $500 down and $1,000 owing, and this transaction was not reflected on the corporation's balance sheet. In opposition, Santa Rosa alleges the following: (1) That Mr. Elliot's initial investment in the Corporation was $1,500; (2) that by May 16, corporate organizational expenses, as reflected on the corporate balance sheet, had exceeded $3,000; (3) that Mr. Elliot's pro-rata share of these expenses was $1,000 and that $500 was refunded to him in consideration of his withdrawal from the application venture and assignment of his interest to Mr. Smith. According to Santa Rosa, this transaction occurred prior to the filing of its application and therefore there was no reason or obligation to report this matter to the Commission. Mr. Hinote did, as alleged by Howell, gratuitously offer to reimburse Mr. Elliot for the $1,000 loss if the radio station was successful. Attached to the opposition are the affidavits of Earl L. Lewis, Esq., local counsel for the applicant, Mr. Elliot, and Mr. Hinote, all attesting to the veracity of the above facts.

25. The Board is in agreement with both Santa Rosa and the Bureau that the request for a § 1.65 issue is totally lacking in support as required by § 1.229(c) of the Commission's rules. We find no impropriety regarding the above transaction and since it occurred prior to the filing of the application, Santa Rosa had no obligation to report the transaction to the Commission. We will, therefore, deny Howell's request for a § 1.65 issue.

26. *Accordingly, it is ordered,* That the petition to enlarge issues, filed December 26, 1973, by Jimmie H. Howell, is granted to the extent indicated below, and is denied in all other respects; and

27. *It is further ordered,* That the issues in this proceeding are enlarged to include the following issue:

To determine the efforts made by Radio Santa Rosa, Inc. to ascertain the community problems of the area to be served and the manner in which the applicant proposes to meet these problems.

28. *It is further ordered,* That the burden of proceeding with the introduction of evidence and the burden of proof under the issue specified shall be upon Radio Santa Rosa, Inc.

Adopted: March 25, 1974.

Released: March 28, 1974.

FEDERAL COMMUNICATIONS COMMISSION,[14]
[SEAL] VINCENT J. MULLINS,
Secretary.

[FR Doc.74-7874 Filed 4-4-74;8:45 am]

[Docket No. 19969-19970]

SELMA FLYING SERVICE, INC. ET AL.

Order Designating Applications for Consolidated Hearing on Stated Issues

In regard applications of Selma Flying Service, Inc., Selma, Alabama; Docket No. 19969, File No. 49-A-L-113; Eugene C. McCormick, d/b/a Sky Harbor Aviation, Selma, Alabama, Docket No. 19970; File No. 134-A-L-103; for aeronautical advisory station to serve Selfield Airport, Selma, Alabama.

1. The Commission's rules (§ 87.251 (a)) provide that only one aeronautical advisory station may be authorized to operate at a landing area. The above-captioned applications both seek Commission authority to operate an aeronautical advisory station at Selfield Airport, Selma, Alabama, and, therefore, are mutually exclusive. Accordingly, it is necessary to designate the applications for hearing. Except for the issues specified herein each applicant is otherwise qualified.

2. In view of the foregoing: *It is ordered,* That, pursuant to the provisions of section 309(e) of the Communications Act of 1934, as amended, and § 0.331(b)(21) of the Commission's rules, the above-captioned applications are hereby designated for hearing in a consolidated proceeding at a time and place to be specified in a subsequent order on the following issues:

(a) To determine which applicant would provide the public with better aeronautical advisory service based on the following considerations:

(1) Location of the fixed-base operation and proposed radio station in relation to the landing area and traffic patterns;

(2) Hours of operation;

(3) Personnel available to provide advisory service;

(4) Experience of applicant and employees in aviation and aviation communications;

(5) Ability to provide information pertaining to primary and secondary communications as specified in Section 87.257 of the Commission's rules;

(6) Proposed radio system including control and dispatch points; and

(7) The availability of the radio facilities to other fixed-base operators.

(b) To determine in light of the evidence adduced on the foregoing issues which, if either, of the applications should be granted.

3. *It is further ordered,* That to avail themselves of an opportunity to be heard Selma Flying Service, Inc. and Eugene C. McCormick, d/b/a Sky Harbor Aviation, pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, shall within 20 days of the mailing of this order file with the Commission, in triplicate, a written appearance stating an intention to appear on the date set for hearing and present evidence on the issues specified in this order. Failure to file a written appearance within the time specified may result in dismissal of the application with prejudice.

Adopted: March 28, 1974.

Released: March 29, 1974.

CHARLES A. HIGGINBOTHAM,
Chief, Safety and Special
[SEAL]
Radio Services Bureau.

[FR Doc.74-7875 Filed 4-4-74;8:45 am]

STATE BROADCASTERS ASSOCIATION

Order Extending Time for Filing Petitions for Reconsideration

1. On February 27, 1974, the Commission adopted a memorandum opinion and order that rescinded waivers of section 317 of the Communications Act that had been granted to 17 State Broadcasters Associations in connection with "Non-Commercial Sustaining Announcement" (NCSA) plans conducted by those associations. The document was released March 5, 1974, and was published in the FEDERAL REGISTER on March 18, 1974, 39 FR 10180. Petitions for reconsideration of the Commission's decision are presently due on or before April 4, 1974.

2. The California Broadcasters Association (CBA) and the Southern California Broadcasters Association (SCBA), associations to which "NCSA" waivers were granted, now request that the time for filing a petition for reconsideration of the Commission's action be extended to June 3, 1974. In support of its request, CBA states that its Board of Directors will be meeting shortly and that the effect of the Commission's rescinding the waiver will be discussed at that meeting. Moreover, CBA and SCBA state that there will be a convention of state associations on or about April 20, 1974, and that it is believed that the Commis-

[14] Board Member Nelson abstaining. Board Member Kessler concurring in the result, and voting for a limited type of Suburban issue rather than the broad general issue specified by the majority.

sion's decision will be discussed at that convention. CBA and SCBA hope that as a result of the convention, a unified approach can be adopted and presented to the Commission in a petition for reconsideration.

3. In view of the above, it appears that the public interest would be served by a grant of the request. *Accordingly, it is ordered,* That the date for filing a petition for reconsideration on the captioned proceeding is extended to and including June 3, 1974.

4. This action is taken pursuant to the authority found in sections 4(i) and 5 (d)(1) of the Communications Act of 1934, as amended, and § 0.281 of the Commission's rules.

Adopted: March 27, 1974.

Released: March 28, 1974.

[SEAL] WALLACE E. JOHNSON,
Chief, Broadcast Bureau.

[FR Doc.74-7876 Filed 4-4-74;8:45 am]

FEDERAL POWER COMMISSION

[Docket No. E-8550 etc.]

ALLEGHENY POWER SYSTEM COS., ET AL.

Fuel Conservation Energy Services

APRIL 3, 1974.

Take notice that various rate schedule filings have been tendered with the Commission in the above docketed matters by the Companies listed below. These rate schedules have been tendered for filing under section 205, 16 U.S.C. 825d, of the Federal Power Act, to become effective as of January 1, 1974, or the dates of Commencement of Service, whichever is earlier.

These schedules have been the subject of public conferences in Federal Power Commission Docket No. E-8589, at various times on and after January 18, 1974. Also, various of these schedules have been served upon the E-8589 conferees by the Commission staff, by mailing of March 29, 1974.

The tendered schedules set forth various rates and charges for the generation or transmission of fuel conservation energy to displace oil or natural gas fired generation generally in the Middle Atlantic, New York, and New England areas. Comments, petitions or protests with respect to these filings should be submitted to the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, on or before April 8, 1974, in accordance with the Commission's rules of practice and procedure, §§ 1.8 and 1.10, 18 CFR. 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 Party wishing to become a Party must file a petition to intervene. Copies of the filings are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

Docket No.	Parties	Rate designation
E-8699	Allegheny Power System Companies — Pennsylvania-New Jersey-Maryland Interconnection.	Schedule 8.01.
E-8702	New York Power Pool—Pennsylvania-New Jersey-Maryland Interconnection.	New agreement.
E-8703	Pennsylvania-New Jersey-Maryland Interconnection.	Standard practice account 6-1.
E-8704	Virginia Electric & Power Co. — Pennsylvania-New Jersey-Maryland Interconnection.	Schedule 8.01.
E-8550	American Electric Power—Allegheny Power System Companies.	Schedule "F."
E-8681	Allegheny Power System Companies — Virginia Electric & Power Company.	Do.
E-8708	New York Power Pool—New England Power Pool.	New agreement.
E-8682	Wisconsin Electric Power—Commonwealth Edison Company.	Letter.
E-8711	Allegheny Power System Companies — Duquesne Light Company.	Schedule "F."
E-8710	Ohio Edison Company	Fuel conservation schedule.
E-8707	Public Service of Indiana—Louisville Gas & Electric.	Do.

[FR Doc.74-7935 Filed 4-4-74;8:45 am]

[Docket No. E-8658]

PUGET SOUND POWER AND LIGHT CO.

Notice of Filing of Agreement

APRIL 2, 1974.

Take notice that on March 7, 1974, Puget Sound Power and Light Company (PSP) tendered for filing an agreement between PSP and Pacific Gas and Electric Company (Pacific). The said Agreement is for the sale of energy by PSP to Pacific. The rates for and the amounts of such energy will be established by the parties, but in no event will the rate exceed six mills per kilowatt-hour at the point of delivery, the Oregon-California border.

PSP proposes an effective date of February 28, 1974, for this Agreement.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, 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 should be filed on or before April 9, 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 application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-7934 Filed 4-4-74;8:45 am]

FEDERAL RESERVE SYSTEM

D. H. BALDWIN CO.

Order Approving Acquisition of One Bank and Denying Acquisition of Another Bank

D. H. Baldwin Company, Cincinnati, Ohio, a bank holding company within the meaning of the Bank Holding Company Act, has applied, in separate applications, for the Board's approval under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire directly a majority of the voting shares of Peoples Bank of Arapahoe County, Aurora, Colorado ("Peoples-Arapahoe"), and to acquire indirectly a majority of the voting shares of Peoples Bank & Trust Company, Aurora, Colorado ("Peoples-Aurora"), through the direct acquisition under section 3(a)(5) of the Act of all the voting shares of Midway Investment Corporation, Aurora, Colorado ("Midway"). Midway is a one bank holding company owning approximately 83 percent of the voting shares of Peoples-Aurora and also operates a general insurance agency; Midway has agreed to dispose of all of its assets except for shares of Peoples-Aurora prior to its acquisition by Applicant.

Notice of the applications, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and the Board has considered the applications and all comments received in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant controls 10 banks with combined deposits of approximately $530 million, representing 8.7 percent of the total commercial bank deposits in Colorado, and ranks as the fourth largest banking organization in the State. (Except as otherwise indicated, all banking data are as of June 30, 1973 and reflect formations and acquisitions approved by the Board through December 31, 1973.) The acquisition of Peoples-Arapahoe (deposits of $7.6 million) and Peoples-Aurora (deposits of $34.3 million) ("Subject Banks") would increase Applicant's total deposits to approximately $572 million, or 9.4 percent of the total commercial bank deposits in the State, and would not significantly increase the concentration of banking resources in Colorado.

Applicant, through its two subsidiary banks in the Denver banking market,[1] Central Bank and Trust Company, Denver ("Central Bank") (deposits of $344.1 million), and North Denver Bank, Denver (deposits of $27 million), is the fourth largest banking organization in the market with aggregate deposits of $371.1 million, representing 10.2 percent of the total market deposits. Central Bank and North Denver Bank, combined, control

[1] The Denver banking market is approximated by Denver, Adams, Arapahoe and Jefferson Counties and a portion of Boulder County including the city of Broomfield.

10.3 percent of IPC deposits of $100,000 or less as of December 1972. Applicant's acquisition of subject banks would serve to further concentrate the Denver market by increasing Applicant's share of total market deposits from 10.2 percent to 11.3 percent and increase its share of IPC deposits of less than $100,000 from 10.3 percent to 11.6 percent of area deposits.

Subject banks are both located in Aurora, approximately six miles from the central business district of Denver wherein Central Bank is situated. Peoples-Aurora is the second largest of fifteen banks in its primary service area,[2] controlling approximately 15 percent of area deposits; Peoples-Arapahoe is the twelfth largest with 3.3 percent of those deposits. Together, they represent the largest independent group in the local area. Subject banks have an affiliate relationship in that both are commonly owned by an individual who controls more than 75 percent of the voting shares of Peoples-Arapahoe and 100 percent of a one-bank holding company (Midway) which owns approximately 83 percent of the voting shares of Peoples-Aurora; also, both banks have three directors in common. Because of this affiliate relationship, subject banks do not presently compete with each other.

Central Bank's primary service area overlaps to a significant degree with that of subject banks and it appears that significant competition exists between them for area deposits and loans. Applicant estimates that $31.2 million of total IPC deposits and $26.3 million in IPC deposits of less than $100,000 were derived by Central Bank from the primary service area of subject banks. This represents 15.9 percent and 13.3 percent, respectively, of all IPC deposits ($196 million) held by commercial banks located in subject banks' service area. By comparison, Central Bank's total IPC deposits ($31.2 million) are almost equal to the combined IPC deposits held by subject banks ($32 million). In addition, Applicant estimates that $35.3 million of Central Bank's total loans are derived from the service area of subject banks, representing 30 percent of the total loans held by all commercial banks in this service area. As the banks proposed to be acquired hold nearly 60 percent of their loans in commercial and non-residential real estate, it appears that significant direct competition exists between Applicant and subject banks in acquiring such loans in this service area. The elimination of this existing competition constitutes an adverse factor weighing against approval of subject applications.

Furthermore, the Aurora service area appears to be one of the most economically dynamic areas in Denver. The physical development and economic conditions in the area imply strong overall growth. For example, the 1970 population of Aurora was 75,000, an increase of 54 percent over the 1960 figure. Moreover, present population of the area is estimated at 107,000, representing an additional increase of 43 percent. It appears likely that Applicant could expand into this area in the reasonably near future absent the subject acquisitions. Given these factors and others of record, the Board concludes that consummation of the proposed acquisitions would eliminate the likelihood of Applicant's *de novo* expansion into the area and constitute an adverse effect on increased future competition.

Applicant's nonbank financial subsidiary, Empire Savings Building and Loan Association ("Empire"), Denver, Colorado (assets of $305.2 million as of December 31, 1972), has nine branch offices in Denver, two of which are located on the boundary of subject banks' service area. The record indicates that no significant degree of competition exists between Empire and subject banks in the origination of mortgage loans, and similarly, little significant competition presently exists for time and savings deposits. Applicant must divest its interest in Empire by December 31, 1980 unless the Board approves retention of such interest prior to that date. Thus, it appears unlikely that any significant future competition between them will be eliminated through consummation herein.

As enumerated above, it is the Board's judgment that Applicant's acquisition of subject banks would have an adverse effect on competition and that these competitive considerations require denial of the applications unless the anticompetitive effects of the proposals are clearly outweighed in the public interest by the probable effect of the transactions in meeting the convenience and needs of the community to be served.

The financial condition of Applicant, its subsidiaries and subject banks is satisfactory in view of Applicant's commitment to inject additional equity capital into certain of its banks including Peoples-Arapahoe. Managerial considerations relating to Applicant and its subsidiaries are satisfactory and future prospects for all are favorable. There is no evidence indicating that the major needs of the Aurora service area are not being adequately served by existing organizations. However, although financial and managerial considerations and those considerations relating to the convenience and needs of the community to be served are consistent with approval, they do not outweigh the adverse competitive effects of the proposal as it relates to the acquisition of both subject banks. It is the Board's judgment, therefore, that consummation of the acquisition of both banks would not be in the public interest.

On the other hand, the Board does not regard Applicant's application to acquire Peoples-Arapahoe in a similar light. Based on data heretofore furnished and other facts of record, approval of Applicant's application to acquire Peoples-Arapahoe and denial of Applicant's application to acquire Peoples-Aurora would have a pro-competitive effect in the service area. The existing affiliation between subject banks (the largest independent group in the area) would be terminated; Peoples-Aurora would remain as a strong competitor; and it appears reasonable to anticipate that Peoples-Arapahoe would become an effective competitor in its service area by utilizing the resources of Applicant. Also, affiliation with Applicant will enable Peoples-Arapahoe to draw upon Applicant's managerial talent and thus strengthen its own management which appears at this time to lack sufficient depth. In addition, Applicant will assist Peoples-Arapahoe in its internal operations and in meeting both its present and future building needs. Accordingly, it is the Board's judgment that with respect to the application to acquire Peoples-Arapahoe, considerations relating to the convenience and needs of the community to be served outweigh any anticompetitive effects of this acquisition and that this proposed transaction would be in the public interest and should be approved.

On the basis of the record, the application to acquire Peoples-Aurora is denied for the reasons summarized above.

On the basis of the record,[3] the application to acquire Peoples-Arapahoe is approved for the reasons summarized above. The transaction shall not be made (a) before the thirtieth calendar day following the effective date of this order or (b) later than three months after the effective date of this order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of Kansas City pursuant to delegated authority.

By order of the Board of Governors,[4] effective March 29, 1974.

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

[FR Doc.74-7846 Filed 4-4-74;8:45 am]

FIRST BANCSHARES OF FLORIDA, INC.

Proposed Acquisition of Data Processing Division of ComBanks Corp.

First Bancshares of Florida, Inc., Boca Raton, Florida, has applied, pursuant to section 4(c)(8) of the Bank Holding

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[2] The primary service area for Peoples-Aurora includes Aurora and a certain portion westerly into Denver County. The primary service area of Peoples-Arapahoe lies entirely within the service area of Peoples-Aurora except it does not include the area northwest of Peoples-Aurora. However, for all practical purposes, the primary service areas of subject banks are considered identical.

[3] Dissenting Statement of Governor Brimmer filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of Kansas City.

[4] Denial of acquisition of Peoples Bank & Trust Company, Aurora, Colorado. Voting for this action: Chairman Burns and Governors Mitchell, Brimmer, Sheehan, Bucher and Holland. Absent and not voting: Governor Wallich. Approval of acquisition of Peoples Bank of Arapahoe County, Aurora, Colorado. Voting for this action: Chairman Burns and Governors Mitchell, Sheehan, Bucher, and Holland. Voting against this action: Governor Brimmer. Absent and not voting: Governor Wallich.

Company Act (12 U.S. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y, for permission to acquire of the assets of the Data Processing Division of ComBanks Corporation, Winter Park, Florida, as an incident to Applicant's merger with ComBanks Corporation. Notice of the application was published on March 13, 1974, in the Sentinel Star, a newspaper circulated in Winter Park, Florida.

Applicant states that the proposed subsidiary would engage in the following activities: To provide bookkeeping or data processing services for the internal operations of the holding company and its subsidiaries and the storing and processing of other banking, financial, or related economic data. Such activities will be conducted at offices in Winter Park, Florida. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Atlanta.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than April 25, 1974.

Board of Governors of the Federal Reserve System, March 28, 1974.

[SEAL] THEODORE E. ALLISON,
Assistant Secretary of the Board.

[FR Doc.74-7851 Filed 4-4-74;8:45 am]

FIRST BANCSHARES OF FLORIDA, INC.

Proposed Acquisition of ComBanks Mortgage Co.

First Bancshares of Florida, Inc., Boca Raton, Florida, has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y, for permission to acquire voting shares of ComBanks Mortgage Company, a subsidiary of ComBanks Corporation, Winter Park, Florida, as an incident to Applicant's merger with ComBanks Corporation. Notice of the application was published on March 13, 1974 in the Sentinel Star, a newspaper circulated in Winter Park, Florida.

Applicant states that the proposed subsidiary would engage in the following activities: Making or acquiring for its own account or for the account of others, real estate mortgage loans on residential and commercial property. Such activities will be conducted at offices in Winter Park, Florida. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Atlanta.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than April 25, 1974.

Board of Governors of the Federal Reserve System, March 28, 1974.

[SEAL] THEODORE E. ALLISON,
Assistant Secretary of the Board.

[FR Doc.74-7852 Filed 4-4-74;8:45 am]

FIRST STATE BANKING CORP.

Formation of Bank Holding Co.

First State Banking Corporation, Chancellor, South Dakota, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a banking holding company through acquisition of 87 percent or more of the voting shares of Chancellor State Bank, Chancellor, South Dakota. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Minneapolis. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than April 26, 1974.

Board of Governors of the Federal Reserve System, March 29, 1974.

THEODORE E. ALLISON,
Assistant Secretary of the Board.

[FR Doc.74-7855 Filed 4-4-74;8:45 am]

INGALLS INSURANCE AGENCY, INC.

Proposed Acquisition of McCune Agency and Ingalls Insurance Agency

Ingalls Insurance Agency, Inc., Ingalls, Kansas, has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y, for permission to acquire assets of (1) McCune Agency, Montezuma, Kansas and (2) Ingalls Insurance Agency, Ingalls, Kansas. Notice of the applications were published on (1) February 27, 1974 in The Jacksonian, a newspaper circulated in Ingalls, Kansas, and (2) on November 14, 1973, in The Jacksonian, a newspaper circulated in Ingalls, Kansas.

Applicant states that the proposed subsidiaries would engage in the activities of a general insurance business, consisting primarily of life, accident, health, fire casualty, bonds, and crop hail insurance in communities not exceeding 5,000 in population. Applicant states that such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Kansas City.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than April 26, 1974.

Board of Governors of the Federal Reserve System, March 29, 1974.

[SEAL] THEODORE E. ALLISON,
Assistant Secretary of the Board.

[FR Doc.74-7853 Filed 4-4-74;8:45 am]

FIRST NATIONAL CHARTER CORP.

Order Approving Acquisition of Bank

First National Charter Corporation, Kansas City, Missouri, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire 90 per cent or more of the voting shares of Blue Springs Bank, Blue Springs, Missouri ("Bank").

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and the Board has considered the application and all comments received in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant controls 12 banks with aggregate deposits of approximately $664 million, representing 4.9 per cent of the total deposits held by commercial banks in Missouri and is the fourth largest banking organization in the State.[1] Acquisition of Bank (deposits of $30.2 million) would increase Applicant's share of State deposits by less than 0.3 percentage points, and would not significantly increase the concentration of banking resources within the State nor alter Applicant's Statewide ranking.

Bank, with less than 1.0 per cent of the total market deposits, is the 29th largest of 128 commercial banks in the Kansas City market,[2] and is located approximately 19 miles from downtown Kansas City. Applicant has four subsidiary banks in the market, controlling 11.7 per cent of deposits therein. Acquisition of Bank would increase Applicant's share of deposits in the market to 12.4 per cent, which would not significantly increase concentration of deposits within the market. Two of Applicant's subsidiary banks are located approximately 20 miles from Bank; and existing direct competition between Bank and Applicant's subsidiary banks is minimal. The most significant direct existing competition between Applicant's subsidiary banks and Bank is with Applicant's lead bank which derives approximately 0.9 per cent of its total deposits from Bank's primary service area. Elimination of the slight amount of existing competition between Applicant's subsidiaries and Bank would have no significant adverse effect upon existing competition within the market.

It further appears that no significant potential competition would be eliminated by the proposed acquisition in view of the distances separating Bank and Applicant's subsidiary banks, the presence of numerous intervening banking offices and Missouri's restrictive branching laws. While Applicant has the resources to enter the Blue Springs portion of the market *de novo*, this possibility is not considered likely due to the low population per banking office. It appears that consummation of the proposed affiliation would have no significant adverse effect upon existing or potential competition within the market.

The financial and managerial resources of Applicant and its subsidiary banks are satisfactory. However, the financial and managerial resources of Bank are only fair. Bank's deposits tripled from 1968 to 1972 and Bank is in need of additional capital. Further, it appears that Bank's management is in need of strengthening. Applicant has committed to increase Bank's capital by $1 million and to provide managerial support to Bank upon approval of this application. The future prospects of Bank with Applicant's assistance appear favorable, and these considerations lend substantial weight toward approval.

Although there is no evidence in the record to indicate that the major banking needs of the community to be served are not presently being met, affiliation with Applicant would enable Bank to improve its lending capabilities and to provide trust services not presently being provided. Considerations relating to the convenience and needs of the community to be served are consistent with approval of the application. It is the Board's judgment that consummation of the proposed acquisition would be in the public interest and that the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be made (a) before the thirtieth calendar day following the effective date of this order or (b) later than three months after the effective date of this order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of Kansas City pursuant to delegated authority.

By order of the Board of Governors,[3] effective March 29, 1974.

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

[FR Doc.74-7845 Filed 4-4-74;8:45 am]

HIGH PLAINS BANK CORP.

Formation of Bank Holding Co.

High Plains Bank Corp., Kiowa, Colorado, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 94.78 per cent of the voting shares of The Kiowa State Bank, Kiowa, Colorado. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551 to be received not later than April 25, 1974.

Board of Governors of the Federal Reserve System, March 28, 1974.

[SEAL] THEODORE E. ALLISON,
Assistant Secretary of the Board.

[FR Doc.74-7848 Filed 4-4-74;8:45 am]

HILLSDALE DEVELOPMENT CORP.

Formation of Bank Holding Co.

Hillsdale Development Corporation, Hillsdale, Illinois, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 92.9 percent of the voting shares of Old Farmers & Merchants State Bank, Hillsdale, Illinois. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Chicago. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551 to be received not later than April 25, 1974.

Board of Governors of the Federal Reserve System, March 28, 1974.

[SEAL] THEODORE E. ALLISON,
Assistant Secretary of the Board.

[FR Doc.74-7849 Filed 4-4-74;8:45 am]

H.R. FINANCIAL, INC.

Formation of Bank Holding Co.

H.R. Financial, Inc., Blair, Wisconsin, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 85.2 percent or more of the voting shares of Union Bank of Blair, Blair, Wisconsin. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Minneapolis. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than April 24, 1974.

Board of Governors of the Federal Reserve System, March 25, 1974.

[SEAL] THEODORE E. ALLISON,
Assistant Secretary of the Board.

[FR Doc.74-7850 Filed 4-4-74;8:45 am]

JACOBUS CO. AND INLAND FINANCIAL CORP.

Acquisition of Bank

The Jacobus Company, Milwaukee, Wisconsin, and its 43.1 percent owned subsidiary, Inland Financial Corporation, Milwaukee, Wisconsin, have applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire directly, and The Jacobus Company to acquire indirectly, 19 percent of the voting shares of Heritage Bank of Mt. Pleasant, Mt. Pleasant, Wisconsin, a proposed new bank. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

[1] All banking data are as of June 30, 1973, and reflect holding company formations and acquisitions approved through February 28, 1974.

[2] The Kansas City banking market is approximated by the Kansas City SMSA, excluding the southern portion of Cass County and all of Ray County.

[3] Voting for this action: Chairman Burns and Governors Mitchell, Brimmer, Bucher and Holland. Absent and not voting: Governors Sheehan and Wallich.

Inland Financial Corporation is also engaged in the following nonbank activities: acting as investment adviser, operating a general insurance agency, and leasing of equipment and machinery. In addition to the factors considered under section 3 of the Act (banking factors), the Board will consider the proposal in the light of the company's non-banking activities and the provisions and prohibitions in section 4 of the Act (12 U.S.C. 1843).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Board of Chicago. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than April 25, 1974.

Board of Governors of the Federal Reserve System, March 28, 1974.

[SEAL] THEODORE E. ALLISON,
Assistant Secretary of the Board.

[FR Doc.74-7854 Filed 4-4-74;8:45 am]

MIDLANTIC BANKS INC.

Acquisition of Bank

Midlantic Banks Inc., Newark, New Jersey, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent of the voting shares (less directors' qualifying shares) of The First National Bank of Cranbury, Cranbury, New Jersey. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of New York. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than April 26, 1974.

Board of Governors of the Federal Reserve System, March 29, 1974.

[SEAL] THEODORE E. ALLISON,
Assistant Secretary of the Board.

[FR Doc.74-7856 Filed 4-4-74;8:45 am]

RUSH COUNTY INSURANCE AGENCY, INC.

Formation of Bank Holding Company and Proposed Acquisition of Insurance Agency Activities

Rush County Insurance Agency, Inc., LaCrosse, Kansas, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 80 per cent or more of the voting shares of Home State Bank, LaCrosse, Kansas. The factors that are considered in acting upon the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)). Rush County Insurance Agency, Inc., LaCrosse, Kansas, has also applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y for permission to acquire the assets of Full Service Insurance and to continue to engage in the activities of a general insurance agency in a town of less than 5,000 people. Notice of the application was published on January 10, 1974, in the Rush County News, a newspaper circulated in Rush County, Kansas.

Applicant states that it will continue to engage in a general insurance agency business, selling fire, casualty, automobile and credit-related insurance. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Kansas City.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than April 26, 1974.

Board of Governors of the Federal Reserve System, March 29, 1974.

[SEAL] THEODORE E. ALLISON,
Assistant Secretary of the Board.

[FR Doc.74-7857 Filed 4-4-74;8:45 am]

SEVEN V BANCO, INC.

Order Approving Formation of Bank Holding Company and Acquisition of Insurance Agency

Seven V Banco, Inc., Callaway, Nebraska, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) of formation of a bank holding company through acquisition of 100 percent of the voting shares (less directors' qualifying shares) of Seven Valleys State Bank ("Bank"), Callaway, Nebraska.

At the same time, Applicant has applied for the Board's approval under section 4(c)(8) of the Act and section 225.4(b)(2) of the Board's Regulation Y to engage in the activities of a general insurance agency in a community of less than 5,000 persons.

Notice of receipt of the applications affording opportunity for interested persons to submit comments and views, has been given in accordance with sections 3 and 4 of the Act, and the time for filing comments and views has expired. The Board has considered the applications and all comments received in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)), and the considerations specified in section 4(c)(8) of the Act.

Bank ($2.9 million in deposits) is the only bank in Callaway, a community of approximately 520 people, and ranks fourth among ten banks in the Custer County banking market, in which it controls 6.8 percent of market deposits.[1] Applicant was organized to acquire Bank and Agency, and as the transaction essentially involves only a change from individual to corporate ownership, consummation of the proposal will have no adverse effects on existing or potential competition.

The financial and managerial resources and future prospects of Applicant and Bank are satisfactory and consistent with approval. Applicant proposes to increase Bank's agricultural loans through a more aggressive lending policy.[2] Accordingly, considerations relating to the convenience and needs of the community to be served, with respect to the acquisition of Bank, lend weight for approval of the application. It is the Board's judgment that consummation of the transaction would be in the public interest and that the application to acquire Bank should be approved.

Agency is a general insurance agency located on the premises of Bank. The operation by a bank holding company of a general insurance agency in a community of less than 5,000 people is an activity that the Board has previously determined by regulation to be closely related to banking (12 CFR 225.4(a)(9)(iii)(*a*)).

There is no evidence in the record indicating that consummation of the proposal would result in any undue concentration of resources, unfair competition, conflicts of interests, unsound banking practices, or other adverse effects on the public interest. The continued operation of Agency by Applicant would assure the continuation of a source of general insurance in Callaway. Based upon the foregoing and other considerations reflected in the record, the Board has determined that the balance of the public interest factors the Board is required to consider regarding the acquisition of Agency under section 4(c)(8) is favorable and that the application should be approved.

On the basis of the record, the applications are approved for the reasons summarized above. The acquisition of Bank shall not be made before the thirtieth calendar day following the effective date of this Order; and neither the acquisi-

[1] All banking data are as of June 30, 1973.
[2] The loan to deposit ratio (as of October 17, 1973) was 39.7 percent.

tion of Agency shall be made later than three months after the effective date of this Order. However, such periods may be extended for good cause by the Board or by the Federal Reserve Bank of Kansas City pursuant to delegated authority. The determination as to Agency's activities is subject to the conditions set forth in § 225.4(c) of Regulation Y and to the Board's authority to require such modification or termination of the activities of a holding company or any of its subsidiaries as the Board finds necessary to assure compliance with the provisions and purposes of the Act and the Board's regulations and orders issued thereunder, or to prevent evasion thereof.

By order of the Board of Governors,[3] effective March 29, 1974.

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

[FR Doc.74-7847 Filed 4-4-74;8:45 am]

OFFICE OF MANAGEMENT AND BUDGET

[Circular No. A-63 Rev.]

ADVISORY COMMITTEE MANAGEMENT

Guidance

MARCH 27, 1974.

1. *Purpose.* This Circular provides guidance for implementation of the Federal Advisory Committee Act, Pub. L. No. 92-463, 5 U.S.C. App. I, (hereinafter referred to as the "Act") and Executive Order No. 11769, entitled "Advisory Committee Management."

2. *Rescission.* This Circular rescinds and supersedes the December 26, 1972 revision of Circular No. A-63 and the OMB/Department of Justice Memorandum on implementation of the Federal Advisory Committee Act (see 38 FR 2306 (1973)).

3. *Policy.* In the application of this Circular, these principles should be followed.

a. Advisory Committee meetings should be open to the public. Exceptions should be held to the minimum, carefully grounded in law and explained in detail. The emphasis should be on the free flow of information to the public.

b. Advisory committees should be limited to those that are essential. Any advisory committees which are not fulfilling their purposes should be terminated.

c. The recommendations of advisory committees should be considered by those who sought advice, while responsible Federal officers retain authority for decisions.

d. Standards and uniform procedures for the creation, operation, and duration of advisory committees should be established.

4. *Definitions.* For purposes of this Circular—

a. "Act" means the Federal Advisory Committee Act.

b. "Advisory Committee has the meaning set forth in section 3 of the Act.

5. *Responsibilities.* a. The Office of Management and Budget (OMB). In general, the functions of the Director under the Act and under Executive Order 11769 shall be carried out by the Committee Management Secretariat of OMB.

b. *Departments and agencies.* (1) The head of each agency which uses an advisory committee shall insure compliance with the Act and this Circular and shall issue regulations which apply to all advisory committees established or used by the agency.

(2) The head of each agency which uses an advisory committee shall designate an Advisory Committee Management Officer who shall carry out the functions specified in Section 8(b) of the Act and this Circular. The name of each Advisory Committee Management Officer shall be provided to the OMB Secretariat.

(3) Each agency shall maintain information on the nature, functions, and operations of each of its advisory committees. This shall include a complete set of the charters of the agency's advisory committees, and copies of the annual reports on its advisory committees in a single location.

6. *Creation of advisory committees.* a. When an agency proposes to establish an advisory committee not specifically authorized by statute or by the President, the agency head must consult with the OMB Secretariat. Such "consultation" may be in the form of a letter from the agency head describing the nature and purpose of the proposed advisory committee, including an explanation of why the functions of the proposed committee could not be performed by the agency or by an existing committee. The letter, in addition, should describe the agency's plan to attain balanced membership on the proposed committee. If the OMB Secretariat is satisfied that establishment of the advisory committee would be in accord with the Act, the agency head shall certify in writing that creation of the advisory committee is in the public interest. This certification and a description of the nature and purpose of the committee shall be published in the FEDERAL REGISTER at least 15 days prior to the filing of the committee's charter. The OMB Secretariat may, for good cause, authorize a shorter period of time between publication of the notice and the filing of the charter.

If not satisfied that establishment of the advisory committee would be in accordance with the Act, the OMB Secretariat shall inform the agency head in writing within 15 days of receipt of the agency letter.

b. Unless specifically provided otherwise by statute or Presidential directive, advisory committees shall be utilized solely for advisory functions.

c. (1) Each advisory committee shall file a charter complying with section 9(c) of the Act. This requirement applies to committees "utilized" as advisory committees, though not established for that purpose.

(2) A copy of each charter shall be furnished to the Library of Congress at the time of filing. Copies should be sent to:

Library of Congress
Exchange and Gift Division
Federal Advisory Committee Desk
Washington, D.C. 20540

7. *Termination and renewal of advisory committees.* a. Each nonstatutory advisory committee (i.e., not established by statute or reorganization plan) which is in existence on January 5, 1973, shall terminate no later than January 5, 1975, unless it is renewed by the President or the agency head prior to January 5, 1975.

Before such a committee can be renewed by an agency, the agency head must determine that renewal is necessary and shall inform the OMB Secretariat of his determination and the reasons for it not more than 60 days before the committee expires. If the Secretariat concurs, the agency head shall publish notice of the renewal in the Federal Register and shall file a new charter.

Any advisory committee which is renewed shall continue for not more than two years unless, prior to the expiration of that period, it is renewed. Each such advisory committee established by the President or a Federal officer after January 5, 1973, shall terminate not later than two years after its establishment unless prior to that time it is renewed.

b. Each advisory committee established by statute or reorganization plan which is in existence on January 5, 1973, shall terminate by January 5, 1975, unless its duration is otherwise provided for by law.

(1) Each such advisory committee which is established after January 5, 1973, shall terminate not later than two years after its establishment unless its duration is otherwise provided for by law.

(2) Any such statutory advisory committee shall file a new charter upon the expiration of each successive two-year period following the date of enactment of the statute establishing the committee.

c. No advisory committee required by section 14(b) of the Act to file a new charter shall take any action, other than preparation and filing of such charter, between the date the new charter is required, and the date it is filed.

8. *Operation of advisory committees—*
a. *Calling of meetings.* (1) No advisory committee shall hold any meeting except at the call of or with the advance approval of the Federal official designated in accordance with section 10(e) of the Act and this Circular. (See 8f below.)

(2) Except with respect to Presidential advisory committees, each meeting of an advisory committee shall be conducted in accordance with an agenda approved by the Federal official. The agenda shall list the matters to be considered at the meeting. It shall also indicate when any part of the meeting will concern matters within the exemptions

[3] Voting for this action: Chairman Burns and Governors Mitchell, Brimmer, Bucher, and Holland. Absent and not voting: Governors Sheehan and Wallich.

of the Freedom of Information Act, 5 U.S.C. 552(b).

b. *Notice of meetings.* (1) Except when the Director determines otherwise for reasons of national security, timely notice of each advisory committee meeting, whether open or closed to the public, shall be published in the FEDERAL REGISTER. In addition to the notice in the FEDERAL REGISTER, other forms of notice should be used, for example, press releases and notices by mail. Where practicable, agencies should maintain lists of people and organizations interested in particular advisory committees and notify them of meetings by mail.

(2) Such notice should state the name of the advisory committee, the time, place and purpose of the meeting (including where appropriate, a summary of the agenda). Notices ordinarily should state that meetings are open to the public, or, explain why any part is closed.

(3) Such notice should be published at least 15 days before the date of the meeting except that shorter notice may be provided in emergency situations, and the reasons for such emergency exceptions shall be made part of the meeting notice. Agencies should keep in mind the time the FEDERAL REGISTER needs to get notices into print, and plan accordingly.

(4) Notice is not required when the Director has determined that it should not be published for reasons of national security. Any agency advisory committee which seeks such a determination, shall submit its request and a statement of reasons to the Director at least 30 days before the meeting is scheduled.

c. *Public participation.* The agency head or, in the case of a Presidential advisory committee, the chairman of the committee shall, for any advisory committee meeting, all or part of which is open to the public, assure compliance with the following rules:

(1) Meetings shall be held at a reasonable time and at a place that is reasonably accessible to the public.

(2) The size of the meeting room shall be determined by such factors as the size of the committee, the number of members of the public who could reasonably be expected to attend, the number of persons who attended similar meetings in the past and the resources and facilities available.

(3) Any member of the public shall be permitted to file a written statement with the committee.

(4) Interested persons may be permitted by the committee chairman to speak at the meeting in accordance with procedures established by the committee.

d. *Closed meetings.* (1) Section 10(d) of the Act states that the provisions concerning open meetings and public participation "shall not apply to any advisory committee meeting which the President, or the head of the agency to which the advisory committee reports, determines is concerned with matters listed in * * *" 5 U.S.C. 552(b), the exemptions of the Freedom of Information Act.

(2) An advisory committee which seeks to have all or part of a meeting closed on the basis of 5 U.S.C. 552(b) shall notify the agency head or, in the case of a Presidential advisory committee, the Director at least 30 days before the scheduled date of the meeting. The notification shall be in writing and shall specify all the reasons why any part of the meeting should be closed.

If the agency head or the Director finds the request to be warranted and in accordance with the policy of the Act, the request shall be granted. The determination of the agency head or the Director shall be in writing and shall state the specific reasons for closing all or part of the meeting. The determination itself shall be made available to the public on request. The agency head or the Director may delegate responsibility for making the above determinations. However, in any case where a determination to close a meeting is made by a delegate of the agency head, the determination should be reviewed by the agency General Counsel.

(3) When a meeting is closed, the advisory committee shall issue a report at least annually setting forth a summary of its activities and related matters which are informative to the public consistent with the policy of 5 U.S.C. 552(b). Notice of availability of such annual report shall be published in the FEDERAL REGISTER no later than 60 days after its completion. The notice shall include instructions which will allow the public access to the report.

e. Minutes. Detailed minutes shall be kept of each advisory committee meeting. The minutes shall include: the time and place of the meeting; a list of advisory committee members and staff and agency employees present at the meeting; a complete summary of matters discussed and conclusions reached; copies of all reports received, issued, or approved by the advisory committee; a description of the extent to which the meeting was open to the public; and a description of public participation, including a list of members of the public who presented oral or written statements and an estimate of the number of members of the public who attended the meeting.

The chairman of the advisory committee shall certify to the accuracy of the minutes.

f. *Designated Federal employee.* (1) With regard to an advisory committee used by an agency, the agency head shall designate a Federal officer or employee as set forth in section 10(e) of the Act and determine whether he is to chair or attend the meetings. With regard to Presidential advisory committees such officer or employee may be designated, and his role determined by the Director. Ordinarily, the designated Federal employee should serve on a continuing basis.

(2) No advisory committee shall conduct a meeting in the absence of the designated Federal employee.

(3) The designated Federal employee shall be authorized to adjourn any advisory committee meeting, whenever he determines adjournment to be in the public interest.

9. *Reports on advisory committees.* a. The President has delegated, in Executive Order 11769, responsibility for preparation of the annual report required by section 6(c) of the Act to the Administrator of General Services. The General Services Administration (GSA) will provide appropriate reporting instructions.

b. Two copies of each public report of each Presidential advisory committee shall be submitted to the OMB Committee Management Secretariat at the time of the submission to the President.

10. *Comprehensive Review.* The annual review required by section 7(b) of the Act shall be conducted on a calendar-year basis. Agencies may schedule the review so that its results are incorporated in the annual report of advisory committees. The review should examine all advisory committees, and terminate those no longer useful. Advisory committees specifically created by statute or Executive Order should be reviewed, and if appropriate, their termination recommended. The comprehensive review should include, among other things, a summary of the total number of advisory committee meetings, the number of closed or partially closed meetings, and a recapitulation of the exemptions in the Freedom of Information Act used as a basis for closing meetings. The review should also comment in some detail on agency efforts and procedures to insure balanced membership on its advisory committees. The results of the comprehensive review should be included in the annual report to the Administrator of General Services.

11. *Uniform pay guidelines.* a. Pay for members of an advisory committee. (1) Subject to the provisions of this paragraph, an agency shall fix the pay of the members of an advisory committee to the daily equivalent of a rate of the General Schedule in 5 U.S.C. 5332 unless the members are appointed as consultants and compensated as provided in 11c below.

(2) In determining an appropriate rate of pay for the members of an advisory committee, an agency shall give consideration to the significance, scope, and technical complexity of the matters with which the advisory committee is concerned and the qualifications required of the members of the advisory committee.

(3) An agency may not fix the pay of the members of an advisory committee at a rate higher than the daily equivalent of the maximum rate for GS–15 unless the head of the agency has personally determined that, under the factors set forth in paragraph 11b(2), a higher rate of pay is justified and necessary. Such a determination must be reviewed by the head of the agency annually.

b. *Pay for the staff of an advisory committee.* (1) Subject to the provisions of b(2), below, an agency shall fix the pay of each member of the staff of an advisory committee at a rate of the General Schedule in which the staff member's position would appropriately be placed were the General Schedule classification

system in chapter 51 of title 5, United States Code, applicable to the position.

(2) An agency may not fix the pay of a member of the staff of an advisory committee at a rate higher than the daily equivalent of the maximum rate for GS–15 unless the head of the agency has determined that, under the General Schedule classification system, the staff member's position would appropriately be placed in the General Schedule grade higher than GS–15. Such a determination must be reviewed by the head of the agency annually.

c. *Pay for consultants to an advisory committee.* An agency shall fix the pay of a consultant to an advisory committee after giving consideration to the qualifications required of the consultant and the significance, scope, and technical complexity of the work. The rate of pay shall not exceed the maximum rate of pay which the agency may pay experts and consultants under 5 U.S.C. 3109.

d. *Voluntary services of an advisory committee member.* The provisions of this section shall not prevent an agency from accepting the voluntary services of a member of an advisory committee, or a member of the staff of an advisory committee, provided that the agency has authority to accept such services without compensation.

e. *Reimbursable travel expenses for advisory committee members and staff.* The members of an advisory committee and the staff thereof, while engaged in the performance of their duties away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by 5 U.S.C. 5703 for persons employed intermittently in the Government service.

12. *Effective date.* The provisions of this Circular are effective on May 1, 1974.

13. *Inquiries.* For information concerning this Circular, contact the Office of Management and Budget, Committee Management Secretariat, phone 395–5193 (IDS Code 103).

FRED MALEK,
Acting Director.

[FR Doc.74–7900 Filed 4–4–74;8:45 am]

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 April 2, 1974 (44 U.S.C. 3509). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number, if applicable; the frequency with which the information is proposed to be collected; the name of the reviewer or reviewing division within OMB, and an indication of who will be the respondents to the proposed collection.

The symbol (x) identifies proposals which appear to raise no significant issues, and are to be approved after brief notice through this release.

Further information about the items on this Daily List may be obtained from the Clearance Office, Office of Management and Budget, Washington, D.C. 20503 (202–395–4529).

NEW FORMS

None.

REVISIONS

DEPARTMENT OF AGRICULTURE

Food and Nutrition Service: Reimbursement Voucher and Worksheet—Special Food Service Program for Children (Special Summer Program), Forms FNS 143, FNS 143–1, Monthly, Lowry, Non-profit private service institutions.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Social and Rehabilitation Service: Quarterly Status Report: Disability Insurance Program (SSDI) And Supplemental Security Income Program (SSI), Form SRS–RSA–200, Quarterly, Caywood, State VR agencies.

VETERANS ADMINISTRATION

Loan and Cash Surrender Values, Form VA 29–5772, Occasional, Caywood, Insured veterans.

EXTENSIONS

DEPARTMENT OF AGRICULTURE

Rural Electrification Administration: Request for Release of Lien and/or Approval of Sale, Form REA 793, Occasional, Evinger, REA telephone borrowers.

DEPARTMENT OF COMMERCE

Bureau of the Census: State Tax Collections—Supplemental Form, Form F–6, Annual, Evinger (x), Govt. agencies.

Annual Survey of State Tax Collections, Form F–5, Annual, Evinger (x), State Govts.

PHILLIP D. LARSEN,
Budget and Management Officer.

[FR Doc.74–7955 Filed 4–4–74;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[File No. 500–1]

EQUITY FUNDING CORPORATION OF AMERICA

Notice of Suspension of Trading

APRIL 1, 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 April 2, 1974 through April 11, 1974.

By the Commission.

[SEAL] SHIRLEY E. HOLLIS,
Senior Recording Secretary.

[FR Doc.74–7913 Filed 4–4–74;8:45 am]

[File No. 500–1]

INDUSTRIES INTERNATIONAL, INC.

Notice of Suspension of Trading

APRIL 1, 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 April 2, 1974 through April 11, 1974.

By the Commission.

[SEAL] SHIRLEY E. HOLLIS,
Senior Recording Secretary.

[FR Doc.74–7912 Filed 4–4–74;8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice 480]

ASSIGNMENT OF HEARINGS

APRIL 2, 1974.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested. No amendments will be entertained after the date of this publication.

MC–F–12025, Becker's Motor Transportation, Inc.—Control—Needham's Motor Service, Inc. and Finance Docket No. 27530, Becker's Motor Transportation, Inc.—Notes, now assigned April 15, 1974 at *N.Y., N.Y.*, is cancelled and reassigned April 15, 1974, in the Gateway-Downtowner Motor Inn, Conference Room 415, Raymond Blvd. & McCarter Highway, *Newark, New Jersey.*

I & S M–27472, General Increase, January 1974, Between Central & Southern States, now assigned April 16, 1974, at Washington, D.C., is cancelled. The rates are being cancelled.

MC 116763 Sub 261, Carl Subler Trucking, Inc., continued to May 28, 1974, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC–F–11915, Nussbaum Trucking, Inc.—Investigation of Control—Zone Motor Freight, Inc., now assigned April 29, 1974, at Chicago, Ill., is cancelled.

W–406 Sub 11, Ohio Barge Line, Inc., now being assigned continued hearing May 6, 1974, at the Offices of the Interstate Commerce Commission, Washington, D.C.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74–7910 Filed 4–4–74;8:45 am]

FOURTH SECTION APPLICATION FOR RELIEF

APRIL 2, 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 22, 1974.

FSA No. 42822—*Plain or Lithographed Sheet Steel to New Orleans, Louisiana.* Filed by Western Trunk Line Committee, Agent (No. A–2700), for and on behalf of the Illinois Central Gulf Railroad. Rates on sheet steel, plain or lithographed, in carloads, as described in the application, from Chicago, Illinois, to New Orleans, Louisiana.

Grounds for relief—Rate relationship.

Tariff—Supplement 10 to Western Trunk Line Committee, Agent, tariff IRC I/S–108–I, I.C.C. No. 1315 (IFA Series). Rates are published to become effective on May 11, 1974.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74–7908 Filed 4–4–74;8:45 am]

[Notice 55]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

Synopses of orders entered by the Motor Carrier Board of the Commission pursuant to sections 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

Each application (except as otherwise specifically noted) filed after March 27, 1972, contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application. As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings on or before April 25, 1974. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC–FC–75028. By order of March 29, 1974, the Motor Carrier Board approved the transfer to Regina Tours, Inc., Chicago, Ill., of brokers License No. MC–12638 issued to Daniel L. Sullivan, dba Regina Tours and Royal Tours, Chicago, Ill., authorizing operations as a broker at Chicago, Ill., in arranging for the transportation of: Passengers and their baggage, beginning and ending at Chicago, Ill., and extending to points in the United States. Timothy J. Murtaugh III, attorney, 111 W. Jackson Blvd., Chicago, Ill. 60604.

No. MC–FC–75030. By order of April 1, 1974, the Motor Carrier Board approved the transfer to Muldner Livestock Transportation, Inc., Glendale, Ariz., of the Certificate of Registration in No. MC–96882 (Sub-No. 1) issued August 7, 1967, to Carl C. Muldner, Jr., and Gus H. Muldner, a partnership, Glendale, Ariz., evidencing a right to engage in transportation in interstate or foreign commerce corresponding in scope to the grant of authority in certificate No. 4086 issued November 25, 1957, and as renewed October 30, 1959, by the Arizona Corporation Commission. A. Michael Bernstein, 1327 United Bank Building, Phoenix, Ariz. 85012, attorney for applicants.

No. MC–FC–75040. By order entered April 1, 1974, the Motor Carrier Board approved the transfer to Royalty Service, Inc., Midland Park, N.J., of the operating rights set forth in Certificate No. MC–63860, issued April 20, 1965, to Bennett Trucking Corp., Flushing, N.Y., authorizing the transportation of general commodities, with the usual exceptions, between New York, N.Y., on the one hand, and, on the other, points in New Jersey within 25 miles of Columbus Circle, New York, N.Y. George A. Olsen, 69 Tonnele Ave., Jersey City, N.J. 07306, practitioner for applicants.

No. MC–FC–75043. By order of April 1, 1974, the Motor Carrier Board approved the transfer to Colonial Van & Storage of Fresno, Inc., Fresno, Calif., of the operating rights in Certificate No. MC–127007 (Sub-No. 1), issued October 9, 1969, to R. P. Sampoul, doing business as Colonial Van & Storage Co., Fresno, Calif., authorizing the transportation of used household goods, between points in Fresno, Kern, Kings, Madeira, Mariposa, Merced, Stanislaus, and Tulare Counties, Calif., restricted to the transportation of traffic having a prior or subsequent movement in containers beyond the points authorized. William D. Taylor, 100 Pine Street, San Francisco, Calif. 94111, attorney for applicants.

No. MC–FC–75046. By order of April 1, 1974, the Motor Carrier Board approved the transfer to State Cooperage Export-Crating & Baling Corp., New York, N.Y., of the operating rights in Certificate No. MC–91838 issued January 19, 1961, to Bonnie Movers, Inc., Brooklyn, N.Y., authorizing the transportation of household goods between New York, N.Y., on the one hand, and, on the other, points in Connecticut, New Jersey, and New York. Alvin Altman, 1776 Broadway, New York, N.Y. 10019, attorney for applicants.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74–7908 Filed 4–4–74;8:45 am]

[Notice 47]

MOTOR CARRIERS TEMPORARY AUTHORITY APPLICATIONS

APRIL 3, 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, on or before April 22, 1974. 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 11207 (Sub-No. 347 TA), filed March 19, 1974. Applicant: DEATON, INC., 317 Avenue W, P.O. Box 938, Birmingham, Ala. 35201. Applicant's representative: Claude N. Knox (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe*, from the plantsite of Johns-Manville Products Corporation at or near Jackson, Tenn., to points in Mississippi and Louisiana, for 180 days. SUPPORTING SHIPPER: Johns-Manville Corporation, Greenwood Plaza, Denver, Colo. SEND PROTESTS TO: Clifford W. White, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 814, 2121 Building, Birmingham, Ala. 35203.

No. MC 18535 (Sub-No. 55 TA), filed March 21, 1974. Applicant: HICKLIN MOTOR LINE, INC., P.O. Box 377, U.S. Highway 601, Railroad Avenue, St. Matthews, S.C. 29135. Applicant's representative: Lawrence M. Gressette, Jr., P.O. Box 346, St. Matthews, S.C. 29135. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood chips, wood shavings, sawdust, and bark*, from Orangeburg, S.C., and Elgin, S.C., to Augusta, Ga., for 180 days. SUPPORTING SHIPPER: Dean-Dempsey Lumber

Company, Inc., Cardova Road, Orangeburg, S.C. 29115. SEND PROTESTS TO: E. E. Strotheid, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 302, 1400 Building, 1400 Pickens, Columbia, S.C. 29201.

No. MC 30837 (Sub-No. 463 TA), filed March 22, 1974. Applicant: KENOSHA AUTO TRANSPORT CORPORATION, 4200 39th Avenue, Mlg: P.O. Box 160, 53141, Kenosha, Wis. 53140. Applicant's representative: Albert P. Barker (Same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Machinery*, including furnaces in their completed stage and fixtures, in foreign commerce, restricted to articles of size and weight requiring special equipment, i.e. flatbeds, lowboys, or articles in mixed shipments moving in connection with those requiring aforementioned special equipment, from Detroit, Mich.; Cleveland, Ohio; Bridgeport, Fairfield and Torrington, Conn.; Buffalo, Glendale, New York City, and Oceanside, N.Y.; Oak Ridge, Nashville, and Knoxville, Tenn.; Chicago and Harvey, Ill.; Mishawaka, Ind., Houston, Tex.; and Los Angeles, Calif., to Eagle Pass, Tex., for eventual delivery to Piedras Negras, Coahuila, Mexico, for 180 days. SUPPORTING SHIPPER: Rassini Rheem, S.A. de C.V. APDO. Postal 14–71, Mexico 14, D.F. Republic of Mexico (Dallas W. Foley, Consultant). SEND PROTESTS TO: District Supervisor John E. Ryden, Bureau of Operations, Interstate Commerce Commission, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

No. MC 35807 (Sub-No. 45 TA), filed March 22, 1974. Applicant: WELLS FARGO ARMORED SERVICE CORPORATION, P.O. Box 4313, 30313, 210 Baker St. NW., Atlanta, Ga. 30302. Applicant's representative: Melvin E. Bailet (same address as above) and Harry J. Jordan, 1000 16th St. NW., Washington, D.C. 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) (a) *Uranium* in the form of uranium hexofloride in excess of 5,000 grams and enriched to 20 percent or more in the isotope of uranium 235, from Goodyear Atomic Corporation in Piketon, Ohio, to Nuclear Materials and Equipment Corporation in Apollo, Pa., and from Goodyear Atomic Corporation to the J. M. Cox Municipal Airport in Vandalhia, Ohio; O'Hara International Airport in Chicago, Ill., Metropolitan Airport in Detroit, Mich.; and to J. F. Kennedy International Airport in Jamacia, N.Y.; (b) *uranium* in the form of uranium hexofloride in excess of 5,000 grams and enriched to 20 percent or more in isotope of uranium 235 from J. M. Cox Municipal Airport in Vandalhia, Ohio: O'Hara International Airport in Chicago, Ill.; Metropolitan Airport in Detroit, Mich.; and J. F. Kennedy International Airport in Jamacia, N.Y., to Goodyear Atomic Corporation in Piketon, Ohio; (c) *uranium* in the form of enriched oxide in excess of 5'000 grams and enriched to 20 percent or more in isotope of uranium 235 from Nuclear Materials and Equipment Corporation in Apollo, Pa., to Babcock and Wilcox Corporation in Lynchburg, Va.; (2) *Plutonium* in the form of Putonium nitrate from the New York State Atomic and Space Development Authority in West Valley, N.Y., to J. F. Kennedy International Airport in Jamacia, N.Y., and to Dundalk and Sea Girt Marine Terminal in Baltimore, Md.; (3) *plutonium* in the form of oxide from Atlantic Richfield Company and from Westinghouse Hanford Company in Richland, Wash., to the Seattle Airport; and (4) *plutonium* in the form of fast flux test facility fuel pins from Nuclear, Materials and Equipment Corporation in Leechburg, Pa., to the Cleveland Airport, for 180 days. SUPPORTING SHIPPER: Transnuclear Inc., 5205 Leesburg Pike, Falls Church, Va. 22041. SEND PROTESTS TO: William L. Scroggs, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 1252 West Peachtree Street NW., Room 309, Atlanta, Ga. 30309.

No. MC 95920 (Sub-No. 31 TA), filed March 25, 1974. Applicant: SANTRY TRUCKING COMPANY, 11552 S.W., Pacific Highway, Portland, Oreg. 97223. Applicant's representative: George R. LaBissoniere, Suite 101, 130 Andover Park East, Seattle, Wash. 98188. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes transporting: (1) *Malt beverages, malt beverage containers, cartons, bottles, and can openers, advertising matter and brewery products, materials and supplies and machinery* moving incidentally to the movement of malt beverages from Olympia, Wash., to East Dubuque and Rock Island, Ill.; and (2) *empty containers rejected or spoiled malt beverages, hops in bales, rice, grain, infusorial earth, brewers malt, advertising matter and other materials, ingredients or supplies and machinery and equipment* used in the manufacture of malt beverages from East Dubuque and Rock Island, Ill., to Olympia, Wash., under continuing contract with Olympia Brewing Company for 180 days. SUPPORTING SHIPPER: Olympia Brewing Company, P.O. Box 947, Olympia, Wash. 98507. SEND PROTESTS TO: District Supervisor A. E. Odoms, Bureau of Operations, Interstate Commerce Commission, 114 Pioneer Courthouse, 555 SW. Yamhill Street, Portland, Oreg. 97204.

No. MC 105375 (Sub-No. 49 TA), filed March 19, 1974. Applicant: DAHLEN TRANSPORT OF IOWA, INC., 1680 Fourth Avenue, Newport, Minn. 55055. Applicant's representative: Joseph A. Eschenbacher, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Inedible beef tallow*, in bulk, in tank vehicles, from Dakota City and West Point, Nebr., to St. Louis, Mo., for 180 days. SUPPORTING SHIPPER: Iowa Beef Processors, Inc., P.O. Box 515, Dakota City, Nebr. 68731. SEND PROTESTS TO: Raymond T. Jones, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building and U.S. Courthouse, 110 South 4th Street, Minneapolis, Minn. 55401.

No. MC 10743 (Sub-No. 892 TA), filed March 22, 1974. Applicant: MATLACK, INC., 10 W. 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: *Denatured alcohol*, in bulk, in tank vehicles, from Pekin, Ill., to Wyandotte, Mich.; Bettendorf, Iowa; Terra Haute, Ind.; and Newark, N.J. for 180 days. SUPPORTING SHIPPER: Aldo L. Monti, General Traffic Manager, The American Distilling Company, South Front Street, Pekin, Ill. 61554. SEND PROTESTS TO: Ross A. Davis, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Federal Building, 600 Arch Street, Room 3238, Philadelphia, Pa. 19106.

No. MC 107496 (Sub-No. 947 TA), filed March 20, 1974. Applicant: RUAN TRANSPORT CORPORATION, Third and Keosauqua Way, Des Moines, Iowa 50309. Applicant's representative: E. Check (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fuel oil*, in bulk, in tank vehicles, from Freeport, Ill., to points in Iowa, for 180 days. SUPPORTING SHIPPER: Thomas Oil, Inc., 528½ South Front Street, Mankato, Minn. 56001. SEND PROTESTS TO: Herbert W. Allen, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 108393 (Sub-No. 73 TA), filed March 22, 1974. Applicant: SIGNAL DELIVERY SERVICE, INC., 201 East Ogden Avenue, Hinsdale, Ill. 60521. Applicant's representative: Eugene L. Cohn, One North LaSalle Street, Chicago, Ill. 60602. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Electrical and gas appliances, parts of electrical and gas appliances, and equipment, materials, and supplies* used in the manufacture, distribution, and repair of electrical and gas appliances for the account of Whirlpool Corporation, between Danville, Ky., and Ft. Smith, Ark., for 180 days. SUPPORTING SHIPPER: Carl R. Anderson, Director Corporate Traffic, Whirlpool Corporation, Benton Harbor, Mich. 49022. SEND PROTESTS TO: William J. Gray, Jr., Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, Everett McKinley Dirksen Building, 219 S. Dearborn Street, Room 1086, Chicago, Ill. 60604.

No. MC 108676 (Sub-No. 62 TA), filed March 21, 1974. Applicant: A. J. METLER HAULING AND RIGGING, INC., 117 Chicamauga Avenue NE., Knoxville, Tenn. 37917. Applicant's representative: Carl U. Hurst, P.O. Box E, Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Flat glass*, from the plantsite and warehouse facilities of PPG Industries,

Inc., located at or near Kebert Park and Mount Holly Springs, Pa., to points in the United States (except Alaska and Hawaii), for 180 days. SUPPORTING SHIPPER: PPG Industries, Inc., Pittsburgh, Pa. SEND PROTESTS TO: Joe J. Tate, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 803—1808 West End Building, Nashville, Tenn. 37203.

No. MC 111045 (Sub-No. 113 TA), filed March 20, 1974. Applicant: REDWING CARRIERS, INC., P.O. Box 426, 7809 Palm River Road, Tampa, Fla. 33601. Applicant's representative: J. V. McCoy (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Carbon disulphide/sludge oil* (waste oil), from LeMoyne, Ala., to Baton Rouge, La., for 180 days. SUPPORTING SHIPPER: Stauffer Chemical Company, Westport, Conn. 06880. SEND PROTESTS TO: District Supervisor Joseph B. Teichert, Interstate Commerce Commission, Bureau of Operations, Palm Coast II Building, Suite 2208, 5255 NW. 87th Avenue, Miami, Fla. 33166.

No. MC 111201 (Sub-No. 20 TA), filed March 22, 1974. Applicant: J. N. ZELLNER & SON TRANSFER COMPANY, P.O. Box 90818, East Point, Ga. 30044. Applicant's representative: Frank D. Hall, Suite 713, 3384 Peachtree Road NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Metal containers, and parts thereof*, including but not limited to *ends, tops, and sides*, from the plantsite and warehouse facilities of American Can Company located at or near Atlanta, Ga., and its Commercial Zone to the plantsite and warehouse facilities of Shasta Beverages in Jefferson County, Ala., for 180 days. SUPPORTING SHIPPER: American Can Company, American Lane, Greenwich, Conn. 06830. SEND PROTESTS TO: William L. Scroggs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 309, 1252 West Peachtree Street NW., Atlanta, Ga. 30309.

No. MC 111729 (Sub-No. 423 TA), filed March 21, 1974. Applicant: PUROLATOR COURIER CORP., 2 Nevada Drive, Lake Success, N.Y. 11040. Applicant's representative: John M. Delany (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Critical replacement parts*, for word processing equipment, restricted to packages or articles weighing in the aggregate more than 100 pounds, from one consignor to one consignee on any one day; and (2) *business papers, records, and audit and accounting media of all kinds*, between Fort Wayne, Ind., on the one hand, and, on the other, Bowling Green, Defiance, Findlay, Freemont, Hicksville, Oak Harbor, Rawson, Sandusky, Tiffin, Toledo, and Weston, Ohio; Benton Harbor and Niles, Mich., for 90 days. SUPPORTING SHIPPER: Xerox Corporation, 3515 Hobson Road, Fort Wayne, Ind. 46805. SEND PROTESTS TO: Anthony D. Giaimo, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 123841 (Sub-No. 3 TA), filed March 21, 1974. Applicant: DAVID TESONE TRUCKING, INCORPORATED, P.O. Box 35, Wildwood, Pa. 15091. Applicant's representative: Anthony Vitullo, 5374 William Flynn Highway, Gibsonia, Pa. 15044. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, in bulk, in dump vehicles, from the facilities of Tesone Coal Co., Perry Township, Armstrong County, Pa., to Dunkirk, Chautauqua County, N.Y., for 180 days. SUPPORTING SHIPPER: Tesone Coal Company, P.O. Box 35, Wildwood, Pa. 15091. SEND PROTESTS TO: John J. England, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 2111 Federal Building, 1000 Liberty Avenue, Pittsburgh, Pa. 15222.

No. MC 124377 (Sub-No. 25 TA), filed March 6, 1974. Applicant: REFRIGERATED FOODS, INC., 1420 33rd Street, Denver, Colo. 80205. Applicant's representative: Arlyn L. Westergren, Suite 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: *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 Wheatland, Wyo., to points in the United States, for 180 days. SUPPORTING SHIPPER: Y–O Ranches, Ltd., P.O. Box 149, Wheatland, Wyo. 82201. SEND PROTESTS TO: District Supervisor Roger L. Buchanan, Interstate Commerce Commission, Bureau of Operations, 2022 Federal Building, Denver, Colo. 80202.

No. MC 128030 (Sub-No. 61 TA), filed March 19, 1974. Applicant: THE STOUT TRUCKING CO., INC., P.O. Box 177, R.R. #1, 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: *Malt beverages*, from Bensonville, Chicago, and Peoria Heights, Ill., Newport and Louisville, Ky., Detroit, Mich., St. Louis, Mo., Columbus, Ohio, and Milwaukee, Wis., to Terre Haute, Ind., for 180 days. SUPPORTING SHIPPER: Luken E. Dever, President, Premium Sales, Inc., 939 Poplar Street, Terre Haute, Ind. SEND PROTESTS TO: Robert G. Anderson, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Everett McKinley Dirksen Building, 219 S. Dearborn Street, Room 1036, Chicago, Ill. 60604.

No. MC 128734 (Sub-No. 3 TA), filed March 25, 1974. Applicant: W. B. PRODUCE HAULERS, INC., 326 Pleasant St. SW., Grand Rapids, Mich. 49502. Applicant's representative: William Berenbrock (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products*, other than in bulk, in vehicles equipped with mechanical refrigeration for Sealtest Foods Division of Kraftco Corporation, with *return of containers, rejected or damaged products*, between Green Bay, Wis., and points in Michigan in the Lower Peninsula, for 180 days. SUPPORTING SHIPPER: Sealtest Foods, Division of Kraftco Corp., 2224 W. Willow, Lansing, Mich. 48917. SEND PROTESTS TO: C. R. Flemming, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 225 Federal Building, Lansing, Mich. 48933.

No. MC 128878 (Sub-No. 33 TA), filed March 22, 1974. Applicant: SERVICE TRUCK LINE, INC., P.O. Box 3904, Shreveport, La. 71103. Applicant's representative: C. Wade Shemwell (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Insulating materials*, from plantsite of Fibreboard Corp., located at or near Grambling, La., to points in the United States, for 180 days. SUPPORTING SHIPPER: Fibreboard Corporation, P.O. Box 3611, San Francisco, Calif. 74119 (P. W. Pollock, Director of Transportation and Distribution). SEND PROTESTS TO: Ray C. Armstrong, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations, T–9038 U.S. Postal Service Building, 701 Loyola Avenue, New Orleans, La. 70113.

No. MC 129802 (Sub-No. 6 TA), filed March 21, 1974. Applicant: GAIL R. KALDENBERG, doing business as ABC CARTAGE, 2704 Wedgewood Road, Des Moines, Iowa 50317. 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 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 Albia, Bloomfield, Lamoni, Moravia, and Osceola, Iowa, as intermediate or off-route points in connection with carrier's presently authorized regular route operations, for 180 days.

NOTE.—Applicant states that he does intend to interline with his authority at Des Moines, Iowa.

SUPPORTING SHIPPERS: There are approximately 10 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. SEND PROTESTS TO: Herbert W. Allen, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 129994 (Sub-No. 2 TA), filed March 21, 1974. Applicant: RAY BETHERS, P.O. Box 116, Kamas, Utah 84036. Applicant's representative: Lon Rodney Kump, 200 Law Building, 333 East Fourth South, Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum, gypsum products, building materials, and materials used in the manufacture, installation, or distribution thereof*, from Georgia Pacific's manufacturing plant located at Sigurd, Utah, to points in California, for 180 days. SUPPORTING SHIPPER: Georgia-Pacific Corporation, 900 SW. Fifth Avenue, Portland, Oreg. (David L. Jacques, Traffic Analyst, Claims and Rates). SEND PROTESTS TO: District Supevisor Lyle D. Helfer, Interstate Commerce Commission, Bureau of Operations, 5239 Federal Building, 125 South State Street, Salt Lake City, Utah 84138.

No. MC 133689 (Sub-No. 45 TA), filed March 21, 1974. Applicant: OVERLAND EXPRESS, INC., 651 First Street SW., P.O. Box 2667, New Brighton, Minn. 55112. Applicant's representative: Robert P. Sack, P.O. Box 6010, West St. Paul, Minn. 55118. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Charcoal, charcoal pellets, wood chips, vermiculite, lighter fluid*, and *fireplace logs* (except commodities in bulk), (1) from the plantsite and storage facilities utilized by Kingsford Charcoal Company located at or near Parsons, W. Va. and Burnside, Ky., to points in Illinois, Indiana, Iowa, Michigan, Minnesota, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin; and (2) from Belle, Mo., to points in Iowa, Minnesota, Nebraska, North Dakota, South Dakota, and Wisconsin, for 180 days. SUPPORTING SHIPPER: Kingsford Charcoal Company, P.O. Box 1033, Louisville, Ky. 40201. SEND PROTESTS TO: Raymond T. Jones, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building, U.S. Courthouse, 110 South 4th Street, Minneapolis, Minn. 55401.

No. MC 135707 (Sub-No. 3 TA), filed March 25, 1974. Applicant: DIETZ TRUCKING, INC., 166 39th Street, Pittsburgh, Pa. 15201. Applicant's representative: William J. Lavelle, 2310 Grant Building, Pittsburgh, Pa. 15219. Authority sought to operate as a *contract carrier*, by motor vehicle over irregular routes, transporting: *Exhaust fans and ventilating equipment*, from Pittsburgh, Pa., to the East River Mountain Tunnel Project on Interstate Highway 77 at or near Bluefield, W.Va., under a continuing contract or contracts with Limbach Company of Pittsburgh, Pa., for 180 days. SUPPORTING SHIPPER: Limbach Company, 2410 Woodmere Drive, Pittsburgh, Pa. 15205. SEND PROTESTS TO: John J. England, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 2111 Federal Building, 1000 Liberty Avenue Pittsburgh, Pa. 15222.

No. MC 136211 (Sub-No. 22 TA), filed March 21, 1974. Applicant: MERCHANTS HOME DELIVERY SERVICE, INC., 210 St. Mary's Drive, Suite G, P.O. Box 5067, Oxnard, Calif. 93030. Applicant's representative: Joseph E. Rebman, 1230 Boatman's Bank Building, 314 N. Broadway, St. Louis, Mo. 63102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, from the facilities of the Wickers Furniture Division of the Wickes Corporation at or near Merrillville, Ind., (Lake County), to points in that part of Illinois on, north and east of a line beginning at the Indiana-Illinois state line at the intersection of U.S. Highway 24 and said state line and extending westerly along U.S. Highway 24 to Junction Illinois Highway 47, thence north along U.S. Highway 47 to Junction U.S. Highway Alternate 30, thence east along U.S. Highway Alternate 30 to Lake Michigan. (Returned or rejected shipments of the above-specified commodities from points in the described territory to the described of origin), for 180 days. SUPPORTING SHIPPER: Wickes Furniture Division of the Wickes Corporation, 351 West Dundee Road, Wheeling, Ill. 60090. SEND PROTESTS TO: Walter W. Strakosch, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 7708 Federal Building, 300 North Los Angeles Street, Los Angeles, Calif. 90012.

No. MC 138313 (Sub-No. 11 TA), filed March 21, 1974. Applicant: MACK E. BURGESS, doing busness as BUILDERS TRANSPORT, 409 14th Street SW., Great Falls, Mont. 59404. Applicant's representative: Irene Warr, 430 Judge Building, Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bentonite, processed clay and foundry molding sand treating compounds*, in bulk, from the plant sites of American Colloid Company near Belle Fourche, S. Dak., and Upton and Lovell, Wyo., to points in Montana, Oregon, Idaho, and Washington, for 180 days. SUPPORTING SHIPPER: American Colloid Company, P.O. Box 228, Skokie, Ill. 60076. SEND PROTESTS TO: Paul J. Labane, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 222, U.S. Post Office Building, Billings, Mont. 59101.

No. MC 139193 (Sub-No. 6 TA), filed March 22, 1974. Applicant: ROBERTS & OAKE, INC., 208 South La Salle St., Chicago, Ill. 60604. Applicant's representative: Jacob P. Billig, 1126 16th Street NW., Washington, D.C. 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, tansporting: *Meats, meat products, and meat by-products*, as defined by the Commission in Sections A, B and C of Appendix to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and liquid commodities in bulk), from Sioux Falls, S. Dak., and Humboldt, Iowa, to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia; and (2) *such commodities* as are used by meatpackers in the conduct of their business, from points in the destination states described in (1) above to Humboldt, Iowa, and Sioux Falls, S. Dak., Restricted to traffic transported under contracts with John Merrell & Co., for 180 days. SUPPORTING SHIPPER: Robert L. Lee, Manager, Rates & Services, John Morrell & Co., 208 South La Salle St., Chicago, Ill. 60604. SEND PROTESTS TO: William J. Gray, Jr., Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, Everett McKinley Dirksen Building, 219 S. Dearborn St., Room 1086, Chicago, Ill. 60604.

No. MC 139586 (Sub-No. 1 TA), filed March 21, 1974. Applicant: ART NICKAS TRUCKING, 685 East 9th North, Price, Utah 84501. Applicant's representative: James T. Jensen, 190 North Carbon Avenue, Price, Utah 84501. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Coal*, in bulk, from facilities of Carbon Fuel Co., near Castle Gate, Utah, to Rail Head at Castle Gate, Utah, restricted to transportation of shipments having an immediate subsequent movement by rail. for 180 days. SUPPORTING SHIPPER: Carbon Fuel Company, as agent for Braztah Corporation, P.O. Box 506, Helper, Utah 84526 (Boyd J. Harvey, General Manager). SEND PROTESTS TO: District Supervisor Lyle D. Helfer, Bureau of Operations, Interstate Commerce Commission, 125 South State Street, Salt Lake City, Utah 84138.

No. MC 139590 (Sub-No. 1 TA), filed March 22, 1974. Applicant: HOGGARTH TRANSPORT, INC., Wimbledon, N. Dak. 58492. Applicant's representative: Charles E. Johnson, 425 Gate City Building, Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Agricultural machinery and agricultural equipment and related parts and accessories*, from the plantsite and storage facilities and experimental farms of Deere and Company in Rock Island County, Ill.; Dodge County, Wis.; and Black Hawk, Dubuque, Wapello, and Polk Counties, Iowa; and Bloomington, Minn., to points in Eddy, Foster, Griggs, Stutsman, Barnes, Dickey, and Ramsey Counties, N. Dak.; and (2) *such merchandise* as is dealt in by lawn and garden dealers, and snowmobiles, from the plantsite, storage facilities, and experimental farms of Deere and Company in Dodge County, Wis., to points in Eddy, Foster, Griggs, Stutsman, Barnes, Dickey, and Ramsey Counties, N. Dak., for 180 days. SUPPORTING SHIPPERS: Wimbledon Implement Company, Inc., Wimbledon, N. Dak. 58492; Brost Implement, Ellendale, N. Dak. 58436; Midway Implement Company, Inc., 1024 Central Avenue, New Rockford, N. Dak.; Valley Motors Implement, Valley City, N. Dak. 58072; Jamestown Implement Company, James-

town, N. Dak. 58401. SEND PROTESTS TO: J. H. Ambs, District Supervisor, Bureau of Operations, Interstate Commerce Commission, P.O. Box 2340, Fargo, N. Dak. 58102.

No. MC 139591 (Sub-No. 1 TA), filed March 21, 1974. Applicant: TONY MARASCO AND TERRY MARASCO, doing business as MARASCO & SONS TRUCKING, Route No. 1, Box 98, Helper, Utah 84526. Applicant's representative: James T. Jensen, 190 North Carbon Avenue, Price, Utah 84501. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Coal*, in bulk, from facilities of Carbon Fuel Co., near Castle Gate, Utah, to Railhead at Castle Gate, Utah, restricted to transportation of shipments having an subsequent movement by rail, for 180 days. SUPPORTING SHIPPER: Carbon Fuel Company, as Agent for: Braztah Corporation, P.O. Box 506, Helper, Utah 84526 (Boyd J. Harvey, General Manager). SEND PROTESTS TO: District Supervisor Lyle D. Helfer, Bureau of Operations, Interstate Commerce Commission, 5239 Federal Building, 125 South State Street, Salt Lake City, Utah 84138.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74-7903 Filed 4-4-74;8:45 am]

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PART II

ENVIRONMENTAL PROTECTION AGENCY

■

PLASTICS AND SYNTHETICS POINT SOURCE CATEGORY

Effluent Guidelines and Standards

Title 40—Protection of the Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

SUBCHAPTER N—EFFLUENT GUIDELINES AND STANDARDS

PART 416—PLASTICS AND SYNTHETICS POINT SOURCE CATEGORY

On October 11, 1973, notice was published in the FEDERAL REGISTER (38 FR 28194), 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 polyvinyl chloride subcategory, polyvinyl acetate subcategory, polystyrene subcategory, polypropylene subcategory, polyethylene subcategory, cellophane subcategory, rayon subcategory, acrylonitrile-butadiene-styrene (ABS) and styrene-acrylonitrile (SAN) resin copolymers subcategory, polyester subcategory, nylon 66 subcategory, nylon 6 subcategory, cellulose acetate subcategory, epoxy resins subcategory, phenolic resins subcategory, melamine resins subcategory, urea resins subcategory, and acrylics subcategory of the plastics and synthetics 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 polyvinyl chloride subcategory, polyvinyl acetate subcategory, polystyrene subcategory, polypropylene subcategory, polyethylene subcategory, cellophane subcategory, rayon subcategory, acrylonitrile - butadiene-styrene (ABS) and styrene-acrylonitrile (SAN) resin copolymers subcategory, polyester subcategory, nylon 66 subcategory, nylon 6 subcategory, cellulose acetate subcategory, and acrylics subcategory of the plastics and synthetics category of point sources, by amending 40 CFR Chapter I, Subchapter N, to add a new Part 416. 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 Part 402.

In addition, the EPA is simultaneously proposing a separate provision which appears in the proposed rules section of the FEDERAL REGISTER, 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 polyvinyl chloride subcategory, polyvinyl acetate subcategory, polystyrene subcategory, polypropylene subcategory, polyethylene subcategory, cellophane subcategory, rayon subcategory, acrylonitrile-butadiene-styrene (ABS) and styrene-acrylonitrile (SAN) resin copolymers subcategory, polyester subcategory, nylon 66 subcategory, nylon 6 subcategory, cellulose acetate subcategory, and acrylics 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 Synthetic Resins Segment of the Plastics and Synthetic Materials Manufacturing Point Source Category" (August 1973) and (2) the document entitled "Economic Analysis of Proposed Effluent Guidelines, Plastics and Synthetics Industry" (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 were 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. The regulation as promulgated contains some significant departures from the proposed regulation. The following discussion outlines the reasons why these changes were made and why other suggested changes were not made.

(a) *Summary of major comments.* The following responded to the request for written comments which was contained in the preamble to the proposed regulation: Office of the Secretary of the Treasury; U.S. Department of Health, Education and Welfare; Manufacturing Chemists Association; Colorado Department of Public Health; Reichhold Chemicals, Inc.; B. F. Goodrich Chemical Company; Gulf Oil Company; Ecosystems Management; The Environmental Committee of the Northeastern New York Section American Institute of Chemical Engineers; Phillips Petroleum Company; Water Pollution Control Federation; Exxon Chemical Company; Shell Oil Company; Akzona Incorporated; Fiber Industries Incorporated; U.S. Department of Commerce; Union Carbide Corporation; Rohm and Haas Company; Corn Refiners Association, Incorporated; Diamond Shamrock Chemical Company; Monsanto Textiles Company; Monsanto Polymers & Petrochemicals Company; E. I. DuPont de Nemours & Company; Shell Chemical Company; Monsanto Company; U.S. Industrial Chemicals Company; FMC Corporation; Celanese Corporation; Borg Warner Chemicals; Bordon Incorporated; State of New York Department of Environmental Conservation; and Tenneco Chemicals, Incorporated. The following is a summary of the significant comments and the Agency's response to those comments.

(1) Some commenters requested that Chemical Oxygen Demand (COD) should not be used as a parameter for BPCTCA and BADT (best available demonstrated technology for new source performance standards) since the technology proposed is Biochemical Oxygen Demand (BOD5) removal oriented.

For BPCTCA, the COD parameter was recognized as being removed only as a consequence of BOD5 removal. The COD daily and monthly limitations reflect COD removal which occurs with BOD5 removal. The COD/BOD5 ratios were set higher (less stringent) than determined from the available data (Development Document section IX, pages 188–190). The COD limits are therefore liberal and are not meant to be a technology controlling parameter but only to assure the treatment of COD wastes. For BADT, the COD parameter in the proposed regulation did in most cases control the technology design instead of BOD5. The COD basis for BADT has been adjusted such that BOD5 is now the technology controlling parameter (Development Document section XI, page 199).

(2) Some commenters stated that the 100 mg/l basis for COD in BATEA is arbitrary as no performance data for COD removal is presented for each of the subcategories using activated carbon technology.

COD levels for BATEA were based on an estimate of 100 ppm. Several products subcategories achieve this level after biological treatment. Other product subcategories have achieved this level in laboratory tests (Development Document section VII, pages 104–107, reference 78). One product (polyester) was demonstrated in a pilot plant and reached an average of 120–130 ppm, COD (Development Document reference 77). For some product subcategories laboratory test data was not available, so estimates were established on the basis of engineering judgment. BATEA is a requirement for 1983 which is subject to change as information develops and at the present time can be based on best engineering estimates and transfer of technology from similar industrial processes. The COD, BATEA concentration basis was changed to reflect the demonstrated pilot plant data base of 130 ppm (Development Document section X, page 197).

(3) A commenter pointed out that phenol removal based on 0.5 mg/l will require a phenol extraction system. The Development Document states that the above has been demonstrated but does not reference it directly for the products in question. Furthermore, no Raw Waste Loads were given and "The degree of effluent reduction attainable" is not defined as required by 304(b). Therefore, the commenter requested that these levels be withdrawn.

Phenol removal has been demonstrated by various methods from other industries

including phenolic resins, iron and steel, pesticides and others (Development Document section VII, pages 104–111, section IX, page 190, references 18, 19, 47, 56, 75, 76, 78). The degree of effluent reduction attainable can be defined as an attainable effluent concentration as well as a percent reduction.

(4) Some correspondents endorsed the proposal made to the Administrator by the Effluent Standards and Water Quality Information Advisory Committee that a significantly different aproach be taken in the development of effluent guidelines generally.

The above mentioned proposals are under evaluation as a contribution toward future refinements on guidelines for some industries. The committee has indicated that their proposed methodology could not be developed in sufficient time to be available for the current phase of guideline promulgation, which is proceeding according to a court-ordered schedule. Its present state of development does not provide sufficient evidence to warrant the Agency's delaying issuance of any standard in hopes that an alternative approach might be preferable.

(5) Some commenters suggested that the BPCTCA suspended solids limitations should be based on the individual product subcategory averages that were observed during the study and the variability factor calculation for suspended solids should be based on suspended solids data and not BOD5 data.

The suspended solids limitations for BPCTCA were based on a 30 ppm average since many plants in the industry achieve this average and in many cases of the data presented, settling aids, coagulants and other chemical treatments for the reduction of suspended solids were not in practice. The 95 ppm suspended solids for HDPE was a typographical error. The correct data is 25 ppm suspended solids (Development Document tables 12, 18, 19, 20, 21). The statistical variability was determined using variability from BOD5 data. By applying the statistics to suspended solids data from 5 plants the variability factors of 2.2 and 4.0 were calculated and the proper adjustments were made (Development Document section IX, page 193).

(6) Several commenters recommended that the effluent limitations and guidelines should be expressed as a range of values with allowances for variation.

The present guidelines take differences within an industry into account through subcategorization, rather than by use of ranges of numbers to be varied at the discretion of the office issuing permits. The 28 industries noted in section 306 of the Act, for example, have already broken some of the broad industrial groups into subgroups such as the chemical industry into inorganic chemicals, organic chemicals, plastics and synthetics, petrochemicals, soaps and detergents, fertilizers and rubber. The plastics and synthetics industry has been further broken into 13 initial subcategories with 27 sets of limitations. In addition, a second phase of guideline issuance will establish further subcategories. The plastics and synthetics industry will have approximately 16 additional subcategories in Phase II studies.

(7) Several commenters suggested that suspended solids should not have to be reduced to much less than the receiving body level when the suspended solids in the receiving body is due to natural conditions.

The guidelines and standards are based on technology and not on water quality requirements as required by sections 301 and 304 of the Act.

(8) A commenter claimed that their exemplary plant does not always meet BOD5 guidelines for BPCTCA even though removing 95–99 percent *BOD5*.

The variability factors for major subcategory I products were based on the commenter's plant which was the best plant available for this purpose. Data from several other plants were examined, variability factors were calculated and averaged, and appropriate changes have been made to the regulations. The variability base for daily limitations was changed from two standard deviations to three standard deviations for all parameters in BPCTCA and BADT (Development Document section IX, page 193).

(9) Some commenters observed that monthly limits for BOD5, COD and TSS for BATEA and BADT are based on the long term average concentration without allowance for statistical variation.

The monthly limits for BOD5, COD, and TSS for BATEA and BADT were based on the long term average concentration. Since there was not enough performance data on physical chemical systems to establish the system variability factors, the factors for BOD5 and COD should be the same as for BPCTCA and the factors for TSS, which is based on multi-media filtration, can be based on performance data obtained from multimedia filters used in the petroleum refining industry. These adjustments were made.

(10) A commenter stated that polishing lagoons should not be required as BPCTCA because land requirements impose limitations. They suggested that BPCTCA guidelines be based on capability of activated sludge treatment with incremental removal of pollutants. Companies which do not have enough land for polishing lagoons would be forced to advanced (BATEA) treatment methods, thus increasing economic impact.

Polishing lagoons are not required for BPCTCA. They are an acceptable alternative, when land is available, to settling tanks, clarifiers, etc.

(11) Several commenters stated that there was inadequate coverage of the epoxy resins, phenolic resins, urea resins and melamine resins subcategories.

In the above subcategories, additional information is being gathered. Changes will be made as new information is obtained and will be proposed as part of the phase II effort. These four subcategories will not be promulgated as regulations at this time.

(12) Several commenters suggested that the cost figures are from 2 to 5 times too low.

The cost figures developed for the plastics and synthetics industry were based essentially on data supplied to the Agency by the industry. In the absence of contrary data, it must be considered accurate (Development Document, reference 76).

(13) Several commenters claimed that the reduction of flow basis of 50 percent is too restrictive, arbitrary, not attainable, not substantiated, and not practical for BATEA and BADT.

The flow basis was based on the range of reported data. However, all of the reported data was not identified as to the primary source for the lowest ranges of waste water flow. The waste water flow basis was reviewed and adjustments were based on identified waste water data only (Development Document, tables 14, 19, 20, 38, 40C, reference 76).

(14) Several commenters suggested that a permit applicant should have the opportunity to demonstrate why he cannot achieve the effluent limitations which EPA seeks to impose with the burden of proof lying with the applicant.

Appropriate procedures to deal with such situations are fully described in the regulations under §§ 416.12, 416.22, 416.32, 416.42, 416.52, 416.62, 416.72, 416.82, 416.92, 416.102, 416.112, 416.122, and 416.132.

(15) A commenter stated that the Nylon 6 exemplary plant achieved an effluent of 65 mg/l BOD5 yet it placed in the 45 mg/l BOD5 achievable effluent major subcategory. It was suggested that Nylon 6 should be placed in the 75 mg/l BOD5 major subcategory.

During the period that data was taken from that plant, the hydraulic and BOD5 loads were above the design capacity. Individual data points during this period (when the treatment plant was running at design capacity) show effluent levels well below 45 mg/l (Development Document, tables 19, 20, reference 76).

(16) For high density polyethylene manufacture a commenter recommended that the BPCTCA guidelines be 0.57 kg/kkg (daily maximum) and 0.41 kg/kkg 30 (30/day maximum) for BOD5 and 0.95 kg/kkg (daily maximum) and 0.67 kg/kkg (30/day maximum) for TSS. The commenter presented no data to support his numbers.

EPA data supports the proposed guidelines for high density polyethylene with the changes as listed below and does not support the commenter's numbers (Development Document, tables 12, 14, 18, 21, reference 76).

(17) A commenter stated that for

(17) A commenter stated that for acrylics, the exemplary facility did not operate within BOD5 and TSS values shown.

The acrylic plant which was visited was designed to achieve the reported figures (85 percent reduction) and not designed for maximum attainable removal. The proposed limits for this industry are based on multi-stage biological treatment as per the Agency's best engineering judgment and are reasonable and considered achievable (Development Document section VII, pages 96–98, section IX, page 188, reference 76).

(18) A commenter suggested that temperature was not taken into consideration in setting BOD5 standards and that there should be winter and summer limitations.

Temperature was considered by the variability factors, which have taken into account the day-to-day variability and the month to month variability under seasonal conditions in a northern climate (Development Document section IX, page 191).

(19) A commenter suggested that other auxiliary sources of wasteload such as sample taps, plant washdowns, etc., should be included as other load sources.

Nonprocess waste water sources such as these were included in the data base and therefore the waste load allocation for each product subcategory (Development Document tables 14, 38 reference 76).

(20) A commenter stated that for polystyrene, data from multiple product plants is not a basis for assuming wastes can be treated to BOD5 of 15 mg/l and TSS of 30 mg/l. It was suggested that no data on bulk polymerization was given in the Development Document.

The data obtained from the multiproduct plant, which is shown in the Development Document under section VII, indicates that the above levels are attainable. The bulk polymerization plant visited had the equivalent of zero process discharge with only housekeeping water discharged (Development Document reference 76).

(21) A commenter stated that for PVC, the plants with 10 and 65 mg/l BOD5 and 38 mg/l TSS vary substantially and cannot adquately support the limit based on BOD5 at 15 ppm and TSS at 30 ppm.

The plant with the 10 mg/l BOD5 was considered exemplary for PVC. As the data on both plants (Development Document tables 19, 20) clearly indicate, the 65 mg/l BOD5 plant is not designed to reach the lower BOD5 values.

(22) A commenter stated that for low density polyethylene, the attainable levels are reached only with a two stage biological system and polishing ponds and this goes beyond BPCTCA.

The above technologies are all considered as part of BPCTCA (Development Document section IX, page 187).

(23) Several commenters stated that the chemical precipitation techniques set for TCr removal are not practiced and economic benefits were questioned. Alternate corrosion prevention systems are nearly as effective.

There are several cases in the data base where the TCr removal technology is practiced (Development Document section VII, page 108, references 47, 76).

(24) A commenter stated that complex plants (manufacturers of more than one product) must be permitted on an individual basis.

Guidelines for such plants will be forthcoming in the Phase II guidelines.

(25) A commenter stated that operating plant data and other literature data does not demonstrate that values of 4 mg/l and 5 mg/l zinc are achievable in rayon manufacture.

In fact, the data demonstrate that under careful control lower numbers than 4 or 5 ppm are achievable. This is backed up also by data from another plant with similar zinc concentrations in their waste as well as the EPA zinc removal from rayon wastes demonstration project (Development Document section VII, page 108, section IX, page 194, references 47, 65, 76).

(26) A commenter stated that the 24 mg/l BOD5 level for the rayon subcategory (Development Document tables 12, 18) has no clear basis and the only exemplary plant has an untested capacity of 30 mg/l. The commenter stated that categorization of the rayon industry based capacity for attaining 20 mg/l BOD5 concentration is a fundamental misconception. They argued that the data does not support the 20 mg/l figure and is not achievable for BPCTCA.

Data from a multi-product plant that treats only a partial stream from that plant indicates the 24 mg/l is attainable. The rayon industry to date has not operated plants in modes capable of attaining these values. The zinc must be removed prior to biological treatment and has been demonstrated in another product subcategory (Development Document reference 76).

(27) Several commenters stated that allowances should be made for storm water runoff.

If storm water is required to be collected and treated by the state or local agency then allowances should be made for storm water by such agency.

(28) One commenter agrees that the guidelines as presented are a practical approach, but argued that the upper limits proposed could have a catastrophic effect on certain bodies of water.

If water quality standards require more stringent limitations than the guidelines, such limitations will be imposed pursuant to section 302 of the Act.

(29) Several commenters agreed that (1) the end-of-pipe treatments are generally available; (2) the four major groupings based on raw waste loadings and treatment characteristics are a valid approach, and (3) subgrouping by product and process is appropriate.

(30) A commenter was concerned that the proposed new source performance standards are not related to health effects. Health effects are considered in the selection of pollution parameters; however, sections 304 and 306 of the Act require that the standards be based on technology.

(b) *Revision of the proposed regulation prior to promulgation.* As a result of public comment and continuing review and evaluation of the proposed regulation by EPA, the following changes have been made in the regulation.

(1) The chemical oxygen demand (COD) basis for BATEA was changed from 100 mg/l to 130 mg/l based on an activated carbon pilot plant demonstration project. Where COD levels of less than 130 mg/l were demonstrated using biological treatment, the demonstrated values were used.

(2) The chemical oxygen demand (COD) for BADT was changed from a COD/BOD5 ratio basis to a COD concentration as demonstrated by biological treatment systems.

(3) The total suspended solids limitations for BPCTCA were changed based on the average variability factors calculated from the data base.

(4) The BOD5 limitations for BPCTCA were adjusted for major subcategory I to reflect the average of several variability factors.

(5) The waste water flow basis for BADT and BATEA was adjusted to reflect only identified waste water flow data.

(6) The variability factors for BATEA and BADT were changed to reflect the data base for BPCTCA variability for BOD5 and COD and multi-media filter data for TSS.

(7) The epoxy resins subcategory, phenolic resins subcategory, urea resins subcategory, and melamine resins subcategory are to be proposed and promulgated with the Phase II guidelines.

(8) The BOD5 concentration basis for BATEA and BADT for major subcategories III and IV was adjusted to reflect best demonstrated BOD5 removal from multi-stage biological systems.

(9) The variability basis for daily limitations was changed from two standard deviations to three standard deviations for BPCTCA and BADT, to minimize the number of possible technical violations.

(10) The pH parameter has been added. The Agency intended in the proposed regulations to control pH as a consequence of BPCTCA, BATEA, and BADT since pH control is an integral part of these technologies. The range of control is now specifically identified.

(11) 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.

(c) *Economic impact.* The changes that were made to the proposed regulations for the plastics and synthetics manufacturing category do not substantially affect the initial economic analysis. The changes detailed above re-

sult in the guidelines and standards being less stringent. These revisions, however, do not affect the conclusions of the economic impact study. Any changes in the economic impact would tend to make the economic impact less severe.

(d) *Cost-benefit analysis.* The detrimental effects of the constituents of waste waters now discharged by point sources within the synthetic resins segment of the plastics and synthetics manufacturing point source category are discussed in section VI of the report entitled "Development Document for Effluent Limitations Guidelines for the Synthetic Resins Manufacturing Segment of the Plastics and Synthetics Point Source Category" (August 1973). 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 Plastics and Synthetics 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 plastics and synthetics 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 plastics and synthetics 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) of the Act, a manual entitled, "Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the Synthetic Resins Manufacturing Segment of the Plastics and Synthetics 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 416, Plastics and Synthetics Manufacturing Point Source Category, to read as set forth below. This final regulation is promulgated as set forth below and shall be effective June 4, 1974.

Dated: March 26, 1974.

JOHN QUARLES,
Acting Administrator.

Subpart A—Polyvinyl Chloride Subcategory

Sec.
416.10 Applicability; description of the polyvinyl chloride subcategory.
416.11 Specialized definitions.
416.12 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
416.13 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
416.14 [Reserved]
416.15 Standards of performance for new sources.
416.16 Pretreatment standards for new sources.

Subpart B—Polyvinyl Acetate Subcategory

416.20 Applicability; description of the polyvinyl acetate subcategory.
416.21 Specialized definitions.
416.22 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
416.23 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
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Subpart C—Polystyrene Subcategory

416.30 Applicability; description of the polystyrene subcategory.
416.31 Specialized definitions.
416.32 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
416.33 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
416.34 [Reserved]
416.35 Standards of performance for new sources.
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Subpart D—Polypropylene Subcategory

416.40 Applicability; description of the polypropylene subcategory.
416.41 Specialized definitions.
416.42 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
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Subpart E—Polyethylene Subcategory

416.50 Applicability; description of the polyethylene subcategory.
416.51 Specialized definitions.
416.52 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
416.53 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
416.54 [Reserved]
416.55 Standards of performance for new sources.
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Subpart F—Cellophane Subcategory

416.60 Applicability; description of the cellophane subcategory.
416.61 Specialized definitions.
416.62 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
416.63 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
416.64 [Reserved]
416.65 Standards of performance for new sources.
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416.103 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

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416.120 Applicability; description of the cellulose acetate subcategory.
416.121 Specialized definitions.
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416.123 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
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416.131 Specialized definitions.
416.132 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
416.133 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
416.134 [Reserved]
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416.136 Pretreatment standards for new sources.

AUTHORITY: Secs. 301, 304 (b) and (c), 306 (b) and (c) and 307(c) of the 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—Polyvinyl Chloride Subcategory

§ 416.10 Applicability; description of the polyvinyl chloride subcategory.

The provisions of this subpart are applicable to discharges resulting from the polymerization reaction of vinyl chloride by bulk polymerization, or suspension polymerization, or emulsion polymerization and associated processing to manufacture polyvinyl chloride.

§ 416.11 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 401 shall apply to this subpart.

§ 416.12 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 established the quantity or quality of pollutants or pollutant properties, controlled by this paragraph which may be discharged from the manufacture of polyvinyl chloride by the suspension polymerization process 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 (kilograms per 1,000 kg of product)	
BOD5	0.70	0.36
COD	7.0	3.6
TSS	1.8	.99
pH	Within the range 6.0 to 9.0	
	English units pounds per 1,000 lb of product)	
BOD5	0.70	0.36
COD	7.0	3.6
TSS	1.8	.99
pH	Within the range 6.0 to 9.0.	

(b) The following limitations established the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of polyvinyl chloride by the emulsion polymerization process 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 (kilograms per 1,000 kg of product)	
BOD5	0.26	0.13
COD	2.6	1.3
TSS	.65	.36
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.26	0.13
COD	2.6	1.3
TSS	.65	.36
pH	Within the range 6.0 to 9.0.	

(c) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of polyvinyl chloride by the bulk polymerization process 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 (kilograms per 1,000 kg of product)	
BOD5	0.12	0.06
COD	1.2	.60
TSS	.29	.16
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.12	0.06
COD	1.2	.60
TSS	.29	.16
pH	Within the range 6.0 to 9.0.	

§ 416.13 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, controlled by this paragraph, which may be discharged from the manufacture of polyvinyl chloride by the suspension polymerization process by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.41	0.28
COD	1.92	1.28
TSS	.23	.19
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.41	0.28
COD	1.92	1.28
TSS	.23	.19
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of polyvinyl chloride by the emulsion polymerization process by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.20	0.13
COD	.92	.61
TSS	.11	.092
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.20	0.13
COD	.92	.61
TSS	.11	.092
pH	Within the range 6.0 to 9.0.	

(c) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of polyvinyl chloride by the bulk polymerization process by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.09	0.06
COD	.42	.28
TSS	.05	.042
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.09	0.06
COD	.42	.28
TSS	.05	.042
pH	Within the range 6.0 to 9.0.	

§ 416.14 [Reserved]

§ 416.15 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 paragraph, which may be discharged from the manufacture of polyvinyl chloride by the suspension polymerization process 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 (kilograms per 1,000 kg of product)	
BOD5	0.37	0.19
COD	1.70	.89
TSS	.19	.13
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.37	0.19
COD	1.70	.89
TSS	.19	.13
pH	Within the range 6.0 to 9.0.	

(b) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of polyvinyl chloride by the emulsion polymerization process 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 (kilograms per 1,000 kg of product)	
BOD5	0.26	0.13
COD	1.20	.61
TSS	.14	.092
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.26	0.13
COD	1.20	.61
TSS	.14	.092
pH	Within the range 6.0 to 9.0.	

(c) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of polyvinyl chloride by the bulk polymerization process 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 (kilograms per 1,000 kg of product)	
BOD5	0.12	0.06
COD	.54	.28
TSS	.06	.042
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.12	0.06
COD	.54	.28
TSS	.06	.042
pH	Within the range 6.0 to 9.0.	

§ 416.16 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the polyvinyl chloride 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 416.15: 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.

Subpart B—Polyvinyl Acetate Subcategory

§ 416.20 Applicability; description of the polyvinyl acetate subcategory.

The provisions of this subpart are applicable to discharges resulting from the polymerization of vinyl acetate and associated processing to manufacture polyvinyl acetate.

§ 416.21 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 401 shall apply to this subpart.

§ 416.22 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.

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 kilograms per 1,000 kg of product)	
BOD5	0.39	0.20
COD	3.9	2.0
TSS	1.0	.55
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.39	0.20
COD	3.9	2.0
TSS	1.0	.55
pH	Within the range 6.0 to 9.0.	

§ 416.23 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

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 available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.29	0.19
COD	1.33	.89
TSS	.16	.14
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.29	0.19
COD	1.33	.89
TSS	.16	.14
pH	Within the range 6.0 to 9.0.	

§ 416.24 [Reserved]

§ 416.25 Standards of performance for new sources.

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 (kilograms per 1,000 kg of product)	
BOD5	0.35	0.18
COD	1.6	.84
TSS	.19	.13
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.35	0.18
COD	1.6	.84
TSS	.19	.13
pH	Within the range 6.0 to 9.0.	

§ 416.26 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the polyvinyl acetate 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 416.25: 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 dis-

charge of pollutants, be correspondingly reduced in stringency for that pollutant.

Subpart C—Polystyrene Subcategory

§ 416.30 Applicability; description of the polystyrene subcategory.

The provisions of this subpart are applicable to discharges resulting from the polymerization reaction of styrene by suspension polymerization or by bulk polymerization and associated processing to manufacture polystyrene.

§ 416.31 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 401 shall apply to this subpart.

§ 416.32 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 paragraph, which may be discharged from the manufacture of polystyrene by the suspension polymerization process 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 (kilograms per 1,000 kg of product)	
BOD5	0.4	0.22
COD	4.3	2.20
Total chromium	.0046	.0023
TSS	1.1	.61
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.43	0.22
COD	4.3	2.20
Total chromium	.0046	.0023
TSS	1.1	.61
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of polystyrene by bulk polymerization process 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 (kilograms per 1,000 kg of product)	
BOD5	0.08	0.04
COD	.80	.40
TSS	.20	.11
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb. of product)	
BOD5	0.08	0.04
COD	.80	.40
TSS	.20	.11
pH	Within the range 6.0 to 9.0.	

§ 416.33 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 pollutants properties, controlled by this paragraph, which may be discharged from the manufacture of polystyrene by the suspension polymerization process by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.33	0.22
COD	1.55	1.03
Total chromium	.0046	.0023
TSS	.18	.16
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.33	0.22
COD	1.55	1.03
Total chromium	.0046	.0023
TSS	.18	.18
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of polystyrene by the bulk polymerization process by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.06	0.04
COD	.29	.19
TSS	.033	.028
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.06	0.04
COD	.29	.19
TSS	.033	.028
pH	Within the range 6.0 to 9.0.	

§ 416.34 [Reserved]

§ 416.35 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 paragraph, which may be discharged from the manufacture of polystyrene by the suspension polymerization process 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 (kilograms per 1,000 kg of product)	
BOD5	0.43	0.22
COD	2.0	1.03
Total chromium	.0046	.0023
TSS	.24	.16
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.43	0.22
COD	2.0	1.03
Total chromium	.0046	.0023
TSS	.24	.16
pH	Within the range 6.0 to 9.0.	

(b) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of polystyrene by the bulk polymerization process 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 (kilograms per 1,000 kg of product)	
BOD5	0.08	0.04
COD	.37	.19
TSS	.04	.028
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb. of product)	
BOD5	0.08	0.04
COD	.37	.19
TSS	.04	.028
pH	Within the range 6.0 to 9.0.	

§ 416.36 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the polystyrene 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 416.35: 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.

Subpart D—Polypropylene Subcategory

§ 416.40 Applicability; description of the polypropylene subcategory.

The provisions of this subpart are applicable to discharges resulting from the polymerization reaction of propylene and associated processing to manufacture polypropylene.

§ 416.41 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 401 shall apply to this subpart.

§ 416.42 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.

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 (kilograms per 1,000 kg of product)	
BOD5	0.81	0.42
COD	4.1	2.1
TSS	2.1	1.16
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.81	0.42
COD	4.1	2.1
TSS	2.1	1.16
pH	Within the range 6.0 to 9.0.	

§ 416.43 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

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 available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.48	0.32
COD	3.21	2.14
TSS	.27	.23
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.48	0.32
COD	3.21	2.14
TSS	.27	.23
pH	Within the range 6.0 to 9.0.	

§ 416.44 [Reserved]

§ 416.45 Standards of performance for new sources.

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 (kilograms per 1,000 kg of product)	
BOD5	0.43	0.22
COD	2.9	1.47
TSS	.24	.16
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.43	0.22
COD	2.9	1.47
TSS	.24	.16
pH	Within the range 6.0 to 9.0.	

§ 416.46 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the polypropylene 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 416.45: 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.

Subpart E—Polyethylene Subcategory

§ 416.50 Applicability; description of the polyethylene subcategory.

The provisions of this subpart are applicable to discharges resulting from the polymerization reaction of ethylene and associated processing to manufacture low density polyethylene and the polymerization reaction of ethylene by the solvent process or by the polyform process to manufacture high density polyethylene.

§ 416.51 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 401 shall apply to this subpart.

§ 416.52 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 paragraph, which may be discharged from the manufacture of low density polyethylene 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 (kilograms per 1,000 kg of product)	
BOD5	0.39	0.20
COD	3.9	2.0
TSS	1.0	.55
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.39	0.20
COD	3.9	2.0
TSS	1.0	.55
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of high density polyethylene by the solvent process 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 (kilograms per 1,000 kg of product)	
BOD5	0.58	0.30
COD	5.8	3.0
Total chromium	.0062	.0031
TSS	1.5	.83
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.58	0.30
COD	5.8	3.0
Total chromium	.0062	.0031
TSS	1.5	.83
pH	Within the range 6.0 to 9.0.	

(c) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of high density polyethylene by the polyform process 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 (kilograms per 1,000 kg of product)	
BOD5	0.10	0.052
COD	1.0	.52
TSS	.25	.14
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.10	0.052
COD	1.0	.52
TSS	.25	.14
pH	Within the range 6.0 to 9.0.	

§ 416.53 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, controlled by this paragraph, which may be discharged from the manufacture of low density polyethylene by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.29	0.19
COD	2.48	1.65
TSS	.16	.14
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.29	0.19
COD	2.48	1.65
TSS	.16	.14
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of high density polyethylene by the solvent process by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.45	0.30
COD	2.40	1.60
Total chromium	.0062	.0031
TSS	.25	.21
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.45	0.30
COD	2.40	1.60
Total chromium	.0062	.0031
TSS	.25	.21
pH	Within the range 6.0 to 9.0.	

(c) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of high density polyethylene by the polyform process by a point source subject to the provisions of this subpart after application of the best available technologly economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.078	0.052
COD	.42	.28
TSS	.043	.037
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.078	0.052
COD	.42	.28
TSS	.43	0.37
H	Within the range 6.0 to 9.0.	

§ 416.54 [Reserved]

§ 416.55 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 paragraph, which may be discharged from the manufacture of low density polyethylene 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 (kilograms per 1,000 kg of product)	
BOD5	0.35	0.18
COD	3.5	1.80
TSS	.19	.13
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.35	0.18
COD	3.5	1.80
TSS	.19	.13
pH	Within the range 6.0 to 9.0.	

(b) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of high density polyethylene by the solvent process 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 (kilograms per 1,000 kg of product)	
BOD5	0.58	0.3
COD	3.1	1.6
Total chromium	.0062	.0031
TSS	.31	.21
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.58	0.3
COD	3.1	1.6
Total chromium	.0062	.0031
TSS	.31	.21
pH	Within the range 6.0 to 9.0.	

(c) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of high density polyethylene by the polyform process 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 (kilograms per 1,000 kg of product)	
BOD5	0.10	0.054
COD	.54	.28
TSS	.05	.036
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.10	0.054
COD	.54	.28
TSS	.05	.036
pH	Within the range 6.0 to 9.0.	

§ 416.56 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the polyethylene 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 416.55: 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.

Subpart F—Cellophane Subcategory

§ 416.60 Applicability; description of the cellophane subcategory.

The provisions of this subpart are applicable to discharges resulting from the processing of wood pulp to manufacture cellophane and associated processing.

§ 416.61 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 401 shall apply to this subpart.

§ 416.62 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 (kilograms per 1,000 kg of product)	
BOD5	17.8	8.7
COD	178.0	87.0
TSS	29.1	16.0
pH	Within the range 6.0 to 9.9.	
	English units (pounds per 1,000 lb of product)	
BOD5	17.8	8.7
COD	178.0	87.0
TSS	29.1	16.0
pH	Within the range 6.0 to 9.0.	

§ 416.63 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

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 available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	6.75	4.5
COD	58.5	39.0
TSS	3.75	3.19
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	6.75	4.50
COD	58.5	39.0
TSS	3.75	3.19
pH	Within the range 6.0 to 9.0.	

§ 416.64 [Reserved]

§ 416.65 Standards of performance for new sources.

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 (kilograms per 1,000 kg of product)	
BOD5	6.2	3.2
COD	83.0	42.7
TSS	3.3	2.27
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	6.2	3.2
COD	83.0	42.7
TSS	3.3	2.27
pH	Within the range 6.0 to 9.0.	

§ 416.66 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the cellophane 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 416.65: 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.

Subpart G—Rayon Subcategory

§ 416.70 Applicability; description of the rayon subcategory.

The provisions of this subpart are applicable to discharges resulting from the processing of wood pulp to manufacture rayon and associated processing.

§ 416.71 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 401 shall apply to this subpart.

§ 416.72 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 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 (kilograms per 1,000 kg of product)	
BOD5	10	4.8
COD	150	72
Zinc	.91	.534
TSS	16	8.8
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	10	4.8
COD	150	72
Zinc	.91	.534
TSS	16	8.8
pH	Within the range 6.0 to 9.0.	

§ 416.73 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

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 available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	3.75	2.50
COD	32.3	21.7
Zinc	.210	.105
TSS	2.08	1.77
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	3.75	2.50
COD	32.3	21.7
Zinc	.210	.105
TSS	2.08	1.77
pH	Within the range 6.0 to 9.0.	

§ 416.74 [Reserved]

§ 416.75 Standards of performance for new sources.

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 (kilograms per 1,000 kg of product)	
BOD5	3.5	1.8
COD	81	42.0
Zinc	.15	.075
TSS	1.9	1.28
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	3.5	1.8
COD	81	42.0
Zinc	.15	.075
TSS	1.9	1.28
pH	Within the range 6.0 to 9.0.	

§ 416.76 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the rayon 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 416.75: 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.

Subpart H—Acrylonitrile-Butadiene-Styrene (ABS) and Styrene-Acrylonitrile (SAN) Resin Copolymers

§ 416.80 Applicability; description of the acrylonitrile-butadiene-styrene (ABS) and styrene-acrylonitrile (SAN) resin copolymers subcategory.

The provisions of this subpart are applicable to discharges resulting from the polymerization reactions of acrylonitrile; butadiene, and styrene and associated processing to make ABS and SAN resins.

§ 416.81 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 401 shall apply to this subpart.

(b) ABS/SAN shall mean acrylonitrile-butadiene-styrene and styrene-acrylonitrile resin copolymers.

§ 416.82 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.

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 (kilograms per 1,000 kg of product)	
BOD5	1.3	0.63
COD	13	6.3
TSS	2.1	1.16
Total chromium	.0088	.0044
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	1.3	0.63
COD	13	6.3
TSS	2.1	1.16
Total chromium	.0088	.0044
pH	Within the range 6.0 to 9.0.	

§ 416.83 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

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 available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.60	0.40
COD	4.35	2.9
TSS	.33	.28
Total chromium	.0084	.0042
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.60	0.40
COD	4.35	2.90
TSS	.33	.28
Total chromium	.0084	.0042
pH	Within the range 6.0 to 9.0.	

§ 416.84 [Reserved]

§ 416.85 Standards of performance for new sources.

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 (kilograms per 1,000 kg of product)	
BOD5	0.74	0.38
COD	5.4	2.79
TSS	.40	.27
Total chromium	.0080	.0040
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.74	0.38
COD	5.4	2.79
TSS	.40	.27
Total chromium	.0080	.0040
pH	Within the range 6.0 to 9.0.	

§ 416.86 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the acrylonitrile-butadiene-styrene and styrene-acrylonitrile resin copolymers 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 pur-

pose 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 416.85: 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.

Subpart I—Polyester Subcategory

§ 416.90 Applicability; description of the polyester subcategory.

The provisions of this subpart are applicable to discharges resulting from the polymerization reaction of dihydric alcohol and terephthalic acid or dimethyl terephlholate and associated processing to manufacture polyester resins and subsequent processing to manufacture polyester fibers.

§ 416.91 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 401 shall apply to this subpart.

§ 416.92 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 paragraph, which may be discharged from the manufacture of polyester resin by batch processing 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 (kilograms per 1,000 kg of product)	
BOD5	1.4	0.78
COD	21.5	11.7
TSS	.95	.52
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	1.4	0.78
COD	21.5	11.7
TSS	.95	.52
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of polyester fiber by batch processing 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 (kilograms per 1,000 kg of product)	
BOD5	1.4	0.78
COD	21.5	11.7
TSS	.95	.52
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	1.4	0.78
COD	21.5	11.7
TSS	.95	.52
pH	Within the range 6.0 to 9.0.	

(c) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of polyester resin and fiber by continuous processing 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 (kilograms per 1,000 kg of fiber)	
BOD5	1.4	0.78
COD	21.5	11.7
TSS	.95	.52
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	1.4	0.78
COD	21.5	11.7
TSS	.95	.52
pH	Within the range 6.0 to 9.0.	

(d) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of polyester resin and fiber by batch processing 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 (kilograms per 1,000 kg of fiber)	
BOD5	2.8	1.56
COD	43.0	23.4
TSS	1.9	1.04
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	2.8	1.56
COD	43.0	23.4
TSS	1.9	1.04
pH	Within the range 6.0 to 9.0.	

§ 416.93 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, controlled by this paragraph, which may be discharged from the manufacture of polyester resin by batch processing by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.48	0.32
COD	2.46	1.64
TSS	.16	.13
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.48	0.32
COD	2.46	1.64
TSS	.16	.13
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of polyester fiber by batch processing by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.48	0.32
COD	2.46	1.64
TSS	.16	.13
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.48	0.32
COD	2.46	1.64
TSS	.16	.13
pH	Within the range 6.0 to 9.0.	

(c) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of polyester resin and fiber by continuous processing by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of fiber)	
BOD5	0.95	0.63
COD	4.95	3.30
TSS	.32	.27
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of fiber)	
BOD5	0.95	0.63
COD	4.95	3.30
TSS	.32	.27
pH	Within the range 6.0 to 9.0.	

(d) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of polyester resin and fiber by batch processing by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.38	0.25
COD	1.95	1.30
TSS	.13	.11
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.38	0.25
COD	1.95	1.30
TSS	.13	.11
pH	Within the range 6.0 to 9.0.	

§ 416.94 [Reserved]

§ 416.95 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 paragraph, which may be discharged from the manufacture of polyester resin by batch processing 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 (kilograms per 1,000 kg of product)	
BOD5	0.62	0.32
COD	5.7	2.92
TSS	.19	.13
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.62	0.32
COD	5.7	2.92
TSS	.19	.13
pH	Within the range 6.0 to 9.0.	

(b) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of polyester fiber by batch processing 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 (kilograms per 1,000 kg of product)	
BOD5	0.62	0.32
COD	5.7	2.92
TSS	.19	.13
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.62	0.32
COD	5.7	2.92
TSS	.19	.13
pH	Within the range 6.0 to 9.0.	

(c) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of polyester resin and fiber by continuous processing 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 (kilograms per 1,000 kg of fiber)	
BOD5	0.35	0.18
COD	3.2	1.67
TSS	.12	.078
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of fiber)	
BOD5	0.35	0.18
COD	3.2	1.67
TSS	.12	.078
pH	Within the range 6.0 to 9.0.	

(d) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacturing of polyester resin and fiber by batch processing 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 (kilograms per 1,000 kg of fiber)	
BOD5	1.2	0.63
COD	11.3	5.84
TSS	.4	.27
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of fiber)	
BOD5	1.2	0.63
COD	11.3	5.84
TSS	.4	.27
pH	Within the range 6.0 to 9.0.	

§ 416.96 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the polyester 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 416.95: Provided, That, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percent-

age 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.

Subpart J—Nylon 66 Subcategory

§ 416.100 Applicability; description of the nylon 66 subcategory.

The provisions of this subpart are applicable to discharges resulting from the polymerization reaction of hexamethylene diamine and adipic acid and associated processing to manufacture nylon 66 resin and/or fiber.

§ 416.101 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 401 shall apply to this subpart.

§ 416.102 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 paragraph, which may be discharged from the manufacture of nylon 66 resin 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 (kilograms per 1,000 kg of product)	
BOD5	1.2	0.66
COD	6.0	3.3
TSS	.80	.44
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	1.2	0.66
COD	6.0	3.3
TSS	.80	.44
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of nylon 66 fiber 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 (kilograms per 1,000 kg of product)	
BOD5	1.1	0.58
COD	5.3	3.0
TSS	.70	.39
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	1.1	0.58
COD	5.3	3.0
TSS	.70	.39
pH	Within the range 6.0 to 9.0.	

(c) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of nylon 66 resin and fiber 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 (kilograms per 1,000 kg of fiber)	
BOD5	2.3	1.24
COD	11.3	6.2
TSS	1.5	.83
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of fiber)	
BOD5	2.3	1.24
COD	11.3	6.2
TSS	1.5	.83
pH	Within the range 6.0 to 9.0.	

§ 416.103 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, controlled by this paragraph, which may be discharged from the manufacture of nylon 66 resin by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.40	0.27
COD	2.09	1.39
TSS	.13	.11
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.40	0.27
COD	2.09	1.39
TSS	.13	.11
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of nylon 66 fiber by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.35	0.23
COD	1.82	1.21
TSS	.12	.10
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.35	0.23
COD	1.82	1.21
TSS	.12	.10
pH	Within the range 6.0 to 9.0.	

(c) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of nylon 66 resin and fiber by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of fiber)	
BOD5	0.75	0.50
COD	3.90	2.60
TSS	.25	.21
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of fiber)	
BOD5	0.75	0.50
COD	3.90	2.60
TSS	.25	.21
pH	Within the range 6.0 to 9.0.	

§ 416.104 [Reserved]

§ 416.105 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 paragraph, which may be discharged from the manufacture of nylon 66 resin 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 (kilograms per 1,000 kg of product)	
BOD5	0.53	0.27
COD	3.7	1.92
TSS	.16	.11
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.53	0.27
COD	3.7	1.92
TSS	.16	.11
pH	Within the range 6.0 to 9.0.	

(b) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of nlyon 66 fiber 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 (kilograms per 1,000 kg of product)	
BOD5	0.45	0.23
COD	3.3	1.68
TSS	.15	.10
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.45	0.23
COD	3.3	1.68
TSS	.15	.10
pH	Within the range 6.0 to 9.0.	

(c) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph which may be discharged from the manufacture of nylon 66 resin and fiber 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 (kilograms per 1,000 kg of fiber)	
BOD5	0.98	0.50
COD	7.0	3.60
TSS	.31	.21
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of fiber)	
BOD5	0.98	0.50
COD	7.0	3.60
TSS	.31	.21
pH	Within the range 6.0 to 9.0.	

§ 416.106 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the nylon 66 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 416.105: 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.

Subpart K—Nylon 6 Subcategory

§ 416.110 Applicability; description of the nylon 6 subcategory.

The provisions of this subpart are applicable to discharges resulting from the polymerization reaction of caprolactam and associated processing to manufacture nylon 6 resin and/or fiber.

§ 416.111 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 401 shall apply to this subpart.

§ 416.112 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 paragraph, which may be discharged from the manufacture of nylon 6 resin 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 (kilograms per 1,000 kg of product)	
BOD5	6.8	3.71
COD	68.0	37.1
TSS	4.5	2.48
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	6.8	3.71
COD	68.0	37.1
TSS	4.5	2.48
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of nylon 6 fiber 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 (kilograms per 1,000 kg of product)	
BOD5	3.5	1.90
COD	35	19
TSS	2.3	1.27
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	3.5	1.90
COD	35	19
TSS	2.3	1.27
pH	Within the range 6.0 to 9.0.	

(c) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of nylon 6 resin and fiber 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 (kilograms per 1,000 kg of fiber)	
BOD5	10.3	5.61
COD	103.0	56.1
TSS	6.8	3.75
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of fiber)	
BOD5	10.3	5.61
COD	103.0	56.1
TSS	6.8	3.75
pH	Within the range 6.0 to 9.0.	

§ 416.113 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, controlled by this paragraph, which may be discharged from the manufacture of nylon 6 resin by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	1.95	1.30
COD	10.2	6.77
TSS	.65	.55
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	1.95	1.30
COD	10.2	6.77
TSS	.65	.55
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of nylon 6 fiber by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	1.00	0.67
COD	5.21	3.44
TSS	.33	.28
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	1.00	0.67
COD	5.21	3.44
TSS	.33	.28
pH	Within the range 6.0 to 9.0.	

(c) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph which may be discharged from the manufacture of nylon 6 resin and fiber by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of fiber)	
BOD5	2.95	1.97
COD	15.3	10.2
TSS	.98	.84
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of fiber)	
BOD5	2.95	1.97
COD	15.3	10.2
TSS	.98	.84
pH	Within the range 6.0 to 9.0.	

§ 416.114 [Reserved]

§ 416.115 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 paragraph, which may be discharged from the manufacture of nylon 6 resin 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 (kilograms per 1,000 kg of product)	
BOD5	2.1	1.10
COD	22	11.4
TSS	.69	.47
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	2.1	1.10
COD	22	11.4
TSS	.69	.47
pH	Within the range 6.0 to 9.0.	

(b) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of nylon 6 fiber 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 (kilograms per 1,000 kg of product)	
BOD5	1.1	0.57
COD	11	5.90
TISS	.35	.24
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	1.1	0.57
COD	11	5.90
TSS	.35	.24
pH	Within the range 6.0 to 9.0.	

(c) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, which controlled by this paragraph, which may be discharged from the manufacture of nylon 6 resin and fiber 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 (kilograms per 1,000 kg of product)	
BOD5	3.2	1.67
COD	33.0	17.4
TSS	1.1	.71
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	3.2	1.67
COD	33.0	17.4
TSS	1.1	.71
pH	Within the range 6.0 to 9.0.	

§ 416.116 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the nylon 6 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 416.115: *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.

Subpart L—Cellulose Acetate Subcategory

§ 416.120 Applicability; description of the cellulose acetate subcategory.

The provisions of this subpart are applicable to discharges resulting from the processing of wood pulp with acetic acid and acetic anhydride and associated processing to manufacture cellulose acetate fibers and/or resins.

§ 416.121 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 401 shall apply to this subpart.

§ 416.122 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 paragraph, which may be discharged from the manufacture of cellulose acetate resin 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 (kilograms per 1,000 kg of product)	
BOD5	7.5	4.13
COD	75.0	41.3
TSS	5.0	2.75
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	7.5	4.13
COD	75.0	41.3
TSS	5.0	2.75
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of cellulose acetate fiber 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 (kilograms per 1,000 kg of product)	
BOD5	7.5	4.13
COD	75.0	41.3
TSS	5.0	2.75
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	7.5	4.13
COD	75.0	41.3
TSS	5.0	2.75
pH	Within the range 6.0 to 9.0.	

(c) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of cellulose acetate resin and fiber 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 (kilograms per 1,000 kg of product)	
BOD5	15	8.26
COD	150	82.6
TSS	10	5.50
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	15	8.26
COD	150	82.6
TSS	10	5.50
pH	Within the range 6.0 to 9.0.	

§ 416.123 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, controlled by this paragraph, which may be discharged from the manufacture of cellulose acetate resin by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	1.88	1.25
COD	9.75	6.5
TSS	.63	.53
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	1.88	1.25
COD	9.75	6.5
TSS	.63	.53
pH	Within the range 6.0 to 9.0.	

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of cellulose acetate fiber by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of products)	
BOD5	1.88	1.25
COD	9.75	6.5
TSS	.63	.53
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	1.88	1.25
COD	9.75	6.5
TSS	.63	.53
pH	Within the range 6.0 to 9.0.	

(c) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of cellulose acetate resin and fiber by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	3.75	2.50
COD	19.5	13.0
TSS	1.26	1.06
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	3.75	2.50
COD	19.5	13.0
TSS	1.26	1.06
pH	Within the range 6.0 to 9.0.	

§ 416.124 [Reserved]

§ 416.125 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 paragraph, which may be discharged from the manufacture of cellulose acetate resin 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 (kilograms per 1,000 kg of product)	
BOD5	1.6	0.83
COD	15.5	8.0
TSS	.51	.35
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	1.6	0.83
COD	15.5	8.0
TSS	.51	.35
pH	Within the range 6.0 to 9.0.	

(b) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of cellulose acetate fiber by a new source subject to the provisions of this subpart:

Effluent characteristic	E fluent limitations: Maximum for any 1 day	E fluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	1.6	0.83
COD	15.5	8.0
TSS	.51	.35
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	1.25	0.83
COD	15.5	8.0
TSS	.51	.35
pH	Within the range 6.0 to 9.0.	

(c) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this paragraph, which may be discharged from the manufacture of cellulose acetate resin and fiber 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 (kilograms per 1,000 kg of fiber)	
BOD5	3.2	1.67
COD	31	16
TSS	1.1	.71
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of fiber)	
BOD5	3.2	1.67
COD	31	16
TSS	1.1	.71
pH	Within the range 6.0 to 9.0.	

§ 416.126 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the cellulose acetate 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 416.125: 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 work shall, except in the case of standards providing for no discharge of pollutants, be correspondingly reduced in stringency for that pollutant.

Subpart M—Acrylics Subcategory

§ 416.130 Applicability; description of the acrylics subcategory.

The provisions of this subpart are applicable to discharges resulting from the polymerization reaction of acrylonitrile and associated processing and the copolymerization reaction of acrylonitrile and vinylidene chloride and/or vinyl chloride to manufacture acrylic resins and fibers.

§ 416.131 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 401 shall apply to this subpart.

§ 416.132 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.

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 (kilograms per 1,000 kg of product)	
BOD5	5	2.75
COD	25	13.8
TSS	2	1.1
Phenolic compounds	.017	.0083
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	5	2.75
COD	25	13.8
TSS	2	1.1
Phenolic compounds	.017	.0083
pH	Within the range 6.0 to 9.0.	

§ 416.133 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

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 available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of product)	
BOD5	0.98	0.65
COD	5.07	3.38
TSS	.33	.27
Phenolic compounds	.0032	.0016
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	0.98	0.65
COD	5.07	3.38
TSS	.33	.27
Phenolic compounds	.0032	.0016
pH	Within the range 6.0 to 9.0.	

§ 416.134 [Reserved]

§ 416.135 Standards of performance for new sources.

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 (kilograms per 1,000 kg of product)	
BOD5	1.2	0.63
COD	24	12.2
TSS	.4	.27
Phenolic compounds	.0032	.0016
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of product)	
BOD5	1.2	0.63
COD	24	12.2
TSS	.4	.27
Phenolic compounds	.0032	.0016
pH	Within the range 6.0 to 9.0.	

§ 416.136 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the acrylics 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 416.135: 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.

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ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 416]

PLASTICS AND SYNTHETICS POINT SOURCE CATEGORY

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 416—Plastics and Synthetics Manufacturing 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 polyvinyl chloride subcategory, polyvinyl acetate subcategory, polystyrene subcategory, polypropylene subcategory, polyethylene subcategory, cellophane subcategory, rayon subcategory, acrylonitrile-butadiene-styrene (ABS) and styrene-acrylonitrile (SAN) resin copolymers subcategory, polyester subcategory, nylon 66 subcategory, nylon 6 subcategory, cellulose acetate subcategory and acrylics subcategory of the plastics and synthetics 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 416) 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 section 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 a 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 is 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 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 adequate to make a determination regarding 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.

Sections 416.15, 416.25, 416.35, 416.45, 416.55, 416.65, 416.75, 416.85, 416.95, 416.105, 416.115, 416.125 and 416.135 of the proposed regulations for point sources within the polyvinyl chloride subcategory, polyvinyl acetate subcategory, polystyrene subcategory, polypropylene subcategory, polyethylene subcategory, cellophane subcategory, rayon subcategory, acrylonitrile-butadine-styrene (ABS) and styrene-acrylonitrile (SAN) resin copolymers subcategory, polyester subcategory, nylon 66 subcategory, nylon 6 subcategory, cellulose acetate subcategory and acrylics subcategory (October 11, 1973; 38 FR 28194) contained the proposed pretreatment standard for new sources. The regulation promulgated simultaneously herewith contains §§ 416.16, 416.26, 416.36, 416.46, 416.56, 416.66, 416.76, 416.86, 416.9, 416.106, 416.116, 416.126 and 416.136 which state 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 Synthetic Resins Segment of the Plastics and Synthetics Point Source Category" is now being published. The economic analysis report entitled "Economic Analysis of Proposed Effluent Guidelines, Plastics and Synthetics Industry" (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 manufacture of plastics and synthetics,

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 and production of plastics and synthetics. 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 plastics and synthetics category (38 FR 28194; October 11, 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 416) which currently is being published in the Rules and Regulations section of the FEDERAL REGISTER.

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 polyvinyl chloride subcategory, polyvinyl acetate subcategory, polystyrene subcategory, polypropylene subcategory, polyethylene subcategory, cellophane subcategory, rayon subcategory, acrylonitrile-butadiene-styrene (ABS) and styrene-acrylonitrile (SAN) resin copolymers subcategory, polyester subcategory, nylon 66 subcategory, nylon 6 subcategory, cellulose acetate subcategory, and acrylics 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 wastes from the polyvinyl chloride subcategory, polyvinyl alcohol subcategory, polystyrene subcategory, polypropylene subcategory, and polyethylene subcategory are low in BOD5 (less than 10 kg/kkg of product) and are treatable to low attainable concentration levels for BOD5, COD, and TSS using modes of treatment comparable to joint treatment works. Accordingly, they are considered compatible. The polystyrene subcategory (suspension process) and the polyethylene subcategory (high density solvent process) require pretreatment for the removal of total chromium. The cellophane subcategory and rayon subcategory have process wastes which are high in BOD5 (greater than 10 kg/kkg of product) due to their large process waste hydraulic load which are treatable to low attainable concentration levels for BOD5, COD, and TSS using modes of treatment comparable to joint treatment works. Therefore, they are considered compatible. The rayon subcategory requires pretreatment for the removal of zinc. The ABS/SAN subcategory, polyester subcategory, nylon 6 subcategory, nylon 66 subcategory, cellulose acetate subcategory and acrylics category have process wastes which are high in BOD5 (greater than 10 kg/kkg of product) which are treatable to various levels of BOD5, COD, and TSS using modes of treatment (multistage biological treatment) which are more sophisticated than those comparable to joint treatment works and are, therefore, considered incompatible with regard to the COD parameter. The ABS/SAN subcategory requires pretreatment for the removal of total chromium. The acrylics subcategory requires pretreatment for the removal of phenolic compounds.

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 Part 2, provides that a reasonable fee may be charged for copying.

In consideration of the foregoing, it is hereby proposed that 40 CFR Part 416 be amended to add §§ 416.14, 416.24, 416.34, 416.44, 416.54, 416.64, 416.74, 416.84, 416.94, 416.104, 416.114, 416.124, and 416.134 as set forth below. All comments received on or before May 2, 1974, will be considered.

Dated: March 26, 1974.

JOHN QUARLES,
Acting Administrator.

Part 416 is proposed to be amended as follows:

1. Subpart A is amended by adding § 416.14 as follows:

§ 416.14 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 416.12 above shall not apply and, subject to the provisions of 40 CFR Part 128 concerning pretreatment, process waste water from this subcategory may be introduced into a publicly owned treatment works.

2. Subpart B is amended by adding § 416.24 as follows:

§ 416.24 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 416.22 above shall not apply and, subject to the provisions of 40 CFR Part 128 concerning pretreatment, process waste water from this subcategory may be introduced into a publicly owned treatment works.

3. Subpart C is amended by adding § 416.34 as follows:

§ 416.34 Pretreatment standards for existing sources.

(a) For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in 40 CFR 416.32(a) 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.

(b) For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in 40 CFR 416.32(b) above shall not apply and, subject to the provisions of 40 CFR Part 128 concerning pretreatment, process waste water from this subcategory may be introduced into a publicly owned treatment works.

4. Subpart D is amended by adding § 416.44 as follows:

§ 416.44 **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 416.42 above shall not apply and, subject to the provisions of 40 CFR Part 128 concerning pretreatment, process waste water from this subcategory may be introduced into a publicly owned treatment works.

5. Subpart E is amended by adding § 416.54 as follows:

§ 416.54 **Pretreatment standards for existing sources.**

(a) For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in 40 CFR 416.52(a) above shall not apply and, subject to the provisions of 40 CFR Part 128 concerning pretreatment, process waste water from this subcategory may be introduced into a publicly owned treatment works.

(b) For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in 40 CFR 416.52(b) 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.

(c) For the purpose of pretreatment standards for incompatible pollutants established under 40 CFR 128.133, the effluent limitations guidelines set forth in 40 CFR 416.52(c) above shall not apply and, subject to the provisions of 40 CFR Part 128 concerning pretreatment, process waste water from this subcategory may be introduced into a publicly owned treatment works.

6. Subpart F is amended by adding § 416.64 as follows:

§ 416.64 **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 416.62 above shall not apply and, subject to the provisions of 40 CFR Part 128 concerning pretreatment, process waste water from this subcategory may be introduced into a publicly owned treatment works.

7. Subpart G is amended by adding § 416.74 as follows:

§ 416.74 **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 416.72 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.

8. Subpart H is amended by adding § 416.84 as follows:

§ 416.84 **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 416.82 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.

9. Subpart I is amended by adding § 416.94 as follows:

§ 416.94 **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 416.92 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.

10. Subpart J is amended by adding § 416.104 as follows:

§ 416.104 **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 416.102 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.

11. Subpart K is amended by adding § 416.114 as follows:

§ 416.114 **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 416.112 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.

12. Subpart L is amended by adding § 416.124 as follows:

§ 416.124 **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 416.122 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.

13. Subpart M is amended by adding § 416.134 as follows:

§ 416.134 **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 416.132 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.

[FR Doc.74-7511 Filed 4-4-74;8:45 am]

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PART III

DEPARTMENT OF TRANSPORTATION

FEDERAL RAILROAD ADMINISTRATION

■

CONTINUATION OF LOCAL RAIL SERVICES

Procedures and Requirements Regarding Filing of Applications

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[49 CFR Part 255]

[FRA Economic Docket No. 3, Notice No. 1]

CONTINUATION OF LOCAL RAIL SERVICES

Procedures and Requirements Regarding Filing of Application

The purpose of this amendment to Title 49 of the Code of Federal Regulations is to establish a new Part 255 setting forth the procedures and requirements of the Federal Railroad Administration, in connection with the filing of applications with the Administrator for assistance for rail service continuation subsidies under section 402 of Title IV of the Regional Rail Reorganization Act of 1973 (Pub. L. 93-236) ("Act"). Section 403 of Title IV of the Act provides for grants by the Department of Transportation and for loans and guarantees from the United States Railway Association for acquisition and modernization assistance to eligible States, and local and regional authorities. Procedures and requirements with respect to applications for assistance under section 403 will be issued in conjunction with the regulations of the United States Railway Association required under that section. Such procedures and requirements will be based upon the planning process required under section 402(c) of the Act and will be an integral part of the state program required under this part. Guidelines for the development of the State plan for rail transportation and local rail services will be published by the Administrator as provided in § 255.9(a) of the regulations in this part and made available to States and local and regional transportation authorities in the region. In developing their plans States should consider their projected use of section 403 assistance in outlining their long term goals for assisted lines pursuant to § 255.9(b)(1) of this part. In addition, States should review their authority and administrative jurisdiction to carry out a local rail services program in view of the requirements of section 402(c)(2) of the Act and § 255.5(a)(2) of this part.

Section 402 of Title IV of the Act establishes in detail the program whereby the Secretary of Transportation, in accordance with regulations issued by him, is to provide rail service continuation subsidies to States and local and regional transportation authorities in the northeast and midwest region of the United States for the purpose of continuing local rail services which may otherwise be discontinued or abandoned in accordance with section 304 of the Act as a result of the adoption of the final system plan authorized under Title II of the Act.

Section 304 of the Act, among other things, provides in detail for the discontinuance and abandonment of service not included in the final system plan, during a specified period of time, without regard to other provisions of law or decisions of courts or administrative agencies. The section further provides that no such termination may take place if a shipper, a State, the United States, a local or regional transportation authority, or any responsible person offers—

"(A) A rail service continuation subsidy which covers the difference between the revenue attributable to such rail properties and the avoidable costs of providing service on such rail properties plus a reasonable return on the value of such rail properties;

(B) A rail service continuation subsidy which is payable pursuant to a lease or agreement with a State, or a local or regional transportation authority, under which financial support was being provided at the time of the enactment of this Act for the continuance of rail passenger service; or

(C) To purchase, pursuant to subsection (d) of section 304 of the Act, such rail properties in order to operate rail service over such properties."

In addition, the section provides that if a rail service continuation subsidy is offered, the government or person offering the subsidy shall enter into an operating agreement with the Corporation or any responsible person (including a government entity) under which the Corporation or such person (including a government entity) will operate rail service over such rail properties and receive the difference between the revenue attributable to such properties and the avoidable costs of providing service on such rail properties and the trustee of any railroad in reorganization shall receive a reasonable rate of return on the value of any rail properties for which a rail service is operated under such subsidy.

Pursuant to section 401 of the Act, Congress finds and declares that—

(1) The Nation is facing an energy shortage of acute proportions in the next decade.

(2) Railroads are one of the most energy-efficient modes of transportation for the movement of passengers and freight and cause the least amount of pollution.

(3) Abandonment, termination, or substantial reduction of rail service in any locality will adversely affect the Nation's long-term and immediate goals with respect to energy conservation and environmental protection.

(4) Under certain circumstances the cost to the taxpayers of rail service continuation subsidies would be less than the cost of abandonment of rail service in terms of lost jobs, energy shortages, and degradation of the environment. It is therefore declared to be the purpose of the Congress to authorize the Secretary to maintain a program of rail service continuation subsidies.

Section 402(a) of the Act provides that the Secretary shall provide financial assistance in accordance with the section for the purpose of rail service continuation subsidies. For purposes of subsection (b)(1) of the section the Federal share of a rail service continuation subsidy shall be 70 per centum and the State share shall be 30 per centum. For purposes of subsection (b)(2) of the section a State receiving discretionary assistance is required to contribute at least 30 per centum of the cost of the program for which the Federal assistance is provided.

Section 402(b)(1) of the Act provides that each State in the region is entitled to an amount for rail service continuation subsidies from 50 per centum of the sums appropriated each fiscal year for such purpose in the ratio which the total rail mileage in such State, as determined by the Secretary and measured in point-to-point length (excluding yard tracks and sidings), bears to the total rail mileage in all the States in the region, measured in the same manner. The section provides, however, that the entitlement of each State shall be no less than 3 per centum, and the entitlement of no State shall be no more than 10 per centum, of 50 per centum of the funds appropriated. In the event that the total amount allocated under this formula, due to the application of the maximum and minimum limitations which it establishes, is greater or less than 50 per centum of the funds appropriated, the excess or deficiency, as the case may be, shall be added to or deducted from the Secretary's discretionary fund provided for in section 402(b)(2). The entitlement of any State which is withheld in accordance with this section and any sums not used or committed by a State during the preceding fiscal year shall be paid into the discretionary fund provided for in paragraph (2) of section 402(b) of the Act for use under that authority.

Section 402(b)(2) of the Act also authorizes the Secretary to provide discretionary financial assistance to a State or a local or regional transportation authority in the region for the purpose of continuing local rail services, including assistance for the purposes enumerated in section 403 of Title IV of the Act.

Section 402(c) of the Act provides that a State in the region is eligible to receive rail service continuation subsidies pursuant to subsection (b) of the section in any fiscal year if—

(1) The State has established a State plan for rail transportation and local rail services which is administered or coordinated by a designated State agency and such plan provides for the equitable distribution of such subsidies among State, local, and regional transportation authorities;

(2) The State agency has authority and administrative jurisdiction to develop, promote, supervise, and support safe, adequate, and efficient rail services; employs or will employ, directly or indirectly, sufficient trained and qualified personnel; and maintains or will maintain adequate programs of investigation, research, promotion, and development with provision for public participation;

(3) The State provides satisfactory assurance that such fiscal control and fund accounting procedures will be adopted as may be necessary to assure proper disbursement of, and accounting for, Fed-

eral funds paid under Title IV of the Act to the State; and

(4) The State complies with the regulations of the Secretary issued under section 402 of the Act.

The States specifically included in the region by section 102(13) of the Act and local and regional transportation authorities located in such States may, if eligible, receive assistance pursuant to section 402(b) (1) and (2) of the Act. Local and regional transportation authorities in those portions of contiguous States included in the region by order of the Commission pursuant to section 102 (13) may, if eligible, receive assistance under section 402(b) (2) of the Act.

Section 402(d) of the Act provides that, within 90 days after the date of enactment of the Act, the Secretary shall issue, and may from time to time amend, regulations with respect to basic and discretionary rail service continuation subsidies.

Section 402(e) of the Act provides that the Secretary shall pay to each State in the region an amount equal to its entitlement under subsection (b) (1) of section 402. Any amounts which are not expended or committed by a State pursuant to subsection (b) during the ensuing fiscal year must be returned by such State to the Secretary, who may use such amounts in accordance with subsection (b) (2) of section 402 as part of his discretionary fund.

Section 402(f) of the Act provides that a rail service continuation subsidy between a State, or a local or regional authority, and the Corporation or other responsible person (including a government entity) will not exceed a term of 2 years.

Section 402(g) (1) of the Act provides that each recipient of financial assistance under section 402, whether in the form of grants, subgrants, contracts, subcontracts, or other arrangements, shall keep such records as the Secretary shall prescribe, including records which fully disclose the amount and disposition by such recipient of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance was given or used, the amount of that portion of the cost of the project supplied by the other sources, and such other records as will facilitate an effective audit.

Section 402(g) (2) of the Act provides that the Secretary and the Comptroller General of the United States, or any of their duly authorized representatives shall, until the expiration of 3 years after completion of the project or undertaking referred to in section 402(g) (1), have access for the purpose of audit and examination to any books, documents, papers, and records of such receipts and disbursements which in the opinion of the Secretary or the Comptroller General may be related or pertinent to the grants, contracts, or other arrangements referred to in such paragraph.

Section 402(h) of the Act provides that if the Secretary, after reasonable notice and opportunity for a hearing to any State agency, finds that a State is not eligible for rail service continuation subsidies under subsections (c) and (d) of section 402, payment to such State shall not be made until there is no longer any failure to comply.

Subsection (i) of section 402 provides that there is authorized to be appropriated to carry out the purposes of section 402 of the Act such sums as may be necessary, not to exceed $90 million for each of the 2 fiscal years including and following the effective date of the final system plan. Such sums as are appropriated shall remain available until expended. The section also provides that one-half of the sums appropriated pursuant to the authorization of subsection (i) shall be reserved for allocation to States in the region in accordance with the entitlement formula contained in subsection (b) (1) of section 402. The remaining half of the sums appropriated shall be reserved for distribution by the Secretary under his discretionary authority under subsection (b) (2) of section 402.

Subsection (j) of section 402 provides that as used in section 402, "rail service continuation subsidies" means subsidies calculated in accordance with the provisions of section 205(d) (3) of the Act to cover costs of operating adequate and efficient rail services, including where necessary improvement and maintenance of tracks and related facilities. Section 205(d) (3) of the Act provides that it shall be the duty of the Rail Services Planning Office established in the Interstate Commerce Commission under section 205 of the Act to, within 180 days after the date of enactment of the Act, determine and publish standards for determining the "revenue attributable to the rail properties", the "avoidable cost of providing service", and "a reasonable return on the value", as those phases are used in section 304 of the Act, after a proceeding in accordance with the provisions of section 553 of Title V, United States Code.

By delegation of authority dated March 4, 1974, the Secretary of Transportation has delegated to the Federal Railroad Administrator certain of his authority under the Regional Rail Reorganization Act of 1973, including his authority under Title IV of the Act, except those responsibilities under section 402(g) (2) dealing with audit and examination of records.

In view of the scope of the rail services continuation program, and in view of the diverse interests involved, the Administrator wishes to receive the broadest possible public participation in connection with the development of these regulations. Accordingly, interested persons are invited to participate by submitting written data, views or comments. Communications should identify the regulatory docket number and should be submitted in triplicate to the Docket Clerk, Office of Chief Counsel, Federal Railroad Administration, Attention: FRA Economic Docket No. 3, 400 Seventh Street, SW., Washington, D.C. 20590. Communications received before June 4, 1974, will be considered by the Federal Railroad Administrator before taking final action on the proposed amendment. Comments received after that date will be considered to the extent practicable. All comments received will be available for examination by interested persons at any time during regular working hours in Room 5101, Nassif Building, 400 Seventh Street, SW., Washington, D.C. The proposals contained in this notice may be changed in light of comment received.

In consideration of the foregoing, it is proposed to amend Title 49, Code of Federal Regulations by adding a new Part 255 as follows:

PART 255—ASSISTANCE TO STATES AND LOCAL AND REGIONAL TRANSPORTATION AUTHORITIES IN THE REGION FOR THE CONTINUATION OF LOCAL RAIL SERVICES PURSUANT TO § 402 OF TITLE IV OF THE REGIONAL RAIL REORGANIZATION ACT OF 1973

REGULATIONS GOVERNING APPLICATIONS

Sec.

255.1 Definitions.
255.3 Applicability.
255.5 Eligibility.
255.7 Rail Service Continuation Assistance.
255.9 Requirements for State Plan for Rail Transportation and Local Rail Services.
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AUTHORITY: Regional Rail Reorganization Act of 1973, Pub. L. 93-236, § 1.49(q), Regulations of the Office of the Secretary of Transportation, 49 CFR 1.49(q).

REGULATIONS GOVERNING APPLICATIONS

§ 255.1 Definitions.

As used in this part—

(a) "Act" means the Regional Rail Reorganization Act of 1973.

(b) "Administrator" means the Federal Railroad Administrator.

(c) "Applicant" means the designated State agency of a State in the region or a local or regional transportation authority in the region meeting the requirements of § 255.5.

(d) "Designated State agency" means the State agency designated by the State in its State plan required by section 402(c) (1) of the Act and § 255.5.

(e) "Commission" means the Interstate Commerce Commission.

(f) "Region" means the States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, West Virginia, Ohio, Indiana, Michigan and Illinois; the District of Columbia; and those portions of contiguous States in which are located rail properties owned or operated by railroads doing business primarily in the aforementioned jurisdictions (as determined by the Commission by order). By order dated January 23, 1974 [Ex Parte No. 293, Northeastern Railroad Investigation (Definition of the Midwest and Northeast Region)] the Commission has included, in addition to the jurisdictions specifically named, the following:

(1) Points in Kentucky in the Louisville, Kentucky, Standard Metropolitan

Statistical Area as used in the latest national census;

(2) Points in Missouri in the St. Louis, Missouri, Standard Metropolitan Statistical Area as used in the latest national census; and

(3) Kewaunee and Manitowoc, Wisconsin.

(g) "State in the region" means the States enumerated in section 102(13) of the Act.

(h) "Office" means the Rail Services Planning Office established in the Commission under section 205 of the Act.

(i) "Association" means the United States Railway Association.

(j) "Rail Service Continuation Subsidies" means subsidies calculated in accordance with the provisions of section 205(d)(3) of the Act to cover costs of operating adequate and efficient rail service in the region, including where necessary improvement and maintenance of tracks and related facilities.

(k) "Basic apportionment" means each State's entitlement calculated in accordance with the provisions of section 402(b)(1) of the Act for each fiscal year for continuation of local rail services.

(l) "Discretionary assistance" means financial assistance in addition to the basic apportionment, provided pursuant to section 402(b)(2) of the Act.

(m) "Rail Properties" means assets or rights owned, leased, or otherwise controlled by a railroad which are used or useful in rail transportation service; except that the term, when used in conjunction with the phrase "railroad leased, operated, or controlled by a railroad in reorganization," shall not include assets or rights owned, leased, or otherwise controlled by a Class I railroad which is not wholly owned, operated, or leased by a railroad in reorganization but is controlled by a railroad in reorganization.

(n) "Final System Plan" means the plan of reorganization for the restructure, rehabilitation, and modernization of railroads in reorganization prepared pursuant to section 206 and approved pursuant to section 208 of the Act.

(o) "State" means any State or the District of Columbia.

§ 255.3 Applicability.

This part prescribes the procedures governing applications under section 402 of the Act for assistance for rail service continuation subsidies for the continuation of local rail services proposed to be discontinued or abandoned pursuant to the provisions of section 304 of the Act as a result of the adoption of the final system plan authorized under Title II of the Act.

§ 255.5 Eligibility.

(a) *States in the Region.* A State in the region is eligible for amounts for rail service continuation subsidies in accordance with section 402(b)(1) (basic apportionment) and (2) (discretionary assistance) of the Act and § 255.7 if:

(1) The State has established a State plan for rail transportation and local rail services which meets the requirements of § 255.9 and which is administered or coordinated by a designated State agency, and such plan provides for the equitable distribution of such subsidies among State, local and regional transportation authorities;

(2) The State agency has authority and administrative jurisdiction to develop, promote, supervise, and support safe, adequate and efficient rail services; employs or will employ, directly or indirectly sufficient trained and qualified personnel; and maintains or will maintain adequate programs of investigation, research, promotion, and development with provisions for public participation;

(3) The State agency provides satisfactory assurance that such fiscal control and fund accounting procedures will be adopted as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid under this title to the State; and

(4) The State agency complies with the regulations of the Administrator prescribed hereunder and such terms and conditions as may be included in the grant of assistance.

(b) *Local and Regional Transportation Authority in the Region.* A local or regional transportation authority in the region is eligible for discretionary financial assistance under section 402(b)(2) of the Act and paragraph (c) of § 255.7 if:

(1) The proposed local or regional action is consistent with an approved State plan, provided that with respect to those portions of contiguous States included in the region by order of the Commission pursuant to section 102(13) of the Act, the approved State plan may be limited to that portion of the State which is within the region and the designated State agency may be either a State agency, or a local or regional transportation authority within the region;

(2) The responsible local or regional transportation authority provides assurances that it has the authority and administrative jurisdiction and fiscal controls similar to those required by paragraphs (a) (2) and (3) of this section; and

(3) The local or regional transportation authority complies with the regulations of the Administrator prescribed hereunder and such terms and conditions as may be included in the grant of assistance.

§ 255.7 Rail Service Continuation Assistance.

(a) *Basic apportionment.* The Federal share of the cost of providing a rail service continuation subsidy under section 402(b)(1) of the Act shall equal 70 percentum of such cost and shall not exceed a term of 2 years. The State share shall be 30 percentum. In no event, however, may the non-Federal share be augmented by any Federal funds directly or indirectly unless the funds are provided through a Federal program which specifically authorizes the augmentation of a non-Federal share of a federally subsidized program with such funds.

(b) *Computation of basic apportionment formula.* The basic apportionment for each State in the region is determined by the Administrator in accordance with the provisions of section 402(b)(1) of the Act. Pursuant to such provisions the Administrator has determined that the total mileage of all States in the region is 61,184 miles; that the total mileage in each State in the region and their ratio to the total mileage in the region is as follows:

State	State mileage	Percent of total miles in region	Percent of basic apportionment
Maine	1,666	2.7	3
New Hampshire	817	1.3	3
Vermont	766	1.3	3
Massachusetts	1,430	2.3	3
Connecticut	664	1.1	3
District of Columbia	30	0	3
Rhode Island	146	.2	3
New York	5,595	9.1	9.1
New Jersey	1,742	2.8	3
Pennsylvania	8,273	13.5	10
Delaware	291	.5	3
Maryland	1,110	1.8	3
Virginia	3,895	6.4	6.4
West Virginia	3,569	5.8	5.8
Ohio	7,804	12.8	10
Indiana	6,405	10.5	10
Michigan	6,159	10.1	10
Illinois	10,822	17.7	10
Total			101.3

(c) *Discretionary assistance.* Discretionary funds are available for the following purposes:

(1) To meet any deficiency in basic apportionment funds as required by section 402(b)(1) of the Act and paragraph (b) of this section;

(2) To assist applicants in acquiring and modernizing rail properties as provided in section 403 of the Act under regulations promulgated pursuant to such section; and

(3) To assist applicants in providing rail service continuation subsidies where basic apportionment funds under paragraph (a) of this section, together with the non-Federal funds available, are insufficient to enable the applicant to maintain essential local rail services and the applicant has no other practicable means of meeting its obligations;

(d) *Federal share.* For purposes of subsection (c) above the Federal share of the cost of the program for which the discretionary assistance is granted shall be a maximum of 70 percentum and the State or local or regional transportation authority share shall be a minimum of 30 percentum. In no event, however, may the non-Federal share be augmented by any Federal funds directly or indirectly unless the funds are provided through a Federal program which specifically authorizes the augmentation of a non-Federal share of a federally subsidized program with such funds. Discretionary assistance used for rail service continuation subsidies cannot exceed a term of 2 years.

(e) *Return of excess funds.* Any amounts which are not expended or committed by a State for rail service continuation subsidies pursuant to section 402(b) of the Act shall be returned to the Administrator who may use such amounts in accordance with section 402(b)(2) of the Act.

§ 255.9 Requirements for State Plan for Rail Transportation and Local Rail Services.

(a) *State planning process.* The State plan for rail transportation and local rail services, required under § 255.5(a), shall be based upon a comprehensive, coordinated and continuing planning process for the provision of rail transportation services in the State which in the judgment of the designated State agency are essential to meet the economic, environmental and energy needs of the citizens of such State, and to provide for the development of a coordinated and balanced transportation system within the State or portion thereof affected. Such plan shall be developed with opportunity for participation by public and private agencies having authority and responsibility for rail activity in the State and adjacent States where appropriate. Provision shall be made for affording interested persons, such as users of rail transportation, labor organizations, local governments, environmental groups and the public generally, timely opportunity to express their views on the State plan, including opportunity for public hearings.

The planning process shall include procedures for review and comment by the designated State agency of all elements of the plan involving local and regional transportation authorities. In the planning process all factors which have a significant influence upon rail service or which are significantly influenced by rail service must be considered. To the maximum extent practicable applicants shall follow the guidelines published by the Administrator to assist in the development of plans required under this section.

(b) *Contents of the State Plan.* The State plan shall—

(1) Include a specific statement or statements of what the State hopes to achieve by implementation of the actions proposed in the plan, stating long range plans and goals for lines selected for assistance, including the possibility of assistance under section 403 of the Act;

(2) Describe the planning process utilized in the development of the plan, giving particlars as to data sources, assumptions, special problems or conditions which may be essential to the understanding of the setting in which the State plan was developed;

(3) Be based on (i) a survey of existing rail service within the State or contiguous area, analyzing existing patterns of traffic movement; traffic density over identified lines; pertinent costs and revenues of lines; and plant, equipment and facilities; and (ii) an economic and operational analysis of (A) present and future rail service needs for both freight and passenger service; (B) the potential for moving rail traffic by alternate modes; (C) the relative economic, social and environmental costs and benefits involved in the use of alternate modes, including energy costs and effect on railroad employees; (D) the competitive or other effects on and by profitable railroads; (E) methods of achieving economics in the cost of rail system operations including consolidation, pooling and joint use or operation of lines, facilities and operating equipment; (F) evaluation of the condition of track, roadbed and structures on all lines for which the State and local and regional applicants wish to receive assistance, including potentials for rehabilitation and modernization of equipment, track and other facilities on such lines; and (G) the abandonment of lines consistent with meeting transportation needs.

(4) Classify the rail system within the State into the following categories:

(i) Lines in the final system plan;

(ii) Lines of railroads not in reorganization which are continuing in operation;

(iii) Lines of railroads in reorganization which are not included in the final system plan;

(iv) Lines for which the State wishes to receive assistance (subsidy, acquisition, modernization), enumerated in descending order of priority or importance.

(c) *Review, amendments and modifications with respect to the State Plan.* State plans are to be developed, reviewed and amended within the context of a continuing planning process. As conditions change, the plan may be amended or modified, as appropriate, and such amendments and modifications may be the basis for applications in accordance with § 255.11. All modifications and amendments will be subject to the same clearance and approval procedures as the basic plan.

(d) *Adoption of State Plan.* As an indication of State adoption of the plan, the Governor or other official responsible for approval and adoption of such plan shall sign an appropriate letter of declaration to accompany the submission of the plan to the Administrator.

(e) *Submission and Review of State Plan.* Of necessity the State plan will relate to the final system plan to be adopted by the Association. State plans must be submitted to the Administrator for review and approval not later than 45 days after the date of submission of the final system plan by the Association to Congress. This date is currently expected to be April 1, 1975. The submission date for State plans or amendments or modifications thereto may be changed by direction of the Administrator based on his knowledge of the progress of the final system plan. Amendments or modifications to the State plan may result from action taken by the Congress in their review of the final system plan. Such amendments or modifications shall be submitted to the Administrator not later than 20 days after Congressional approval of the final system plan. The Administrator shall accept or reject the State plan as an adequate basis for Federal assistance under Title IV of the Act not later than 40 days after the effective date of the final system plan. If the Administrator determines that the State plan is not in accordance with this part, he will notify the State in writing, setting forth his reasons for such determination, and afford the State an opportunity for a hearing and to amend its plan to bring it into compliance with the Act and this Part. Where hearings in accordance with section 402(h) are necessary, they shall be conducted on an expedited basis to afford a State maximum opportunity to submit an acceptable plan on a timely basis.

§ 255.11 Applications.

(a) *Coordination and clearance.* In order to insure coordination with appropriate State agencies, and to insure that local and regional proposals are consistent with the State plan for rail transportation and local rail services, applications for assistance will be submitted by or under the coordination of the designated State agency. All applications for assistance, whether by the designated State agency or by local or regional transportation authorities, will be considered as elements of the State plan, and to the extent such applications result in substantial variations from the plan, the plan shall be modified or amended accordingly to conform to such variations as provided in paragraph (c) of § 255.9.

(b) *Contents.* (1) Full and correct name and principal business address of applicant.

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

(3) Detailed description of the purposes for which assistance is sought, together with a map of the rail properties to be utilized.

(4) Where applicable, executed copies of agreements between the State and participating local and regional authorities providing for overall coordination and administration of the assistance to be provided to the local or regional authority by the State.

(5) Copies of the proposed operating agreement, lease or other compensation agreement under which the service described in subparagraph (3) of this paragraph and compensation in accordance with section 304(c)(2)(A) of the Act is to be provided.

(6) Certified copies of formal actions of the governing bodies of participating local and regional authorities evidencing their approval of their agencies' participation in the application.

(7) A full and complete statement justifying the purposes for which assistance is sought described in subparagraph (3) of this paragraph, based upon the criteria established by the Office pursuant to section 205(d)(4) of the Act to assist in the making of such determinations and such other criteria as applicant deems appropriate. Applications for discretionary financial assistance should identify the purpose for which assistance is requested and justify the request with respect to this purpose. Where appropriate, applications for discretionary financial assistance should also relate to the criteria established by the Office.

(8) Total amount of assistance for which application is being made, designated as basic or discretionary.

(9) Statement of applicant's ability to furnish the applicant's share of the rail service continuation subsidy to be paid, indicating source or sources of applicant's share.

(10) An assurance by applicant that the Federal funds provided under the Act will be used solely for the purpose for which the assistance is sought.

(11) A copy of the current plan for rail transportation and local rail services, established by the State under § 255.9.

(12) Certification that the applicant has established such fiscal control and fund accounting procedures necessary to assure proper disbursement of, and accounting for, Federal funds paid to the applicant under Title IV of the Act.

(13) Evidence that the applicant has the statutory authority and administrative jurisdiction to develop, promote, supervise and support safe, adequate, and efficient rail services; that it employs or will employ, directly or indirectly, sufficient trained and qualified personnel; that it maintains or will maintain adequate programs of investigation, research, promotion, and development with provision for public participation; and that it has the statutory and other authority to perform its obligations under the Act and the regulations under this part.

(14) An opinion of counsel for applicant that he is familiar with the corporate or other organizational powers of the applicant, that applicant is authorized to make the application, and that the applicant has the requisite authority to carry out actions proposed in the application and to assume the responsibilities and obligations created thereby.

(15) Such other information as the Administrator may require.

(c) *Execution and Filing of Application.* (1) Each original application shall bear the date of execution and be signed by the chief executive officer of the Applicant. Applications filed by a local or regional transportation authority, shall contain the evidence of review and coordination by the designated State agency as provided pursuant to the State planning process developed in accordance with § 255.9. Each person required to execute the application will execute a certificate in the form of Appendix A hereto.

(2) Each original application and certificate, and six copies thereof, shall be filed with the Federal Railroad Administrator, Department of Transportation, 400 7th Street, SW., Washington, D.C. 20590. Each copy shall show the dates and signatures that appear in the original and shall be complete in itself.

§ 255.13 Waivers and Modifications.

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

This notice is issued under the authority of 49 CFR 1.49(q).

Issued in Washington, D.C. on April 2, 1974.

JOHN W. INGRAM,
Administrator.

APPENDIX A—CERTIFICATE

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

---------- certifies that he
(Name of person)
is the Chief Executive Officer of ----------
(Name of
----------, that he is authorized to sign
Agency)
and file with the Federal Railroad Administrator this application; that he has carefully examined all of the statements contained in the application relating to ----------
(Name of
---------; that he has knowledge of the mat-
Agency)
ters set forth therein all statements made and matters set forth therein are true and correct to the best of his knowledge, information, and belief.

---------- ----------
(Date) (Signature)

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

[FR Doc.74-7974 Filed 4-4-74;8:45 am]

federal register

FRIDAY, APRIL 5, 1974
WASHINGTON, D.C.
Volume 39 ■ Number 67
PART IV

COST OF LIVING COUNCIL

■

PHASE IV HEALTH CARE AND HEALTH INSURANCE MONITORING FORMS

Instructions

COST OF LIVING COUNCIL

[6 CFR Part 150]

PHASE IV HEALTH INSURANCE MONITORING FORMS

Proposed Instructions

The Cost of Living Council is considering the issuance of CLC forms to be used for monitoring claims reviewed by insurers under the Phase IV regulations (6 CFR Part 150, Subpart M) published at 39 FR 2670 (January 23, 1974), as amended on March 27, 1974, at 39 FR 11375, as well as a sample Price Schedule for Medical Practitioners and Medical Laboratories.

On March 6, 1974, the Council issued a notice of proposed rulemaking, 39 FR 9768 (March 13, 1974) setting out proposed Forms CLC–61, 71, and 81 to be filed as annual reports or used for monitoring purposes under the Phase IV health care regulations. The Council indicated at that time that forms relating to health insurer monitoring reports would be issued at a later date. The purpose of publishing the health insurer monitoring forms and sample price schedule together with accompanying instructions in proposed form is to provide the public an opportunity to make suggestions for improvements regarding the format.

The proposed forms and instructions will not be adopted until they are approved by the Office of Management and Budget. At that time the Council will amend its regulations to incorporate the forms and instructions, and make any necessary adjustments in the governing regulations resulting from the rulemaking.

Interested persons are invited to participate in the rulemaking by submitting written data, views, or arguments with respect to the proposed CLC forms set forth in this notice, to the Executive Secretariat, Cost of Living Council, 2000 M Street, NW., Washington, D.C. 20508. Comments should be identified with the designation "Phase IV Health Insurers Monitoring Forms Docket," and should be organized so that those dealing with a particular CLC form are separate from those dealing with other forms (i.e. on separate pages). At least 10 copies should be submitted. All communications received on or before April 22, 1974, will be considered by the Council before the Council takes final action on the proposed forms. The proposed forms contained in this notice may be changed in the light of comments received. All comments received in response to this notice will be available for examination and copying by interested persons at the Cost of Living Council, 2000 M Street NW., Washington, D.C., during the hours of 9 a.m. to 5 p.m., Monday through Friday. Submissions will be available both before and after the closing date for comments.

Form CLC–101 is intended for use by health insurers to report to the Council instances of apparent non-compliance for possible investigation by the Council. Under 6 CFR 150.415(b) each health insurer is authorized and expected in connection with its customary claims practices to review a percentage of the claims it processes which involve medical practitioners' fees.

Pursuant to 6 CFR 150.415(b), the claims selected for review shall consist of claims in which the practitioner's fee exceeds the fee determined by the insurer to be the prevailing fee for the geographic area or varies significantly from the practitioner's usual fee. In addition, each insurer shall report to the Council on Form CLC–101 a 10 percent random sample of all other claims payable by the insurer.

Where price increases have been implemented on an aggregate weighted basis, the practitioner's price schedule must be reviewed in order to ascertain whether an instance of apparent noncompliance exists. Under 6 CFR 150.415 (b), the insurer may request the price schedule from the practitioner, and under 6 CFR 150.738, the practitioner is required to furnish such price schedule to a third party payor upon request. The insurer shall include with each report to the Council any price schedules received from medical practitioners with whom the report is concerned.

Form CLC–102 is intended for use by health insurers as a summary report of monitoring activities under 6 CFR 150.415(b). It provides the basis for the Council to review the percentage of claims selected by the insurer for review. It also provides the basis for the Council to review the proportion of premium volume represented by coverages excluded from review.

The Cost of Living Council Sample Price Schedule for Medical Practitioners and Medical Laboratories is intended to serve as a guide for practitioners and laboratories, and for health insurers in considering their monitoring function.

In consideration of the foregoing, it is proposed to amend 6 CFR Part 150 in the Appendix (Phase IV Price Forms) by the addition of Forms CLC–101 and CLC–102, and Sample Price Schedule for Medical Practitioners and Medical Laboratories with accompanying instructions to read as set forth below.

(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 1483; E.O. 11730, 38 FR 19345; Cost of Living Council Order Number 14, 38 FR 1489)

Issued in Washington, D.C., March 30, 1974.

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

Form CLC 101 (Proposed March 1974)	Economic Stabilization Program Insurer's Report of Claims Reviewed	CLC Use Only Date of Filing _____ Docket Number _____

Part I - Identification Data-Practitioner and Insurer

1. (a) Name of Insurer	2. (a) Name of Practitioner
(b) Address (number and street)	(b) Address (number and street)
(c) City or town, State & ZIP code	(c) City or town, State & ZIP code
(d) Date of Filing	(d) Social Security or Tax Identification Number

Part II - Service or Property Identification

3. Service or property _____
4. Date of billing for service or property ..... mo | day | yr
5. Fee charged .....
6. Fee listed on price schedule for the date service was billed ....
7. Fee listed on price schedule for December 31, 1973 .....

Part III - Reason for Submission to CLC

8. ☐ Fee charged for any service exceeds the amount shown on the practitioner's price schedule.
9. ☐ Price schedule does not include weighting factors for those fees which have changed (required only if changes are implemented in an aggregate weighted basis).
10. ☐ Practitioner failed to reply within six weeks to insurer's request to furnish price schedule .
11. ☐ Aggregate weighted price increase (% AWPI) appears to exceed 4% (see instructions)
12. ☐ Fee increase for one or more services appears to exceed the 10% or $1.00 item limitation.
13. ☐ Claim selected from random sample.

Part IV - Additional Information

14. Price schedule attached (if answer is no, attach explanation). ☐ Yes ☐ No
15. Other supporting information attached ..... ☐ Yes ☐ No

Part V - Signature

16. Name and Title of Authorized representative

(b) Signature	(c) Telephone number (include area code)

INSTRUCTIONS FOR FORM CLC 101, INSURER'S REPORT OF CLAIMS REVIEWED

GENERAL INSTRUCTIONS

A. *Purpose.* Form CLC 101 provides the means by which health insurers shall report to the Cost of Living Council instances of apparent non-compliance by medical practitioners as well as a 10 percent random sample of all other claims it reviews under paragraph (b) of 6 CFR 150.415.

B. *Who Must Use Form CLC 101.* Each health insurer is authorized and expected to monitor medical practitioner's fees and make a report to the Council on Form CLC 101. An insurer is a health insurer if it has written any amount of health insurance during the reported compliance year.

C. *What and When to File.* This form shall be submitted whenever an instance of apparent noncompliance is noted among the claims selected for review. The medical practitioner's price schedule should be submitted together with the form. In addition, a 10 percent random sample of all other claims should be submitted periodically (e.g. monthly, quarterly).

D. *Where to File.* Form CLC 101 should be filed with:

Office of Health
Cost of Living Council
2000 M Street, NW.
Washington, D.C. 20508

E. *Suggestions for Improvement.* The Cost of Living Council welcomes suggestions for improving this and other forms, and seeks ways of obtaining the information it needs to exercise its responsibilities under the Economic Stabilization Program with the minimum amount of public burden. Suggestions should be submitted to:

The Cost of Living Council
Office of the Executive Secretariat
2000 M Street, NW.
Washington, D.C. 20508

SPECIFIC INSTRUCTIONS

PART I—IDENTIFICATION DATA—PRACTITIONER AND INSURER

Items 1 and 2. Self-explanatory.

PART II—SERVICE IDENTIFICATION

Item 3. Identify the medical service or property which initiated the notification of non-compliance.

Item 4. Indicate the date when the bill for the service or property was issued.

Item 5. Indicate the fee charged on the bill issued.

Items 6 and 7. Self-explanatory.

PART III—REASON FOR SUBMISSION TO CLC

Check as many items as are applicable.

Item 8. Check this item if the amount shown on the practitioner's price schedule is less than that indicated on the practitioner's bill to the patient or insurer for the date the service was billed.

Item 9. In accordance with 6 CFR 150.738, if price increases are implemented on an aggregate weighted basis, the weights for each service or property or groups of related services or properties whose prices are changed must be shown on the schedule. If no individual fee increase for a service or property exceeds the total percentage increase authorized for the year, the Aggregate Weighted Price Increase (%AWPI) computation is unnecessary and weighting factors do not have to be shown on the price schedule. If required, the weighting factor need be listed only for prices charged subsequent to December 31, 1973.

Item 10. Self-explanatory.

Item 11. For each service or property, find the highest fee charged during the reported calendar year (RCY) (the year for which compliance is being measured). Then find the fee which was in effect on the last day of the last calendar year (LCY) (the calendar year immediately preceding the reported calendar year). Use the formula set forth below to determine the weighted price increase (WPI) for each service (the weight may be obtained from the practitioner's price schedule). Example 1 below includes a calculation of the % AWPI and illustrates a case of apparent noncompliance.

Formula for Computing Weighted Price Increase for a Service or Property

WPI = 100: Highest RCY Price − Last Day LCY Price/Last Day LCY Price × decimal equivalent of percentage weighting factor on price schedule.

Where:

WPI = Weighted Price Increase for each service or property.

RCY = Reported Calendar Year (the calendar year for which compliance is being measured).

LCY = Last Calendar Year (the calendar year immediately preceding the reported calendar year).

After the weighted price increase for *each* service or property has been determined, add all of these WPI percentages together to determine the % AWPI. If the total % AWPI is greater than four percent, this item should be checked.

Example 1. Practitioner A increased only one fee (for an office visit) during 1974 by exactly 10%. However, that one fee accounted for 82.5% of the practitioner's total billings. The % AWPI is therefore 8.25% which is presumed to be in violation because the % AWPI exceeds 4%. The % AWPI was calculated as follows:

$$\begin{aligned} \%\ \text{AWPI} &= 100\ (\$11 - \$10/\$10 \times .8250) \\ &= 100\ (\$1/\$10 \times .8250) \\ &= 100\ (.1 \times .8250) \\ &= 100\ (.08250) \\ &= 8.25\% \end{aligned}$$

Since only one fee was increased during calendar year 1974, the weighted price increase for this one service is equal to the aggregate weighted price increase for all services. Refer to the following price schedule for further explanation of the example.

Description of principal services or property or groups of related services or property	Proportion of last year's total billings (weighting factor in percent)	Price on Dec. 31 1973	Date of subsequent price changes	Subsequent price changes
Office visit	82.50	$10.00	Jan. 1, 1974	$11.00
Hospital visit		15.00		
Immunization		5.00		
Urinalysis		3.50		

Item 12. Check this item if the fee charged for any service over $10.00 is more than 10% above the fee charged on the last day for the prior calendar year. For any service under $10.00 the fee is limited to a $1.00 increase. Example 2 below illustrates a case of apparent noncompliance with the 10% or $1.00 item limitation.

Example 2. Practitioner B raised two charges in calendar year 1974. For new patient initial office visits, the price charged on the last day of 1973 was $16.00. The highest price charged in 1974 was $17.50 which represented a 9.37% unit price increase. This fee accounted for 7.5% of the practitioner's total 1973 billings for a weighted price increase of 0.7%. (Use the formula above for making this calculation). Hospital visits increased $3.00 in 1974 for a unit price increase of 13.63% but a weighted price increase of 1.36%. The total aggregate weighted price increase equalled 2.06%. The practitioner is nevertheless in presumed violation because the fee for hospital visits increased more than 10%. Refer to the following price schedule for further explanation of example 2.

Description of principal services or property or groups of related services or property	Proportion of last year's total billings (weighting factor in percent)	Price on Dec. 31, 1973	Date of subsequent price changes	Subsequent price changes
New patient initial office visit	7.5	$16.00	Jan. 1, 1974	$16.50
			June 1, 1974	17.50
Regular office visit		10.00		
Hospital visit	10.0	20.00	Jan. 1, 1974	22.00
			June 1, 1974	25.00

Item 13. Pursuant to 6 CFR 150.415, each insurer shall report a 10% random sample of all claims payable by the insurer excluding those selected claims in which the practitioner's fee exceeds the fee determined by the insurer to be the prevailing fee for the geographic area or varies significantly from the practitioner's usual fee. Check this item

Item 14. If a copy of the practitioner's price schedule is attached, check yes. If not, attach an explanation why it is not included.

Item 15. Check yes if any additional comments to support the notification of noncompliance are attached.

PART IV—SIGNATURE

Item 16. Self-explanatory.

Form CLC 102 (Proposed March 1974)	Economic Stabilization Program HEALTH INSURER'S SEMI-ANNUAL REPORT	CLC Use Only Date of Filing _____ Docket No. _____

1. (a) Name of insurer

(b) Address (number and street)

(c) City or town, State and Zip Code

		Month	Day	Year
2.	Semi-annual reporting period ending date.....			
3.	Estimated total number of claims processed involving medical practitioners' services.....			
4.	Number of claims reviewed for compliance (if none, indicate zero).....			
5.	Proportion of premium volume represented by coverages excluded from review for compliance.....			
6.	Number of practitioners contacted as part of compliance check.....			
7.	Number of practitioners requested to submit price schedules.....			
8.	Number of apparent cases of non-compliance.....			
9.	Number of cases forwarded to CLC as part of random sample.....			

10. Types of apparent noncompliance among claims reviewed

a. Fee charged for any service exceeds the amount shown on the practitioner's price schedule.	
b. Price schedule does not include weighting factors for those fees which have changed (required only if changes are implemented on an aggregate weighted basis).	
c. Practitioner failed to respond within six weeks to insurer's request to furnish price schedule.	
d. Aggregate weighted price increase (%AWPI) appears to exceed four percent.	
e. Fee increase for one or more services appears to exceed the 10% or $1.00 limitation.	

11. (a) Name of authorized representative

(b) Signature	(c) Telephone Number (include area code)	(d) Date

INSTRUCTIONS FOR FORM CLC 102, HEALTH INSURER'S SEMI-ANNUAL REPORT

GENERAL INSTRUCTIONS—CLC 102

A. *Purpose.* Form CLC 102 provides the means by which health insurers shall report to the Cost of Living Council on their monitoring activities under paragraph b of 6 CFR 150.415.

B. *Who must use Form CLC 102.* Pursuant to 6 CFR 150.415(c), each health insurer shall file this report semi-annually. An insurer is a health insurer if it has written any amount of health insurance during the reported compliance year.

C. *When to File.* This form should be filed no later than 45 days after the end of the second and fourth quarters of the insurer's fiscal year.

D. *Where to file.* Form CLC 102 should be filed with:

Cost of Living Council
Office of Health
2000 M Street, NW.
Washington, D.C. 20508

E. *Suggestions for improvement.* The Cost of Living Council welcomes suggestions for improving this and other forms, and seeks ways of obtaining the information it needs to exercise its responsibilities under the Economic Stabilization Program with the minimum amount of public burden. Suggestions should be submitted to:

Cost of Living Council
Office of the Executive Secretariat
2000 M Street, NW.
Washington, D.C. 20508

SPECIFIC INSTRUCTIONS

Items 1 and 2. Self-explanatory.

Item 3. Indicate the estimated total number of claims processed or received which deal exclusively with services provided by medical practitioners.

Item 4. Indicate the number of claims reviewed based upon:

(1) selected claims in which the practitioner's fee exceeds the fee determined by the insurer to be the prevailing fee for the geographic area or varies significantly from the practitioner's usual fee, and

(2) a random selection from all other claims payable by the insurer.

Item 5. Pursuant to 6 CFR 150.415(b), an insurer in selecting claims for review, need not include claims under coverages which represent an insignificant portion of that insurer's premium volume. The proportion of premium volume that is represented by coverages excluded from review should be indicated in this item.

Item 6. Indicate the number of medical practitioners contacted concerning a possible violation.

Item 7. Indicate the number of practitioners who were requested to furnish a price schedule.

Item 8. Of those claims reviewed, indicate the total number of practitioners apparently in violation. This number should correspond to the number of Forms CLC 101 submitted to CLC for an apparent violation (this does not include those forwarded as part of the random sample).

Item 9. Each health insurer shall report to the Council a 10 percent random sample of all claims payable by insurer. Indicate here the number of practitioners identified on Forms CLC 101 and forwarded previously in this reporting period or accompanying this report to CLC as part of the random sample. The random sampling should not be taken from among the selected claims in which the practitioner's fee exceeds the fee determined by the insurer to be the prevailing fee for the geographic area or varies significantly from the petitioner's usual fee.

Item 10. (a–e) Indicate the number of apparent violations found for each category. Each letter item corresponds to the same item on Form CLC 101. The numbers indicated in this item should be a summary of the apparent violations listed on all Forms CLC 101 filed with the Council.

Item 11. Self-explanatory.

Sample Price Schedule for
Medical Practitioners and Medical Laboratories

Description of Principal Services or Property or Groups of Related Services or Property	Proportion of Last Year's Total Billings (Weighting Factor)	Price on Dec. 31, 1973	Date of Subsequent Price Changes	Subsequent Price Changes

INSTRUCTIONS FOR PRICE SCHEDULE

1ST COLUMN—DESCRIPTION OF PRINCIPAL SERVICES OR PROPERTY OR GROUPS OF RELATED SERVICES OR PROPERTY

Enter a brief description of those services or property which contributed 90 percent of the practitioner's or laboratory's aggregate annual revenues in the preceding calendar year. If a weighting factor (see instructions for 2nd column) is to be recorded for a group of related services or property, each service or property in the group should be listed together in the first column and clearly identified as the group to which the weighting factor applies.

2ND COLUMN—WEIGHTING FACTOR (IF FEES CHANGED)

If no individual fee is increased in excess of the total percentage increase authorized for the year, the computation of an aggregate weighted price increase is unnecessary, and weighting factors do *not* have to be shown on the price schedule.

If any single fee is increased in excess of the total percentage increase authorized for the year, weighting factors must be used to calculate the aggregate weighted price increase and must be shown for each fee which has been changed. The weighting factor is defined as $\frac{B_1}{B_2}$ where B_1 equals the actual gross billings during the immediately preceding calendar year for that service or property, and B_2 equals the total gross billings during the immediately preceding calendar year for all services and property.

As an alternative, weighting factors may be determined and listed on the fee schedule by groups of related services or property (e.g., new patient office visits, immunizations, etc., as shown in example #2). The weighting factor, in this case, is defined as $\frac{G_1}{B_2}$ where G_1 equals the actual gross billings during the immediately preceding calendar year for that group of similar or related services or property, and B_2 is defined as above.

3RD COLUMN—PRICE ON DECEMBER 31, 1973

Enter the customary fees lawfully in effect on December 31, 1973. If different fees were charged to different classes of purchasers for any service or property, record each of these fees and specify the class of purchasers. Note that the fee in a percentage of gross or net revenue contract with another health care provider is the amount determined by multiplying the percentage specified in the contract times the appropriate unit price, i.e., gross or net revenue price, of each service performed or product provided.

4TH COLUMN—DATE OF SUBSEQUENT PRICE CHANGES

Enter the dates of each fee change, if any, occurring after December 31, 1973, for each service or property listed in the 1st column.

5TH COLUMN—SUBSEQUENT PRICES

Enter each revised fee for each service or property in the 1st column whose price has been changed after December 31, 1973.

Examples

Example #1—(Billings known for each individual service)

Description of principal services or property or groups of related services or property	Proportion of last year's total billings (weighting factor)	Price on Dec. 31, 1973	Date of subsequent price changes	Subsequent price changes
New patient office visits:				
Limited service		$8.00		
Comprehensive adult service	.20	10.00	Apr. 1, 1974	$11
Comprehensive adolescent service	.09	9.00	do	10
Established patient office visits:				
Limited service		7.00		
Comprehensive adult service		9.00		
Comprehensive adolescent service		8.00		
Immunizations:				
DPT	.04	4.00	do	5
Measles-mumps-rubella		4.00		
Polio, oral		3.00		
Polio, injection				

NOTE.—Total billings for all services in the preceding calendar year equaled $100,000. Billings for the services listed above equaled $90,000 in the preceding year, thus satisfying the requirement that principal services (those comprising 90 percent of last year's total billings) be listed. In this example, a 4.00 per cent aggregate weighted fee increase has been implemented. This can be computed by multiplying each percentage fee increase by its corresponding weighting factor and adding together the results.

Example #2—(Billings known by groups of related services).

Description of principal services or property or groups of related services or property	Proportion of last year's total billings (weighting factor)	Price on Dec. 31, 1973	Date of subsequent price changes	Subsequent price changes
New patient office visits:				
Limited service	.32	$8.00	Apr. 1, 1974	$8.50
Comprehensive adult service	.32	10.00	do	10.50
Comprehensive adolescent service	.32	9.00	do	9.50
Established patient office visits:				
Limited service		7.00		
Comprehensive adult service		9.00		
Comprehensive adolescent service		8.00		
Immunizations:				
DPT	.12	4.00	do	4.50
Measles-mumps-rubella	.12	4.00	do	4.50
Polio, oral	.12	3.00	do	3.50
Polio, injection	.12	3.00	do	3.50

NOTE.—Total billings for all services in the preceding calendar equaled $100,000. Billings for new patient office visits equaled $32,000, established patient office visits equaled $46,000, and immunizations equaled $12,000. The greatest percentage fee increase for any of the new patient office visits was $.50/$8.00=6.25 percent. The greatest percentage fee increase for any of the immunizations was $.50/$3.00=16.67 percent. When these percentages are multiplied by their corresponding weighting factors and the results added together, it will be seen that a 4.00 percent aggregate weighted fee increase has been implemented.

[FR Doc.74-7711 Filed 4-1-74;10:17 am]

[6 CFR Part 150]

PHASE IV HEALTH CARE

Proposed Forms for Exception Requests

The Cost of Living Council is considering the issuance of CLC forms to be used for exception requests under the Phase IV health care regulations (6 CFR Part 150, Subpart R) published at 39 FR 2670 (January 23, 1974), as amended on March 27, 1974, at 39 FR 11375.

On March 6, 1974, the Council issued a notice of proposed rulemaking, 39 FR 9768 (March 13, 1974) setting out proposed Forms CLC-61, 71, and 81 to be filed as annual reports or used for monitoring purposes under the Phase IV health care regulations. The Council indicated at that time that forms relating to requests for exceptions would be issued at a later date. The purpose of publishing the exceptions forms together with supporting schedules and accompanying instructions in proposed form is to provide the public an opportunity to make suggestions for improvements regarding the format and computations. In addition, the proposed forms will serve as an aid to those hospitals and long term care institutions which will be making an election to be subject to Phase III or Phase IV rules pursuant to 6 CFR 150.701 and 150.769. The Cost of Living Council (CLC) forms relating to capital expenditure adjustments, and Health Maintenance Organization prenotification and annual reports will be issued at a later date.

The proposed forms, schedules and instructions will not be adopted until they are approved by the Office of Management and Budget. At that time the Council will amend its regulations to incorporate the forms, schedules and instructions, and make any necessary adjustments in the governing regulations resulting from the rulemaking.

Interested persons are invited to participate in the rulemaking by submitting written data, views, or arguments with respect to the proposed CLC forms set forth in this notice, to the Executive Secretariat, Cost of Living Council, 2000 M Street, NW., Washington, D.C. 20508. Comments should be identified with the designation Phase IV Health Care Exceptions Forms Docket, and should be organized so that those dealing with a particular CLC form are separate from those dealing with other forms (i.e. on separate pages). At least 10 copies should be submitted. All communications received on or before April 22, 1974, will be considered by the Council before the Council takes final action on the proposed forms. The proposed forms contained in this notice may be changed in the light of comments received. All comments received in response to this notice will be available for examination and copying by interested persons at the Cost of Living Council, 2000 M Street, NW., Washington, D.C., during the hours of 9 a.m. to 5 p.m., Monday through Friday. Submissions will be available both before and after the closing date for comments.

FORM CLC–62—EXCEPTION FORM FOR ACUTE CARE HOSPITALS

Form CLC-62 is intended for use by acute care hospitals to request exceptions under the provisions of 6 CFR 150.-714 (e) and (f). The form is designed to provide the data necessary for the Cost of Living Council and the State Advisory Agencies to evaluate the exception requests.

Specified financial information, including the Schedule X to the Form CLC–62, Form CLC–61 and its appropriate schedules, and certified financial statements, shall be submitted with the Form CLC–62, along with an explanation of the exception request and a statement showing the details of cost containment initiatives.

Part II of Form CLC–62 provides specific information concerning the basis of the exception request and the relief sought.

Part III of Form CLC–62 provides a summary of the hospital's total operations without an exception for the fiscal year of the exception request and the immediately preceding fiscal year.

Parts IV and V are to be completed only by hospitals requesting an exception for any reason causing a serious hardship or gross inequity other than a demonstrable increase in bad debts, a government mandated cost increase or increased low wage or minimum wage payments. These two parts identify the sources and application of the acute care hospital's restricted and unrestricted funds.

Part, "Identifying Data", and Part VI, "Certification and Signature", are self-explanatory.

Schedule X to Form CLC–62, "Schedule of Operating Expenses for Acute Care Hospitals" must be completed by each acute care hospital requesting an exception on Form CLC–62. The schedule provides a detailed breakdown of the hospital's operating expenses for the exception request fiscal year and the prior fiscal year. Schedule X is designed to provide the data necessary to evaluate the effects of volume changes on the operating expenses of an acute care hospital.

Part II of Schedule X to Form CLC–62 indicates the method used to measure the changes in expenses resulting from changes in volume. Instructions for computing a volume index based on changes in inpatient admissions, outpatient procedures and patient days are included in Part II.

The instructions for Part III of Schedule X outline both an acceptable budget method and volume index method of adjusting the last fiscal year's operating expenses to account for changes in volume occurring during the current fiscal year.

Part I, "Identifying Data", is self-explanatory.

FORM CLC–72—EXCEPTION FORM FOR LONG TERM CARE INSTITUTIONS

On February 7, 1974, the United States District Court for the District of Columbia enjoined enforcement of the Economic Stabilization price regulations against nursing homes. The Council has appealed this decision to the Temporary Emergency Court of Appeals. These forms are being published for consideration by those long term care institutions not covered by the Court's order.

Form CLC–72 is intended for use by long term care institutions to request exceptions under the provisions of 6 CFR 150.782 (e) and (f). The form is designed to provide the data necessary for the Cost of Living Council and the State Advisory Agencies to evaluate the exception requests.

Specified financial information, including the Schedule Y to the Form CLC–72, Form CLC–71 and its appropriate schedules, and certified financial statements, shall be submitted with the Form CLC–72, along with an explanation of the exception request and a statement showing the details of cost containment initiatives.

The provisions of the Form CLC–72 and Schedule Y generally parallel the provisions of the Form CLC–62 and Schedule X relating to acute care hospitals which are discussed above. However, a demonstrable increase in bad debts is not listed as a grounds for exception for long term care institutions under 6 CFR 150.782(e) because bad debts are not included in the realized revenues (defined in 6 CFR 150.771) which are subject to limitations under 6 CFR 150.773. Also, due to the many different types of long term care institutions, the Council has not provided an acceptable budget method in the Schedule Y to adjust the last fiscal year's operating expenses to account for changes in volume occurring during the current fiscal year. The Council welcomes recommendations from the public regarding the provision of such a method.

FORM CLC–82—MEDICAL PRACTITIONERS AND MEDICAL LABORATORIES

APPLICATION FOR EXCEPTION

Form CLC–82 is provided for use by the medical practitioner or medical laboratory in requesting an exception to the price increase or revenue margin limitations (or both) of 6 CFR 150.734 and 150.735. The practitioner or laboratory must submit, in addition to documentation and explanations required by Form CLC–82, a current price schedule, a list of all price changes since the beginning of the Economic Stabilization Program, and financial statements for the last four fiscal years.

Part I of Form CLC–82 provides general information identifying the petitioner and the exact nature of the exception request. Part II of the form identifies and documents petitioner's grounds for an exception based on serious hardship or gross inequity.

Specific instructions are provided in Part IIIA of Form CLC–82 for the three different methods of computing the percentage aggregate weighted price increase (% AWPI) authorized and requested by exception. Part IIIB to Form CLC–82 provides instructions for determining the percentage increase allowed and requested for a fixed dollar amount specified in a contract with another health care provider.

Part IV of Form CLC–82 is designed to provide data necessary to evaluate a medical practitioner's operating revenues and expenses. Medical laboratories are required to submit similar information using as a guide the format of Part IV.

Medical practitioners requesting an exception are required to complete Part VA which provides for the computation of the base period and current year revenue margins. Part VB is provided for any medical practitioner who has incorporated or abandoned his corporate status during or after the base period. Pursuant to 6 CFR 150.735(b), such practitioners must adjust operating expenses to exclude salaries and certain deferred compensation paid to members of the corporation.

Part VI, "Additional Information," and Part VII, "Certification and Signature," are self-explanatory.

In consideration of the foregoing, it is proposed to amend 6 CFR Part 150 in the Appendix (Phase IV Price Forms) by the addition of Forms CLC–62, CLC–72, and CLC–82, with supporting schedules and accompanying instructions, to read as set forth below.

(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., March 30, 1974.

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

Appendix (Phase IV Price Forms)

FORM CLC-62 (Proposed March 1974)	ECONOMIC STABILIZATION PROGRAM Exception Form for Acute Care Hospitals 6 CFR 150.714(e) and (f)	CLC USE ONLY Date of Filing Docket Number Clock 60 ☐ Other ☐ None ☐

Part I - Identifying Data (Please complete requested items and check applicable boxes below.)

1. (a) Name of Hospital	2. (a) Name of Parent Firm (if applicable)
Address (Number and Street)	Address (Number and Street)
City or Town; State and Zip Code	City or Town; State and Zip Code
(b) Hospital is ☐ Profit ☐ Non-profit	(b) Parent Firm is ☐ Profit ☐ Non-profit
(c) Federal Identification Number	(c) Federal Identification Number

Part II - Additional Information

3. ☐ (a) Request forwarded to Cost of Living Council by State Advisory Agency

OR

☐ (b) Request forwarded to Cost of Living Council by Petitioner (check reason why)

☐ (1) No State Advisory Agency

☐ (2) No action by State Advisory Agency within 30-day limitation

4. (a) Exception requested for fiscal year ending _____.

(b) During the above fiscal year, the exception request, if approved, will bring total additional operating revenues of $_____.

(c) The exception is requested to increase the following items in the indicated amounts:

	A	B			C
	Increase Above Authorized	Additional Operating Revenue Derived from Increase			Effective Date
		Charge Revenues	Reimbursed Expense Revenues	Prospective Rate Revenues	
Inpatient					
(1) Operating Charges	$	$	$	$	
(2) Operating Expenses	$		$		
Reimbursed Expenses					
(3) Prospective Rates	$				
Outpatient	$			$	
(4) Unit Charge or Aggregate weighted Charge	%	$			
(5) Individual Charge Increase over 10% or $1 or % shown in Schedule O, Item 8 to Form CLC-61					

5. Exception Requested Pursuant to: (Check applicable box or boxes)

- ☐ 6 CFR 150.714(e)
  - ☐ Bad Debts Increase, Paragraph (e) (1) (i) (Attach a 5-year historical schedule of this account)
  - ☐ Increased Government Required Expenses, Paragraph (e) (1) (ii) (Attach an itemized listing including the depreciation and interest expense applicable to any capital purchases)
  - ☐ Low Wage Increases, Paragraph (e) (1) (iii) (Include calculations showing amount of payment)
- ☐ 6 CFR 150.714(f)
  - ☐ Serious Hardship
    - ☐ Cash Flow
    - ☐ Working Capital (Document with Specific Problem) (See Instructions)
    - ☐ Other (Explain)
  - ☐ Gross Inequity (Explain)

Please attach documentation explaining the basis of this request. Please itemize, as fully as possible, the reasons for requesting the exception. The burden of proof is on the petitioner to prove why an exception is necessary.

Part III - Operating Data

	LFY	RFY
6. Authorized Total Inpatient Operating Charges	$	$
7. Total Outpatient Operating Charges		
8. Total Authorized Charges (Item 6 + Item 7)		
9. Allowances		
(a) Contractual		
(b) Bad Debts		
(c) Other (specify)		
(d) Total Allowances (Sum of Items 9(a), (b), and (c))		
10. Total Net Patient Services Revenues (Item 8 minus Item 9(d))		
11. Revenues from Taxes or Appropriations		
12. Other Operating Revenues		
13. Total Operating Revenues (Sum of Items 10, 11, and 12)		
14. Total Operating Expenses (Schedule X, Item 21)		
15. Net Operating Income (Item 13 minus Item 14)	$	$

(If this request is based on § 150.714(e), do not complete Parts IV, and V, but you must complete Part VI.)

Part IV - Source of Funds

	LFY		RFY	
	Unrestricted	Restricted	Unrestricted	Restricted
16. Interest Income				
17. Donations and Contributions				
18. Appropriations (Non-service related)				
19. Other Sources (Itemize)				
20. Depreciation				
21. Total Non-operating Funds (Sum of Items 16-20				
22. Long-Term Debt				
23/ Short-Term Debt				
24. Interfund Transfers				
25. Total Funds Provided (See instructions) (a) Unrestricted				
(b) Restricted				

Part V - Application of Funds

26. Current Portion of Long-term Debt				
27. Payment of Short-term Debt				
28. Capital Expenditures				
(a) Per § 150.713 or § 150.714(c)				
(b) Other				
29. Interfund Transfers				
30. Required Replenishment of Funds				
31. Other Applications (Itemize)				
32. Total Funds Applied (See instructions)				
(a) Unrestricted				
(b) Restricted				
33. Working Capital Change (Item 25(a) minus Item 32(a))				

Part VI - Certification and Signature

I have examined this form and the attached exhibits, schedules and explanations, and certify that to the best of my information, knowledge and belief the information set forth therein is factually correct, complete and in accordance with the Economic Stabilization Regulations of Title 6, Code of Federal Regulations.

Type name and exact title of chief executive officer, administrator, or chief financial officer of the hospital and date signed.

Name	Date	Signature
Title		

INSTRUCTIONS FOR FORM CLC-62 EXCEPTION FORM FOR ACUTE CARE HOSPITALS

GENERAL INSTRUCTIONS

A. *Purpose.* Form CLC-62 is designed to provide the data necessary to evaluate a request for an exception to the Economic Stabilization Program under the provisions of 6 CFR 150.714 (e) and (f).

B. *Who should file Form CLC-62.* 1. Any acute care hospital, as defined in 6 CFR 150.703, that desires an exception under 6 CFR 150.714 (e) or (f) must complete Form CLC-62.

2. Any acute care hospital filing for an exception under 6 CFR 150.714(e) must complete Form CLC-62, Parts I, II, III and IV. The form submitted must bear an original signature.

3. Any acute care hospital filing for an exception under 6 CFR 150.714(f) must complete all parts of the Form CLC-62. The form submitted must bear an original signature.

C. *What to file.* File this form together with the following:

1. *Financial information.* a. Form CLC-62, Annual Report for Acute Care Hospitals, and the appropriate supporting schedules—either Schedule D or Schedule I and Schedule O. Schedule M must also be submitted if appropriate. Item 22 of Schedules D and I will include only authorized total inpatient operating charges and expenses pursuant to 6 CFR 150.705 and 150.706. In Items 24, 38 and 48 of Schedules D or I enter as "actual" those dollar amounts to be expected if a total exception were granted by the Cost of Living Council for the date specified in Form CLC-62, Part II, Item 4(c).

b. Schedule X—Operating Expenses.

c. Certified financial statements for the four years preceding the reported fiscal year. If an independent audit was not performed for any year, then unaudited statements will be accepted. Such statements normally include the following information:

(1) Balance Sheet
(2) Statement of Revenues and Expenses
(3) Statement of Changes in Fund Balance
(4) Statement of Changes in Financial Position

NOTE: For an exception under 6 CFR 150.714(e), it is not necessary to submit the data specified in (1), (3) and (4).

d. Any supporting schedules, lists or documentation required in the Form CLC-62, Schedule X, for the same account.

e. A reconciliation of any figures appearing on the financial statements that do not coincide with figures on the Form CLC-62 or Schedule X, for the same account.

f. Explain the purpose and use of restricted funds available for operations and for capital expansion.

g. If the reported fiscal year has not yet been completed at the time of submission, actual figures shall be used to the extent available and budgeted figures for the remainder of the year.

h. For any institution whose last fiscal year or reported fiscal year (or both) have been completed and financial statements prepared, Parts III, IV and V of Form CLC-62 need not be completed if the information which these Parts require is included in the Financial statements.

2. *Explanation of exception request.* a. For an exception based on 6 CFR 150.714(e) explain why the exception is needed and include supporting documentation. The burden of proof is on the petitioner to prove serious hardship or gross inequity.

b. For an exception based on 6 CFR 150.714 (e) explain why the exception is needed and the causes of the serious hardship or gross inequity. Include any pertinent information, other than required, to support the request. The burden of proof is on the petitioner to prove serious hardship or gross inequity.

3. *Explanation of cost control programs.* a. A statement must be presented showing the details of any cost containment initiatives, i.e., expenditures and savings that result from initiatives. A suggested format is presented as follows:

Description	Operating cost of initiative in reported fiscal year	Projected cost without initiative	Net savings in reported fiscal year

b. If the exception request is based on budgeted figures, explain how the budget was derived. For all exception requests, describe the general budgeting policies, including control and monitoring of the budget.

D. *Where to submit.* 1. Submissions shall be sent to the State Advisory Agency which is established for the state in which the hospital is located; or

2. The petitioner shall send the Form CLC-62 to the address below if there is no State Advisory Agency or if the Board has not taken action within the period prescribed in the Economic Stabilization regulations.

Office of Health
Cost of Living Council
2000 M St., N.W.
Washington, D.C. 20508

E. *Suggestions for improvement.* The Cost of Living Council welcomes suggestions for improving this and other forms, and seeks ways of obtaining the information it needs to exercise its responsibilites under the Economic Stabilization Program with the minimum amount of public burden. Suggestions should be submitted to:

Cost of Living Council
Office of the Executive Secretariat
2000 M St., N.W.
Washington, D.C. 20508

F. *Rounding.* For purposes of this form, all dollar amounts should be shown to the nearest dollar.

G. *General.* 1. The regulations provide no automatic relief from operating losses incurred by acute care hospitals. If relief in the form of increases in excess of those authorized by the regulations is desired, an exception request must be filed.

2. Pursuant to 6 CFR 150.714(b) a prospective exception request will be considered provisionally approved, if the Cost of Living Council does not take action within 60 days of the filing date. If erroneous or incomplete information is submitted, running of the 60-day period will be suspended by the Cost of Living Council and it will be restarted when the information has been received and accepted. Review by the Cost of Living Council of requests for exception pursuant to which adjustments would be made retrospectively is not subject to the 60-day time limitation set forth in 6 CFR 150.714(b).

3. The acute care hospital should prepare Form CLC-62 in accordance with the American Institute of Certified Public Accountants (A.I.C.P.A.) Hospital Audit Guide or by a system of accounting principles approved for use by Blue Cross, Medicare or a State Uniform Hospital Accounting System.

4. No acute care hospital may request an exception until at least 9 months of actual data is available for the fiscal year preceding the year for which an exception is requested.

H. *Definition and Abbreviations*—1. *Fiscal Year* is abbreviated as FY.

2. *Last fiscal year* (LFY). The fiscal year immediately preceding the reported fiscal year.

3. *Prospective exception request.* An exception request pursuant to which any charge adjustment would be made for services or property to be furnished subsequent to approval of the request.

4. *Reported fiscal year* (RFY). The fiscal year for which an exception is requested.

5. *Restricted funds.* Funds restricted by donors for specific purposes. This refers to specific purpose and endowment funds.

6. *Retrospective exception request.* An exception request pursuant to which an adjustment in charges, inpatient operating or reimbursed expenses, or prospective rate revenues may be made for services and property provided prior to approval of the request.

7. *Unrestricted funds.* Funds which bear no external restrictions as to use or purpose. Such funds include governing board designated funds. (Ref. AICPA Hospital Audit Guide, 1972 edition, American Institute of Certified Public Accountants, Inc., 666 Fifth Avenue, New York, N.Y. 10019.)

SPECIFIC INSTRUCTIONS

PART I—IDENTIFYING DATA

Items 1 and 2. Self-explanatory.

PART II—ADDITIONAL INFORMATION

Item 3. If the request is forwarded by the petitioner then only Item 3(b) need be completed.

Item 4 (a) and (b). Self-explanatory.

(c) (Column A) Enter the gross amounts, for lines (1) through (3) being requested by exception. For line (4) enter the percentage.

(Column B) Enter the net amount of operating revenues desired by exception for each category. Care should be taken to prevent overlapping of revenues. For example, an increase in operating charges may also result in increased revenues from reimbursed expenses and/or prospective rates. Enter *only* those amounts applicable to each category. Revenue derived from individual charge increases greater than 10 percent, shown on line (5), should not be duplicated in the additional revenue requested for the aggregate-weighted method on line (4).

(Column C) Self-explanatory.

Line (1) Total inpatient operating charges should exclude free care, as defined in 6 CFR 150.703.

Line (2) Operating expenses and reimbursed expenses are placed together because an exception for operating expenses will have a direct relationship to reimbursed expenses.

Line (3) Self-explanatory.

Line (4) Indicate which method of computing charge increases was used.

Line (5) In Column B enter the revenue to be derived from increasing individual outpatient charges by more than 10 percent. Attach a schedule showing the charges to be increased and the amount of the increase. This line will only be used with the aggregate-weighted method.

Item 5. Check appropriate box or boxes. These are the only types of exceptions for which the Form CLC-62 is submitted. A request for exception on the grounds of a working capital hardship must include a balance sheet (pro forma if necessary) for the reported fiscal year.

PART III—OPERATING DATA

COMPLETE ALL ENTRIES FOR LFY AND RFY COLUMNS

Item 6. Enter for the LFY the lesser of actual or authorized total inpatient operating charges from Item 6 of Schedule D or I to Form CLC-61. Enter for the RFY, the authorized total inpatient operating charges

from Item 22 "Charges" of Schedule D or I to Form CLC–61.

Item 7. Enter the total charges received from all outpatient procedures. This should include all authorized charges from outpatient services subject to the limitations of 6 CFR 150.707 as well as from uncontrolled outpatient services.

Item 8. Self-explanatory.

Item 9. Break out the total allowances into three categories: contractual, bad debts (include percentage), and other (courtesy, employee, etc.). Attach statement showing the percentage relationship between bad debts and total charges for the LFY and RFY. Free care as defined in 6 CFR 150.703 should be excluded.

Item 10. Self-explanatory.

Item 11. If you are a government-related institution, enter the total amount of governmental appropriations. If the appropriation bears no direct relationship to services but is for the purpose of making up a deficit, do not include the appropriations in Item 11, but in Item 18, Source of Funds.

Item 12. Other operating revenues include revenues received from cafeteria sales, gift shops, parking lots, vending machines, etc., i.e., those revenue producing activities involved with day-to-day hospital operations, but not included in total inpatient operating charges or outpatient charges.

Items 13 through 15. Self-explanatory.

PART IV—SOURCES OF FUNDS

For the LFY and RFY, break down the sources and application of funds for unrestricted and restricted accounts for each item where applicable.

Item 16. Enter all interest income earned during the fiscal year.

Item 17. Include in this item all endowments, gifts, and contributions received during the fiscal year.

Item 18. Enter all non-service, non-patient related appropriations not included in Item 11. Include any appropriation for the purpose of making up a deficit.

Item 19. Enter any other source of funds and attach itemization.

Item 20. Enter the total depreciation expense.

Item 21. Self-explanatory.

Item 22. Enter the proceeds from any long term debt incurred in the fiscal year. Include funds received from bond issues, bank notes, mortgage notes, etc., of a long term nature. Attach a separate schedule detailing sources, interest payments, repayment schedule, and purpose of the borrowing.

Item 23. Enter the proceeds from short term debt incurred in the fiscal year. Attach a separate schedule detailing sources, interest payments, repayment schedule, and purpose of the borrowing.

Item 24. Enter any transfer of funds, from restricted to unrestricted accounts, or vice versa. For example, a transfer from a restricted fund to the unrestricted fund is a source of funds to the unrestricted fund and an application to the restricted fund. Attach an itemization of the transfers.

Item 25 (*a*). Enter the total funds provided from unrestricted sources for the LFY and RFY. This will include Item 15 and the amounts appearing in Items 21 through 24.

(*b*). Enter the total funds provided from restricted funds shown in Items 21 through 24.

PART V—APPLICATION OF FUNDS

Item 26. Enter the principal repayment of long term debt due within the fiscal year.

Item 27. Enter the principal repayment of short term debt due within the fiscal year.

Item 28. a. Enter the amount expended during the fiscal year for capital expenditures approved pursuant to 6 CFR 150.713 or 6 CFR 150.714(c).

b. Enter the funds applied during the fiscal year for any other capital expenditure. Include capital replacements.

Item 29. See instructions to Item 24.

Item 30. Any borrowings, use, or transfer from restricted funds that are required to be repaid by law, contractual agreement or historical board policy. Attach documentation of requirement to repay.

Item 31. Enter any other application of funds and attach itemization.

Item 32. Enter the sum of all applications of funds appearing in Items 26 through 31.

Item 33. For the LFY and RFY, enter the difference between Item 25(a) and Item 32(a).

Schedule X Form CLC-62 (Proposed March 1974)	Economic Stabilization Program Schedule of Operating Expenses for Acute Care Hospitals	CLC USE ONLY Docket Number

Part I - Identifying Data

1. (a) Name of Hospital

Address (City, State, Zip Code)

(b) Federal Identification Number

Part II - Census Data (see instructions)

Census Data	FY Ending (mo., day, year) (a)	Inpatient Admissions (b)	Inpatient Expenses (c)	Outpatient Procedures (d)	Outpatient Expenses (e)	Patient Days Available (f)	Patient Days Actual (g)	Percentage of Occupancy (h)
2. Actual (last year)			$		$			
3. Projected (for reported fiscal year)								

4. Check (a) or (b) below to show the method used to adjust cost increases to reflect volume changes. Complete (c) if applicable.

(a) __ Actual budget data

(b) __ Volume index

(c) If you use the volume index, what is its computed value?.....▶

(for ...)

Part III - Inpatient and Outpatient Expenses

	(a) Last Fiscal Year	(b) Reported Fiscal Year	(c) Adjusted	(d) Change (b) minus (c)
5. Low Wage Increases				
6. Total Wages and Salaries				
7. Fringe Benefits (Pensions, Insurance, etc.)				
8. F.I.C.A.				
9. Commissions and Fees				
10. Drugs				
11. Food				
12. Supplies				
13. Utilities				
14. Other (Itemize)				
15. Legal and Accounting				
16. Research (Itemize)				
17. Education (Itemize)				
18. Depreciation				
19. Interest				
20. Insurance				
21. Total expenses (sum of Items 6 thru 20)				

INSTRUCTIONS FOR SCHEDULE X OF FORM CLC-62, SCHEDULE OF OPERATING EXPENSES FOR ACUTE CARE HOSPITALS

GENERAL INSTRUCTIONS

Schedule X must be completed and attached to Form CLC-62 when the hospital is requesting an exception under the provisions of 6 CFR 150.174 (e) or (f).

SPECIFIC INSTRUCTIONS

Part I—Identifying Data

Item 1. Self-explanatory.

Part II—Census Data

Use either the volume index or an actual budget data method to determine changes in expenses due to volume changes, but not a combination of both.

The Cost of Living Council may not accept a submission using a volume index when it can be demonstrated that an actual budget data method could be used. The volume index is to be used only to the extent that actual budget data could not be used.

Items 2 and 3. Enter in Columns (b) and (d), respectively, the number of inpatient admissions and outpatient procedures in accordance with past practices.

Enter in Columns (c) and (e), respectively, inpatient expenses and outpatient expenses. The systems chosen to determine total operating expenses and to allocate these operating expenses to inpatient services and outpatient services must be consistent with the systems selected for reporting on Form CLC-61 and identified therein at Item 4(f).

Enter patient day data in Columns (f) and (g). Compute the percentage of occupancy in Column (h) by dividing the entry in Column (g) by the entry in Column (f).

Item 4. Use either actual budgeted changes in costs attributable to volume or the volume index to determine adjusted expenses (Part III, Column (c)). Whenu sing actual budget data to identify changes attributable to volume, attach detailed documentation showing the bases upon which such changes were determined.

Volume Index. The volume index includes a 1.5 percent adjustment for intensity and productivity combined, reflected by the factor of 1.015. This volume index is calculated in three steps using data provided in Items 2 and 3.

Step 1. Compute a value for the index using only your last fiscal year inpatient expenses, actual patient days and the change in patient days along with your last fiscal year outpatient expenses, outpatient procedures, and the change in outpatient procedures. This computation is shown in the formula.

Step 2. Compute a value for the index substituting your actual last fiscal year admissions and the change in admissions for your actual last fiscal year patient days and the change in patient days. This computation is shown in the formula.

Step 3. Compute the value of the index by taking the average (arithmetic mean) of the values computed in the first two steps (i.e., Step 1 and Step 2). The index value computed in Step 3 is the value to be entered in Item 4(c).

Attach a copy of the volume index calculations.

Step 1:

$$\text{Volume Index} = 1.015 + \left[\left(\frac{\text{LFY Inpatient Expenses (Item 2, col, (c))}}{\text{LFY Actual Patient Days (Item 2, col. (g))}} \times \text{Change in Actual Patient Days (+ or -) (col.(g), Item 3 minus Item 2)}\right) + \left(\frac{\text{LFY Outpatient Expenses (Item 2, col. (e))}}{\text{LFY Outpatient Procedures (Item 2, col. (d))}} \times \text{Change in Outpatient (+ or -) (col. (d), Item 3 minus Item 2)}\right)\right] \div \text{LFY Total Expenses (Item 2, col. (c) + Item 2, col. (e))}$$

Step 2

$$\text{Volume Index} = 1.015 + \left[\left(\frac{\text{LFY Inpatient Expenses (Item 2, col. (c))}}{\text{LFY Inpatient Admissions (Item 2, col. (b))}} \times \text{Change in Inpatient Admissions (+ or -) (col. (b), Item 3 minus Item 2)}\right) + \left(\frac{\text{LFY Outpatient Expenses (Item 2, col. (e))}}{\text{LFY Outpatient Procedures (Item 2, col. (d))}} \times \text{Change in Outpatient Procedures (+ or -) (col. (d) Item 3 minus Item 2)}\right)\right] \div \text{LFY Total Expenses (Item 2, col. (c) + Item 2, col. (e))}$$

Step 3:

$$\text{Volume Index} = \frac{\text{Step 1} + \text{Step 2}}{2}$$

NOTE: Changes in Actual Patient Days and Outpatient Procedures must indicate the direction of change as well as the actual amount of increase or decrease. The plus (increase) or minus (decrease) sign must be carried throughout the computation.

PART III—OPERATING EXPENSES

Expense justification for current year. The fiscal periods for which expense justification data are presented must be the same as those periods for which revenues were reported. In completing Part III you will separate expense changes resulting from increased prices which you must pay to render your services (i.e., changes in unit cost) from those expense changes resulting from changes in the volume of services rendered.

Column (a). Include combined actual expenses incurred for all operations of your last fiscal year.

If you determined total operating charges for the last fiscal year by combining charges realized for the first three quarters of the current fiscal year with a projection for the remaining quarter, you must also determine expenses for this same period. Attach documentation to support these projections.

Item 16, *Research*, for both the Last Fiscal Year and Reported Fiscal Year, will include only those expenses net of research grants or other monies received by the acute care hospital for either the LFY or RFY specifically for research expenses.

Adjustments due to reported fiscal year reallocations. When you change your last fiscal year method of producing and/or delivering a particular service, and the change results in a reallocation of expenses among expense categories, you must adjust your last fiscal year expenses by category to reflect the expense reallocations that will be effective in the reported fiscal year. The following example shows the required adjustments to the last fiscal year by category:

Hospital H in the last fiscal year operated its own laundry service. In the budgeted fiscal year, H is closing its laundry facility and has signed a contract with an outside laundry service. The expense of the reported fiscal year contracted laundry service will be included under Column (b), Item 14, "Other". Therefore, H must adjust the last fiscal year expense category entries by deducting all laundry-related expenses from the respective expense categories and entering the total of laundry expenses under Column (a), in Item 14. From the wage/salary and fringe benefits categories (Items 6 and 7) H would deduct all last fiscal year laundry personnel wages or salaries and fringe benefits; from the utilities expense category (Item 13), H would deduct all utility expenses allocated to laundry; and so forth. There should be no change in total expenses for the last fiscal year; merely a reallocation of all laundry-related expenses from their original entries into Item 14. Documentation must be attached to support all such expense reallocation adjustments and to reconcile differences in the financial statements.

Column (b). Enter expenses for the reported fiscal year.

Column (c). The data to be provided in this column represents the amount of expenses which you would expect to incur if, in the last fiscal year, you were servicing the volume and mix of patients projected in the reported fiscal year (i.e., last fiscal year's expenses at projected volume). There are only two acceptable methods of making this computation; use either actual budget data or the volume index described in the instructions to Item 4. You may not develop an alternative index factor.

In recognition of the fact that all expenses do not reflect volume changes, no volume adjustment is required for legal and accounting fees (Item 15), research (Item 16), education (Item 17), depreciation (Item 18), interest (Item 19) and insurance (Item 20). Further, when an exception request is pending, the Cost of Living Council will take into consideration the degree to which expenses respond to volume changes. If you show a decrease in volume, the extent to which expenses cannot be expected to decrease proportionately will be a factor in determining serious hardship or gross inequity. Likewise, when you experience an increase in volume, it will be expected that your expenses would not increase in direct proportion.

Budget method. Explain every entry in a supporting document. No entry can be accepted without a full explanation of the methodology and computation. Do not adjust the entries for Items 15 through 20, instead, enter in Column (c) the same amount shown in Column (a).

For each expense item, multiply the actual unit cost of that item in the last fiscal year times the projected number of units serviced (or used) during the reported fiscal year. The "unit" chosen for each item must be statistically valid and in accordance with guidelines established by the American Hospital Association, the American Institute of Certified Public Accountants, or the Cost of Living Council. While the statistical unit chosen may vary from hospital to hospital, any individual hospital must be consistent in its use of the chosen units from year to year. The Cost of Living Council will decide in each case whether the particular unit chosen is acceptable. For any one item, you may develop in supporting documents several different units and their unit costs and enter in Column (c) the total of their products.

To determine the unit cost of any item, divide the total expenses for that item by the units of service for that fiscal year.

Acceptable Budget Methods. You may prepare your Schedule X by using a budget method, as explained above in the instructions for Budget Method. In every case where the budget method is not included in the suggested methods announced by the Cost of Living Council, the CLC will decide whether the budget method is acceptable. File any unapproved budget method with the Cost of Living Council before you file your exception request with the State Advisory Agency.

Exhibit I shows a suggested format for documentation which illustrates one of several budget methods which the Council has found acceptable. An example follows:

Hospital H is developing supporting documentation to determine the entry for Column (c) of Item 6, "Total Wages and Salaries." H maintains its records on a functional (departmental) basis. To determine the wage and salary expense of each revenue-producing department, H customarily allocates the wage and salary expenses of the nonrevenue-producing departments (such as administrative services) by the proportion which each revenue-producing department bears to the total revenues of the institution. H's operating room produces 10 percent of H's total revenues; therefore, H allocates 10 percent of the wage and salary expense of non-revenue-producing departments to the operating room.

In its last fiscal year the operating room performed 8,000 procedures and had total wage and salary expenses (both direct and indirect) of $80,000. In its reported fiscal year H expects to perform 10,000 procedures with total wage and salary expense of $120,000. H would therefore show the following computations in its supporting documentation:

Operating room		Cumulative total
Last fiscal year wage and salary expense	$80,000	
Divided by—		
Last fiscal year surgical procedures	8,000	
Equals—		
Last fiscal year cost per procedure	10	
Multiplied by—		
Reported fiscal year surgical procedures	10,000	
Equals—		
Adjusted operating room wage and salary costs (reported fiscal year volume at last fiscal year cost)	100,000	$100,000

H could continue with similar computations for its other revenue producing departments, and enter the total of all adjusted wage and salary expenses in Column (c) of Item 6.

Volume Index Method. For each applicable item (Items 6 through 14) multiply the amount shown in Column (a) for that item by the volume index, and enter the results of the computations in Column (c). Do not adjust the entries for item 15 through 20; instead, enter in Column (c) the same amount shown in Column (a).

Column (d). This column identifies expense changes. The entries for Items 6 through 20 are the differences between the amounts in Columns (b) and (c); i.e., the difference between the reported fiscal year expenses and last fiscal year expenses adjusted, where appropriate, to reflect projected year volume.

Item 5. Enter in Column (d) the increase in total wages paid during the reported fiscal year to employees earning less than $3.50 per hour, or the legally established minimum wage. Include only the increment up to $3.50 per hour or the minimum wage.

Item 6–8. Include amounts paid to hospital based personnel who function as independent contractors and who are not considered employees of the hospital. (Amounts paid to salaried personnel should be included on Item 6.)

Item 10–14. Self-explanatory.

Item 15–20. Do not adjust for volume. Enter in Column (c) the same amount shown in Column (a).

Item 18. You may not claim depreciation on a rental facility in your capacity as a tenant. If you are renting your facility, add an extra line in this item to show your annual rental expense on the facility only. Do not adjust for volume. Enter in Column (c) the same amount shown in Column (a).

Item 21. Self-explanatory.

Computation of "Adjusted Expenses for Indicated Expense Categories, by Revenue Department

Form CLC-62 Expense Category (check one)

☐ Wages & salaries (Item 6) ☐ Utilities (Item 13)

☐ Fringe benefits (Item 7) ☐ Other expenses (Item 14)

☐ FICA and unemployment taxes (Item 6)

Revenue Department	Statistical Unit	Number of Units	Total Expense, (Direct & Indirect)	Unit Cost ((d)÷(c))	Number of Units	Total Expense (Dir. & Indir)	Unit Cost ((g)÷(f))	Adjusted Expense ((e)X(f))
Inpatient								
Surgery	Patient Days(PD)		$	$		$	$	$
Intensive Care	PD							
Cardiac	PD							
Maternity Ward	PD							
Delivery Room	Deliveries							
Nursery	Newborn Days							
Pediatrics	PD							
General Medicine	PD							
_____								
_____								
Outpatient & Ancillary								
Radiology	Procedures							
Pathology	Procedures							
EKG	Procedures							
Emergency Room	Proc. or Visits							
Pharmacy	Prescriptions							
Operating Room	Procedures							
Clinic	Proc. or Visits							
_____								
_____								

Total Adjusted Expenses for this Expense Category..... $_____

(Enter here and on Form CLC-62 in column (c) of the corresponding category)

Exhibit I (Back)

Computation of "Adjusted Expenses" for Specified Expense Categories

Category	Statistical Unit	Number of Units	Total Expense	Unit Cost ((d) ÷ (c))	Number of Units	Total Expense	Unit Cost ((e) ÷ (f))	Adjusted Expenses ((e) X (f))
Commissions: (Item))	Procedures		$	$		$	$	$
Anesthesiology	Proc. or Visits							
Emergency Room	Procedures							
Pathology	Procedures							
X-Ray								
TOTAL COMMISSIONS	XXXXXXX	XXXX		XXX	XXX		XXX	
Food: (Item 11)	Meals Served							
Drugs: (Item 10)	Prescriptions Issued							

Form CLC-72 (Proposed March 1974)	Exception Form For Long Term Care Institutions 6 CFR 150.782 (e) and (f)	CLC USE ONLY Date of Filing _____ Docket Number _____ Clock [] 60 [] Other [] None

Part I - Identifying Data (Please complete requested items and check applicable boxes below).

1. (a) Name of Long Term Care Institution	2. (a) Name of Parent Firm (if applicable)
Address (Number and Street)	Address (Number and Street
City or Town, State and Zip Code	City or Town, State and Zip Code
(b) Institution is ☐ Profit ☐ Nonprofit	(b) Parent Firm is ☐ Profit ☐ Nonprofit
(c) Federal Identification Number	(c) Federal Identification Number

Part II - Additional Information

3. ☐ (a) Request forwarded to Cost of Living Council by State Advisory Agency OR

☐ (b) Request forwarded to Cost of Living Council by Petitioner (check reason why)

☐ (1) No State Advisory Agency

☐ (2) No action by State Advisory Agency within 30-day limitation

4. (a) Exception requested for fiscal year ending _____.

(b) During the above fiscal year, the exception request, if approved, will bring total additional operating revenues of $ _____.

(c) The exception is requested to increase the following items in the indicated amounts for each level of care and class of purchasers.

		A Percent Increase Above Authorized	B Additional Operating Revenue Derived From Increase	C Effective Date
			$	
Medicare	Hospital	%		
	Skilled	%	$	
Medicaid	Hospital	%	$	
	Skilled	%	$	
	Intermediate	%	$	
		%	$	
All Other Classes (Specify Levels)		%	$	

5. Exception Requested Pursuant to: (Check applicable box or boxes)

☐ 6 CFR 150.782(e)

☐ Increased Government Required Expenses (Sub-paragraph (1)(ii) (Attach an itemized listing including the depreciation and interest expense applicable to any capital purchases).

☐ Low Wage Increases, Sub-paragraph (1)(ii) (Include calculations, showing amount of

☐ 6 CFR 150.782(f)

☐ Serious hardship

☐ Cash Flow

☐ Working Capital (Document with Specific Problem)

☐ Other (Explain

☐ Gross Inequity (Explain)

Please attach documentation explaining the basis of this request. Please itemize, as fully as possible, the reasons for requesting the exception. The burden of proof is on the petitioner to prove why an exception is necessary.

Part III - Operating Data

	LFY	RFY
6. Total Realized Revenues Allowable (See Instructions)	$	$
7. Allowances		
(a) Contractual $_____ $_____		
(b) Bad Debts _____ _____		
(c) Other (specify_____ _____		
(d) Total Allowances (Items 7(a) (b) (c)		
8. Total Gross Revenues (Item 6 plus Item 7(d))		
9. Revenues from Taxes or Appropriations		
10. Other Operating Revenues		
11. Total Operating Revenues (Sum of Items 8, 9, and 10)		
12. Total Operating Expenses (Schedule Y, Item 19)		
13. Net Operating Income (Item 11 minus Item 12)	$	$

Part IV - Sources of Funds

	LFY	RFY
	$	$
14. Interest Income		
15. Donations and Contributions		
16. Appropriations (Non-Service Related)		
17. Other Sources (Attach Itemization)		
18. Depreciation		
19. Total Nonoperating Funds (Sum of Items 14 through 18)		
20. Long-Term		
21. Short-Term Debt		
22. Total Funds Provided (Sum of Items13and 19 through 21)	$	$

Part V - Application of Funds

23. Current Portion of Long-Term Debt	$	$
24. Payment of Short-Term Debt		
25. Capital Expenditures		
a. Per §150.781 or §150.782(c)		
b. Other		
26. Funds for other needs (attach schedule)		
27. Total Funds Applied (Sum of Items 23 through 26)		
28. Working Capital Change (Item 22 Minus Item 27)	$	$

I have examined this form and the attached exhibits, schedules and explanations, and certify that to the best of my information, knowledge, and belief the information set forth therein is factually correct, complete and in accordance with the Economic Stabilization Regulations of Title 6, Code of Federal Regulations.

Name	Date	Signature
Title		

INSTRUCTIONS FOR FORM CLC–72, EXCEPTION FORM FOR LONG TERM CARE INSTITUTIONS

GENERAL INSTRUCTIONS

A. *Purpose.* Form CLC–72 is designed to provide the data necessary to evaluate a request for an exception to the Economic Stabilization Program under the provisions of 6 CFR 150.782 (e) and (f).

B. *Who should file Form CLC–72?* 1. Any long term care institution, as defined in 6 CFR 150.771, that desires an exception under 6 CFR 150.782 (e) or (f) must complete Form CLC–72.

2. Any long term care institution filing for an exception under 6 CFR 150.782(e) must complete Form CLC–72, Parts I, I, II, III and VI. The form submitted must bear an original signature.

3. Any long term care institution filing for an exception under 6 CFR 150.782(f) must complete all parts of the Form CLC–72. The form submitted must bear an original signature.

4. If a Certificate of Compliance has been issued by the Cost of Living Council under 6 CFR 150.776 to a state for Medicaid reimbursement rates, Part II, Item 4(c) of Form CLC–72 pertaining to Medicaid as a class of purchasers should not be completed.

C. *What to file.* File this form together with the following:

1. *Financial information.* a. CLC–71, Annual Report for Long Term Care Institution, and Schedule L to Form CLC–71. Schedule O, Outpatient Computations for Long Term Care Institutions must also be submitted, if applicable. Column (f) of Part II to Form CLC–71 will include the authorized total realized revenues per class of purchasers and levels of care rather than "Total Realized Revenues', pursuant to 6 CFR 150.773. Column (1) of Part II to Form CLC–71 would include those dollar amounts to be expected if a total exception were granted by the Cost of Living Council for dates specified in Form CLC–72, Part II, Item 4(c).

b. Schedule Y—Operating Expenses.

c. Certified financial statements for the four years preceding the Reported Fiscal Year. If an independent audit was not performed for any year, then unaudited statements will be accepted. Such statements normally include the following information:

(1) Balance Sheet

(2) Statement of Revenues and Expenses

(3) Statement of Changes in Financial Position

Note: For an exception under 6 CFR 150.782(e), Part III, Items 14 through 28 should not be completed.

d. Any supporting schedules, lists, or documentation required in the Form CLC–72 and Schedule Y.

e. A reconciliation of any figures appearing on the financial statements that do not coincide with figures on the Form CLC–72 or Schedule Y.

f. If the reported fiscal year has not yet been completed at the time of submission, actual figures shall be used to the extent available and budgeted figures for the remainder of the year.

g. For any institution whose last fiscal year or reported fiscal year (or both) has been completed and financial statements prepared, Parts III, IV, and V of Form CLC–72 need not be completed if the information which these Parts require is included in the financial statements.

2. *Explanation of exception request.* a. For an exception based on 6 CFR 150.782(e), explain why the exception is needed and supply supporting documentation. The burden of proof is on the petitioner to prove a serious hardship or gross inequity.

b. For an exception based on 6 CFR 150.782 (f), explain why the exception is needed and describe the causes of the serious hardship or gross inequity. Include all pertinent information to support the request. The burden of proof is on the petitioner to prove serious hardship or gross inequity.

3. *Explanation of cost control programs.* a. A schedule must be presented showing the results of any cost containment initiatives, i.e. expenditures and savings that result from initiatives. A suggested format is presented as follows:

Description	Operating cost of initiative in reported fiscal year	Projected cost without initiative	Net savings in reported fiscal year

b. If the exception request is based on budgeted figures, explain how the budget was derived. For all exception requests, describe the general budgeting policies, including control and monitoring of the budget.

D. *Where to file.* 1. Submission shall be sent to the State Advisory Agency which is established for the state in which the hospital is located; or

2. If there is no State Advisory Agency or if the Agency has not taken action within the period prescribed in the Economic Stabilization regulations, the petitioner shall send the completed Form CLC–72 to:

Office of Health
Cost of Living Council
2000 M Street, NW.
Washington, D.C. 20508

3. Pursuant to 6 CFR 150.782(b) a prospective exception request will be considered provisionally approved, if the Cost of Living Council does not take action within 60 days of the filing date. If erroneous or incomplete information is submitted, then the 60-day period will be suspended by the Cost of Living Council and restarted when the information has been received and accepted. Review by the Cost of Living Council of requests for exception pursuant to which adjustments would be made retrospectively is not subject to the 60-day time limitation set forth in 6 CFR 150.782(b).

4. No long term care institution may request an exception until at least 9 months of actual data is available for the fiscal year preceding the year for which an exception is requested.

SPECIFIC INSTRUCTIONS

Part I—*Identifying Data*

Items 1 and 2. Self-explanatory.

Part II—*Additional Information*

Item 3. If the request is forwarded by the petitioner, then only Item 3(b) should be completed.

Items 4 (a) and (b). Self-explanatory.

(c) (Column A). Enter the percent increase in excess of the authorized percent increase in average realized revenues per diem (Form CLC–71, Part II, Column i) requested by exception for each class of purchasers and levels of care.

(Column B). For each class of purchasers and levels of care for which an exception is requested, enter the net amount of operating revenues desired.

(Column C). Self-explanatory.

Item 5. Check appropriate box or boxes. These are the only types of exceptions for which Form CLC–72 is submitted. A request for exception on grounds of a working capital hardship must include a balance sheet (pro forma if necessary) for the reported fiscal year.

Part III—*Operating Data.* Complete all entries for LFY and RFY columns.

Item 6. Enter the authorized total revenues for all classes of purchasers and levels of care pursuant to 6 CFR 150.771.

Item 7. Break out the total allowances into three categories: contractual, bad debts, and other (curtesy, employee, etc.). Attach statement showing the percentage relationship between bad debts and total charges for the LFY and RFY.

Item 8. Self-explanatory.

Item 9. If you are a government-related institution, enter the total amount of governmental appropriations. If the appropriation bears no direct relationship to services but is for the purpose of making up a deficit, do not include the appropriations in Item 9, but in Item 16 of Part IV, Source of Funds.

Item 10. Other operating revenues include revenues received from cafeteria sales, gift shops, vending machines, parking lots, etc., i.e., those revenue producing activities involved with day-to-day operations not included in Item 6, Total Realized Revenues.

Items 11 through 13. Self-explanatory.

Part IV—*Source of Funds* For the LFY and RFY, enter the sources of funds for each applicable item.

Item 14. Enter all interest income earned during the fiscal year.

Item 15. Include in this item all endowments, gifts, and contributions received during the fiscal year.

Item 16. Enter all non-service, non-patient related appropriations not included in Item 9, including any appropriation for the purpose of making up a deficit.

Item 17. Enter any other source of funds and attach itemization.

Item 18. Enter the total depreciation expense.

Item 19. Self-explanatory.

Item 20. Enter the proceeds from any long-term debt incurred in the fiscal year. Include funds received from bond issues, bank notes, mortgage notes, etc., of a long-term nature. Attach a separate schedule detailing sources, interest payments, repayment schedule, and purpose of the borrowing.

Item 21. Enter the proceeds from short term debt incurred in the fiscal year. Attach a separate schedule detailing sources, interest payments, repayment schedule, and purpose of the borrowing.

Item 22. Self-explanatory.

Part V—*Application of Funds.* For the LFY and RFY, enter the application of funds for each applicable item.

Item 23. Enter the principal repayment of long-term debt due within the fiscal year.

Item 24. Enter the principal repayment of short-term debt due within the fiscal year.

Item 25. a. Enter the amount expended during the fiscal year for capital expenditures approved pursuant to 6 CFR 150.781 or 150.782(c). (Attach approving document).

b. Enter the funds applied during the fiscal year for any other capital expenditure. Include capital replacements.

Item 26. Enter any other application of funds and attach schedule.

Item 27. Self-explanatory.

Item 28. Self-explanatory.

Schedule Y Form CLC-72 Proposed March 1974	ECONOMIC STABILIZATION PROGRAM Schedule of Operating Expenses for Long Term Care Institutions	CLC USE ONLY Docket No._____

Part I - Identifying Data

1. (a) Name of Long-Term Care Institution

Address (City, State, Zip Code)

(b) Federal Identification Number

PART II - Census Data (See Instructions)

CENSUS DATA	FY ending (mo., day, year) (a)	Patient days		Percent of occupancy (d)
		Available (b)	Actual (c)	
2. Actual (last year)				
3. Projected (for reported fiscal year)				

4. Check (a) or (b) below to show the method used to adjust cost increases to reflect volume changes. Complete (c) if applicable.

(a) ☐ Actual budget data

(b) ☐ Volume index

(c) ☐ If you use the volume index, what is its computed value?.....

Part III - Operating Expense

	A Last Fiscal Year	B Reported Fiscal Year	C Adjusted	D Change (Col B Minus Col C)
5. Low Wage Increases				
6. Total Wages and Salaries				
7. Fringe Benefits (Pensions, Insurance, etc.)				
8. F.I.C.A.				
9. Commissions and Fees				
10. Drugs				
11. Food				
12. Supplies				
13. Utilities				
14. Other (Itemize)				
15. Legal and Accounting				
16. Depreciation				
17. Interest				
18. Insurance				
19. Total Expense (Sum of Items 6 thru 20)				

INSTRUCTIONS FOR SCHEDULE Y SCHEDULE OF OPERATING EXPENSES FOR LONG TERM CARE INSTITUTIONS

GENERAL INSTRUCTIONS

Schedule Y must be completed and attached to Form CLC-72 when the long term care institution is requesting an exception under the provisions of 6 CFR 150.782(e) or (f).

SPECIFIC INSTRUCTIONS

Part I—*Identifying Data*
Item 1. Self-explanatory
Part II—*Census Data*

Use either the volume index or an actual budget data method to determine changes in expenses due to volume, but not a combination of both.

The Cost of Living Council may not accept a submission using a volume index when it can be demonstrated that an actual budget data method can be used. The volume index should be used only when the actual budget data method cannot be used.

Items 2 and 3. Enter patient day data in columns (b) and (c). Compute the percentage of occupancy in column (d) by dividing the entry in column (c) by the entry in column (b).

Item 4. Use either actual budgeted changes in cost attributable to volume or the volume index to determine adjusted expenses (Part III, column (c)). When using actual budget data to identify changes attributable to volume, attach detailed documentation showing the bases upon which such changes were determined.

Volume Index. Compute the volume index by dividing the reported fiscal year's patient days by the last fiscal year's patient days. Attach a copy of the volume index calculation.

Part III *Operating Expenses*

Expense justification for current year. The fiscal periods for which expense justification data are presented must be the same as those periods for which revenues were reported. In completing Part III you will separate expense changes resulting from increased prices which you must pay to render your services (i.e., changes in unit cost) from those expense changes resulting from changes in the volume of services rendered.

Column (a). Include combined actual expenses incurred for all operations of your last fiscal year.

If you determined total operating charges for the last fiscal year by combining charges realized for the first three quarters of the current fiscal year with a projection for the remaining quarter, you must also determine expenses for this same period. Attach documentation to support these projections.

Adjustments due to budgeted fiscal year reallocations. When you change your last fiscal year method of producing or delivering a particular service (or both), and the change results in a reallocation of expenses among expense categories, you must adjust your last fiscal year expenses by category to reflect the expense reallocations that will be effective in the budgeted fiscal year. The following example shows the required adjustments to the last fiscal year costs by category:

Institution L in the last fiscal year operated its own laundry service. In the budgeted fiscal year, L is closing its laundry facility and has signed a contract with an outside laundry service. The expense of the budgeted fiscal year contracted laundry service will be included under column (b), Item 14 "Other." Therefore, L must adjust the last fiscal year expense category entries by deducting all laundry-related expenses from the respective expense categories and entering the total of laundry expense under column (a), in Item 14. From the wage and salary category (Item 6), L would deduct all last fiscal year laundry personnel wages or salaries and fringe benefits. From the utilities expense category (Item 13), L would deduct all utility expenses allocated to laundry; and so forth. There should be no change in total expenses for the last fiscal year; merely a reallocation of all laundry-related expenses from their original entries. Documentation must be attached to support all such expense reallocation adjustments and to reconcile differences in the financial statements.

Column (b). Enter expenses for the budgeted or price increase fiscal year.

Column (c). The data to be provided in this column represents the amount of expenses which you would expect to incur if, in the last fiscal year, you were servicing the volume and mix of patients projected in the budgeted fiscal year (i.e., last fiscal year's expenses at projected volume). There are only two acceptable methods of making this computation; use either an actual budget data method or the volume index method. An explanation of each method follows. You may not use an alternative index factor.

In recognition of the fact that all expenses do not reflect volume changes, no volume adjustment should be made for legal and accounting fees (Item 15), depreciation (Item 16), interest (Item 17) and insurance (Item 18). Further, when an exception request is pending, the Cost of Living Council will take into consideration the degree to which expenses respond to volume changes. If you show a decrease in volume, the extent to which expenses cannot be expected to decrease proportionately will be a factor in determining serious hardship or gross inequity. Likewise, when you experience an increase in volume, it will be expected that your expenses would not increase in direct proportion.

Budget method. Explain every entry in a supporting document. No entry can be accepted without a full explanation of the method and computation. Do not adjust the entries for Items 15 through 18; instead, enter in column (c) the same amount shown in column (a).

For each expense item, multiply the actual unit cost of that item in the last fiscal year times the projected number of units serviced (or used) during the budgeted fiscal year. The "unit" chosen for each item must be statistically valid and in accordance with guidelines established by the American Hospital Association, the A.I.C.P.A. or the Cost of Living Council. While the statistical unit chosen may vary from institution to institution, any individual institution must be consistent in its use of the chosen units from year to year. The Cost of Living Council will decide in each case whether the particular unit chosen is acceptable. For any one item, you may develop in supporting documents several different units and their unit costs and enter in column (c) the total of their products.

To determine the unit cost of any item, divide the total expense for that item by the units of service for that fiscal year.

Volume Index Method. For each applicable item (Items 6 thru 14) multiply the amount shown in column (a) for that item by the volume index, and enter the results of the computations in column (c). Do not adjust the entries for Items 15, 16, 17, and 18; instead, enter in column (c) the same amount shown in column (a).

Part III—*Item Explanation*

Item 5. Enter in column (b) and column (d) the increase in total wages paid during the reported fiscal year to employees earning less than $3.50 per hour, or the legally established minimum wage. Include only the increment up to $3.50 per hour or up to the minimum wage.

Item 6 through 8. Self-explanatory

Item 9. Include amounts paid to personnel who function as independent contractors and who are not considered employees of the institution. (Amounts paid to salaried personnel should be included in Item 6.)

Item 10 through 14. Self-explanatory

Item 15 through 18. Do not adjust for volume. Enter in column (c) the same amount shown in column (a).

Item 16. You may claim depreciation on a rental facility in your capacity as a tenant. If you are renting your facility, add an extra line in this item to show your annual rental expense on the facility only. Do not adjust for volume. Enter in column (c) the same amount shown in column (a).

Item 19. Self-explanatory.

FORM CLC-82 (Proposed March 1974) For Calendar and Fiscal Years ending on or after January 1, 1974	ECONOMIC STABILIZATION PROGRAM MEDICAL PRACTITIONERS AND MEDICAL LABORATORIES APPLICATION FOR EXCEPTION	CLC USE ONLY Date of Filing Docket Number

Part I. GENERAL INFORMATION

1(a) Name

(b) Address (number and street

(c) City or Town, State and Zip Code

(d) ☐ Solo Practice
☐ Partnership
☐ Corporation
☐ Other (Specify): _____

2. Social Security Number or Tax Identification Number
☐ ☐

3(a) Name of Parent Firm (if applicable)

(b) Address (number and street)

(c) City or Town, State and Zip Code

4. Have you previously filed a request for an exception with IRS or the Cost of Living Council (or the Price Commission)? ☐ Yes ☐ No

If yes, what is the case docket number? _____.

5. Current Fiscal Year ends on _____.
Month Day Year

6. Provision to which Exception is Requested — Year for which Exception is Requested (Complete if box to left is checked)

(a) ☐ Aggregate Weighted Price Increase (AWPI) Limitation [6 CFR 150.734(a)(1)] FOR Exception Calendar Year (ECY) ending December 31, 19___.

(b) ☐ 10% unit price increase limitation (or $1.00 limitation if price under $10.00) [6 CFR 150.734(a)(2)] FOR Exception Calendar Year (ECY) ending December 31, 19___.

(c) ☐ 6.2% fixed dollar amount contract limitation [6 CFR 150.734(b)] FOR Exception Contract Year ending _____.
month/ day / year

(d) ☐ Revenue margin limitation [6 CFR 150.735] FOR Exception Fiscal Year (EFY) ending _____.
month/ day / year

Part II. DOCUMENTATION OF HARDSHIP OR GROSS INEQUITY

7. Has the petitioner's practice changed since the base period so as to make his authorized prices or base period revenue margin substantially unrepresentative?

☐ Yes ☐ No (If "yes", attach explanation)

8. Has the petitioner increased his total hours of work or otherwise delivered a significantly increased amount of medical care?

☐ Yes ☐ No (If "yes", attach documentation)

9. Has the petitioner undertaken significant cost containment initiatives?

☐ Yes ☐ No (If "yes", attach explanation and documentation of cost savings)

10. Is the petitioner experiencing a significant imbalance in the cost or price (or both) of a specific service or property which cannot be corrected due to the 10 percent (or $1.00) unit fee limitation?

☐ Yes ☐ No (If "yes", attach documentation)

11. Cost increases in the Current Fiscal Year due to government mandated rate increases in: (attach documentation)

(a) FICA Taxes $_____

(b) Unemployment Compensation _____

(c) Workmen's Compensation Premiums _____

(d) Property Taxes _____

(e) Utilities _____

(f) Other: Specify _____ _____

_____ _____

_____ _____

(g) TOTAL $_____

12. Cost increases due to government mandated new or revised standards of care or practice (attach explanation including documentation of the new or revised government standard).

$_____

13. Cost increases related to substantial and significant improvements in the quality of a service or property already provided. (Attach explanation including specific documentation of any quality increase).

$_____

14. Has the petitioner experienced significant changes in the collection of accounts receivable?

☐ Yes ☐ No (If "yes", attach explanation and documentation to include computation of Accounts Receivable Collection Period)

15. Does the petitioner have any financial interest in the building [illegible] which rental expense is claimed in Item 33(e) of Part IV below?

☐ Yes ☐ No (If "yes", attach explanation)

16. Are significant volume changes anticipated for the Current Fiscal Year?

☐ Yes ☐ No (If "yes", attach schedule indicating the reason(s) for the change and the impact of the change on revenues and expenses)

17. Low wage increase:

(a)	Low wages current fiscal year	$
(b)	Low wages prior fiscal year	
(c)	Limitation [Item 17(b) times .055]	
(d)	Total low wage increase [Item 17(a) less Item 17(b)]	
(e)	Increase in excess of 5.5% limitation [Item 17(d) less Item 17(c)]	$

18. Has the petitioner experienced other significant uncontrollable cost increases or other justification to support exception request?

☐ Yes ☐ No (If "yes", attach explanation)

Part III A. COMPUTATION OF PERCENTAGE AGGREGATE WEIGHTED PRICE INCREASE (%AWPI)

19. %AWPI authorized but not implemented in years prior to the ECY. _____

20. %AWPI authorized for the ECY (Maximum of 4.00%). _____

21. Total %AWPI authorized for the ECY (Item 19 plus Item 20). _____

22. Computation of Proposed % AWPI In ECY If Exception Granted

Description of Service or Property or Groups of Related Services or Property (a)	Price on Dec. 31 of Year Preceding ECY (b)	Highest Proposed Price During ECY (c)	Percentage Price Change (d)	Actual Gross Billings for Year Preceding ECY (e)	Weighting Factor (f)	Weighted Price Change (g)
	$	$	%	$		

23. Total Billings for Year Preceding ECY . . . . . $ ☐

24. Total Percentage Aggregate Weighted Price Increase (%AWPI) . . . . . %

25. %AWPI requested by exception exclusive of the total authorized %AWPI (Item 24 less Item 21) _____ %

26. Total authorized %AWPI already implemented during the ECY _____ %

Part III B PERCENTAGE INCREASE ON FIXED DOLLAR AMOUNTS SPECIFIED IN A CONTRACT

27. Brief description of fixed dollar amount contract _____

28. Percentage increase authorized but not implemented in years prior to the exception contract year. _____

29. Percentage increase authorized for the exception contract year (maximum of 6.20%). _____

30. Total percentage increase authorized for the exception contract year on the fixed dollar amount specified in the contract. (Item 28 plus Item 29) _____

31. Total percentage increase on the fixed dollar amount specified in the contract if exception is granted. _____

32. Percentage increase requested by exception exclusive of the total authorized percentage (Item 31 less Item 30). _____

33. Total percentage increase on the fixed dollar amount specified in the contract already implemented during the exception contract year. _____

Part IV. PROFESSIONAL PRACTICE OPERATING STATEMENT

34. Number of Medical Practitioners:

In fiscal year prior to Current Fiscal Year _____

In Current Fiscal Year _____

35. Number of Other Employees:

In fiscal year prior to Current Fiscal Year _____

In Current Fiscal Year _____

36. Accounting Method: [ ] Accrual

[ ] Cash

[ ] Other: (Specify) _____

	Fiscal Year Preceding Current Fiscal Year (a)	Current Fiscal Year (If No Price Increase) (b)	Current Fiscal Year (If Exception Granted - Annualized (c)
37. Gross Charges			
(a) Patient Service Billings			
(1) Fee-For-Service	$	$	$
(2) Fixed Dollar Contract . . .	$	$	$
(3) Other Billings	$	$	$
(4) Total Patient Service Billings [Sum of Lines (a)(1), (a)(2), and (a)(3)].	$	$	$
(b) Allowances (Bad debt, charity, contractual).	$	$	$
(c) Net Patient Service Revenue = Collected Income = Aggregate Annual Revenue [(Line (a)(4) less Line (b)].	$	$	$
(d) Other Professional Income (attach documentation).	$	$	$
(e) Total Professional Income [Line (c) plus Line (d)]. . .	$	$	$

	Fiscal Year Preceding Current Fiscal Year (a)	Current Fiscal Year (If No Price Increase) (b)
38. Operating Expenses		
(a) Wages and Salaries	$	$
(b) Fringe Benefits	$	$
(c) Rent-Building or Office . .	$	$
(d) Rent-Equipment	$	$
(e) Depreciation	$	$
(f) Interest Payments on Professional Debt	$	$
(g) Supplies - Medical	$	$
(h) Supplies - Office	$	$
(i) Publications and Dues	$	$
(j) Taxes (excluding all income taxes)	$	$
(k) Licenses	$	$
(l) Insurance (Business and Professional)	$	$
(m) Laboratory Fees and Other Services Purchased	$	$
(n) Professional Travel	$	$
(o) Other Professional Expenses (attached documentation)	$	$
(p) TOTAL OPERATING EXPENSES	$	$
39. Net Revenues [Item 37 (c) less Item 38 (p)].	$	$

Part V A. COMPUTATION OF REVENUE MARGIN

	1st Selected Base Fiscal Year Ending (/ /) (a)	2nd Selected Base Fiscal Year Ending (/ /) (b)	Combined Total Of Base Years (Column (a)+(b)) (c)	EFY (If No Price Increase) (d)	EFY (If Exception Granted Annualized (e)
40. Aggregate Annual Revenues	$	$	$	$	$
41. Operating Expenses	$	$	$	$	$
42. Net Revenue (Item 40 less Item 41)	$	$	$	$	$
43. Base Period Revenue Margin [Item 42 (c) ÷ Item 40 (c)]				N/A	
44. Adjusted Base Period Revenue Margin (If previously granted by exception)				N/A	
45. EFY Revenue Margin If No Price Increase [Item 42 (d) ÷ Item 40 (d)]					N/A
46. EFY Revenue Margin If Exception Granted Annualized [Item 42 (e) ÷ Item 40 (e)]					N/A

Part V B. ADJUSTMENT OF PROFESSIONAL CORPORATION OPERATING EXPENSES FOR COMPUTATION OF REVENUE MARGIN

47. Period Adjusted	1st Selected Base Fiscal Year Ending (/ /)		2nd Selected Base Fiscal Year Ending (/ /)		EFY Ending (/ /)	
48. Total Operating Expenses						
49. Exclusions						
(a) Salaries to Medical Practitioners						
(b) Deferred Compensation						
(c) Keogh Allowance						
(d) Total Exclusions [(a) plus (b) less (c)]						
50. Adjusted Operating Expenses [Item 48 less Item 49 (d)]						

Part VI. ADDITIONAL INFORMATION

51. (a) Name and title of individual to be contacted for additional information

(b) Address (number and street)

(c) City or Town, State and Zip Code

(d) Phone Number (Include Area Code)

Part VII - Certification and Signature

I have examined this form and the attached exhibits, schedules and explanations, and certify that to the best of my information, knowledge and belief the information set forth therein is factually correct, complete and in accordance with the Economic Stabilization Regulations of Title 6, Code of Federal Regulations.

Name	Date	Signature
Title		

INSTRUCTIONS FOR FORM CLC 82, MEDICAL PRACTITIONERS AND MEDICAL LABORATORIES APPLICATION FOR EXCEPTION

GENERAL INSTRUCTIONS

A. *Purpose.* Form CLC–82 provides the means by which medical practitioners and medical laboratories shall file a request for exception to the limitations imposed by the Economic Stabilization Program under the provisions of 6 CFR 150.739.

B. *Who Must Use Form CLC–82.* A medical practitioner or medical laboratory must submit Form CLC–82 when filing for an exception request.

C. *What to file.* The regulations and these implementing instructions specify what is to be included on this form. In addition, the following documents should be attached to the form:

1. Current Price Schedule.

2. List of all price changes since August 15, 1971. Include percentage amounts and dates of price change.

3. Financial statements for the four fiscal years preceding the Exception Fiscal Year. A Schedule C, Form 1040 may be used.

4. Other documentation and explanation as might be required under Parts II, III, IV and V of Form CLC–82. The Cost of Living Council may also request additional data in particular cases.

D. *Sixty day time limitation.* The Council shall inform the medical practitioner or medical laboratory promptly by written notice of the date of filing and the docket number of the request for exception. The 60-day time limitation commences from the date of filing of a request for prospective exception pursuant to 6 CFR 150.739 after which time the request may be considered to have been provisionally approved. Remember that an exception approved provisionally can be revoked at a later time. If the exception request is found to be incomplete or erroneous, the Cost of Living Council may suspend the 60-day period until complete and accurate information has been received and accepted.

E. *Where to file.* Form CLC–82 should be filed with:

NIPS/HMO Branch
Office of Health
Cost of Living Council
2000 M Street, N.W.
Washington, D.C. 20508

F. *Suggestions for improvement.* The Cost of Living Council welcomes suggestions for improving this and other forms and seeks ways of obtaining the information it needs to exercise its responsibilities under Phase IV of the Economic Stabilization Program with the minimum amount of public burden. Suggestions should be submitted to:

The Cost of Living Council
Office of the Executive Secretariat
2000 M Street, NW.
Washington, D.C. 20508

G. *Rounding.* For the purposes of this form, all percentages must be expressed to the nearest two decimal places (such as 5.92 percent) and all weighting factors to the nearest four decimal places (such as .0465). Fees may be rounded to the nearest quarter dollar provided that this does not result in violation of any price increase limitations (unless an exception is being requested to one of these limitations). All other dollar entries may be rounded to the nearest dollar.

H. *Definitions and abbreviations.*

Aggregate Weighted Price Increase. [Abbreviated as AWPI]

Exception Calendar Year. [Abbreviated as ECY]—The calendar year for which an exception is being requested to the aggregate weighted price increase or unit price increase limitations.

Exception Contract Year. The contract year for which an exception is being requested to the limitation on increases in the fixed dollar amount specified in the contract.

Exception Fiscal Year. [Abbreviated as EFY]—The fiscal year of the medical practitioner for which an exception is being requested to the limitation on increases in the revenue margin.

Prospective Exception Request. An exception request pursuant to which any price adjustment would be made for services or property to be furnished subsequent to approval of the request.

SPECIFIC INSTRUCTIONS

PART I.—GENERAL INFORMATION

Self explanatory.

PART II.—DOCUMENTATION OF HARDSHIP OR GROSS INEQUITY

It is important that all relevant facts to support an alleged serious hardship or gross inequity be fully documented. Part II is intended to help facilitate this documentation.

NOTE: All information entered in Part II should be reflected in Part IV.

Item 7. Include instances in which prices and base period revenue margin are not now truly representative of a practitioner's practice (though they may have reflected his practice at the onset of the Economic Stabilization Program). Include examples of such instances as the following:

•A substantial change in the mix or volume of cases seen by the practitioner.

•Prices and revenue margin established at artificially low levels by a new practitioner during his initial years of practice in an area.

•Distortions in the base period revenue margin caused by natural disasters, long periods of inactivity, or other such instances occurring during the base period.

Items 8 and 9. Enter documentation which will display that the data listed in Items 8 and 9 will cause a violation of the base period revenue margin in the current fiscal year.

Item 10. Self-explanatory.

Item 11. Enter only increases resulting from *rate* increases, not *volume* increases. For example, enter an increase in legislated property taxes but do not enter increased property tax payments attributable to new or additional property except for that portion attributable to a rate increase.

Item 12. Self-explanatory.

Item 13. Include only cost increases related to services or property *already* provided. It is essential that substantial and significant improvements in the quality of these services be well documented. (Do not include *new services or property* which may be priced in accordance with 6 CFR 150.736.)

Item 14. Bad debts, charitable services, and contractual allowances are to be considered in computing the changes in the collection of accounts receivable. Include computations of the accounts receivable collection period for current and prior years.

Computation shown below:

$$\frac{\text{Net Patient Revenues}}{\text{New Accounts Receivable}} \times 365 = \text{Average No. of Days of Collection}$$

Item 15. Self-explanatory.

Item 16. Self-explanatory.

Item 17. Lines (a) and (b) include only low wage expenses for those employees paid at an hourly rate of $3.50 or less (or $2.75 or less if wage expenses were incurred prior to May 1, 1973). If a wage increase causes an employee to earn more than $3.50 (or $2.75) per hour, include only the portion of increase up to $3.50 (or $2.75) per hour. For low wage employees hired into new positions, do not include that portion of the wages which is paid at, or below the previous year's rate for the same or comparable position. Also, do not include wage increases granted to such employees after the date of hiring, in excess of $3.50 (or $2.75) per hour. Lines (c) through (e)—self explanatory.

Item 18. One example of other justification or uncontrollable cost increases would be moving into an underserved area where medical care is badly needed.

PART IIIA—COMPUTATION OF PERCENTAGE AGGREGATE WEIGHTED PRICE INCREASE (% AWPI)

Item 19. Enter the portion of the percentage aggregate weighted price increase (% AWPI) allowed in prior years but not yet taken.

NOTE: A maximum of 5 percent may have been accumulated prior to December 28, 1973, which must be justified by increased expenses of practice or doing business pursuant to 6 CFR 300.19.

Item 20. Subject to the revenue margin limitation as determined under Parts VA and VB of this form, % AWPI authorized for the exception calendar year should equal, but, in any event, may not exceed 4 percent.

Item 21. Self-explanatory.

Items 22–24. Items 22 and 23 provide the means by which the weight of each service or property or groups of services or property whose price has been changed, or is to be changed, may be determined so that Item 24, the total % AWPI, may be computed. The % AWPI may be derived by using any one of three methods as described below. There is no need to complete Items 22 and 23 if Method No. 1 is used. If any single fee has been, or is to be increased during the exception calendar year in excess of the total authorized % AWPI entered in Item 21, Items 22 and 23 must be completed by either Method No. 2 or Method No. 3. Method No. 2 depends upon a determination with reasonable accuracy of the preceding year's gross billings for each service or property whose price has been or is to be changed. If the preceding year's gross billings can be determined by groups of similar or related services or property, Method No. 3 may be used. If data on last year's billings cannot be reasonably determined by either method described above, Method No. 1 must be used by those wishing to increase their fees.

Method No. 1 [6 CFR 150.734(d)(2)]. If no single fee has been or is to be increased in excess of the total authorized % AWPI entered in Item 21, the highest single percentage fee increase instituted, or to be instituted, may be entered in Item 24. There is no need to complete Items 22 and 23.

(NOTE: For purposes of determining unused % AWPI in this year, or in succeeding years, the amount entered in Item 24 will be presumed to be the total % AWPI already implemented unless Items 22 and 23 are completed at a later date.)

Method No. 2 [6 CFR 150.734(d)(1)]. If the preceding year's gross billings can be determined with reasonable accuracy for each service or property whose fee has been or is to be changed, Method No. 2 may be used. Method No. 2 is based on the following formula:

$$\%\text{AWPI} = \sum \frac{P_2 - P_1}{P_1} \times \frac{B_1}{B_2} \times 100$$

Where,

P_1 = The price lawfully in effect on the last day of the immediately preceding calendar year for a service or property [Column (b)].

P_2 = The highest customary price charged or to be charged during the current calendar year for that service or property [Column (c)].

B_1 = The actual gross billings during the immediately preceding calendar year for that service or property [Column (e)].

B_2 = The total gross billings during the immediately preceding calendar year for all services and property (Item 23).

Σ = The sum of

COMPUTATION OF PERCENTAGE PRICE INCREASE FOR EACH SERVICE OR PROPERTY

Step 1. Enter in Column (a) of Item 22 a brief description of each service or property for which the fee has been changed or is to be changed if an exception is granted, since the last day of the calendar year preceding the exception calendar year. If additional space is needed, attach additional sheets using the same format as used in Item 22.

Step 2. Enter in Column (b) of Item 22 the price lawfully in effect for that service or property on the last day of the calendar year preceding the exception calendar year. Note that the price in a percentage of gross or net revenue contract with another health care provider is the amount determined by multiplying the percentage specified in the contract times the appropriate unit price, i.e. gross or net revenue price, of each service performed or product provided.

Step 3. Enter in Column (c) of Item 22 the highest price charged or to be charged if an exception is granted for that service or property during the exception calendar year.

Step 4. Enter in Column (d) of Item 22 the percentage change in the price of that service or property. This is computed as follows:

$$\frac{[\text{Column (c)} - \text{Column (b)}]}{\text{Column (b)}} \times 100$$

COMPUTATION OF WEIGHTING FACTOR FOR EACH SERVICE OR PROPERTY

Step 5. Enter in Column (e) of Item 22 the actual gross billings during the calendar year for that service or property. If only one price was charged for that service or property during the entire preceding year, the actual gross billings will equal the price in Column (b) multiplied by the number of times that service or property was provided during the year. If more than one price was charged during the year, the total billings at each price must be determined by multiplying each price by the number of times that service or property was provided at that price. The sum total billings at each price will equal the actual gross billings.

Step 6. Enter in Item 23 the dollar amount of the total gross billings for all services and property related to the provision of health care provided in the calendar year preceding the exception calendar year. Exclude dollar amounts resulting from prices charged under a contract with a new HMO or under a fixed dollar amount contract with another health care provider.

Step 7. Enter in Column (f) of Item 22, the weighting factor for that service or property. This is determined by dividing the entry in Column (e) by the amount in Item 23.

COMPUTATION OF PERCENTAGE AGGREGATE WEIGHTED PRICE INCREASE (% AWPI)

Step 8. Enter in Column (g) of Item 22 the percentage weighted price change for that service or property. This is determined by multiplying the entry in Column (d) by the entry in Column (f).

Step 9. Enter in Item 24 the percentage aggregate weighted price increase (% AWPI) which equals the sum of all the weighted price changes in Column (g) of Item 22.

EXAMPLE OF CALCULATION OF % AWPI METHOD NO. 2

A physician wishes an exception to increase fees by an aggregate of 10 percent in calendar year 1974 in order to recover government mandated and other uncontrollable cost increases. She decides to increase the fees for a history and physical examination, a hospital visit, and a laboratory test (urinalysis). Lawful fees on December 31, 1973, for these three services were $10.00, $9.00, and $4.00, respectively. She determines actual billings in calendar year 1973 for these services to be $65,000, $18,000, and $6,000, respectively. Total billings in calendar year 1973 for all services were $100,000. She completes Items 22 through 24 as follows after first determining, at her own discretion, exactly how she wishes to apportion her requested fee increase. [Note that no single fee over $10.00 may be increased by more than 10 percent and no single fee under $10.00 may be increased by more than $1.00 unless an exception is specifically requested to these restrictions].

COMPUTATION OF PROPOSED % AWPI IF EXCEPTION GRANTED

Description of Service or Property or Group of Related Services or Property (a)	Price on December 31 of Year Preceding ECY (b)	Highest Proposed Price During ECY (c)	Percentage Price Change (d)	Actual Gross Billings for Year Preceding ECY (e)	Weighting Factor (f)	Weighted Price Change (g)
History and Physical Exam	$10.00	$11.00	10.00%	$65,000	.65	6.50%
Hospital Visit	$ 9.00	$10.00	11.11%	$18,000	.18	2.00%
Urinalysis	$ 4.00	$ 5.00	25.00%	$ 6,000	.06	1.50%
Total Billings for Year Preceding ECY				$100,000		
Total Percentage Aggregate Weighted Price Increase (% AWPI)						10.00%

METHOD No. 3 [6 CFR 150.734(d)(3)]

If the preceding year's gross billings can be determined by groups of similar or related services and property whose price has been or is to be changed, Method No. 3 may be used. Method No. 3 is based on the following formula:

$$\%AWPI=\sum \%I\times\frac{G_1}{B_2}$$

Where,
$\%I$=The highest percentage price increase for any service or property within a group of similar or related services and property [Column (d)].
G_1=The actual gross billings during the immediately preceding calendar year for that group of similar or related services and property [Column (e)].
B_2=The total gross billings during the immediately preceding calendar year for all services and property (Item 23).
Σ=The sum of.

COMPUTATION OF PERCENTAGE PRICE INCREASE FOR EACH GROUP OF RELATED SERVICES AND PROPERTY

Step 1. Enter in Column (a) of Item 22 a brief description of each group of related services and property for which the prices have been changed or are to be changed if an exception is granted since the last day of the calendar year preceding the exception calendar year. If additional space is needed, attach additional sheets using the same format as used in Item 22.

COMPUTATION OF PERCENTAGE PRICE INCREASE FOR EACH GROUP OF RELATED SERVICES AND PROPERTY

Step 2. Enter in Columns (b), (c) and (d) of Item 22, the price lawfully in effect on December 31 of the preceding year, the highest price charged or to be charged during the exception calendar year, and the percentage price for the individual service or property within the group identified in Column (a) that had the highest percentage price increase.

COMPUTATION OF WEIGHTING FACTOR FOR EACH GROUP OF RELATED SERVICES AND PROPERTY

Step 3. Enter in Column (e) of Item 22 the actual gross billings during the calendar year preceding the exception calendar year for that group of related services and property.

Step 4. Enter in Item 23 the dollar amount of the total gross billings for all services and property related to the provision of health care provided in the calendar year preceding the exception calendar year. Exclude dollar amounts resulting from prices charged under a contract with a new HMO or under a fixed dollar amount contract with another health care provider.

Step 5. Enter in Column (f) of Item 22 the weighting factor for that group of services and property. This is determined by dividing the entry in Column (e) by the amount in Item 23.

COMPUTATION OF PERCENTAGE AGGREGATE WEIGHTED PRICE INCREASE (%AWPI)

Step 6. Enter in Column (g) of Item 22 the percentage weighted price change for that group of services and property. This is determined by multiplying the entry in Column (b) by the entry in Column (f).

Step 7. Enter in Item 24 the percentage aggregate weighted price increase (%AWPI) which equals the sum of all the weighted price changes in Column (g) of Item 22.

Item 25. If Item 24 is less than Item 21, enter a zero.

Item 26. Self-explanatory.

PART III B—PERCENTAGE INCREASE ON FIXED DOLLAR AMOUNTS, AMOUNTS SPECIFIED IN A CONTRACT

Part III B is to be completed by medical practitioners and medical laboratories deriving a portion or all of their gross income from fixed dollar amounts specified in contracts (including maximum or minimum guarantees) with other Health care providers, other than on a fee-for-service basis. The fixed dollar amount may not increase by more than 6.2 percent of the dollar amount specified in the contract for the same service and property in the preceding contract year unless an exception to this provision is requested. A separate Part III B should be completed for each separate fixed dollar amount contract.

Item 27. Self-explanatory.

Item 28. Enter the portion of the percentage increase allowed in prior years, but not yet taken.

NOTE: A maximum of 5 percent may have been accumulated prior to December 28, 1973, which must be justified by increased expenses of practice or doing business pursuant to 6 CFR 300.19.

Item 29. Subject to the revenue margin limitation as determined under Parts VA and VB of this form, the percentage increase authorized for the exception contract year should equal, but in any event, may not exceed 6.20 percent.

Items 30 and 31. Self-explanatory.

Item 32. If Item 31 is less than Item 30, enter a zero.

Item 33. Self-explanatory.

PART IV—PROFESSIONAL PRACTICE OPERATING STATEMENT

This part should be completed by medical practitioners only. The medical laboratories should submit similar information as a separate attachment using the format of Part IV as a convenient guide.

Item 34. Enter the total number of full-time equivalent medical practitioners. For example, if a practitioner worked for one-half year or if he worked half-time for a full year, he would count as one-half.

Item 35. Enter the total number of other full-time equivalent employees in the same manner as in Item 34.

Item 36. Self-explanatory.

Item 37 Column (b). Enter the projected revenue figures for the current fiscal year excluding the effect of any price increase in the current fiscal year but including anticipated changes in volume or mix.

Column (c). Enter the projected revenue figures for the current fiscal year including the annualized effects of requested and allowable price increases and anticipated changes in volume or mix. To annualize, compute the amounts in Column (c) as though all price increases were instituted on the first day of the fiscal year.

Line (a). Revenues derived under contract with an HMO may be excluded and entered in Line (d).

Line (b). If the practitioner operates on a cash basis of accounting, this entry should be zero and Line (c) will equal Line (a)(4).

Line (c). Self-explanatory.

Line (d). Submit itemized documentation for other health service related income such as grant money, contribution allocation, teaching income, or revenues derived under contract with an HMO.

Item 38. Enter in the appropriate columns the expenses directly related to the provision of health care for the fiscal year preceding the current fiscal year and estimated figures for the current fiscal year. Professional partnerships shall exclude from operating expenses any salaries paid to employees who are medical practitioners and who also earn more than 50 percent of their medical practice income from the partnership [6 CFR 150.735(c)]. Medical practitioners who are incorporated should exclude from expenses, salaries and deferred compensation in excess of Keogh Allowances consistent with Part VB, Item 49. Expenses associated with the provision of care under contract with an HMO may be entered in Line (o) if separate documentation is attached. (Note: For Medical Laboratories, the breakdown of expenses provided for Item 38 is intended to serve as a convenient guideline but need not be followed exactly.)

Item 39. Self-explanatory.

PART VA—COMPUTATION OF REVENUE MARGIN (INDEPENDENT MEDICAL LABORATORIES LEAVE BLANK)

Part VA is to be completed by all petitioners even if Item 6(d) is not checked.

The term "base period" means any two, at the option of the practitioner concerned, of that practitioner's fiscal years ending after August 14, 1968, but prior to the fiscal year for which an exception is being requested.

Base period revenue margin means the ratio that the base period net revenues (aggregate annual revenues less total operating expenses directly related to the provision of health care) bear to the base period aggregate annual revenues. Revenues and operating expenses derived from the provision of health care under a contract with an HMO may be excluded in the computation of the base period revenue margin.

Item 40. If your records are on a cash basis, enter total cash received from the provision of all health care services and property for the fiscal year concerned. If your records are on an accrual basis of accounting, enter total billed and accrued charges from the provision of all health care services and property computed in accordance with generally accepted accounting principles consistently applied.

The entries in Columns (d) and (c) should equal the entries in Item 37 (c), Columns (b) and (c), respectively.

Item 41. Professional partnerships shall exclude from operating expenses any salaries paid to employees who are medical practitioners and who also earn more than 50 percent of their medical practice income from the partnership [6 CFR 150.735(c)]. If a medical practitioner has incorporated or abandoned his corporate status during or subsequent to either of the base years, in computing the base period and exception fiscal year revenue margins, he must adjust operating expenses for all the appropriate years in which he was incorporated in accordance with Part VB and enter in the appropriate columns the adjusted operating expenses from Item 50. (See instructions below.) Enter same amounts in both Columns (d) and (e).

Item 42 and 43. Self-explanatory.

Item 44. An authorized adjusted base period revenue margin may be entered and used for the base period revenue margin limitation if the medical practitioner has been granted a previous exception to that limitation by the Cost of Living Council (Submit a copy of the decision and order).

Items 45 and 46. Self-explanatory.

PART VB—ADJUSTMENT OF PROFESSIONAL CORPORATION OPERATING EXPENSES FOR COMPUTATION OF REVENUE MARGIN

(Independent Medical Laboratories and Sole Practitioners Leave Blank).

When a practitioner has incorporated or has abandoned his corporate status during or subsequent to the base years, he shall adjust the operating expenses for the years of incorporation so that the expenses are net of medical practitioner salaries, profit sharing, contributions, and deferred compensation in excess of the Keogh allowance. The amounts excluded relate only to the medical practitioners who are members of the corporation.

Item 47. Enter the ending date of any base or exception fiscal year during which the practitioner was incorporated and for which operating expenses must be adjusted.

Item 48. Enter total operating expenses as determined by generally accepted accounting principles consistently applied.

Item 49 (*a*). Enter total salaries paid to all individual medical practitioners who are members of the corporation. For fiscal years which have been completed, include monies received from a profit sharing plan. For incomplete fiscal years, include any contribution to a profit sharing plan by corporate members. (This excludes contributions which are deductions from salaries.)

(*b*) Enter the dollar amount of the total deferred compensation reflected on the corporate books for all individual medical practitioners who are members of the corporation.

(*c*) Enter the allowance permitted to be deferred under (26 U.S.C. 401) (Keogh Plan). This allowance is equal to 10 percent of gross compensation but not to exceed $2,500 per tax year. Note: The amount entered in Item 49(c) may not exceed the amount entered in Item 49(b).

(*d*) Note that Item 49(c) is to be deducted from the sum of Item 49 (a) and (b).

Item 50. Enter adjusted operating expenses for each year. This is determined by subtracting Item 49(d) from Item 48. Also, enter the adjusted operating expenses in the appropriate columns of Item 41.

PART VI—ADDITIONAL INFORMATION

Self-explanatory.

PART VII—CERTIFICATION AND SIGNATURE

The completed Form CLC–82 must be signed by the medical practitioner, designated partner, the chief executive officer, the administrator or the chief financial officer.

[FR Doc.74–7712 Filed 4–1–74;10:16 am]

federal register

FRIDAY, APRIL 5, 1974
WASHINGTON, D.C.

Volume 39 ■ Number 67

PART V

DEPARTMENT OF LABOR

Employment Standards Administration

■

Minimum Wages for Federal and Federally Assisted Construction

Modification and Supersedeas Decision; Index

DEPARTMENT OF LABOR EMPLOYMENT STANDARDS ADMINISTRATION

MINIMUM WAGES FOR FEDERAL AND FEDERALLY ASSISTED CONSTRUCTION

Decisions and Modifications and Supersedeas Decisions

General Wage Determination Decisions. General Wage Determination Decisions of the Secretary of Labor specify, in accordance with applicable law and on the basis of information available to the Department of Labor from its study of local wage conditions and from other sources, the basic hourly wage rates and fringe benefit payments which are determined to be prevailing for the described classes of laborers and mechanics employed in construction activity of the character and in the localities specified therein.

The determinations in these decisions of such prevailing rates and fringe benefits have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24–70) containing provisions for the payment of wages which are dependent upon determinations by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of Part 1 of Subtitle A of Title 29 of the Code of Federal Regulations, Procedure for Predetermination of Wage Rates (37 FR 21138) and of Secretary of Labor's Orders 12–71 and 15–71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in effective date as prescribed in that section, because the necessity to issue construction industry wage determination frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General Wage Determination Decisions are effective from their date of publication in the FEDERAL REGISTER without limitation as to time and are to be used in accordance with the provisions of 29 CFR, Parts 1 and 5. Accordingly, the applicable decision together with any modifications issued subsequent to its publication date shall be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR, Part 5. The wage rates contained therein shall be the minimum paid under such contract by contractors and subcontractors on the work.

MODIFICATIONS AND SUPERSEDEAS DECISIONS TO GENERAL WAGE DETERMINATION DECISIONS

Modifications and Supersedeas Decisions to General Wage Determination Decisions are based upon information obtained concerning changes in prevailing hourly wage rate and fringe benefit payments since the decisions were issued.

The determinations of prevailing rates and fringe benefits made in the Modifications and Supersedeas Decisions have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24–70) containing provisions for the payment of wages which are dependent upon determination by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of Part 1 of Subtitle A of Title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates (37 FR 21138) and of Secretary of Labor's Orders 13–71 and 15–71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in foregoing General Wage Determination Decisions, as hereby modified, and/or superseded shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged in contract work of the character and in the localities described therein.

Modifications and Supersedeas Decisions are effective from their date of publication in the FEDERAL REGISTER without limitation as to time and are to be used in accordance with the provisions of 29 CFR, Parts 1 and 5.

Any person, organization, or governmental agency having an interest in the wages determined as prevailing is encouraged to submit wage rate information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Office of Special Wage Standards, Division of Wage Determinations, Washington, D.C. 20210. The cause for not utilizing the rule-making procedures prescribed in 5 U.S.C. 553 has been set forth in the original General Wage Determination Decision.

NEW GENERAL WAGE DETERMINATION DECISIONS

Pennsylvania	AQ–2080
	AQ–2082
	AQ–2083
South Carolina	AQ–4097

MODIFICATIONS TO GENERAL WAGE DETERMINATION DECISIONS

The numbers of the decisions being modified and their dates of publication in the FEDERAL REGISTER are listed with each State:

Arizona:	
AQ–1074	Feb. 1, 1974
AQ–1085	Feb. 15, 1974
Florida:	
AQ–4050	Jan. 11, 1974
AQ–4055	Jan. 25, 1974
AQ–4070	Feb. 15, 1974
Illinois:	
AQ–3086; AQ–3087	Feb. 8, 1974
Kentucky:	
AQ–4022	Oct. 12, 1973
Michigan:	
AQ–3049; AQ–3053; AQ–3058; AQ–3060; AQ–3062	Dec. 21, 1973
AQ–3052	Jan. 11, 1974
AQ–3067; AQ–3068	Feb. 1, 1974
Mississippi:	
AQ–4090	Mar. 15, 1974
Montana:	
AQ–1070	Jan. 18, 1974
AQ–1071	Jan. 25, 1974
AQ–1076	Feb. 1, 1974
North Dakota:	
AQ–1066	Dec. 7, 1973
Oregon:	
AQ–1069	Feb. 8, 1974
Rhode Island:	
AQ–3119	Mar. 1, 1974
Texas:	
AQ–66; AQ–67; AQ–68; AQ–69	Dec. 28, 1973
AQ–70; AQ–71; AQ–73	Jan. 11, 1974
AQ–74; AQ–75; AQ–78	Feb. 1, 1974
Washington:	
AQ–1067	Dec. 21, 1973

SUPERSEDEAS DECISIONS TO GENERAL WAGE DETERMINATION DECISIONS

The numbers of the decisions being superseded and their dates of publication in the FEDERAL REGISTER are listed with each State; Supersedeas Decision numbers are in parentheses following the number of the decisions being superseded:

Indiana:	
AP–648(AQ–3125); AP–649 (AQ–3126); AP–650(AQ–3127); AP–651(AQ–3128); AP–652(AQ–3129); AP–653(AQ–3130); AP–654 (AQ–3131); AP–655(AQ–3132); AP–656(AQ–3133); AP–657(AQ–3134); AP–658(AQ–3135); AP–659 (AQ–3136); AP–660(AQ–3137); AP–661(AQ–3138)	May 18, 1973
Massachusetts:	
AQ–3150(AQ–3160)	Mar. 22, 1974
New Jersey:	
AP–809(AQ–2094)	May 11, 1973
AP–836(AQ–2093)	May 25, 1973
Texas:	
AQ–46 through AQ–61(AQ–100)	Nov. 23, 1973

Signed at Washington, D.C., this 29th day of March 1974.

RAY J. DOLAN,
Assistant Administrator,
Wage and Hour Division.

STATE: Pennsylvania COUNTY: Lebanon
DECISION NO.: AQ-2080 DATE OF PUBLICATION
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories)

38 Pennsylvania-1-E 1 of 3

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos workers	$8.16	.42	.30			
Boilermakers	9.12	.50	1.00	.25	.01	
Bricklayers	8.10	.685				
Carpenters	7.65	.25	.25		.02	
Cement masons:						
West of Rte. 501	7.715	.25	.25		.01	
East of Rte. 501	8.305		.215			
Electricians:						
Lawn, East Hanover & Indiantown Gap Military Reservation	8.76	.35	1% + .11		½%	
Remainder of County	7.81	.20	1%		½ of 1%	
Elevator constructors	8.07	.345	.23	1½+b+c	.015	
Elevator constructors' helpers	5.65	.345	.23	1½+b+c	.015	
Elevator constructors' helpers (prob.)	4.035					
Glaziers:						
Twps. of Bethel, Jackson, Mill Creek, Lebanon, E. of Rte. 72, Heidlberg & Richland	7.32	.25	.10		.01	
Remainder of County	5.23	.11				
Ironworkers	8.46	.64	1.06		.05	
Laborers:						
Laborers, unskilled	5.20	.25	.10			
Air fuel & Electric tool operators, pipelayers, power-buggy, pre-cast slab placers & signalman, Brick, stone, plasterers & cement mason tenders, machine mixers, stockers, scaffold builders, plaster pump & conveyors, blasters, caisson workers, wagon air track & diamond point drill operators, burning torches, green cutting machine, steam jenny & blasting	5.30	.25	.10			
Lathers	7.83		.15		.01	
Lead burners	8.75	.30		a	.01	
Line Construction:						
Linemen & Cable splicers	9.035	.25	1%		3/4 of 1%	
Groundmen	5.42	.25	1%		3/4 of 1%	
Winch truck operator	6.32	.25	1%		3/4 of 1%	
Marble setters	5.80	.21	.175			
Millwrights	8.79	.25	.25			
Painters (East of Route 72)						
Brush	6.86	.45	.26	.20		
Structural steel & Spray	7.91	.45	.26	.20		
Highway bridges	8.31	.45	.26	.20		

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Painterers (West of Route 72)						
Brush	$7.03	.20	.15			
Structural steel	7.48	.20	.15			
Spray	7.78	.20	.15			
Piledrivermen	9.42	1.23	.55		.07	
Plasterers:						
East of Rte. 501	8.34		.215		.01	
West of Rte. 501	7.75	.25	.25		.01	
Plumbers:						
East of Rte. 501	9.12	.57	.92		.08	
West of Rte. 501	8.90	.30	.40		.12	
Roofers:						
Annville, Cold Springs, East Hanover, North Annville, North Cornwall, North Londonderry, South Annville, South Londonderry, Union, West Cornwall Twps.:						
Compositions	7.75	.25	.20			
Remainder of County:						
Composition, damp & Waterproofting	8.725	.375	.10	f		
Roofers, slate, tile & asbestos	9.175	.375	.10	f		
Roofers, precast slab	9.525	.375	.10	f		
Steamfitters (East of Rte. 501)	9.12	.57	.92		.08	
Sheet metal workers	8.43	.52	.50			
Soft floor layers	7.39	.25	.25		.02	
Steamfitters (West of Rte. 501)	8.90	.30	.40		.12	
Sprinkler fitters	9.05	.60	.40		.07	
Stonemasons	8.10	.685				
Terrazzo workers	7.525	.20				
Tile setters	7.525	.20				
Truck Drivers:						
Pick-ups, dump, flat trucks to & including Z highway license plates	5.80	d	e			
Transit-mix, Winch, trucks, tractor trailers, all types Euclids, Ross lumber carriers & trucks over Z plates	6.05	d	e			
Lowbeds	4.41	d	e			
Welders - receive prescribed for craft ½erfpr,omg operation to which welding is incidental						

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Indpendence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. 8 paid holidays, A through F and Washington's Birthday, Good Friday and Christmas Eve, provided the employee has worked 45 full days for the employer during the 120 days prior to the holiday and is available for work the days preceding and following the holiday.

b. Employer contributes 4% basic hourly rate for 5 years or more of service or 2% basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit.

c. Six paid holidays: A through F.

c. $34.50 per month for employees who have worked sixty hours or more during the month.

e. $25.00 per month for employees who have worked sixty or more hours during the month.

f. Paid holidays: Election Day and Labor Day.

POWER EQUIPMENT OPERATORS
BUILDING CONSTRUCTION

PA-22-PEO-1-D 1 of 2

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
WAGE GROUP I					
Machines doing hook work, any machine handling machinery, cable spinning machines, helicopters, machines similar to the above	$9.44	4.6%	9.5%	a	1.2%
WAGE GROUP II					
All types of cranes, all types of backhoes, cableways, draglines, keystones, all types of shovels, derricks, trench shovels, trenching machines, hoist with two towers, pavers 21E and over, all types overhead cranes, building hoists (double drum) gradalls, mucking machines in tunnel, all front end loaders 3-½ c.y. and over, tandem scrapers, pippin type backhoes, boat Captains, batch plant operators (concrete) drills, self-contained rotary drills, fork lifts, 20 ft. lift and over machine to the above	9.15	4.6%	9.5%	a	1.2%
WAGE GROUP III					
Conveyors, building hoists (single drum) scrapers and tournapulls, spreaders, high or low pressure boilers, concrete pumps, well drillers, bulldozers and tractors, asphalt plant engineers, roller (high grade finishing), ditch witch type trencher, all loaders under 3-½ cu. yds., mechanic-welders, motor patrols, drill helper-self contained rotary drills, core drill operator, forklift trucks under 20 ft. lift, machines similar to the above	8.27	4.6%	9.5%	a	1.2%
WAGE GROUP IV					
Welding machines, well points, compressors, pumps, heaters, farm tractors, form line graders, fine grade machines, road finishing machines, concrete breaking machines, rollers, seaman pulverizing mixer, power broom, seeding spreader, tireman (for power equipment), machines similar to the above	7.50	4.6%	9.5%	a	1.2%
WAGE GROUP V					
Fireman, grease truck	7.02	4.6%	9.5%	a	1.2%
WAGE GROUP VI					
Oilers and deck hands (personnel boats), core drill helper	6.10	4.6%	9.5%	a	1.2%

POWER EQUIPMENT OPERATORS
BUILDING CONSTRUCTION
(CONTINUE)

PA-22-PEO-1-D 2 of 2

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
WAGE GROUP VII					
All machines with booms (including jib, masts, leads, etc.):					
100 ft. and over	$9.69	4.6%	9.5%	a	1.2%
150 ft. and over	9.94	4.6%	9.5%	a	1.2%
200 ft. and over	10.94	4.6%	9.5%	a	1.2%

FOOTNOTE:

a. Paid Holidays: New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; and Christmas Day, provided the employee works the day before and after the holiday.

NEW DECISION

STATE: Pennsylvania
DECISION NO.: AQ-2082
COUNTY: Armstrong
DATE: Date of Publication
DESCRIPTION OF WORK: Building Construction (excluding single family fomes and garden type apartments up to and including 4 stories)

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BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos workers	$ 9.47	.35	.70			
Boilermakers	9.07	7%	7%		.01	
Bricklayers	8.77	.35	.58			
Carpenters	8.54	5%	7%	6%	.30 of 1%	
Cement masons	8.60	6%	16%			
Electricians	9.60	.35	.20 + 1%	.60	.05	
Elevator constructors	7.73	.17	.185	1½%+a+b	.005	
Elevator constructors' helpers	5.41	.17	.185	1½%+a+b	.005	
Elevator constructors' helpers (prob.)	3.86					
Ironworkers: structural & reinforcing	8.775	.785	.775		.03	
Laborers:						
Laborers, carryable pumps, west brick buggy or similar, vibrator operators, walk behind forklift or similar (non self-propelled), stripper & mover of forms, cement masons, footers, window cleaner, tool room man, all material conveyor (regardless of power used, incl. starting & stopping)	6.60	.40	.40			
West brick buggy or similar (self-propelled), power wheelbarrows & buggies, walk behind forklift or similar (self-propelled), wagon drill helper, drill runner, drill runner's helper, (incl. drill mounted on truck, track or similar), Blaster's helpers, all operators of compacting equipment, pipe layer, burner, jackhammerman, concrete buster	6.725	.40	.40			
Hod carrier, scaffold builder, bell & bottom man on furnaces & stacks, mortar mixer, mortar mixing machine (regardless of power used, inc. starting & stopping), grout machine feeder & pump operator	6.90	.40	.40			
Concrete saw operators	6.90	.40	.40			
Gunnite nozzleman	7.10	.40	.40			
Blaster & wagon drill operators	7.15	.40	.40			
Line Construction:						
Linemen	10.33	.30	1%		3/8%	
Winch truck operator	7.23	.30	1%		3/8%	
Groundman	6.20	.30	1%		3/8%	

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Millwrights	$ 7.66	5%	2½%	.26%	1%	
Painters:						
Commercial brush	7.04	.55	.35		.12	
Industrial brush	7.89	.55	.35		.12	
Commercial spray	7.54	.55	.35		.12	
Industrial spray	8.39	.55	.35		.12	
Piledrivermen	9.27	5%	7%		.50 of 1%	
Plumbers	9.11	.60	.625		.125	
Roofers	8.59	4%	.95		.035	
Sheet metal workers	8.83	.65	.85		.02	
Soft floor layers	8.245	5%	5%	4.5%	½%	
Sprinkler fitters	9.05	.40	.60		.07	
Steamfitters	8.79	.60	1.10		.065	
Stonemasons	8.77	.35	.58			
Plasterers	7.58	.37	.50			
Welders - rate for craft						

PAID HOLIDAYS (Where Applicable):

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Dat; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Employer contributes 4% basic hourly rate for 5 years or more of service or 2% basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit.

b. 6 paid holidays: A through F

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BUILDING CONSTRUCTION

POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Austin-Western or similar type up to 25 ton, austin-western or similar type 25 ton or over, auto grader (CMI or similar), backhoe, batch plant-when conveyors are used for direct feeding or discharge, batch plant - no conveyors for direct feeding or discharge (without oiler) cableway, caisson drill, central mix plant, cranes (excluding overhead) (truck or crawler type) cranes - tower (mobile) cranes tower (climbing type), derrick-traveler (self propelled), derrick (all types) (when assistance required it will be an oiler or apprentice), derrick boats, dragline, dredge, engineer-maintenance.(mechanic weekly rated), franki or similar type, pile driver, gradall (remote control or otherwise), helicopter (when used for erection purposes), helicopter hoist operators (when used for erection purposes, Hi Lift 4 yds. or over hoist-hod (2 cages up to 10 floors) hoist-single cage with chicago boom attached hoist (50 ft. or over) (stacks stoves or furnaces), hoist (slipform jobs) hop-to or similar type with 180° swing, hop-to or similar type with 360° swing, kocal, koehring scooper, metro chip harvester or similar type, mix mobile or similar type (with self-loading attachment), mix mobile or similar type, mucking machine (tunnel), multiple bowl machines, pipe driver (sonic or similar type) (when assistance required it will be an oiler or apprentice), post driver - guard rail (truck mounted pumpkrete-mobile or similar type, quad nine, shovels (all types), slip form paver (CMI or similar, tractors - boom mounted (all types) tractors (all types with hydraulic backhoe attached), tug boat, whirley	$9.425	.50	.50		.09	

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BUILDING CONSTRUCTION

POWER EQUIPMENT OPERATORS: (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Austin-Western or similar type up to 25 ton with jib, austin western or similar type 25 ton or over with jib, cranes (boom or mast 100 ft. or over up to & inculding 150 ft. (truck or crawler type) cranes - mobile (any type 15 ton or over) hoist-hod (2 cages over 10 floors)	$9.675	.50	.50		.09
Cranes (boom or mast over 150 ft. up to & including 200 ft. (truck or crawler type), engineer - lead	9.925	.50	.50		.09
Cranes (boom or mast over 200 ft. +.75	10.175	.50	.50		.09
Asphalt Plant Operator, athey loader, auger - truck or tractor mounted, back filling machine, boat - material or personnel carrying (powered) boat or job work (inboard or outboard), bulldozer, cable layer, compactor with blade, concrete belt placer, crane - overhead, crushing & screening plants, drill - davey or similar type, drill - core (truck or skid mounted), drill - well & core (truck mounted) elevator (new buildings and major remodeling old), euclid loader, excavating equipment (all other), forklift-lull or similar, grader, grader-elevating, greaser-equipment (head), Hi-Lift less than 4 yds., hoist - one drum (4 floors or over), hoist - hod (buildings 4 floors or more), hoist - (2 drums or more in one unit), junbo operator, locomotive, lift slab machine (hydraulic), mixer - paving, mucking machine, pipe cleaning machine, refrigeration plant (used for constr. jobs ie, cooling, concrete & holding banks), ross carrier (or similar type) scoop (single bowl) self-powered & tractor drawn) spreader - concrete, asphalt and stone					

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BUILDING CONSTRUCTION POWER EQUIPMENT OPERATORS: (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Tower Mobile (hoisting or lowering material) trencher, well point systems, grout pump (10 H.P. or over) paver operator asphalt (spreader), pumpkrete or similar type (not self-propelled) pumpkrete machine operator (stationary), tire repairman (when assigned to job), welder repairman)	$9.275	.50	.50		.09
Boiler, compactor (ridden or self-propelled), crane (carry) curb builder (self propelled) drills-well and horizontal, elevator (alterations of old building), forklifts (ridden or self-propelled), hoist one drum (regardless of power used) pavement breaker (self-propelled or ridden), pipe dream, roller, saw (concrete), soil stabilizer (pump type), stone crusher, stone spreader self-propelled, tractors (when used for snaking and hauling), tube finishing (CMI or similar type), tugger, truck (winch) truck or hydraulic boom (when hoisting & placing), ballast regulator, boring machine, broom, power (except push type), conveyor over 1 and up to units (regardless of power used) form line machine, hoists (monorail) regardless of power used) hoist roof (regardless of power used), huck machine or similer type, mixer concrete (regardless of power used), mixer morter - over 10 cu. ft. (regardless of power used), spray cure machine (power driven steam jenny (or similar type) syphon (steam or air), welding machine single (300 amp or over) (other than electrically driven	3.70	.50	.50		.09
Conveyors 4 units or more	9.20	.50	.50		.09
Conveyor one (1) unit (regardless of power used), heaters - up to and including Jack Motor Hydraulic (single type_ power driven, ladavator, mixer mortar (10 cubic ft. or under), mulching machine, pin puller (powered), pulverizer, seeding machine,					

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BUILDING CONSTRUCTION POWER EQUIPMENT OPERATORS: (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Spreader side delivery, shoulder (attachment) tie tamper (multiple heads) tractor farm (when used for landscaping) water blaster, oiler-truck cranes 50 ton or over	$7.95	.50	.50		.09	
Cranes truck oiler & fireman	7.80	.50	.50		.09	
Oiler, mechanic helper	7.70	.50	.50		.09	

PA-2-TD-1-F

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Truck Drivers:					
Warehousemen, service trucks (pick-up, jeep, station wagon, panel truck)	$5.855	.30	.30	a	
Dumps and flat tops	5.905	.30	.30	a	
Transit-mix, single axle	5.93	.30	.30	a	
Transit-mix, tandem	5.93	.30	.30	a	
Distributed truck over 33,000 lbs. gross weight	5.905	.30	.30	a	
Distributed truck up to 33,000 lbs. gross weights	6.055	.30	.30	a	
Heavy duty trailers with high bed, 4 wheels	5.955	.30	.30	a	
Heavy duty trailers with low bed, 6 to 16 wheels	6.255	.30	.30	a	
Trucks with dolly	6.055	.30	.30	a	
Euclids or equivalent	6.055	.30	.30	a	
Truck with dump trailers or tandems	6.055	.30	.30	a	
Winch trucks	6.23	.30	.30	a	
Towing equipment off job site	6.055	.30	.30	a	

FOOTNOTE:

a. Paid Holidays: New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; Christmas Day and Veterns Day & Good Friday, provide the employee is available for work the day before and the day after the holiday and has been employed by the employer a minimum of 40 hours each calendar month for two consecutive months.

NEW DECISION

STATE: Pennsylvania
DECISION NO.: AQ-2083
DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories)

COUNTY: Blair
DATE: Date of Publication

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	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos workers	$ 9.47	.35	.70			
Boilermakers	9.07	7%	7%		.01	
Bricklayers & Stonemasons	8.38	.45	.60		.01	
Carpenters & Soft floor layers	8.04	5%	5%	5%	1%	
Cement masons	7.95				.01	
Electricians	9.60	.35	1% + .20	.60	.05	
Ironworkers	8.425	.625	.64		.02	
Laborers:						
Building laborers	5.93	.40	.40			
Plasterers tenders	5.98	.40	.40			
Blasters	6.53	.40	.40			
Ditch, trench or sumpwork exceeding 10' in depth incl. caisson	6.28	.40	.40			
Air track men, demolition of chimneys & erection of towers, antennas, cooling towers (on power plants), or other similar work in excess of 10' in height, suspension of workmen in swinging cages, suspended scaffolds swings, bosun's chair	6.43	.40	.40			
Lathers	7.72		.10		.01	
Line Construction:						
Linemen	10.33	.30	1%		3/8%	
Winch truck operator	7.23	.30	1%		3/8%	
Groundman	6.20	.30	1%		3/8%	
Marble setters	8.38	.45	.60		.015	
Millwrights	7.66	5%	2½%	.26%	1%	
Painters:						
Comercial Brush	7.04	.55	.35		.12	
Spray	7.54	.55	.35		.12	
Industrial Brush	7.89	.55	.35		.12	
Spray	8.39	.55	.35		.12	
Piledrivermen	9.27	5%	7%		.50 of 1%	
Plasterers	7.95				1%	
Plumbers	7.50	.40	.35	.30	.04	
Roofers	8.59	4%	.95		.035	
Sheet metal workers	8.43	.52	.50			
Sprinkler fitters	9.05	.40	.60		.07	
Steamfitters	7.50	.40	.35	.30	.04	
Stonemasons	8.38	.45	.60		.01	
Terrazzo workers	8.38	.45	.60		.01	
Tile setters	8.38	.45	.60		.01	

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BUILDING CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Truck Drivers:						
Service, dump, flat top, jeep, full and water	$ 5.46	a	b			
Transit mix, dump trailer, winch truck	5.54	a	b			
Euclids and tractors trailer	5.61	a	b			
Helper	5.36	a	b			
Welders - receive rate prescribed for craft performing operation to which welding is incidental.						

FOOTNOTES:

a. $37.61 per month.

b. $8.00 per week.

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BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
POWER EQUIPMENT OPERATORS:					
Austin-Western or similar type up to 25 ton, auto grader (CMI or similar), backhoe,, batch plant, cableway, caisson drill, central mix plant, cranes (excluding overhead), cranes tower (mobile), crane tower (stationary), crane tower (climbing type), derrick traveler (self-propelled), derrick (all types), derrick boats, dragline, dredge, engineer-maintenance franki or similar type pile driver, gradall (remote control or otherwise), helicopter & helicopter hoist when used for erection purposes), hi-lift 4 yds. or over, hoist-hod (2 cages up to 10 floors), hoist-single cage with Chicago boom attached, hoist (50 ft. or over), hoist (slipform jobs), hop-to or similar type with 180 swing, hop-to or similar type with 360 swing, kocal, koehring scooper, metro chip harvester or similar type, mix mobile or similar type (with self-loading attachment), mix mobile or similar type, mucking machine (tunnel), multiple bowl machines, pile driver (sonic or similar type), post driver-guard rail (truck mounted), post driver-guard rail (skid type), pumpkrete-mobile or similar type, Quad Nine, shovels (all type), slip form paver (CMI or similar), tractors-boom mounted (all types), tractors (all types with hydraulic backhole attached), tug boat, Whirley	$9.175	.35	.50		.04
Austin-Western or similar type up to 25 ton with jib, Austin-Western or similar type 25 tons or over with jib, cranes (boom or mast 100 ft. or over up to & including 150 ft.), cranes-mobile (any type 15 ton or over placed on any building structure	9.425	.35	.50		.04
Cranes (boom or mast over 150 ft. up to & including 200 ft.) engineer-lead	9.675	.35	.50		.04
Cranes (boom or mast over 200 ft.)	9.925	.35	.50		.04

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BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
POWER EQUIPMENT OPERATORS (CONT'D):					
Asphalt plant op., athoy loader, auger-truck, truck or tractor mounted, back filling machine, boat-material or personnel carrying (powered), boat-job work (inboard or outboard), bulldozer, cable layer, compactor with blade, compressors-2, compressor and air pump, compressor and air tugger, compressor & gunnite machine (combination), compressor & sandblasting machine (combination), concrete bolt placer, crane-overhead, crushing and scrooning plants, drillcore (truck or skid mounted), drill-Davey or similar type, drill-well &core (truck mounted), elevator euclid loader, excavating equipment (all other), forklift-bull or similar, generators-2, grader, grader-elevating, greaser-equipment (hoad), hi-liftless than 4 yds., hoist-one drum (4 floors or over), hoist-hod (bldgs., 4 floors or more), hoist (2 drums or more in one unit), jumbo op., locomotive, lift slab machine (hydraulic), mixer-paving musking machine, pipe cleaning machine, refrigeration plant, ross carrier (or similar type), scoop (single bowl) self-powered & tractor drawn), spreader-concrete, asphalt and stone, tower mobile (hoisting or lowering material, trencher, welding machines (up to two small machines, grout pump (10 H.P. or over) paver op., asphalt (spreader), pumpkrete machine op., (stationary), tire repairman, welder (repairman)	$9.025	.35	.50		.04
Conveyors 4 units or more	8.55	.35	.50		.04
Oiler, compactor (ridden or self-propelled) concrete finishing machine & spreader, crane, carry, curb builder (self-propelled), drill well drill and horzontal (self-propelled and self-contained, elevator, forklifts (ridden or self-propelled, hoist one drum (regardless of power used), pavement breaker (self propelled or ridden), pipe dream, roller saw concrete, soil					

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BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
POWER EQUIPMENT OPERATORS (CONT'D):					
stabilizer (pump type), stone crusher, stone spreader self-propelled, tractors (when used for snaking and hauling), tube finisher C.M.I. or similar type, tugger, truck winch truck or hydraulic boom (when hoisting and placing), all other minor equipment	8.05	.35	.50		.04
Ballast regulator, boring machine, broom power (except push type), compressor-single (regardless of power used), conveyor-over 1 and up to 3 units (regardless of power used), form line machine, generator (over 5KW) hoists monorail (regardless of power used), hoist roof (regardless of power used), hunk machine or similar type, mixer concrete (regardless of power used), mixer mortar-over 10 c.f. (regardless of power used) pump (over 1-½" discharge, regardless of power (used) spray cure machine (power driven) steam Jenny (or similar type) syphon (steam or air) welding machine single (300 Amp or over) plant, private or industrial air or stream valve	7.80	.35	.50		.04
Compressor - 65 c.f. or under (regardless of power used) conveyor 1 unit (regardless of power used) heat-up to & including 6, jack motor, hydraulic (single type) power driven, ladavator, mixer mortar (10 c.f. or under, mulching machine, pin puller (powered), pulverizer, pump-1½" discharge or less, seeding machine, spreader side delivery shoulder (attachment tie tamper (multiple heads), tractor farm (when used on landscaping) water blaster, oilertruck crane 50 ton or over brake man, deck hand, helicopter, signalman, oiler, mechanic helper	7.05	.35	.50		.04
Crane truck oiler and fireman	7.15	.35	.50		.04
Oiler - truck crane 50 ton or over	7.30	.35	.50		.04

STATE: South Carolina
DECISION NUMBER: AQ-4097
COUNTY: Sumter
DATE: Date of Publication
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories).

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Air conditioning mechanic	$ 4.25					
Asbestos workers	6.85					
Bricklayers	5.50					
Carpenters	3.62					
Cement masons	3.29					
Electricians	3.92					
Elevator Constructors	5.895	.345	.23	2%+a&b	.015	
Elevator Constructors' Helpers	4.13	.345	.23	2%+a&b	.015	
Glaziers	3.26					
Ironworkers, reinforcing	5.70					
Laborers	2.19					
Lathers	5.50					
Painters	3.00					
Plasterers	5.25					
Plumbers & pipefitters	4.03					
Roofers	2.80					
Sheet metal workers	3.81					
Soft floor layers	3.00					
Tile setters	3.50					
Truck drivers	2.64					
Welders - Rate for craft						
Power Equipment Operators:						
Backhoe	3.00					
Bulldozer	2.40					
Crane	4.00					
Front end loader	2.40					
Motor grader	2.75					
Pump	3.25					
Roller	3.55					
Scraper	3.60					

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day;
C-Independence Day; D-Labor Day;
E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:
a. Holidays: A through F.

b. Employer contributes 4% of regular hourly rate for employee who has worked in business more than 5 yrs. Employer contributes 2% of regular hourly rate for employee who has worked in business less than 5 yrs. to Vacation Pay Credit.

DECISION #AQ-1074 - Mod. #1	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
(39 FR 4295 - February 1, 1974)					
Pima County, Arizona					
Change:					
Painters, Brush:					
Zone A (1-30 miles from Tucson P. O.)	$6.75	.47	.25		.02
Zone B (31-40 miles from Tucson P. O.)	7.50	.47	.25		.02
Zone C (41-50 miles from Tucson P. O.)	7.75	.47	.25		.02
Zone D (51 miles and over)	8.00	.47	.25		.02
Painters, Structural steel, brush:					
Zone A (1-30 miles from Tucson P. O.)	7.50	.47	.25		.02
Zone B (31-40 miles from Tucson P. O.)	8.25	.37	.25		.02
Zone C (41-50 miles from Tucson P.O.)	8.50	.47	.25		.02
Zone D (51 miles and over)	8.75	.47	.25		.02
Add:					
Soft Floor Layers	7.25	.38			

DECISION #1085 - Mod. #1	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
(39 FR 5952-February 15, 1974)					
Statewide Arizona					
Change:					
Electricians (Flagstaff Area):					
Zone A:					
Electricians	$9.45	.40	1%+.60		1/2%
Cable Splicers	9.65	.40	1%+.60		1/2%
Zone B					
Electricians	10.95	.40	1%+.60		1/2%
Cable Splicers	11.15	.40	1%+.60		1/2%
Painters (Flagstaff Area):					
Zone A					
Brush; Glaziers; Soft Floor Layers	7.75	.38	.20	.50	.10
Brush, steel and bridge	8.25	.38	.20	.50	.10
Spray	8.20	.38	.20	.50	.10
Spray, steel and bridge	8.75	.38	.20	.50	.10
Zone B					
Brush; Glaziers; Soft Floor Layers	8.25	.38	.20	.50	.10
Brush, steel and bridge	8.75	.38	.20	.50	.10
Spray	8.70	.38	.20	.50	.10
Spray, steel and bridge	9.25	.38	.20	.50	.10
Zone C					
Brush; Glaziers; Soft Floor Layers	9.00	.38	.20	.50	.10
Brush, steel and bridge	9.50	.38	.20	.50	.10
Spray	9.45	.38	.20	.50	.10
Spray, steel and bridge	10.00	.38	.20	.50	.10
Zone D					
Brush; Glaziers; Soft Floor Layers	9.25	.38	.20	.50	.10
Brush; Steel and bridge	9.75	.38	.20	.50	.10
Spray	9.70	.38	.20	.50	.10
Spray, steel and bridge	10.25	.38	.20	.50	.10
Painters (Tucson Area):					
Zone A					
Brush	6.75	.47	.25		.02
Spray	7.25	.47	.25		.02
Steel and bridge, brush	7.50	.47	.25		.02
Steel and bridge, spray	8.00	.47	.25		.02

DECISION #AQ-1085 -(Cont'd)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Zone B					
Brush	$7.50	.47	.25		.02
Spray	8.00	.47	.25		.02
Steel and bridge, brush	8.25	.47	.25		.02
Steel and bridge, spray	8.75	.47	.25		.02
Zone C					
Brush	7.75	.47	.25		.02
Spray	8.25	.47	.25		.02
Steel and bridge, brush	8.50	.47	.25		.02
Steel and bridge, spray	9.00	.47	.25		.02
Zone D					
Brush	8.00	.47	.25		.02
Spray	8.50	.47	.25		.02
Steel and bridge, brush	8.75	.47	.25		.02
Steel and bridge, spray	9.25	.47	.25		.02
Add: (Tucson Area)					
Soft Floor Layers	7.25	.38			

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DECISION #AQ-4050 - Mod. #1 (39 FR 1689 - January 11, 1974) Leon County, Florida					
Change:					
Boilermakers	$7.50	.40	.90		.02
DECISION #AQ-4055 - Mod. #1 (39 FR 3388 - January 25, 1974) Escambia, Okaloosa, Santa Rosa and Walton Counties, Florida					
Change:					
Bricklayers:					
Bricklayers	7.30				
Stonemasons	7.30				
Tile Setters	7.30				
Marble masons	7.30				
Terrazzo workers	7.30				
Plumbers & Steamfitters:					
Remaining Counties & Walton Co., W. of Hwy. 331 including DeFuniak Springs	8.45	.30	.35	g	.04
DECISION #AQ-4070 - Mod. #2 (39 FR 5971 - February 15, 1974) Alachua County, Florida					
Change:					
Asbestos workers	7.88	.30	.30		.02
Electricians:					
Wiremen	7.40	.25	1%		1%
Cable splicers	8.00	.25	1%		1%

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AQ-3086 - Mod. #1 (39 FR 5087 - February 8, 1974) Boone, DeKalb, DuPage, Kane, Kendall, Lake, McHenry & Will Counties, Illinois						
OMIT: Truck Drivers Schedules Issued						
ADD:						
Boone County:						
2-3 Axle Trucks	$6.55	.25	.15			
4-Axle Trucks	6.70	.25	.15			
5-Axle Trucks	6.90	.25	.15			
6-Axle Trucks	7.10	.25	.15			
Remainder of District #1:						
2-3 Axle Trucks	6.60	a15.00	a19.00			
4-Axle Trucks	6.75	a15.00	a19.00			
5-Axle Trucks	6.95	a15.00	a19.00			
6-Axle Trucks	7.15	a15.00	a19.00			
Footnote: a. Per Week Per Employee.						
DECISION #AQ-3087 - Mod. #1 (39 FR 5094 - February 8, 1974) Bureau, Carroll, Henry, Lee, Ogle, JoDaviess, Rock Island, Stephenson, Whiteside & Winnebago Counties, Illinois						
OMIT: Truck Drivers Schedules Issued						
ADD:						
Stephenson & Winnebago Cos; Jo-Daviess Co.(W. of Rt. #28 & Carroll Co.(S. of Rt. #72 & W. of Rt. #78						
2-3 Axle Trucks	6.55	.25	.15			
4-Axle Trucks	6.70	.25	.15			
5-Axle Trucks	6.90	.25	.15			
6-Axle Trucks	7.10	.25	.15			
Lee & Ogle Co.(East of Rt. #51)						
2-3 Axle Trucks	6.60	a15.00	a19.00			
4-Axle Trucks	6.75	a15.00	a19.00			
5-Axle Trucks	6.95	a15.00	a19.00			
6-Axle Trucks	7.15	a15.00	a19.00			
Footnote; a. Per Week Per Employee.						

Henry & Whiteside Cos., Carroll Co. (N. of Rt. #72 & E. of Rt. #78;)Jo-Daviess Co.,(E. of Rt. #78;)Lee Co., (E. of Rt. #51) Ogle Co., (W. of Rt. #51) Rock Island Co.	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
TRUCK DRIVERS: AREA 2						
CLASSIFICATION I						
Drivers on 2 axle over the road trucks hauling less than 9 ton, air compressor and welding machine, including those pulled by separate units, truck driver helpers, warehousemen, mechanic helpers, greasers and tiremen, pick-up trucks when hauling material, tools, or men to and from and on the job site	$6.90	.40	a12.00			
CLASSIFICATION II						
2 or 3 axle over the road trucks hauling less than 16 ton, A-frame winch trucks, hydrolift trucks, or similar equipment when used for transportation purposes	7.30	.40	a12.00			
CLASSIFICATION III						
2, 3 or 4 axle trucks hauling 16 ton or more, drivers on oil distributors, water pulls, mechanics and working foreman	7.50	.40	a12.00			
FOOTNOTE: a.-Employer contributes $12.00 per week per employee.						

DECISION #AQ-4022 - Mod. #2
(38 FR 28522 - October 12, 1973)
Jefferson County, Kentucky

Change:

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Electricians, linemen and hole digger;					
Zone 1 (within 36 mile radius of 3rd & Broadway, Louisville)	$9.38	.29	1% + .40		¼ of 1%
Zone 2 (over 36 mile radius)	9.78	.29	1% + .40		¼ of 1%
Groundmen:					
Zone 1	5.82	.29	1% + .40		¼ of 1%
Zone 2	6.17	.29	1% + .40		¼ of 1%
Ironworkers:					
Conveyormen, machinery movers	8.70	.55	.65		.04
Structural, ornamental and reinforcing	8.70	.55	.65		.04
Riggers, fence erectors, sheeters	8.70	.55	.65		.04
Plasterers	8.00				
Sheet metal workers	8.95	.60	.60		.07

DECISION #AQ-3049 - Mod. #3
(38 FR 35135 - December 21, 1973)
Allegan County, Michigan

Change:
Building and Heavy Construction

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Laborers (Building & Heavy):					
Class G - Topmen, Chimneys or towers over 30 ft. in height	$6.55	.35	.30		.04
Lathers	7.65	.44	.10	.50	.01
Power Equipment Operators (Underground Construction):					
Class I	9.39	.55	.65		.05
Class II	9.26	.55	.65		.05
Class III	8.53	.55	.65		.05
Class IV	7.96	.55	.65		.05
Oiler and firemen	7.96	.55	.65		.05

DECISION #AQ-3052 - Mod. #2
(39 FR 1691 - January 11, 1974)
Berrien County, Michigan

Change:
Building and Heavy Construction:

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Electricians	8.60	2.8%	5%	4%	.2%
Lathers	7.65	.44	.10	.50	.01
Laborers (Building & Heavy):					
Class G - Topmen, Chimneys or towers over 30 ft in height	6.55	.35	.30		.04
Power Equipment Operators (Underground Construction):					
Class I	9.39	.55	.65		.05
Class II	9.26	.55	.65		.05
Class III	8.53	.55	.65		.05
Class IV	7.96	.55	.65		.05
Oiler and firemen	7.96	.55	.65		.05

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DECISION #AQ-3053 - Mod. #3					
(38 FR 35152 - December 21, 1973)					
Calhoun County, Michigan					
Change:					
Building and Heavy Construction:					
Laborers (Building and Heavy):					
Class G - Topmen, Chimneys or towers over 30 ft. in height	$6.55	.35	.30		.04
Lathers	7.65	.44	.10	.50	.01
Power Equipment Operators (Underground Construction:					
Class I	9.39	.55	.65		.05
Class II	9.26	.55	.65		.05
Class III	8.53	.55	.65		.05
Class IV	7.96	.55	.65		.05
Oiler and firemen	7.95	.55	.65		.05
DECISION #AQ-3062 - Mod. #3					
(38 FR 35170 - December 21, 1973)					
Kalamazoo County, Michigan					
Change:					
Building and Heavy Construction:					
Laborers (Building & Heavy):					
Class G - Topmen, Chimneys or towers over 30 ft in height	$6.55	.35	.30		.04
Lathers	7.65	.44	.10	.50	.01
Power Equipment Operators (Underground Construction):					
Class I	9.39	.55	.65		.05
Class II	9.26	.55	.65		.05
Class III	8.53	.55	.65		.05
Class IV	7.96	.55	.65		.05
Oiler and firemen	7.96	.55	.65		.05

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DECISION AQ-3058 - Mod. #2					
(38 FR 35159 - December 21, 1973)					
Gogebic County, Michigan					
Change:					
Laborers Schedule					
Lathers	7.65	.44	.10	.50	.01
Laborers:					
CLASS A					
Construction Laborers	$5.55	.35	.30		
CLASS B					
Material mixers, mortar mixers (hand or machine), vibrator op., concrete mixer, motor driven buggy op., chipping hammers, tamping machines, green cutting (whether run by air, electric or gas), and sand blasters	5.65	.35	.30		
CLASS C					
Cement gun nozzlemen, blasters, miners drillers, buster operator, layers of all non-metallic pipe	5.95	.35	.30		
CLASS D					
Underground Work, Tunnels and Shafts: Muckers, caisson workers, miners, drillers, blasters	6.10	.35	.30		

DECISION #AQ-3060 - Mod. #1
(38 FR 35162 - December 21, 1973)
Huron County, Michigan

Change:

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Building and Heavy Construction:					
Elevator constructors	$8.68	.195	.20	2%+a&b	.005
Elevator constructors' helpers	6.08	.195	.20	2%+a&b	.005
Elevator constructors' helpers (prob.)	4.34				
Lathers	7.65	.44	.10	.50	.01
Lead burners	8.75	.30		c	.01
Power Equipment Operators (Underground Construction):					
Class I	9.39	.55	.65		.05
Class II	9.26	.55	.65		.05
Class III	8.53	.55	.65		.05
Class IV	7.96	.55	.65		.05
Oiler and firemen	7.96	.55	.65		.05
Roofers:					
Roofers	5.85				
Roofers' helpers	5.30				
Truck Drivers:					
Pole trailers, low boys, straddle carriers, double bottoms and special load permits drivers	7.87	a17.00	a14.00	b+c	
Semi drivers	7.77	a17.00	a14.00	b+c	
All other trucks	7.62	a17.00	a14.00	b+c	

DECISION #AQ-3067 - Mod. #1
(39 FR 4342 - February 1, 1974)
St. Clair County, Michigan

Change:

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Building and Heavy Construction:					
Bricklayers and stonemasons	$8.57	.54	.36	.54	
Cement masons	7.93	.54	.36	.54	
Lathers	7.65	.44	.10	.50	.01
Marble setters	9.65	.35	.50		
Plasterers	8.12	.54	.36	.54	
Power Equipment Operators (Underground Construction):					
Class I	9.39	.55	.65		.05
Class II	9.26	.55	.65		.05
Class III	8.53	.55	.65		.05
Class IV	7.95	.55	.65		.05
Oiler and firemen	7.96	.55	.65		.05
Roofers:					
Roofers	5.85				
Helpers	5.30				
Terrazzo workers	9.02	.35	.50		
Tile setters	9.31	.35	.50		
Truck Drivers:					
Pole trailers, low boys, straddle carriers, double bottoms and special load permits drivers	$7.87	a17.00	a14.00	b+c	
Semi drivers	7.77	a17.00	a14.00	b+c	
All other trucks	7.62	a17.00	a14.00	b+c	

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DECISION #AQ-3068 - Mod. #1					
(39 FR 4346 - February 1, 1974)					
Washtenaw County, Michigan					
Change:					
Building and Heavy Construction:					
Bricklayers	$9.46		.25	1.04	
Cement masons	9.06		.25	1.04	
Lathers	7.65	.44	.10	.50	.01
Marble setters	9.46		.25	1.04	
Plasterers	9.46		.25	1.04	
Power Equipment Operators (Underground Construction):					
Class I	9.39	.55	.65		.05
Class II	9.26	.55	.65		.05
Class III	8.53	.55	.65		.05
Class IV	7.96	.55	.65		.05
Oiler and firemen	7.96	.55	.65		.05
Stone masons	9.46		.25	1.04	
Terrazzo workers	9.46		.25	1.04	
Truck Drivers:					
Pole trailers, low boys, straddle carriers, double bottoms and special load permits drivers	7.87	a17.00	a14.00	b+c	
Semi drivers	7.77	a17.00	a14.00	b+c	
All other trucks	7.62	a17.00	a14.00	b+c	
DECISION #AQ-4090 - Mod. #1					
(39 FR 10097 - March 15, 1974)					
Hinds County, Mississippi					
Omit:					
Truck drivers' schedule (Building construction) - Mississippi 1 TD G					

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DECISION #AQ-1070 - Mod. #3					
(39 FR 2329 - January 18, 1974)					
Statewide Montana					
Change:					
Plumbers:					
Blaine, Cascade, Chouteau, Fergus, Glacier, Hill, Judith Basin, Liberty, McCone, Meagher, Phillips, Pondera, Roosevelt, Teton, Toole and Valley Counties	$ 7.75	.35	.60		1%
DECISION #AQ-1071 - Mod. #3					
(39 FR 3399 - January 25, 1974)					
Statewide Montana					
Change:					
Plumbers:					
Blaine, Cascade, Chouteau, Fergus, Glacier, Hill, Judith Basin, Liberty, McCone, Meagher, Phillips, Pondera, Roosevelt, Teton, Toole and Valley Counties	7.75	.35	.60		1%
DECISION #AQ-1076 - Mod. #3					
(39 FR 4361 - February 1, 1974)					
Cascade, Flathead, Hill, Sanders and Valley Counties, Montana					
Change:					
Plumbers:					
Cascade, Hill and Valley Cos.	7.75	.35	.60		1%

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DECISION #AQ-1066 - Mod. #1 (38 FR 33899 - December 7, 1973) Burleigh, Cass, Grand Forks, Morton, Richland, Steele, Walsh, and Ward Counties, North Dakota					
Change:					
Plumbers:					
Burleigh and Morton Counties	$7.45	.35	.25		.02
DECISION #AQ-1069 - Mod. #1 (39 FR 5152 - February 8, 1974) Statewide Oregon					
Change:					
Electricians:					
Coos, Curry, Lincoln, those portions of Douglas & Lane Counties lying west of a line north & south from the N. E. corner of Coos County to the S. E. corner of Lincoln County					
Electricians	$ 8.55	.45	1%		.04
Cable Splicers	9.41	.45	1%		.04
Benton, Crook, Deschutes, Jefferson, Lane (except coast portion) Linn, Marion, Polk & S 1/2 of Yamhill County					
Electricians	8.85	.45	1%		.04
Cable Splicers	9.40	.45	1%		.04
Clackamus, Clatsop, Columbia, Hood River, Multnomah, Sherman, Tillamook, Wasco, Washington & N 1/2 of Yamhill County					
Electricians	8.40	.45	1% + .40		.02
Cable Splicers	9.15	.45	1% + .40		.02
Harney, Jackson, Josephine, Klamath, Lake, that portion of Douglas lying east of a line running north & south from the N. E. corner of Coos to the S. E. corner of Lincoln County					
Electricians	8.75	.45	1%		.04
Cable Splicers	9.40	.45	1%		.04

DECISION #AQ-3119 - Mod. #1
(39 FR 8129 - March 1, 1974)
Bristol, Kent, and Providence Counties, Rhode Island

CHANGE:
DESCRIPTION OF WORK:
Building (including residential in Providence County), Heavy, Highway, and Marine Construction.

Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	App. Tr.

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AQ-66 - Mod. #3 (38 FR 35574 - December 28, 1973) Galveston County, Texas Omit: Incidental Paving & Utilities (excluding Galveston Island) Schedule (See General Determination AQ-100 for Incidental Paving & Utilities)						
DECISION #AQ-67 - Mod. #4 (38 FR 35577 - December 28, 1973) Harris County, Texas Omit: Incidental Paving & Utilities Schedule (See General Determination AQ-100 for Incidental Paving & Utilities)						
DECISION #AQ-68 - Mod. #3 (38 FR 35580 - December 28, 1973) Cameron, Hidalgo, Starr & Willacy Counties, Texas Omit: Incidental Paving & Utilities Schedule (See General Determination AQ-100 for Incidental Paving & Utilities)						

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AQ-69 - Mod. #2 (38 FR 35582 - December 28, 1973) Lubbock County, Texas Omit: Incidental Paving & Utilities Schedule (See General Determination AQ-100 for Incidental Paving & Utilities)						
DECISION #AQ-70 - Mod. #4 (39 FR 1713 - January 11, 1974) Travis County, Texas Omit: Incidental Paving & Utilities Schedule (See General Determination AQ-100 for Incidental Paving & Utilities)						
DECISION #AQ-71 - Mod. #2 (39 FR 1716 - January 11, 1974) El Paso County, Texas Omit: Incidental Paving Schedule (See General Determination AQ-100 for Incidental Paving)						

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AQ-73 - Mod. #3 (39 FR 1720 - January 11, 1974) Collin, Dallas, Denton, Ellis, Grayson, Hood, Hunt, Johnson, Kaufman, Palo Pinto, Parker, Rockwall, Tarrant & Wise Counties, Texas Omit: Incidental Paving (Tarrant County) & Incidental Paving & Utilities (Collin, Dallas, Denton, Ellis, Grayson, Hood, Hunt, Johnson, Kaufman, Palo Pinto, Parker, Rockwall & Wise Counties) Schedule (See General Determination AQ-100 for Incidental Paving & Utilities)						
DECISION #AQ-74 - Mod. #1 (39 FR 4382 - February 1, 1974) Bexar County, Texas Omit: Incidental Paving & Utilities Schedule (See General Determination AQ-100 for Incidental Paving & Utilities)						

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AQ-75 - Mod. #2 (39 FR 4384 - February 1, 1974) Armstrong, Carson, Castro, Childress, Collingsworth, Dallam, Deaf Smith, Donley, Gray, Hansford, Hartley, Hemphill, Hutchinson, Lipscomb, Moore, Ochiltree, Oldham, Potter, Randall, Roberts, Sherman, Swisher & Wheeler Counties, Texas Omit: Incidental Paving & Utilities Schedule (See General Determination AQ-100 for Incidental Paving & Utilities)						
DECISION #AQ-78 - Mod. #1 (39 FR 4388 - February 1, 1974) Nueces County, Texas Omit: Incidental Paving & Utilities Schedule (See General Determination AQ-100 for Incidental Paving & Utilities)						

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DECISION #AQ-1067 - Mod. #3 (38 FR 35194 - December 21, 1973) Statewide Washington					
Change:					
Electricians:					
Clallam, Jefferson, King & Kitsap Counties					
Electricians	$ 8.55	.25	1% + .40		.03
Cable Splicers	9.405	.25	1% + .40		.03
Clark, Klickitat and Skamania Counties					
Electricians	8.40	.45	1% + .40		.02
Cable Splicers	9.15	.45	1% + .40		.02
Glaziers:					
Okanogan, Chelan, Douglas, Grant, Western halves of Ferry and Lincoln, and the Southwestern corner of Adams County	6.57	.21	.15	.36	

SUPERSEDEAS DECISION

STATE: INDIANA
COUNTY: Allen
DECISION NUMBER: AQ-3125
DATE: DATE OF PUBLICATION
Supersedes Decision No. AP-5648 dated May 18, 1973 in 38 FR 13165
DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories).

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos Workers'	$9.15	.35	.55			
Boilermakers	9.05	.50	.80		.01	
Bricklayers & Stonemasons	8.49	.30	.25		.01	
Carpenters:						
Carpenters & Soft Floor Layers	7.92	f6%			.04	
Millwrights & Piledrivermen	8.25	f6%			.04	
Cement Masons	7.90	.40				
Electricians	8.40	.25	1%+.30		.04	
Elevator Constructors:						
Elevator Constructors	8.04	.395	.26	2%+a&b	.005	
Helpers	70%JR	.395	.26	2%+a&b	.005	
Helpers (Prob.)	50%JR					
Glaziers	7.54			.15	.01	
Ironworkers	8.80	.50	.75		.01	
Lathers	6.16		.15			
Leadburners	8.75	.30		d	.01	
Marble Setters	8.49	.30	.25		.01	
Marble Setters' Helpers	6.05					
Painters:						
Brush, Roller & Paperhanging	6.76	.32	.25		.05	
Spray & Sandblasting	7.76	.32	.25		.05	
Plasterers	7.59	.40				
Plumbers & Steamfitters	8.60	.25	.35		.07	
Roofers	8.05		.10			
Sheet Metal Workers	8.34	.30	.25			
Sprinkler Fitters	8.75	.30	.40		.05	
Terrazzo Workers	8.15					
Terrazzo Workers' Helpers	6.05					
Tile Setters	8.15					
Tile Setters' Helpers	6.05					
Truck Drivers:						
Up to & including 1 Ton	6.505	c	e			
Sweeper attached & distributor, water wagon	6.805	c	e			
1½ to & including 3 Tons & Fork Lift	6.605	c	e			
Truck Drivers:						
Tandems, double bottoms, Lowboys	$6.705	c	e			
Semi	6.655	c	e			
Euclid & earthmover	6.955	c	e			
Welders - receive rate prescribed for craft performing operation to which welding is incidental.						

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Holidays: A through F.

b. Employer contributes 4% of regular hourly rate to vacation pay credit for employee who has worked in business more than 5 years. Employer contributes 2% of regular hourly rate to vacation pay credit for employee who has worked in business less than 5 years.

c. $12.00 per week for each employee

d. Holidays: A through F plus Washingtons Birthday, Good Friday & Christmas Eve, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regularly scheduled work days immediately preceding and following the holiday.

e. $13.00 per week for each employee.

f. 6% for Health & Welfare includes pension.

LABORERS: BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP A						
Building & Construction Laborers, scaffold builders other than for mason or plasterers, ironworkers' helpers, mechanic helpers, mechanic tenders, window washers & cleaners, roofers' helpers, railroad laborer, masonary wall washers (interior & exterior), cement finishers helper, carpenter helper, all portable water pumps with discharge up to 3", mason tenders	$5.95	.35	.30		.07	
GROUP B						
Waterproofing, handling of cresote lumber on like treated material (excluding railroad material), asphalt rakers & lutemen, kettlemen, air tool operators, vibrators, chipping hammer operator, jackmen & sheeting men working in ditches deeper than 6', laborers working in ditches 6' in depth or deeper, assembly of unicrete pump, chain saw operators, tile layers (sewer or field), sewer pipe layers (metallic & non-metallic) motor-driven wheelbarrows & concrete buggies, hyster opera-pump crete assemblers, conveyor assemblers, core drill operators, cement, lime, or silica clay handlers (bulk or bag), pneumatic spikers, deck, engine & winch operator, water main & cable ducking (metallic & non-metallic)	6.15	.35	.30		.07	
GROUP C						
Plaster tenders, Mortar Mixers, Welders (acetylene or electric), cutting torch or burner, cement nozzle laborers, cement gun operator, scaffold builders when working for plasterer or mason tenders	6.25	.35	.30		.07	
GROUP D						
Dynamite Men	6.95	.35	.30		.07	

LINE CONSTRUCTION:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
NORTH INDIANA EXCLUSIVE OF CALUMET AREA					
Linemen	$7.38	.35	1%		.25%
Heavy Equipment Operators:					
Class "A"	6.79	.35	1%		.25%
Class "B"	5.95	.35	1%		.25%
Senior Ground Truck Driver With Winch	5.00	.35	1%		.25%
Ground Truck Driver:					
With Winch	4.69	.35	1%		.25%
Without Winch	4.14	.35	1%		.25%
Groundmen:					
0 to 12 Months	3.86	.35	1%		.25%
After 12 Months	4.59	.35	1%		.25%
CALUMET AREA					
Linemen	$7.68	.35	1%		.25%
Heavy Equipment Operators:					
Class "A"	6.86	.35	1%		.25%
Class "B"	6.01	.35	1%		.25%
Senior Ground Truck Driver With Winch	5.11	.35	1%		.25%
Ground Truck Driver:					
With Winch	4.76	.35	1%		.25%
Without Winch	4.21	.35	1%		.25%
Groundmen:					
0 to 12 Months	3.96	.35	1%		.25%
After 12 Months	4.71	.35	1%		.25%

POWER EQUIPMENT OPERATORS:

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP 1						
Air compressor(pressurizing shafts, tunnels & divers, Air Tugger, Auto Patrol, Backfiller, Backhoe, Boom Cat, Boring Machine, Bulldozer-Caisson Drilling Machine, Cherry Picker, Compactor(w/dozer blade) Concrete Plant, Concrete Pump, Crane w/all attachments, Crane-Electric Overhead, Derrick, Ditching Machine (18" and over) Dredge, Elevators(when hoisting material or tool) Forklift (machinery) Formless Paver, Generator (power for welders or compressors) Gradall, Helicopter, Helicopter Winch Operator, Highlift-Front End Loader, Hoist, Locomotive, Mechanic on Job Site, Mucking Machine, Panel Board Concrete Plant, Piledriver, Push Cat, Scoop & Tractor, Scraper-Rubber Tired, Spreader-Tractor mounted, Straddle Carrier-Ross Type, Sub Base Finish, Machine(C.M.I. or similar Tower Crane, Tractor w/backhoe(over ½ yard) Welder	$8.40	.30	.30		.05	
GROUP 2						
A-Frame truck, Batcher Plant(automatic dry batch) Bending Machine-Power driven, Bituminous Mixer, Bituminous Paver, Bituminous Plant Engineer, Boatman, Bullfloat, Compactor or Tamper-Self Propelled, Concrete Mixer(21 cu. ft or over) Concrete Spreader-power driven, Dinkey Engine, Ditching Machine(less than 18") Drilling Machine, Finish Machine & Bullfloat, Finishing Machine, Fireman, Piledriving & Boilers, Forklift-Masonry & Material Gunnite Machine, Head Greaser, Mechanic in Shop, Mesh Depresser-Mesh Placer, P.C.C.-Concrete Belt Placer, Roller-Asphalt Stone & Sub Base, Sheep stone Roller Self-Propelled, Shop Mule						

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Spreader or Base Paver-Self Propelled, Subgrader, Throttle Valve w/Air Compressor or Boiler, Tractor w/Backhoe (½ yard & under) Tractor-High lift-Farm-Type, Tractor-Industrial Type, Tractor w/winch, Well Points, Winch truck	7.60	.30	.30		.05	
GROUP 3						
Air Compressor(210 cu. ft. & over), Bituminous Distributor, Chair Cart, Concrete Curing Machine, Concrete Saw, Dope Pot-Power Agitated, Flexplane, Form Grader, Hydrohammer, Jacks-Hydraulic-Power Driven, Minor Equip. Op, Paving Joint Machine, Post Hole Digger Roller-Earth, Throttle Valve, Track Jack-Power Driven, Tractor-Farm Type, Truck Crane Driver	7.00	.30	.30		.05	
GROUP 4						
Air Compressor(less than 210 cu. ft.) Concrete Mixer(under 21 cu. ft.) Conveyor, Generator, Mechanical Heater, Oiler, Power Broom, Pump, Welding Machine, Helpers	6.40	.30	.30		.05	

SUPERSEDEAS DECISION

STATE: INDIANA
DECISION NUMBER: AQ-3126
COUNTY: Bartholomew
DATE: DATE OF PUBLICATION
Supersedes Decision No. AP-649 dated May 18, 1973 in 38 FR 13168
DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories).

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos Workers	$9.00	.30	.20		.02	
Boilermakers	9.05	.50	.80		.01	
Bricklayers:						
Bricklayers & Stonemasons	8.00	.30			.02	
Marble Masons	8.00	.30			.02	
Tile & Terrazzo Workers	8.00	.30			.02	
Carpenters:						
Camp Atterbury:						
Carpenters	8.55	.47	.40		.06	
Millwrights & Piledrivermen	8.55	.47	.40		.06	
Soft Floor Layers	7.15	.35			.06	
Remainder of County:						
Carpenters & Soft Floor Layers	7.325	.25	.25		.02	
Millwrights & Piledrivermen	7.575	.25	.25		.02	
Cement Masons	7.80					
Electricians	8.60	3%	5%		.5%	
Glaziers	8.74					
Ironworkers	8.75	.55	.55		.05	
Lathers	8.60	.40			.03	
Leadburners	8.75	.30		a	.01	
Painters:						
Brush & Rollers	5.45					
Structural Steel	5.45					
Spray	5.70					
Plasterers	8.70					
Plumbers & Steamfitters:						
Camp Atterbury	9.10	.25	.15		.04	
Remainder of County	8.20	.30	.30			
Roofers:						
Composition	8.22	.30	.30			
Slate & Tile	8.47	.30	.30			
Helpers	6.87	.30	.30			
Sheet Metal Workers	8.53	.40	.40		.02	
Sprinkler Fitters	8.75	.30	.40		.05	
Welders-receive rate prescribed for craft performing operation to which welding is incidental.						

PAID HOLIDAYS:

A-New Year;s Day; B-Menorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Chirstmas Day.

FOOTNOTES:

A. Holidyas: A through F plus Washington's Birthday ,Good Friday and Christmas Eve, providing employee has worked full days during the 120 calendar days prior to the holiday, and the regularly scheduled work days immediately preceding and following the holiday.

INDIANA - LINE CONSTRUCTION-AREA I

LINE CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Linemen	$7.47	.35	1%		.25%
Heavy Equipment Operator "A"	7.13	.35	1%		.25%
Heavy Equipment Operator "B"	5.87	.35	1%		.25%
Powderman	5.73	.35	1%		.25%
Equipment mechanic	5.73	.35	1%		.25%
Senior groundman truck driver with winch	4.91	.35	1%		.25%
Groundman truck driver with winch	4.72	.35	1%		.25%
Groundman truck driver without winch	4.13	.35	1%		.25%
Senior groundman after 5 years	4.71	.35	1%		.25%
Senior groundman after 12 months	4.58	.35	1%		.25%
Groundman 0-12 months	3.88	.35	1%		.25%

LABORERS: BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP A						
Building & Construction Laborers, scaffold builders other than for mason or plasterers, ironworkers' helpers, mechanic helpers, mechanic tenders, window washers & cleaners, roofers' helpers, railroad laborer, masonary wall washers (interior & exterior), cement finishers helper, carpenter helper, all portable water pumps with discharge up to 3", mason tenders	$6.10	.35	.30		.07	
GROUP B						
Waterproofing, handling of cresote lumber on like treated material (excluding railroad material), asphalt rakers & lutemen, kettlemen, air tool operators, vibrators, chipping hammer operator, jackmen & sheeting men working in ditches deeper than 6', laborers working in ditches 6' in depth or deeper, assembly of unicrete pump, chain saw operators, tile layers (sewer or field), sewer pipe layers (metallic & non-metallic) motor-driven wheelbarrows & concrete buggies, hyster opera-pump crete assemblers, conveyor assemblers, core drill operators, cement, lime, or silica clay handlers (bulk or bag), pneumatic spikers, deck, engine & winch operator, water main & cable ducking (metallic & non-metallic)	6.30	.35	.30		.07	
GROUP C						
Plaster tenders, Mortar Mixers, Welders (acetylene or electric), cutting torch or burner, cement nozzle laborers, cement gun operator, scaffold builders when working for plasterer or masons, mason tenders	6.40	.35	.30		.07	
GROUP D						
Dynamite Men	7.10	.35	.30		.07	

POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP A						
A-frame winch truck, air compressor over 6000 cu. ft. air tugger, autograde (CMI), auto patrol backhoe, ballast regulator (RR), batcher plant (electric control concrete), bending machine (pipe), bituminous plant, mituminous mixer travel plant, bituminous powe roller, bulldozer, cable way, Chicago boom, clamshell, concrete mixer (21 cu. ft. or voer), crane, craneman, crusher plant, derrich boat, dinkey, dope pots (pipeline), dragline, dredge operator, drill operator, elevating grader, elevating grader , elevator, Ford hoe (or similar type equipment), forklift formless paver, gantry cranem gradeall greademan, grout gro ut pump, Hetherington paver, highlift, hoist, hopto. hough loader (or similar type), hydro crane, hydro hammer, locomotive, crane, locomotive, mechanic mobile mixer, motor crane, motor crane oiler and one (1)piece of minor equipment, mucking machine, multiple tamping machine (RR), overhead crane, pile, driver, pulls, push dozer push boats, roller (sheep foot), Ross carrier, scoop shovel, side boom, swing crane, tial boom, tar machine, (pipeline), throttle valve, trnch machine, welder pump, truck mounted drill 2 to 4 pieces of minor equipment, well point, whirleys	$8.79	.25	.25			
GROUP B						
Air compressor (200 cu. ft. per. min. capacity or more brakeman, bull float, concrete mixer (over 10S & under 21S), concrete spreader or puddler, deck engine drill helper, electric vibrator Kompactor (earth or rock), finishing machine, fireman, greaser (on grease facilities servicing heavy equipment), material pump motor boats, motor crane oiler, oiler and one piece of minor equipment, portable loader, post hole digger, power broom						

BUILDING CONSTRUCTION CONT'D	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Others
rock roller, roller-wobble wheel (earth and rock), spike machine (RR), seaman tiller, spreader rock, sub grader, tamping machine, turck mounted drill oiler, welding machine widener (Apsco or similar type)	7.91	.25	.25			
GROUP C Air compressor (under 200 cu. ft. per min.), bituminous distributor, cement saw, conveyor, desk hand, earth roller form grader, generator, guard rail driver, heater, oiler, paving joint machine, steam Jenny, vibrator, water pump	7.30	.25	.25			

TRUCK DRIVERS:	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Others
GROUP 1 Drivers on single axle, lowboy helper or flagman, drivers on air compressors & welding machines incl. those pulled by cars, pick-up trucks, tractors, fork-lifts, dumpsters	$6.20	a	b	c		
GROUP 2 Drivers on Mixer Trucks 2 Yards	6.25	a	b	c		
GROUP 3 Mechanic Helpers & Greasers	6.30	a	b	c		
GROUP 4 Drivers on Batch Trucks wet or dry 3 batches or under	6.35	a	b	c		
GROUP 5 Drivers on Tandem Axle Trucks(incl. Dog-Legs), Drivers on Oil Distributors Drivers on Mixer Trucks 3 Yards, Winch Trucks	6.40	a	b	c		
GROUP 6 Drivers on Single Axle, Semi-Trucks, Drivers on Batch Trucks Wet or Dry or Dry over 3 Batches, Drivers on Pavemen Breakers	6.45	a	b	c		
GROUP 7 Drivers on Tandem-Axle Semi-Trucks, Drivers on Trac-O-Trucks, Euclids, Tournapull when pulling other than self-loading equip. up to & including 10 yds, Drivers on Mixer Trucks 4 yds., Mechanics	6.55	a	b	c		
GROUP 8 Drivers On Tri-Axle Trucks	6.60	a	b	c		
GROUP 9 Drivers on Low-Boy; Drivers On Tandem, Tandem Axle Semi-Trucks	6.65	a	b	c		
GROUP 10 Drivers on Trac-O-Trucks, Euclids, Tournapulls when pulling other than self-loading Equip. 11 yds to & incl. 16 yds. Drivers on Mixer Trucks above 4 yds.	6.70	a	b	c		
GROUP 11 Drivers on Trac-O-Trucks, Euclids, Tournapull when pulling other than self-loading equip. over 16 yds, helicopter pilot	6.85	a	b	c		

FOOTNOTES:
a. 10.50 Per Week Per Employee
b. 10.00 Per Week Per Employee
c. 1 week paid vacation after 1 yr. service, 2 weeks after 3 yrs., & 3 weeks after 10 yrs.

STATE: INDIANA
DECISION NUMBER: AQ-3127
COUNTY: Benton & Tippecanoe
DATE: DATE OF PUBLICATION
Supersedes Decision No. AP-650 dated May 18, 1973 in 38 FR 13171
DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories).

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos Workers	$9.00	.30	.20		.02	
Boilermakers	9.05	.50	.80		.01	
Bricklayers:						
Bricklayers & Stonemasons	7.80	.38	.25		.01	
Tile Setters & Terrazzo Workers	7.35	.38	.25		.01	
Marble Masons	7.80	.38	.25		.01	
Carpenters:						
Carpenters & Soft Floor Layers	7.53	.30	.20		.02	
Millwrights & Piledrivermen	7.88	.30	.20		.02	
Cement Masons	7.25	.40	.30			
Electricians	8.03	.20	1%		.25%	
Glaziers:						
Benton County	7.80	.25	.25	.25		
Tippecanoe County	8.74					
Ironworkers	8.64	.55				
Lathers	7.30	.30	.25		.01	
Leadburners	8.75	.30		a	.01	
Painters:						
Brush	7.25					
Erected Steel	7.50					
Spray	10.52					
Plasterers	8.13	.40				
Plumbers & Steamfitters	7.57	.33	.30	.50	.05	
Roofers:						
Composition	7.85	.27	.28			
Slate & Tile	8.10	.27	.28			
Sheet Metal Workers	8.33		.30		.04	
Sprinkler Fitters	8.75	.30	.40		.05	

Welders - receive rate prescribed for craft to which work performed is incidental.

PAID HOLIDAYS:

A-New Year's Day; B.-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Holidays: A through F plus Washington's Birthday, Good Friday & Christmas Eve, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regularly scheduled work days immediately preceding and following the holiday.

REMAINDER OF BENTON COUNTY

INDIANA LINE CONSTRUCTION AREA II

LINE CONSTRUCTION:

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
NORTH INDIANA EXCLUSIVE OF CALUMET AREA					
Linemen	$7.38	.35	1%		.25%
Heavy Equipment Operators:					
Class "A"	6.79	.35	1%		.25%
Class "B"	5.95	.35	1%		.25%
Senior Ground Truck Driver With Winch	5.00	.35	1%		.25%
Ground Truck Driver:					
With Winch	4.69	.35	1%		.25%
Without Winch	4.14	.35	1%		.25%
Groundmen:					
0 to 12 Months	3.86	.35	1%		.25%
After 12 Months	4.59	.35	1%		.25%
CALUMET AREA					
Linemen	$7.68	.35	1%		.25%
Heavy Equipment Operators:					
Class "A"	6.86	.35	1%		.25%
Class "B"	6.01	.35	1%		.25%
Senior Ground Truck Driver With Winch	5.11	.35	1%		.25%
Ground Truck Driver:					
With Winch	4.76	.35	1%		.25%
Without Winch	4.21	.35	1%		.25%
Groundmen:					
0 to 12 Months	3.96	.35	1%		.25%
After 12 Months	4.71	.35	1%		.25%

INDIANA - LINE CONSTRUCTION-AREA I

TIPPECANOE CO. & BOLIVAR TWP. BENTON CO.

LINE CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Linemen	$7.47	.35	1%		.25%	
Heavy Equipment Operator "A"	7.13	.35	1%		.25%	
Heavy Equipment Operator "B"	5.87	.35	1%		.25%	
Powderman	5.73	.35	1%		.25%	
Equipment mechanic	5.73	.35	1%		.25%	
Senior groundman truck driver with winch	4.91	.35	1%		.25%	
Groundman truck driver with winch	4.72	.35	1%		.25%	
Groundman truck driver without winch	4.13	.35	1%		.25%	
Senior groundman after 5 years	4.71	.35	1%		.25%	
Senior groundmen after 12 months	4.58	.35	1%		.25%	
Groundman 0-12 months	3.88	.35	1%		.25%	

INDIANA-15-LAB AREA 2

LABORERS: BUILDING CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Ap Tr.
GROUP A					
Building & Construction Laborers, scaffold builders other than for mason or plasterers, ironworkers' helpers, mechanic helpers, mechanic tenders, window washers & cleaners, roofers' helpers, railroad laborer, masonary wall washers (interior & exterior), cement finishers helper, carpenter helper, all portable water pumps with discharge up to 3", mason tenders	$5.95	.35	.30		.07
GROUP B					
Waterproofing, handling of cresote lumber on like treated material (excluding railroad material), asphalt rakers & lutemen, kettlemen, air tool operators, vibrators, chipping hammer operator, jackmen & sheeting men working in ditches deeper than 6', laborers working in ditches 6' in depth or deeper, assembly of unicrete pump, chain saw operators, tile layers (sewer or field), sewer pipe layers (metallic & non-metallic) motor-driven wheelbarrows & concrete buggies, hyster opera-pump crete assemblers, conveyor assemblers, core drill operators, cement, lime, or silica clay handlers (bulk or bag), pneumatic spikers, deck, engine & winch operator, water main & cable ducking (metallic & non-metallic)	6.15	.35	.30		.07
GROUP C					
Plaster tenders, Mortar Mixers, Welders (acetylene or electric), cutting torch or burner, cement nozzle laborers, cement gun operator, scaffold builders when working for plasterer or mason tenders	6.25	.35	.30		.07
GROUP D					
Dynamite Men	6.95	.35	.30		.07

POWER EQUIPMENT OPERATORS:

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP 1						
Air compressor(pressurizing shafts, tunnels & divers, Air Tugger, Auto Patrol, Backfiller, Backhoe, Boom Cat, Boring Machine, Bulldozer, Caisson Drilling Machine, Cherry Picker, Compactor(w/dozer blade) Concrete Plant, Concrete Pump, Crane w/all attachments, Crane-Electric Overhead, Derrick, Ditching Machine (18" and over) Dredge, Elevators(when hoisting material or tool) Forklift (machinery) Formless Paver, Generator (power for welders or compressors) Gradall, Helicopter, Helicopter Winch Operator, Highlift-Front End Loader, Hoist, Locomotive, Mechanic on Job Site, Mucking Machine, Panel Board Concrete Plant, Piledriver, Push Cat, Scoop & Tractor, Scraper-Rubber Tired, Spreader-Tractor mounted, Straddle Carrier-Ross Type, Sub Base Finish, Machine(C.M.I. or similar Tower Crane, Tractor w/backhoe(over ½ yard) Welder	$8.40	.30	.30		.05	
GROUP 2						
A-Frame truck, Batcher Plant(automatic dry batch) Bending Machine-Power driven, Bituminous Mixer, Bituminous Paver, Bituminous Plant Engineer, Boatman, Bullfloat, Compactor or Tamper-Self Propelled, Concrete Mixer(21 cu. ft or over) Concrete Spreader-power driven, Dinkey Engine, Ditching Machine(less than 18") Drilling Machine, Finish Machine & Bullfloat, Finishing Machine, Fireman, Piledriving & Boilers, Forklift-Masonry & Material Gunnite Machine, Head Greaser, Mechanic in Shop, Mesh Depresser-Mesh Placer, P.C.C.-Concrete Belt Placer, Roller-Asphalt Stone & Sub Base, Sheepstone Roller Self-Propelled, Shop Mule						

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Spreader or Base Paver-Self Propelled, Subgrader, Throttle Valve w/Air Compressor or Boiler, Tractor w/Backhoe (½ yard & under) Tractor-High lift-Farm-Type, Tractor-Industrial Type, Tractor w/winch, Well Points, Winch truck	7.60	.30	.30		.05	
GROUP 3						
Air Compressor(210 cu. ft. & over), Bituminous Distributor, Chair Cart, Concrete Curing Machine, Concrete Saw, Dope Pot-Power Agitated, Flexplane, Form Grader, Hydrohammer, Jacks-Hydraulic-Power Driven, Minor Equip. Op. Paving Joint Machine, Post Hole Digger Roller-Earth, Throttle Valve, Track Jack-Power Driven, Tractor-Farm Type, Truck Crane Driver	7.00	.30	.30		.05	
GROUP 4						
Air Compressor(less than 210 cu. ft.) Concrete Mixer(under 21 cu. ft.) Conveyor, Generator, Mechanical Heater, Oiler, Power Broom, Pump, Welding Machine, Helpers	6.40	.30	.30		.05	

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	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Truck Drivers:						
Semi Trucks	$5.40	a	b	c		
Mechanics	5.40	a	b	c		
Bituminous distributors	5.25	a	b	c		
Tandem axles and Doglegs, straight trucks	5.20	a	b	c		
Single axle-Straight trucks and warehousemen	5.10	a	b	c		
Helpers, greasers and Tireman	5.05	a	b	c		
Pick-up truck when hauling equipment, supplies and materials to, from and on the job site, except when used by superintendent or a foreman for his own transportation or for the use of a mechanic for the transportation of himself, his tools and repair parts	4.95	a	b	c		

FOOTNOTES:

a. $12.00 per week for each employee.

b. $11.00 per week for each employee.

c. 1 week paid vacation after 1 year employment; 2 weeks after 3 years; and 3 weeks after 10 years.

STATE: INDIANA
COUNTY: Dearborn
DECISION NUMBER: AQ-3128
DATE: DATE OF PUBLICATION
Supersedes Decision No. AP-651 dated May 18, 1973 in 38 FR 13174
DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories).

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos Workers	$9.21	.30	.85		.02	
Boilermakers	8.30	.30	.70	.75	.01	
Bricklayers & Stonemasons	8.00					
Carpenters:						
Carpenters & Soft Floor Layers	7.60	.30	.35		.03	
Millwrights & Piledrivermen	7.85	.30	.35		.03	
Cement Masons	4.70					
Electricians	9.25	.60	1%+.30		.5%	
Glaziers	8.70		.35		.005	
Ironworkers:						
Structural & Ornamental	9.195	.55	.55		.03	
Reinforcing	8.895	.55	.85		.02	
Lathers	9.845				.015	
Leadburners	8.75	.30		a	.01	
Painters:						
Commercial						
Brush & Roller	6.90					
Spray	7.40					
Industrial						
Brush	7.25					
Spray	7.50					
Pipefitters	9.20	.60	.775		.04	
Plasterers	7.55	.30				
Plumbers	9.445	.38	.65		.05	
Roofers	9.745		.30			
Sheet Metal Workers	8.995	.40	.70		.02	
Sprinkler Fitters	8.75	.30	.40		.05	

Welders - receive rate for craft performing operation to which welding is incidental.

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C- Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day;

FOOTNOTES:

a. 8 paid holidays, A through F, plus Washington's Birthday, Good Friday and Christmas Eve, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regularly scheduled work days immediately preceding and following the holiday.

LABORERS: BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP A					
Building & Construction Laborers, scaffold builders other than for mason or plasterers, ironworkers' helpers, mechanic helpers, mechanic tenders, window washers & cleaners, roofers' helpers, railroad laborer, masonary wall washers (interior & exterior), cement finishers helper, carpenter helper, all portable water pumps with discharge up to 3", mason tenders	$6.10	.35	.30		.07
GROUP B					
Waterproofing, handling of cresote lumber on like treated material (excluding railroad material), asphalt rakers & lutemen, kettlemen, air tool operators, vibrators, chipping hammer operator, jackmen & sheeting men working in ditches deeper than 6', laborers working in ditches 6' in depth or deeper, assembly of unicrete pump, chain saw operators, tile layers (sewer or field), sewer pipe layers (metallic & non-metallic) motor-driven wheelbarrows & concrete buggies, hyster opera-pump crete assemblers, conveyor assemblers, core drill operators, cement, lime, or silica clay handlers (bulk or bag), pneumatic spikers, deck, engine & winch operator, water main & cable ducking (metallic & non-metallic)	6.30	.35	.30		.07
GROUP C					
Plaster tenders, Mortar Mixers, Welders (acetylene or electric), cutting torch or burner, cement nozzle laborers, cement gun operator, scaffold builders when working for plasterer or masons, mason tenders	6.40	.35	.30		.07
GROUP D					
Dynamite Men	7.10	.35	.30		.07

POWER EQUIOMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP A						
A-frame winch truck, air compressor over 6000 cu. ft. air tugger, auto-grade (CMI), auto patrol backhoe, ballast regulator (RR), batcher plant (electric control concrete), bending machine (pipe), bituminous plant, mituminous mixer travel plant, bituminous powe roller, bulldozer, cable way, Chicago boom, clamshell, concrete mixer (21 cu. ft. or voer), crane, craneman, crusher plant, derrich boat, dinkey, dope pots (pipeline), dragline, dredge operator, drill operator, elevating grader, elevating grader , elevator, Ford hoe (or similar type equipment), forklift formless paver, gantry cranem gradeall greademan, grout gro ut pump, Hetherington paver, highlift, hoist, hopto. hough loader (or similar type), hydro crane, hydro hammer, locomotive, crane, locomotive, mechanic mobile mixer, motor crane, motor crane oiler and one (1)piece of minor equipment, mucking machine, multiple tamping machine (RR), overhead crane, pile, driver, pulls, push dozer push boats, roller (sheep foot), Ross carrier, scoop shovel, side boom, swing crane, tial boom, tar machine, (pipeline), throttle valve, trnch machine, welder pump, truck mounted drill 2 to 4 pieces of minor equipment, well point, whirleys	$8.79	.25	.25			
GROUP B						
Air compressor (200 cu. ft. per. min. capacity or more brakeman, bull float, concrete mixer (over 10S & under 21S), concrete spreader or puddler, deck engine drill helper, electric vibrator Kompactor (earth or rock), finishing machine, fireman, greaser (on grease facilities servicing heavy equipment), material pump motor boats, motor crane oiler, oiler and one piece of minor equipment, portable loader, post hole digger, power broom						

BUILDING CONSTRUCTION CONT'D	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Rock roller, roller-wobble wheel (earth and rock), spike machine (RR), seaman tiller, spreader rock, sub grader, tamping machine, turck mounted drill oiler, welding machine widener (Apsco or similar type)	7.91	.25	.25			
GROUP C						
Air compressor (under 200 cu. ft. per min.), bituminous distributor, cement saw, conveyor, desk hand, earth roller form grader, generator, guard rail driver, heater, oiler, paving joint machine, steam Jenny, vibrator, water pump	7.30	.25	.25			

INDIANA - LINE CONSTRUCTION-AREA I

LINE CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Linemen	$7.47	.35	1%		.25%	
Heavy Equipment Operator "A"	7.13	.35	1%		.25%	
Heavy Equipment Operator "B"	5.87	.35	1%		.25%	
Powderman	5.73	.35	1%		.25%	
Equipment mechanic	5.73	.35	1%		.25%	
Senior groundman truck driver with winch	4.91	.35	1%		.25%	
Groundman truck driver with winch	4.72	.35	1%		.25%	
Groundman truck driver without winch	4.13	.35	1%		.25%	
Senior groundman after 5 years	4.71	.35	1%		.25%	
Senior groundman after 12 months	4.58	.35	1%		.25%	
Groundman 0-12 months	3.88	.35	1%		.25%	

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TRUCK DRIVERS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP 1 Drivers on single axle, lowboy helper or flagman, drivers on air compressors & welding machines incl. those pulled by cars, pick-up trucks, tractors, fork-lifts, dumpsters	$6.20	a	b	c		
GROUP 2 Drivers on Mixer Trucks 2 Yards	6.25	a	b	c		
GROUP 3 Mechanic Helpers & Greasers	6.30	a	b	c		
GROUP 4 Drivers on Batch Trucks wet or dry 3 batches or under	6.35	a	b	c		
GROUP 5 Drivers on Tandem Axle Trucks(incl. Dog-Legs), Drivers on Oil Distributors Drivers on Mixer Trucks 3 Yards, Winch Trucks	6.40	a	b	c		
GROUP 6 Drivers on Single Axle, Semi-Trucks, Drivers on Batch Trucks Wet or Dry or Dry over 3 Batches, Drivers on Pavemen Breakers	6.45	a	b	c		
GROUP 7 Drivers on Tandem-Axle Semi-Trucks, Drivers on Trac-O-Trucks, Euclids, Tournapull when pulling other than self-loading equip. up to & including 10 yds, Drivers on Mixer Trucks 4 yds., Mechanics	6.55	a	b	c		
GROUP 8 Drivers On Tri-Axle Trucks	6.60	a	b	c		
GROUP 9 Drivers on Low-Boy, Drivers On Tandem, Tandem Axle Semi-Trucks	6.65	a	b	c		
GROUP 10 Drivers on Trac-O-Trucks, Euclids, Tournapulls when pulling other than self-loading Equip. 11 yds to & incl. 16 yds. Drivers on Mixer Trucks above 4 yds.	6.70	a	b	c		
GROUP 11 Drivers on Trac-O-Trucks, Euclids, Tournapull when pulling other than self-loading equip. over 16 yds, helicopter pilot	6.85	a	b	c		

FOOTNOTES:

a. 10.50 Per Week Per Employee
b. 10.00 Per Week Per Employee
c. 1 week paid vacation after 1 yr. service, 2 weeks after 3 yrs., & 3 weeks after 10 yrs.

SUPERSEDEAS DECISION

STATE: INDIANA
COUNTY: Delaware
DECISION NUMBER: AQ- 3129
DATE: DATE OF PUBLICATION
Supersedes Decision No. AP-652 dated May 18, 1973 in 38 FR 13177
DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories).

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos Workers	$9.00	.30	.20		.02	
Boilermakers	9.05	.50	.80		.01	
Bricklayers:						
Bricklayers & Stonemasons	7.75	.35	.10			
Marble Masons	7.75	.35	.10			
Tile Setters	7.50	.35	.10			
Cement Masons	7.45	.30				
Electricians	8.20	.25	1%+.30		.1%	
Elevator Constructors:						
Elevator Constructors	8.04	.345	.23	2%+a&b	.005	
Helpers	70%JR	.345	.23	2%+a&b	.005	
Helpers (Prob)	50%JR					
Glaziers	8.74					
Ironworkers:						
Northeastern 1/3 of County	8.80	.50	.75		.01	
Southern 2/3 of County	8.75	.55	.55		.05	
Lathers	7.75		.25		.01	
Leadburners	8.75	.30		c	.01	
Painters:						
Brush	7.25		.40			
Spray	8.00		.40			
Plasterers	7.20	.40			.01	
Plumbers	8.23	.30	.35		.05	
Roofers	6.75	.25	.10			
Sheet Metal Workers	8.53	.40	.40		.02	
Sprinkler Fitters	8.75	.30	.40		.05	
Steamfitters	8.23	.30	.35		.05	

Welders - receive rate prescribed for craft performing operation to which welding is incidental.

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day;

FOOTNOTES:

a. Holidays: A through F

b. Employer contributes 4% of regular hourly rate to vacation pay credit for employee who has worked in business more than 5 years. Employer contributes 2% of regular hourly rate to vacation pay credit for employee who has worked in business less than 5 years.

c. Holidays: A through F plus Washington;s Birthday, Good Friday and Christmas Eve, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regularly scheduled work days immediately preceding and following the holiday.

INDIANA - LINE CONSTRUCTION-AREA I

LINE CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Linemen	$7.47	.35	1%		.25%	
Heavy Equipment Operator "A"	7.13	.35	1%		.25%	
Heavy Equipment Operator "B"	5.87	.35	1%		.25%	
Powderman	5.73	.35	1%		.25%	
Equipment mechanic	5.73	.35	1%		.25%	
Senior groundman truck driver with winch	4.91	.35	1%		.25%	
Groundman truck driver with winch	4.72	.35	1%		.25%	
Groundman truck driver without winch	4.13	.35	1%		.25%	
Senior groundman after 5 years	4.71	.35	1%		.25%	
Senior groundman after 12 months	4.58	.35	1%		.25%	
Groundman 0-12 months	3.88	.35	1%		.25%	

LABORERS: BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP A					
Building & Construction Laborers, scaffold builders other than for mason or plasterers, ironworkers' helpers, mechanic helpers, mechanic tenders, window washers & cleaners, roofers' helpers, railroad laborer, masonary wall washers (interior & exterior), cement finishers helper, carpenter helper, all portable water pumps with discharge up to 3", mason tenders	$5.95	.35	.30		.07
GROUP B					
Waterproofing, handling of cresote lumber on like treated material (excluding railroad material), asphalt rakers & lutemen, kettlemen, air tool operators, vibrators, chipping hammer operator, jackmen & sheeting men working in ditches deeper than 6', laborers working in ditches 6' in depth or deeper, assembly of unicrete pump, chain saw operators, tile layers (sewer or field), sewer pipe layers (metallic & non-metallic) motor-driven wheelbarrows & concrete buggies, hyster opera-pump crete assemblers, conveyor assemblers, core drill operators, cement, lime, or silica clay handlers (bulk or bag), pneumatic spikers, deck, engine & winch operator, water main & cable ducking (metallic & non-metallic)	6.15	.35	.30		.07
GROUP C					
Plaster tenders, Mortar Mixers, Welders (acetylene or electric), cutting torch or burner, cement nozzle laborers, cement gun operator, scaffold builders when working for plasterer or mason tenders	6.25	.35	.30		.07
GROUP D					
Dynamite Men	6.95	.35	.30		.07

POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP 1						
Air compressor(pressurizing shafts, tunnels & divers, Air Tugger, Auto Patrol, Backfiller, Backhoe, Boom Cat, Boring Machine, Bulldozer, Caisson Drilling Machine, Cherry Picker, Compactor(w/dozer blade) Concrete Plant, Concrete Pump, Crane w/all attachments, Crane-Electric Overhead, Derrick, Ditching Machine (18" and over) Dredge, Elevators(when hoisting material or tool) Forklift (machinery) Formless Paver, Generator (power for welders or compressors) Gradall, Helicopter, Helicopter Winch Operator, Highlift-Front End Loader, Hoist, Locomotive, Mechanic on Job Site, Mucking Machine, Panel Board Concrete Plant, Piledriver, Push Cat, Scoop & Tractor, Scraper-Rubber Tired, Spreader-Tractor mounted, Straddle Carrier-Ross Type, Sub Base Finish, Machine(C.M.I. or similar Tower Crane, Tractor w/backhoe(over ½ yard) Welder	$8.40	.30	.30		.05	
GROUP 2						
A-Frame truck, Batcher Plant(automatic dry batch) Bending Machine-Power driven, Bituminous Mixer, Bituminous Paver, Bituminous Plant Engineer, Boatman, Bullfloat, Compactor or Tamper-Self Propelled, Concrete Mixer(21 cu. ft or over) Concrete Spreader-power driven, Dinkey Engine, Ditching Machine(less than 18") Drilling Machine, Finish Machine & Bullfloat, Finishing Machine, Fireman, Piledriving & Boilers, Forklift-Masonry & Material Gunnite Machine, Head Greaser, Mechanic in Shop, Mesh Depresser-Mesh Placer, P.C.C.-Concrete Belt Placer, Roller-Asphalt Stone & Sub Base, Sheep stone Roller Self-Propelled, Shop Mule						

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Spreader or Base Paver-Self Propelled, Subgrader, Throttle Valve w/Air Compressor or Boiler, Tractor w/Backhoe (½ yard & under) Tractor-High lift-Farm-Type, Tractor-Industrial Type, Tractor w/winch, Well Points, Winch truck	7.60	.30	.30		.05	
GROUP 3						
Air Compressor(210 cu. ft. & over), Bituminous Distributor, Chair Cart, Concrete Curing Machine, Concrete Saw, Dope Pot-Power Agitated, Flexplane, Form Grader, Hydrohammer, Jacks-Hydraulic-Power Driven, Minor Equip. Op. Paving Joint Machine, Post Hole Digger Roller-Earth, Throttle Valve, Track Jack-Power Driven, Tractor-Farm Type, Truck Crane Driver	7.00	.30	.30		.05	
GROUP 4						
Air Compressor(less than 210 cu. ft.) Concrete Mixer(under 21 cu. ft.) Conveyor, Generator, Mechanical Heater, Oiler, Power Broom, Pump, Welding Machine, Helpers	6.40	.30	.30		.05	

TRUCK DRIVERS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP 1 Drivers on single axle, lowboy helper or flagman, drivers on air compressors & welding machines incl. those pulled by cars, pick-up trucks, tractors, fork-lifts, dumpsters	$6.20	a	b	c		
GROUP 2 Drivers on Mixer Trucks 2 Yards	6.25	a	b	c		
GROUP 3 Mechanic Helpers & Greasers	6.30	a	b	c		
GROUP 4 Drivers on Batch Trucks wet or dry 3 batches or under	6.35	a	b	c		
GROUP 5 Drivers on Tandem Axle Trucks(incl. Dog-Legs), Drivers on Oil Distributors Drivers on Mixer Trucks 3 Yards, Winch Trucks	6.40	a	b	c		
GROUP 6 Drivers on Single Axle, Semi-Trucks, Drivers on Batch Trucks Wet or Dry or Dry over 3 Batches, Drivers on Pavemen Breakers	6.45	a	b	c		
GROUP 7 Drivers on Tandem-Axle Semi-Trucks, Drivers on Trac-O-Trucks, Euclids, Tournapull when pulling other than self-loading equip. up to & including 10 yds, Drivers on Mixer Trucks 4 yds., Mechanics	6.55	a	b	c		
GROUP 8 Drivers On Tri-Axle Trucks	6.60	a	b	c		
GROUP 9 Drivers on Low-Boy, Drivers On Tandem, Tandem Axle Semi-Trucks	6.65	a	b	c		
GROUP 10 Drivers on Trac-O-Trucks, Euclids, Tournapulls when pulling other than self-loading Equip. 11 yds to & incl. 16 yds. Drivers on Mixer Trucks above 4 yds.	6.70	a	b	c		
GROUP 11 Drivers on Trac-O-Trucks, Euclids, Tournapull when pulling other than self-loading equip. over 16 yds, helicopter pilot	6.85	a	b	c		

FOOTNOTES:
a. 10.50 Per Week Per Employee
b. 10.00 Per Week Per Employee
c. 1 week paid vacation after 1 yr. service, 2 weeks after 3 yrs., & 3 weeks after 10 yrs.

SUPERSEDEAS DECISION

STATE: INDIANA
DECISION NUMBER: AQ-3130
COUNTY: Grant
DATE: DATE OF PUBLICATION
Supersedes Decision No. AP-653 dated May 18, 1973 in 38 FR 13180
DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories).

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos Workers	$9.15	.35	.55			
Boilermakers	9.05	.50	.80		.01	
Bricklayers:						
Bricklayers & Stonemasons	7.70	.35	.30			
Marble Masons	7.70	.35	.30			
Tile Setters & Terrazzo Workers	7.70	.35	.30			
Carpenters:						
Carpenters & Soft Floor Layers	7.73	.35	.45		.05	
Piledrivermen	7.93	.35	.45		.05	
Millwrights	7.98	.35	.45		.05	
Cement Masons	7.45	.30				
Electricians	8.00	.25	1%+.30		.2%	
Elevator Constructors:						
Elevator Constructors	8.04	.395	.26	2%+a&b	.005	
Elevator Constructors' Helpers	70%JR	.395	.26	2%+a&b	.005	
Helpers (Prob)	50%JR					
Glaziers	8.74					
Ironworkers	8.80	.50	.75		.01	
Lathers	7.75		.25			
Leadburners	8.75	.30		c	.01	
Painters:						
Brush & Roller	6.76	.32	.25		.05	
Spray & Sandblasting	7.76	.32	.25		.05	
Plasterers	7.00	.40			.01	
Plumbers & Steamfitters	8.01	.30	.30		.04	
Roofers	4.55		.10			
Sheet Metal Workers	8.34	.30	.25			
Sprinkler Fitters	8.75	.30	.40		.05	

Welders - receive rate prescribed for craft performing operation to which welding is incidental.

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Holidays: A through F.

b. Employer contributes 4% of regular hourly rate to Vacation Pay Credit for employee who has worked in business more than 5 years. Employer contributes 2% of regular hourly rate to Vacation Pay Credit for employee who has worked in business less than 5 years.

c. Holidays: A through F plus Washington's Birthday, Good Friday and Christmas Eve, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regularly scheduled work days immediately preceding and following the holiday.

INDIANA - LINE CONSTRUCTION-AREA 1

LINE CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Linemen	$7.47	.35	1%		.25%	
Heavy Equipment Operator "A"	7.13	.35	1%		.25%	
Heavy Equipment Operator "B"	5.87	.35	1%		.25%	
Powderman	5.73	.35	1%		.25%	
Equipment mechanic	5.73	.35	1%		.25%	
Senior groundman truck driver with winch	4.91	.35	1%		.25%	
Groundman truck driver with winch	4.72	.35	1%		.25%	
Groundman truck driver without winch	4.13	.35	1%		.25%	
Senior groundman after 5 years	4.71	.35	1%		.25%	
Senior groundman after 12 months	4.58	.35	1%		.25%	
Groundman 0-12 months	3.88	.35	1%		.25%	

LABORERS: BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP A					
Building & Construction Laborers, scaffold builders other than for mason or plasterers, ironworkers' helpers, mechanic helpers, mechanic tenders, window washers & cleaners, roofers' helpers, railroad laborer, masonary wall washers (interior & exterior), cement finishers helper, carpenter helper, all portable water pumps with discharge up to 3", mason tenders	$5.95	.35	.30		.07
GROUP B					
Waterproofing, handling of cresote lumber on like treated material (excluding railroad material), asphalt rakers & lutemen, kettlemen, air tool operators, vibrators, chipping hammer operator, jackmen & sheeting men working in ditches deeper than 6', laborers working in ditches 6' in depth or deeper, assembly of unicrete pump, chain saw operators, tile layers (sewer or field), sewer pipe layers (metallic & non-metallic) motor-driven wheelbarrows & concrete buggies, hyster opera-pump crete assemblers, conveyor assemblers, core drill operators, cement, lime, or silica clay handlers (bulk or bag), pneumatic spikers, deck, engine & winch operator, water main & cable ducking (metallic & non-metallic)	6.15	.35	.30		.07
GROUP C					
Plaster tenders, Mortar Mixers, Welders (acetylene or electric), cutting torch or burner, cement nozzle laborers, cement gun operator, scaffold builders when working for plasterer or mason tenders	6.25	.35	.30		.07
GROUP D					
Dynamite Men	6.95	.35	.30		.07

POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP 1						
Air compressor(pressurizing shafts, tunnels & divers, Air Tugger, Auto Patrol, Backfiller, Backhoe, Boom Cat, Boring Machine, Bulldozer, Caisson Drilling Machine, Cherry Picker, Compactor(w/dozer blade) Concrete Plant, Concrete Pump, Crane w/all attachments, Crane-Electric Overhead, Derrick, Ditching Machine (18" and over) Dredge, Elevators(when hoisting material or tool) Forklift (machinery) Formless Paver, Generator (power for welders or compressors) Gradall, Helicopter, Helicopter Winch Operator, Highlift-Front End Loader, Hoist, Locomotive, Mechanic on Job Site, Mucking Machine, Panel Board Concrete Plant, Piledriver, Push Cat, Scoop & Tractor, Scraper-Rubber Tired, Spreader-Tractor mounted, Straddle Carrier-Ross Type, Sub Base Finish, Machine(C.M.I. or similar Tower Crane, Tractor w/backhoe(over ½ yard) Welder	$3.40	.30	.30		.05	
GROUP 2						
A-Frame truck, Batcher Plant(automatic dry batch) Bending Machine-Power driven, Bituminous Mixer, Bituminous Paver, Bituminous Plant Engineer, Boatman, Bullfloat, Compactor or Tamper-Self Propelled, Concrete Mixer(21 cu. ft or over) Concrete Spreader-power driven, Dinkey Engine, Ditching Machine(less than 18") Drilling Machine, Finish Machine & Bullfloat, Finishing Machine, Fireman, Piledriving & Boilers, Forklift-Masonry & Material Gunnite Machine, Head Greaser, Mechanic in Shop, Mesh Depresser-Mesh Placer, P.C.C.-Concrete Belt Placer, Roller-Asphalt Stone & Sub Base, Sheepstone Roller Self-Propelled, Shop Mule						

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Spreader or Base Paver-Self Propelled, Subgrader, Throttle Valve w/Air Compressor or Boiler, Tractor w/Backhoe (½ yard & under) Tractor-High lift-Farm-Type, Tractor-Industrial Type, Tractor w/winch, Well Points, Winch truck	7.60	.30	.30		.05
GROUP 3					
Air Compressor(210 cu. ft. & over), Bituminous Distributor, Chair Cart, Concrete Curing Machine, Concrete Saw, Dope Pot-Power Agitated, Flexplane, Form Grader, Hydrohammer, Jacks-Hydraulic-Power Driven, Minor Equip. Op, Paving Joint Machine, Post Hole Digger Roller-Earth, Throttle Valve, Track Jack-Power Driven, Tractor-Farm Type, Truck Crane Driver	7.00	.30	.30		.05
GROUP 4					
Air Compressor(less than 210 cu. ft.) Concrete Mixer(under 21 cu. ft.) Conveyor, Generator, Mechanical Heater, Oiler, Power Broom, Pump, Welding Machine, Helpers	6.40	.30	.30		.05

TRUCK DRIVERS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP 1						
Drivers on single axle, lowboy helper or flagman, drivers on air compressors & welding machines incl. those pulled by cars, pick-up trucks, tractors, fork-lifts, dumpsters	$6.20	a	b	c		
GROUP 2						
Drivers on Mixer Trucks 2 Yards	6.25	a	b	c		
GROUP 3						
Mechanic Helpers & Greasers	6.30	a	b	c		
GROUP 4						
Drivers on Batch Trucks wet or dry 3 batches or under	6.35	a	b	c		
GROUP 5						
Drivers on Tandem Axle Trucks(incl. Dog-Legs), Drivers on Oil Distributors Drivers on Mixer Trucks 3 Yards, Winch Trucks	6.40	a	b	c		
GROUP 6						
Drivers on Single Axle, Semi-Trucks, Drivers on Batch Trucks Wet or Dry or Dry over 3 Batches, Drivers on Pavemen Breakers	6.45	a	b	c		
GROUP 7						
Drivers on Tandem-Axle Semi-Trucks, Drivers on Trac-O-Trucks, Euclids, Tournapull when pulling other than self-loading equip. up to & including 10 yds, Drivers on Mixer Trucks 4 yds., Mechanics	6.55	a	b	c		
GROUP 8						
Drivers On Tri-Axle Trucks	6.60	a	b	c		
GROUP 9						
Drivers on Low-Boy, Drivers On Tandem, Tandem Axle Semi-Trucks	6.65	a	b	c		
GROUP 10						
Drivers on Trac-O-Trucks, Euclids, Tournapulls when pulling other than self-loading Equip. 11 yds to & incl. 16 yds. Drivers on Mixer Trucks above 4 yds.	6.70	a	b	c		
GROUP 11						
Drivers on Trac-O-Trucks, Euclids, Tournapull when pulling other than self-loading equip. over 16 yds, helicopter pilot	6.85	a	b	c		

FOOTNOTES:
a. 10.50 Per Week Per Employee
b. 10.00 Per Week Per Employee
c. 1 week paid vacation after 1 yr. service, 2 weeks after 3 yrs., & 3 weeks after 10 yrs.

SUPERSEDEAS DECISION

STATE: INDIANA
COUNTY: Lake
DECISION NUMBER: AQ-3131
DATE: DATE OF PUBLICATION
Supersedes Decision No. AP-654 dated May 18, 1973 in 38 FR 13182
DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction.

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos Workers	$9.35	.58	.67		.05	
Boilermakers	9.05	.50	.80		.01	
Bricklayers:						
Bricklayers & Stonemasons	9.15	.35	.55	.50	.01	
Marble Setters	9.15	.35	.55	.50	.01	
Tile Setters & Terrazzo Workers	8.60	.35	.55	.50	.01	
Carpenters (Bldg., Heavy & Highway)						
Carpenters & Soft Floor Layers	9.20	.50	.57		.05	
Millwrights & Piledrivermen	9.20	.50	.57		.05	
Cement Masons:						
Building:						
Hammond Area	9.02	.60	.55		.01	
Remainder of County	8.92	.60	.65		.01	
Highway, Bridge & Airport						
Hammond Area	7.95	.55	.60		.01	
Remainder of County	8.20	.50	.40		.01	
Electricians	9.15	5%	17%+4.3%		.7%	
Elevator Constructors:						
Elevator Constructors	7.64	.17	.185	2%+a&b	.005	
Helpers	70%JR	.17	.185	2%+a&b	.005	
Helpers (Prob.)	50%JR					
Glaziers (Except Hammond)	7.80	.25	.25	.25		
Ironworkers	9.90	.50	.60		.05	
Lathers	8.25		.35	.50		
Leadburners	8.75	.30		c	.01	
Painters:						
Hammond Area						
Commercial:						
Brush	7.60	.32	.35		.02	
Paperhangers	7.85	.32	.35		.02	
Spray & Sandblasting	8.35	.32	.35		.02	
Industrial:						
Brush	8.35	.32	.35		.02	
Spray & Sandblasting	9.10	.32	.35		.02	
Remainder of County						
Commercial:						
Brush	7.75	.37	.25		.02	
Spray & Sandblasting	8.50	.37	.25		.02	
Industrial:						
Brush	8.65	.37	.25		.02	
Spray	9.40	.37	.25		.02	
Pipefitters	$7.65	.27	.30		.02	
Plasterers:						
Hammond Area	7.15	.40	.25			
Remainder of County	7.55	.25				
Plumbers:						
Hammond Area	9.52	.50	.50		.02	
Remainder of County	9.52	.50	.50		.02	
Roofers	9.55	.30	.35			
Sheet Metal Workers	9.07	.48	.52		.08	
Sprinkler Fitters:						
Within 30 Mile Radius of Chicago City Hall	9.50	.45	.60		.12	
Remainder of County	8.75	.30	.40		.05	
Truck Drivers:(Bldg., Hvy., & Highway)						
2 - 3 Axles Trucks	6.50	d14.00	d14.00	.25		
4-Axle Trucks	6.70	d14.00	d14.00	.25		
5-Axle Trucks	6.90	d14.00	d14.00	.25		
6-Axle Trucks	7.10	d14.00	d14.00	.25		
Welders - receive rate prescribed for craft performing operation to which welding is incidental.						

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Holidays: A through F.

b. Employer contributes 4% of regular hourly rate to vacation pay credit for employee who has worked in business more than 5 years. Employer contributes 2% of regular hourly rate to vacation pay credit for employee who has worked in the business less than 5 years.

c. Holidays: A through F plus Washington's Birthday, Good Friday & Christmas Eve providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday.

d. Per Week Per Employee.

LINE CONSTRUCTION:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
NORTH INDIANA EXCLUSIVE OF CALUMET AREA						
Linemen	$7.38	.35	1%		.25%	
Heavy Equipment Operators:						
Class "A"	6.79	.35	1%		.25%	
Class "B"	5.95	.35	1%		.25%	
Senior Ground Truck Driver With Winch	5.00	.35	1%		.25%	
Ground Truck Driver:						
With Winch	4.69	.35	1%		.25%	
Without Winch	4.14	.35	1%		.25%	
Groundmen:						
0 to 12 Months	3.86	.35	1%		.25%	
After 12 Months	4.59	.35	1%		.25%	
CALUMET AREA						
Linemen	$7.68	.35	1%		.25%	
Heavy Equipment Operators:						
Class "A"	6.86	.35	1%		.25%	
Class "B"	6.01	.35	1%		.25%	
Senior Ground Truck Driver With Winch	5.11	.35	1%		.25%	
Ground Truck Driver:						
With Winch	4.76	.35	1%		.25%	
Without Winch	4.21	.35	1%		.25%	
Groundmen:						
0 to 12 Months	3.96	.35	1%		.25%	
After 12 Months	4.71	.35	1%		.25%	

LABORERS: BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP A						
Building & Construction Laborers, scaffold builders other than for mason or plasterers, ironworkers' helpers, mechanic helpers, mechanic tenders, window washers & cleaners, roofers' helpers, railroad laborer, masonary wall washers (interior & exterior), cement finishers helper, carpenter helper, all portable water pumps with discharge up to 3", mason tenders	$6.85	.35	.35		.07	
GROUP B						
Waterproofing, handling of cresote lumber on like treated material (excluding railroad material), asphalt rakers & lutemen, kettlemen, air tool operators, vibrators, chipping hammer operator, jackmen & sheeting men working in ditches deeper than 6', laborers working in ditches 6' in depth or deeper, assembly of unicrete pump, chain saw operators, tile layers (sewer or field), sewer pipe layers (metallic & non-metallic) motor-driven wheelbarrows & concrete buggies, hyster opera-pump crete assemblers, conveyor assemblers, core drill operators, cement, lime, or silica clay handlers (bulk or bag), pneumatic spikers, deck, engine & winch operator, water main & cable ducking (metallic & non-metallic)	7.05	.35	.35		.07	
GROUP C						
Plaster tenders, Mortar Mixers, Welders (acetylene or electric), cutting torch or burner, cement nozzle laborers, cement gun operator, scaffold builders when working for plasterer or mason tenders	7.15	.35	.35		.07	
GROUP D						
Dynamite Men	7.85	.35	.35		.07	

INDIANA-3-LAB I

LABORERS

HEAVY AND HIGHWAY CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Class I						
Laborers, unskilled	$5.70	.18	.25		.07	
Class II						
Asphalt lutemen, asphalt raker men, batch truck dumpers, cement handlers (bulk or bag), concrete puddlers, dynamite and powdermen, hand blade operator, power tools and power equipment, side rail setters (for sidewalks side ditches, Radii and pavements), spreader box tenders, tile layers, transverse and longitudinal hand bull float men, wagon drill operator, chain saws, concrete rubbers, concrete saws (manually operated)	5.85	.18	.25		.07	
Class III						
Dynamite and Powdermen	6.05	.18	.25		.07	

INDIANA-7-LAB T&S E

TUNNEL AND SEWER CONSTRUCTION: HAMMOND AND VICINITY

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHER
Laborers: (Sewer & Tunnel)						
Top laborers, sheeting & form men, well point system men, bottom men, bricklayer tender, pipelayer (sewer), catch basin diggers, mortar men, cement carriers, rodmen & chainmen, toolhousemen & waterboys	$5.325	.13	.25		.02	
Air tool operators, jackhammer, chain saw, tampers, vibrator & core drill opers.	5.40	.13	.25		.02	

TUNNEL AND SEWER CONSTRUCTION
REMAINDER OF THE COUNTY

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Laborers:						
Sewer:						
Top laborers	$5.20	.13	.25		.02	
Sheeting and form men	5.35	.13	.25		.02	
Well point system man	5.35	.13	.25		.02	
Jackhammer, air tool & vibrator op.	5.40	.13	.25		.02	
Bottom man	5.35	.13	.25		.02	
Bricklayer tender	5.35	.13	.25		.02	
Pipe layers (sewer)	5.45	.13	.25		.02	
Catch basin diggers	5.35	.13	.25		.02	
Mortar men	5.35	.13	.25		.02	
Cement carriers	5.35	.13	.25		.02	
Cement mixers	5.35	.13	.25		.02	
Scaffold men	5.35	.13	.25		.02	
Burners	5.35	.13	.25		.02	
Rodmen and Chainmen	5.20	.13	.25		.02	
Toolhousemen and waterboys	5.20	.13	.25		.02	
Common laborers on trenches below 5 ft. in depth from normal ground level	5.35	.13	.25		.02	
All other common laborers	5.20	.13	.25		.02	
Compressed Air:						
Jackhammermen	5.625	.13	.25		.02	
Air hoist operators	5.575	.13	.25		.02	
Bricklayers tenders	5.575	.13	.25		.02	
Cement (Invert) labor	5.575	.13	.25		.02	
Dynamiters	5.575	.13	.25		.02	
Drillers for blasting	5.575	.13	.25		.02	
Concrete blower operators	5.575	.13	.25		.02	
Lock tenders	5.575	.13	.25		.02	
Miners	5.575	.13	.25		.02	
Power knife operators	5.575	.13	.25		.02	
Key board operators	5.575	.13	.25		.02	
Erector operators	5.575	.13	.25		.02	
Pebble placer operators	5.45	.13	.25		.02	
Mortar men	5.45	.13	.25		.02	
Muckers	5.45	.13	.25		.02	
Signal Men	5.375	.13	.25		.02	
Car Pushers	5.35	.13	.25		.02	
Concrete laborers	5.35	.13	.25		.02	
Grout Machine operators	5.25	.13	.25		.02	
Grout laborers	5.35	.13	.25		.02	
Steel setters	5.35	.13	.25		.02	
Cage tenders	5.25	.13	.25		.02	
Skinners	5.25	.13	.25		.02	
Switchmen	5.25	.13	.25		.02	
Track layers	5.25	.13	.25		.02	
Dump men	5.225	.13	.25		.02	
Top laborers	5.225	.13	.25		.02	

BUILDING, SEWER & TUNNEL CONST.

POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP I						
Mechanic (with truck $1.00 per hour more asphalt plant, autograde, batch plant, benoto (requires two engineers) boiler & throttle valve, caisson figs, central redi-mix plant combination tugger hoist & air compressors, compressor, & throttle, concrete breaker (truck mounted), concrete conveyor, concrete paver over 27E cu. ft. concrete paver 27E cu. ft. and under, concrete tower, cranes all, cranes, tower, derricks, all derricks, traveling, forklift - lull type, forklift - 10 ton and voer, hoists, one,two and three, drum hoists, two tugger one floor, hydraulic boom truck, locomotives, all, piledrivers and skid rig, pit machines, pre-stress machine pump cretes and similar types, rock drill (self-propelled), rock drill (truck mounted), slip form paver, straddle buggies, tractor with boom and side boom, trenching machine, winch tractor	$9.50	.50	.50		.05	
GROUP II						
Asphalt spreader, boilers, bulldozers, combination back hoe fron endloader, engineer acting as conductor in charge of crew, grader, elevating, greaser engineer, grouting machines, highlift shovels or fron endloader, loists, automatic, corboy drilling machines, hoists, all elevators, hoists, tugger single drum, motor patrol, post hole digger, rollers, all, scoops - tractor drawn stone crushers, tournapull, winch trucks	9.00	.50	.50		.05	
GROUP III						
Concrete mixer (two bags and over), conveyor, portable, steam generators, tractors, farm & similar type, air compressor, forlift trucks, generators, pumps (1 to 3 not to exceed a total of 300 ft.), pumps, well points, welding machines (2 through 5), winches, 4 snall electric drill winches.	7.60	.50	.50		.05	
GROUP IV						
Heaters, mechanical, oilers, switchmen	6.65	.50	.50		.05	

POWER EQUIPMENT OPERATORS HEAVY & HIGHWAY CONST.	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
CLASS I						
Auto patrol, automatic dry batch plant, backhoe. ½ yd. & over, ballast regulator (R. R.), concrete mixer, 27 cu. ft., or over, concrete pump, core drilling machine, crane or derrick, dredge engineer, dredge operator, euclid loader, gradall, highlift, shovel - 3 yds. and over, hoist - two & three drums, locomotive operator, mechanic, mucking machine, panelboard concrete plant (central mix type), paver hetherington, pile driver, road paving mixer ross carrier, throttle valve & compressor on Clever Brooks type combination, throttle valve & firemen conb. on horizontal or upright boiler, tournapull or similar type equipment, tractorboom trench machine, tug boat operator, winch truck with "A"-frame	$8.85	.40	.50		.04	
CLASS II						
Backhoe-tractor mounted (less than ½ yd.) bitum.mixer, bitum, paver bitum. plant eng., bulldozer, concrete mixer (less than 27 cu. ft.) elevating, grader, elevating loader, portable greaser, highlife shovel under 3yds., jersey spreader or base paver, mechanic, pull grader, power control, asphalt roller, waterbound macadam, bitum. macadam, brick surface heater & planer, tamper-muitiple vibrating asphalt water bound macadam, bitum. macadam, brick surface, tractorpush, tractor with scoop, widener apsco or similar type	8.55	.40	.50		.04	
CLASS III						
Assistant plant engineer, back filler, broom & belt machine, concrete finishing machine, concrete spreader - power driven, post hole digger-power driven finishing machine and bull float, form tamper - motor driven, hoist-one drum, multiple tamping machine, paving breaker, roller-earth & subbase material, sheepfoot roller (self-propelled), subgrader, tamper-multiple vibrating-						

POWER EQUIPMENT OPERATORS (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
earth & subbase material, tractaire, tractaire with drill, tractor, with all attachments except backhoe & incl. highlift endloaders of 1 cu. yd. capacity and less, bituminous distributor	8.10	.40	.50		.04	
CLASS IV Air compressors, all conveyors, fireman on boiler, generator, assistant mechanic power curing spraying machine, pull broom (power propelled), seaman tiller, spike machine, striping machine, paint-motor driven, throttle, valve, welding machine, well point system	7.10	.40	.50		.04	
CLASS V Oiler, deck hand, mechanical heater (1 to 3), outboard or inboard motor boat, concrete power saw (powerdriven), water pump, grasscutters, helper on C.M.I. & similar type machine, hetherington assistant greaser	6.25	.40	.50		.04	

STATE: INDIANA
COUNTY: LaPorte
DECISION NUMBER: AQ-3132
DATE: DATE OF PUBLICATION
Supersedes Decision No. AP-655 dated May 18, 1973 in 38 FR 13188
DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction.

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos Workers'	$9.625	.30	.15			
Boilermakers	9.05	.50	.80		.01	
Bricklayers:						
Bricklayers & Stonemasons	9.07	.35	.35		.02	
Marble Setters	9.07	.35	.35		.02	
Tile Setters & Terrazzo Workers	9.07	.35	.35		.02	
Carpenters: (Bldg., Heavy & Highway)						
Carpenters & Soft Floor Layers	9.20	.50	.57		.05	
Millwrights & Piledrivermen	9.20	.50	.57		.05	
Cement Masons:						
Building	8.21	.45	.70		.03	
Highway, Bridge & Airport	7.63	.45	.70		.03	
Electricians	9.15	3½%	5½%		.2%	
Elevator Constructors:						
Elevator Constructors	8.23	.345	.23	2%+a&b	.005	
Helpers	70%JR	.345	.23	2%+a&b	.005	
Helpers (Prob.)	50%JR					
Glaziers	7.25	.35		4%	½%	
Ironworkers:						
Michigan City	9.90	.50	.60		.05	
Remainder of County	8.70	.55	.65		.01	
Lathers	8.52	.33	.25		.01	
Leadburners	8.75	.30		c	.01	
Painters: (Michigan City)						
Commercial & Industrial	6.85			.17		
Painters: (Remainder of County)						
Brush, Roller & Structural Steel	4.80					
Spray	6.05					
Plasterers	8.21	.45	.70		.03	
Plumbers & Steamfitters:						
Michigan City	9.52	.50	.50		.02	
Remainder of County	6.20	.20	.40			
Roofers:						
Composite, Damp & Waterproof	7.90		.30		.03	
Slate, Tile & Asbestos	8.05		.30		.03	
Helpers	4.75		.30		.03	
Sheet Metal Workers	9.07	.48	.52		.08	
Sprinkler Fitters	8.75	.30	.40		.05	
Truck Drivers:						
4-Wheel	$3.85	8.50+d	8.00+d			
6-Wheel	3.95	8.50+d	8.00+d			
Semi-Trucks	3.95	8.50+d	8.00+d			
Transit-Mix	4.00	8.50+d	8.00+d			
Euclids	4.35	8.50+d	8.00+d			
Winch	4.10	8.50+d	8.00+d			
Welders - receive rate prescribed for craft performing operation to which welding is incidental.						

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Holidays A through F.

b. Employer contributes 4% of regular hourly rate to vacation pay credit for employee who has worked in the business more than 5 years. Employer contributes 2% of regular hourly rate to vacation pay credit for employee who has worked in business less than 5 years.

c. Holidays; A through F plus Washington's Birthday, Good Friday & Christmas Eve providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday.

d. Per week Per Employee.

LABORERS: BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP A						
Building & Construction Laborers, scaffold builders other than for mason or plasterers, ironworkers' helpers, mechanic helpers, mechanic tenders, window washers & cleaners, roofers' helpers, railroad laborer, masonary wall washers (interior & exterior), cement finisher helper, carpenter helper, all portable water pumps with discharge up to 3 inches, mason tender	$6.65	.35	.35		.07	
GROUP B						
Waterproofing, handling of creosote lumber or like treated material (excluding railroad material), asphalt rakers & lutemen, kettlemen, air tool operators, jackmen & sheeting men working in ditches 6 feet in depth or deeper, assembly of unicrete pump, chain saw operators, tile layers (sewer or field), sewer pipe layers (metallic & non-metallic), motor driven wheelbarrows & concrete buggies, hyster operators, pumpcrete assembler, conveyor assemblers, core drill opr., cement, lime or silica clay handlers (bulk or bag), pneumatic spikers, deck engine & winch operator, water main & cable ducking (metallic & non-metallic)	6.85	.35	.35		.07	
GROUP C						
Plaster Tenders, Mortar Mixers, Welders (acetylene or electric), cutting torch or burner, cement nozzle laborers, cement gun operator, scaffold builders when working for plasterer or mason tenders	6.95	.35	.35		.07	
GROUP D						
Dynamite Men	7.65	.35	.35		.07	

LINE CONSTRUCTION:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
NORTH INDIANA EXCLUSIVE OF CALUMET AREA						
Linemen	$7.38	.35	1%		.25%	
Heavy Equipment Operators:						
Class "A"	6.79	.35	1%		.25%	
Class "B"	5.95	.35	1%		.25%	
Senior Ground Truck Driver With Winch	5.00	.35	1%		.25%	
Ground Truck Driver:						
With Winch	4.69	.35	1%		.25%	
Without Winch	4.14	.35	1%		.25%	
Groundmen:						
0 to 12 Months	3.86	.35	1%		.25%	
After 12 Months	4.39	.35	1%		.25%	
CALUMET AREA						
Linemen	$7.68	.35	1%		.25%	
Heavy Equipment Operators:						
Class "A"	6.86	.35	1%		.25%	
Class "B"	6.01	.35	1%		.25%	
Senior Ground Truck Driver With Winch	5.11	.35	1%		.25%	
Ground Truck Driver:						
With Winch	4.76	.35	1%		.25%	
Without Winch	4.21	.35	1%		.25%	
Groundmen:						
0 to 12 Months	3.96	.35	1%		.25%	
After 12 Months	4.71	.35	1%		.25%	

BLDG., SEWER & TUNNEL - LAPORTE CO. SOUTH OF RT. #12 & EAST OF FRANKLIN ST., MICHIGAN CITY — AQ-3132 P. 5 — INDIANA-10-PEO-BS&T

POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
CLASS I						
Mechanic (with truck $1.00 per hour more) asphalt plant, autograde, batch plant, bento (requires two engineers), boiler & throttle valve, caisson rigs, central redimix plant, combination tugger hoist & air compressor, compressor and throttle concrete breaker (truck mounted), concrete conveyor, concrete paver over 27E cu. ft., concrete paver 27E cu. ft. and under, concrete tower, cranes, all, cranes, tower, derricks, all, derricks, traveling, forklift-lull type, forklift - 10 ton and over hoists, one, two, and three drum, hoists, two tugger one floor hydraulic boom truck, locomotives, all, pile drivers and skid rig, pit machines, pre-stress machine, pump cretes and similar types, rock drill (self-propelled), rock drill (truck mounted), slip-form paver, straddle buggies, tractor with boom & side boom, trenching machine, winch tractors	$9.40	.50	.50		.05	
CLASS II						
Asphalt spreader, boiler, bulldozers, combination backhoe front endloader, engineer acting as conductor in charge of crew, grader, elevating, greaser engineer, grouting machines, highlift shovels or front endloader, hoists, automatic, cowboy drilling machines, hoists, all elevators, hoists, tugger single drum, motor patrol, post hole digger, rollers, all, scoops - tractor drawn, stone crushers, tournapull, winch trucks	8.90	.50	.50		.05	
CLASS III						
Concrete mixer (2 bag & over) conveyor, portable steam generators, tractors, farm & similar type, air compressor, forklift trucks, generators, pumps (1 to 3 not to exceed a total of 300 ft.) pumps, well points, welding machines (2 through 5), winches 4 small electric drill winches	7.50	.50	.50		.05	
CLASS IV						
Heaters, mechanical, oilers & switchmen	6.55	.50	.50		.05	

BLDG., SEWER & TUNNEL CONST. REMAINDER OF LAPORTE COUNTY — AQ-3132 P. 6 — INDIANA-3-PEO-BS&T

POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
GROUP I						
Mechanic (with truck $1.00 per hour more asphalt plant, autograde, batch plant, bencto (requires two engineers) boiler & throttle valve, caisson figs, central redi-mix plant combination tugger hoist & air compressors, compressor, & throttle, concrete breaker (truck mounted), concrete conveyor, concrete paver over 27E cu. ft. concrete paver 27E cu. ft. and under, concrete tower, cranes all, cranes, tower, derricks, all derricks, traveling, forklift - lull type, forklift - 10 ton and voer, hoists, one, two and three, drum hoists, two tugger one floor, hydraulic boom truck, locomotives, all, piledrivers and skid rig, pit machines, pre-stress machine pump cretes and similar types, rock drill (self-propelled), rock drill (truck mounted), slip form paver, straddle buggies, tractor with boom and side boom, trenching machine, winch tractor	$9.50	.50	.50		.05	
GROUP II						
Asphalt spreader, boilers, bulldozers, combination back hoe fron endloader engineer acting as conductor in charge of crew, grader, elevating, greaser engineer, grouting machines, highlift shovels or fron endloader, loists, automatic, corboy drilling machines, hoists, all elevators, hoists, tugger single drum, motor patrol, post hole digger, rollers, all, scoops - tractor drawn stone crushers, tournapull, winch trucks	9.00	.50	.50		.05	
GROUP III						
Concrete mixer (two bags and over), conveyor, portable, steam generators, tractors, farm & similar type, air compressor, forlift trucks, generators, pumps (1 to 3 not to exceed a total of 300 ft.), pumps, well points, welding machines (2 through 5), winches, 4 snall electric drill winches.	7.60	.50	.50		.05	
GROUP IV						
Heaters, mechanical, oilers, switchmen	6.65	.50	.50		.05	

HEAVY & HIGHWAY CONST.

AQ-3132 P. 7 INDIANA-4-PEO-2-3 1 of 2

POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
CLASS I						
Auto patrol, automatic dry batch plant, backhoe, ½ yd. & over, ballast regulator (R. R.), concrete mixer, 27 cu. ft., or over, concrete pump, core drilling machine, crane or derrick, dredge engineer, dredge operator, euclid loader, gradall, highlift, shovel - 3 yds. and over, hoist - two & three drums, locomotive operator, mechanic, mucking machine, panelboard concrete plant (central mix type), paver hetherington, pile driver, road paving mixer ross carrier, throttle valve & compressor on Clever Brooks type combination, throttle valve & firemen conb. on horizontal or upright boiler, tournapull or similar type equipment, tractorboom trench machine, tug boat operator, winch truck with "A"-frame	$8.85	.40	.50		.04	
CLASS II						
Backhoe-tractor mounted (less than ½ yd.) bitum.mixer, bitum, paver bitum. plant eng., bulldozer, concrete mixer (less than 27 cu. ft.) elevating, grader, elevating loader, portable greaser, highlife shovel under 3yds., jersey spreader or base paver, mechanic, pull grader, power control, asphalt roller, waterbound macadam, bitum. macadam, brick surface heater & planer, tamper-multiple vibrating asphalt water bound macadam, bitum. macadam, brick surface, tractorpush, tractor with scoop, widener apsco or similar type	8.55	.40	.50		.04	
CLASS III						
Assistant plant engineer, back filler, broom & belt machine, concrete finishing machine, concrete spreader - power driven, post hole digger-power driven finishing machine and bull float, form tamper - motor driven, hoist-one drum, multiple tamping machine, paving breaker, roller-earth & subbase material, sheepfoot roller (self-propelled), subgrader, tamper-multiple vibrating-						

AQ-3132 P. 8 INDIANA-4-PEO-2-3 2 of 2

POWER EQUIPMENT OPERATORS (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
earth & subbase material, tractaire, trectaire with drill, tractor, with all attachments except backhoe & incl. highlift endloaders of 1 cu. yd. capacity and less, bituminous distributor	8.10	.40	.50		.04	
CLASS IV						
Air compressors, all conveyors, fireman on boiler, generator, assistant mechanic power curing spraying machine, pull broom (power propelled), seaman tiller, spike machine, striping machine, paint-motor driven, throttle, valve, welding machine, well point system	7.10	.40	.50		.04	
CLASS V						
Oiler, deck hand, mechanical heater (1 to 5), outboard or inboard motor boat, concrete power saw (powerdriven), water pump, grasscutters, helper on C.M.I. & similar type machine, hetherington assistant greaser	6.25	.40	.50		.04	

Indiana-1-LAB-2-3- I

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
HEAVY & HIGHWAY CONSTRUCTION						
Class I						
Dynamite and powdermen	$5.45	.18	.25		.07	
Class II						
Asphalt lutemen, asphalt raker men, batch truck dumpers, cement handlers (bulk or bag cement), concrete puddlers, hand blade operator, power tools and power equipment side rail setters (for sidewalks, side ditches, radii and pavement), spreader box tenders, tile layers, transverse and longitudial hand bull float men, wagon drill operator, chain saws, concrete rubbers, concrete saws (manually operated)	5.25	.18	.25		.07	
Class III						
Common laborers, unskilled	5.10	.18	.25		.07	

INDIANA-12-TD-2-3 A 1 of 2

TRUCK DRIVERS HEAVY & HIGHWAY	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Ot
CLASS 1 Drivers of pick-up trucks, helpers, greasers, tire men, tending batch boards & warehousemen	$5.695	a12.50	a13.00			
CLASS 2 Drivers on single axle straight trucks, batch truck wet or dry 3(34E) batches or less	5.845	a12.50	a13.00			
CLASS 3 Drivers on single axle water trucks, bituminous distributors (2-man) single axle fuel trucks	5.895	a12.50	a13.00			
CLASS 4 Drivers on single axle "Dog Legs", tandem trucks, winch trucks or "A-Frame when used for transportation batch trucks (wet or dry) over 3(34E) batches	5.945	a12.50	a13.00			
Class 5 Drivers on liquid asphalt tankers, tandem axle fuel trucks, bituminous distributors, (1 man) tandem axle water trucks	5.995	a12.50	a13.00			
CLASS 6 Drivers on tandem trucks over 15 tons payload, single axle semi-trucks, farm tractors, hauling material, drivers on equipment when not self-loaded or pusher loaded such as Koehring or similar dumpsters, track trucks, euclid bottom dump & hug bottom dump, tournatrailers, tournarockers or similar equip. (12 cu. yds. & under), mixer trucks (all types), pulling tilt-top trailer (single axle), low-boys (single axle), truck mounted pavement breakers	6.045	a12.50	a13.00			

INDIANA-12-TD-2-3 2 of 2

TRUCK DRIVERS (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
CLASS 7 Drivers on tandem "Dog Legs" trucks, truck mechanics, builders, semi-water trucks, sprinkler trucks, heavy equip., type water wagon	$6.095	a12.50	a13.00			
CLASS 8 Drivers on tri-axle trucks, tandem axle semi-trucks, drivers on equip., when not self loaded or pusher loaded, such as Koehring or similar dumpsters, track trucks, euclid bottom dump & hug bottom dump, tournatrailers, tournarockers, or similar equipment (over 12 cu. yds., drivers on truck pulling tilt-top trailer (tandem axle) low-boys, tandem axle	6.145	a12.50	a13.00			
CLASS 9 Drivers on tandem, tandem semi-trucks, drivers on heavy equip., type water wagon over 5,000 gallons, drivers on trucks pulling tilt-top trailer (tri-axle) low-boys, tandem-tandem axle	6.145	a12.50	a13.00			

FOOTNOTE:
a. Per week per employee.

SUPERSEDEAS DECISION

STATE: INDIANA
COUNTY: Marion
DECISION NUMBER: AQ-3133
DATE: DATE OF PUBLICATION
Supersedes Decision No. AP-656 dated May 18, 1973 in 38 FR 13193
DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories).

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos Workers	$9.00	.30	.20		.02	
Boilermakers	9.05	.50	.80		.01	
Bricklayers:						
Bricklayers & Stonemasons	8.89	.30	.20		.04	
Marble & Tile Setters	8.51	.30	.20		.04	
Terrazzo Workers	8.40	.30	.20		.04	
Carpenters:						
Carpenters; Millwrights & Piledrivermen	8.55	.47	.40		.06	
Soft Floor Layers	7.15	.35			.06	
Cement Masons	7.76				.04	
Electricians	8.60	3%	5%		.5%	
Elevator Constructors:						
Elevator Constructors	8.04	.345	.23	2%+b&c	.005	
Helpers	70%JR	.345	.23	2%+b&c	.005	
Helpers (Prob.)	50%JR					
Glaziers	8.74					
Ironworkers	8.60	.55	.55		.05	
Laborers (Wrecking)						
Wrecking Laborers & Mason Tenders	5.20	.18	.25		.07	
Jackhammer, drill & compactor oprs.	5.40	.18	.25		.07	
Cutting Torch or Burner	5.60	.18	.25		.07	
Lathers	8.60	.40			.03	
Leadburners	8.75	.30		d	.01	
Painters:						
Brush & Roller	7.60	.20	.20			
Spray & Sandblasting	8.40	.20	.20			
Plasterers	8.70	.40			.01	
Plumbers	9.10	.25	.15		.04	
Pipefitters & Steamfitters	8.90	.25	.35		.04	
Roofers:						
Composite & Waterproof	8.22	.30	.30			
Slate & Tile	8.47	.30	.30			
Helpers	6.87	.30	.30			
Sheet Metal Workers	8.53	.40	.40		.02	
Sprinkler Fitters	8.75	.30	.40		.05	
Truck Drivers:						
Up to & incl. 3 tons & helpers	$5.875	a	e	f		
Over 3 tons; semi-trailers; tandem (double bottom), winch trucks when used with winch	6.025	a	e	f		
Truck Mechanics	5.95	a	e	f		
Welders - receive rate prescribed for craft performing operation to which welding is incidental.						

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. $7.00 per week for each employee.

b. Holidays: A through F.

c. Employer contributes 4% of regular hourly rate to vacation pay credit for employee who has worked in business more than 5 years. Employer contributes 2% of regualr hourly rate to vacation pay credit for employee who has worked in business less than 5 years.

d. Holidays: A through F plus Washington's Birthday, Good Friday & Christmas Eve, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regularly schedule work days immediately preceding and following the holiday.

e. $9.00 per week for each employee.

f. 1 week vacation for 1 year of employment and 1000 hours with pay of 40 hours straight time. 2 weeks vacation for 3 years employment and 1000 hours with pay of 80 hours straight time.

LABORERS: BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP A					
Building & Construction Laborers, scaffold builders other than for mason or plasterers, ironworkers' helpers, mechanic helpers, mechanic tenders, window washers & cleaners, roofers' helpers, railroad laborer, masonary wall washers (interior & exterior), cement finisher's helper, carpenter helper, all portable water pumps with discharge up to 3", mason tenders	$6.10	.35	.30		.07
GROUP B					
Waterproofing, handling of cresote lumber on like treated material (excluding railroad material), asphalt rakers & lutemen, kettlemen, air tool operators, vibrators, chipping hammer operator, jackmen & sheeting men working in ditches deeper than 6', laborers working in ditches 6' in depth or deeper, assembly of unicrete pump, chain saw operators, tile layers (sewer or field), sewer pipe layers (metallic & non-metallic) motor-driven wheelbarrows & concrete buggies, hyster opera-pump crete assemblers, conveyor assemblers, core drill operators, cement, lime, or silica clay handlers (bulk or bag), pneumatic spikers, deck, engine & winch operator, water main & cable ducking (metallic & non-metallic)	6.30	.35	.30		.07
GROUP C					
Plaster tenders, Mortar Mixers, Welders (acetylene or electric), cutting torch or burner, cement nozzle laborers, cement gun operator, scaffold builders when working for plasterer or masons, mason tenders	6.40	.35	.30		.07
GROUP D					
Dynamite Men	7.10	.35	.30		.07

POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
GROUP 1						
Air compressor(pressurizing shafts, tunnels & divers, Air Tugger, Auto Patrol, Backfiller, Backhoe, Boom Cat, Boring Machine, Bulldozer, Caisson Drilling Machine, Cherry Picker, Compactor(w/dozer blade) Concrete Plant, Concrete Pump, Crane w/all attachments, Crane-Electric Overhead, Derrick, Ditching Machine (18" and over) Dredge, Elevators(when hoisting material or tool) Forklift (machinery) Formless Paver, Generator (power for welders or compressors) Gradall, Helicopter, Helicopter Winch Operator, Highlift-Front End Loader, Hoist, Locomotive, Mechanic on Job Site, Mucking Machine, Panel Board Concrete Plant, Piledriver, Push Cat, Scoop & Tractor, Scraper-Rubber Tired Spreader-Tractor mounted, Straddle Carrier-Ross Type, Sub Base Finish, Machine(C.M.I. or similar Tower Crane, Tractor w/backhoe(over ½ yard) Welder	$8.40	.30	.30		.05	
GROUP 2						
A-Frame truck, Batcher Plant(automatic dry batch) Bending Machine-Power driven, Bituminous Mixer, Bituminous Paver, Bituminous Plant Engineer, Boatman, Bullfloat, Compactor or Tamper-Self Propelled, Concrete Mixer(21 cu. ft or over) Concrete Spreader-power driven, Dinkey Engine, Ditching Machine(less than 18") Drilling Machine, Finish Machine & Bullfloat, Finishing Machine, Fireman, Piledriving & Boilers, Forklift-Masonry & Material Gunnite Machine, Head Greaser, Mechanic in Shop, Mesh Depresser-Mesh Placer, P.C.C.-Concrete Belt Placer, Roller-Asphalt Stone & Sub Base, Sheep stone Roller Self-Propelled, Shop Mule						

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Spreader or Base Paver-Self Propelled Subgrader, Throttle Valve w/Air Compressor or Boiler, Tractor w/Backhoe (½ yard & under) Tractor-High lift-Farm-Type, Tractor-Industrial Type, Tractor w/winch, Well Points, Winch truck	7.60	.30	.30		.05	
GROUP 3						
Air Compressor(210 cu. ft. & over), Bituminous Distributor, Chair Cart, Concrete Curing Machine, Concrete Saw, Dope Pot-Power Agitated, Flexplane, Form Grader, Hydrohammer, Jacks-Hydraulic-Power Driven, Minor Equip. Op. Paving Joint Machine, Post Hole Digger Roller-Earth, Throttle Valve, Track Jack-Power Driven, Tractor-Farm Type, Truck Crane Driver	7.00	.30	.30		.05	
GROUP 4						
Air Compressor(less than 210 cu. ft.) Concrete Mixer(under 21 cu. ft.) Conveyor, Generator, Mechanical Heater, Oiler, Power Broom, Pump, Welding Machine, Helpers	6.40	.30	.30		.05	

INDIANA - LINE CONSTRUCTION-AREA I

LINE CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Linemen	$7.47	.35	1%		.25%	
Heavy Equipment Operator "A"	7.13	.35	1%		.25%	
Heavy Equipment Operator "B"	5.87	.35	1%		.25%	
Powderman	5.73	.35	1%		.25%	
Equipment mechanic	5.73	.35	1%		.25%	
Senior groundman truck driver with winch	4.91	.35	1%		.25%	
Groundman truck driver with winch	4.72	.35	1%		.25%	
Groundman truck driver without winch	4.13	.35	1%		.25%	
Senior groundman after 5 years	4.71	.35	1%		.25%	
Senior groundman after 12 months	4.58	.35	1%		.25%	
Groundman 0-12 months	3.88	.35	1%		.25%	

STATE: INDIANA
COUNTY: Monroe
DECISION NUMBER: AQ- 3134
DATE: DATE OF PUBLICATION
Supersedes Decision No. AP-657 dated May 18, 1973 in 38 FR 13196
DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories).

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos Workers	$9.00	.30	.20		.02	
Boilermakers	9.05	.50	.80		.01	
Bricklayers:						
Bricklayers & Stonemasons	8.00	.30			.02	
Marble, Tile & Terrazzo Workers	8.00	.30			.02	
Carpenters:						
Carpenters & Soft Floor Layers	7.75	.35	.25		.01	
Millwrights & Piledrivermen	8.00	.35	.25		.01	
Cement Masons	7.80					
Electricians	8.25	.25	1%		.1%	
Elevator Constructors:						
Elevator Constructors	8.04	.345	.23	2%+a&b	.005	
Helpers	70%JR	.345	.23	2%+a&b	.005	
Helpers (Prob.)	50%JR					
Glaziers	8.74					
Ironworkers	8.75	.55	.55		.05	
Lathers	8.60	.40			.03	
Leadburners	8.75	.30		c	.01	
Painters:						
Brush & Roller	6.40			.20		
Structural Steel	7.15			.20		
Spray & Sandblasting	7.40			.20		
Plumbers & Steamfitters	7.30	.30	.40		.10	
Roofers:						
Composite & Waterproof	8.22	.30	.30			
Slate & Tile - Precast Slab, Asbestos	8.47	.30	.30			
Helpers	6.87	.30	.30			
Sheet Metal Workers	8.53	.40	.40		.02	
Sprinkler Fitters	8.75	.30	.40		.05	
Welders - receive rate prescribed for craft performing operation to which welding is incidental.						

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day;
D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Holidays: A through F.

b. Employer contributes 4% of regular hourly rate to vacation pay credit for employee who has worked in business more than 5 years. Employer contributes 2% of regular hourly rate to vacation pay credit for employee who has worked in business less than 5 years.

c. Holidays, A through F plus Washington's Birthday, Xmas Eve, & Good Friday, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regularly scheduled work days immediately preceding and following the holiday.

INDIANA - LINE CONSTRUCTION-AREA I

LINE CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Linemen	$7.47	.35	1%		.25%	
Heavy Equipment Operator "A"	7.13	.35	1%		.25%	
Heavy Equipment Operator "B"	5.87	.35	1%		.25%	
Powderman	5.73	.35	1%		.25%	
Equipment mechanic	5.73	.35	1%		.25%	
Senior groundman truck driver with winch	4.91	.35	1%		.25%	
Groundman truck driver with winch	4.72	.35	1%		.25%	
Groundman truck driver without winch	4.13	.35	1%		.25%	
Senior groundman after 5 years	4.71	.35	1%		.25%	
Senior groundman after 12 months	4.58	.35	1%		.25%	
Groundman 0-12 months	3.88	.35	1%		.25%	

INDIANA-16-LAB

LABORERS: BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP A					
Building & Construction Laborers, scaffold builders other than for mason or plasterers, ironworkers' helpers, mechanic helpers, mechanic tenders, window washers & cleaners, roofers' helpers, railroad laborer, masonary wall washers (interior & exterior), cement finishers helper, carpenter helper, all portable water pumps with discharge up to 3", mason tenders	$6.10	.35	.30		.07
GROUP B					
Waterproofing, handling of cresote lumber on like treated material (excluding railroad material), asphalt rakers & lutemen, kettlemen, air tool operators, vibrators, chipping hammer operator, jackmen & sheeting men working in ditches deeper than 6', laborers working in ditches 6' in depth or deeper, assembly of unicrete pump, chain saw operators, tile layers (sewer or field), sewer pipe layers (metallic & non-metallic) motor-driven wheelbarrows & concrete buggies, hyster opera-pump crete assemblers, conveyor assemblers, core drill operators, cement, lime, or silica clay handlers (bulk or bag), pneumatic spikers, deck, engine & winch operator, water main & cable ducking (metallic & non-metallic)	6.30	.35	.30		.07
GROUP C					
Plaster tenders, Mortar Mixers, Welders (acetylene or electric), cutting torch or burner, cement nozzle laborers, cement gun operator, scaffold builders when working for plasterer or masons, mason tenders	6.40	.35	.30		.07
GROUP D					
Dynamite Men	7.10	.35	.30		.07

INDIANA-9-PEO-1 T&S 1 of 2

POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP A						
Master Mechanic	$8.31	.30	.40		.05	
GROUP B						
Utility Operator	8.20	.30	.40		.05	
GROUP C						
Power Cranes, Draglines, Derricks, electric overhead cranes, shovels, gradall, mechanics, repair & maintenance of all equipment, tractor highlift shovel, tournadozer, concrete mixers with skip, tournamixer, two-drum machine or two cage hoists w/tower or boom, cableways, tower machines, motor patrol, boom tractor, boom or winch truck, winch truck, winch or hydraulic boom truck, truck crane, torunapull, tractor operating scoops, bulldozer, push tractor, finishing machine on asphalt, large rollers & rollers on asphalt, gravel, macadam & brick surface, ross carrier or similar machine gravel processing machine, asphalt plant engineer or pug mill, 2 air compressors, hetherington paver operator, farm tractor with ½ yard bucket and/or backhoe attachment, dredge engineer, dredge operator, central mix plant engineer, rock spreader, CMI or similar type machine concrete pump, truck or skid mounted, tower crane, engine or rock crusher plant, boiler operator, concrete plant engineer, ditching machine over 6" or with a dual attachment, tractor mounted loaders, cherry picker, hydra crane, air compressor 300 cu. ft. or over, standard or dinkey locomotives, scoopmobiles, euclid loader, soil cement machine, backfiller, elevating machine, power blade, asphalt plant engineer, drilling machines including well testing, caissons, shaft or any similiar type drilling machines, paint machine,						

POWER EQUIPMENT OPERATORS (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
pipe cleaning machine, pipe wrapping machine, pipe bending machine, Apsco Paver, Boring Machine, Tractors without winch, head equipment greasers, barber green loaders, formless paver, well point system, concrete spreader	$8.02	.30	.40		.05	
GROUP D						
Power subgrader, bull float, form grader, finishing machine, concrete mixers without skip, pavement breaker, rock crushers, ditching machine under 6", curing machine, truck crane oiler and driver, one drum machines w/o tower or boom, air tugger, self propelled concrete saw, post hole digger, two or four generators or welding machines, mechanized heaters irrespective of motor power when used for temporary heat, small rollers on earth, two or four water pumps, fork-lift, curing machine, concrete & blacktop curb machine, farm tractor with less than half yard bucket	7.18	.30	.40		.05	
GROUP E						
One Water pumps, oilers, air valves or Steam Valves from plant, one welding machine, track jack, mud jack, air compressor less than 300 cu. ft. capacity, gunnite machine, house elevators, when used for hoisting material, engine tenders, foreman, wagon drill, flexplane, conveyor, siphon & pulsometer, switchman on paint pots, fireman on asphalt plants, distriping machine, (motor driven), form tamper, seaman tiller, bulk cement plant equipment greaser, operators to do winter work in shop between Nov. 1st & March 1st and Deck Hands	6.29	.30	.40		.05	

TRUCK DRIVERS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP 1 Drivers on single axle, lowboy helper or flagman, drivers on air compressors & welding machines incl. those pulled by cars, pick-up trucks, tractors, fork-lifts, dumpsters	$6.20	a	b	c		
GROUP 2 Drivers on Mixer Trucks 2 Yards	6.25	a	b	c		
GROUP 3 Mechanic Helpers & Greasers	6.30	a	b	c		
GROUP 4 Drivers on Batch Trucks wet or dry 3 batches or under	6.35	a	b	c		
GROUP 5 Drivers on Tandem Axle Trucks(incl. Dog-Legs), Drivers on Oil Distributors Drivers on Mixer Trucks 3 Yards, Winch Trucks	6.40	a	b	c		
GROUP 6 Drivers on Single Axle, Semi-Trucks, Drivers on Batch Trucks Wet or Dry or Dry over 3 Batches, Drivers on Pavemen Breakers	6.45	a	b	c		
GROUP 7 Drivers on Tandem-Axle Semi-Trucks, Drivers on Trac-O-Trucks, Euclids, Tournapull when pulling other than self-loading equip. up to & including 10 yds, Drivers on Mixer Trucks 4 yds., Mechanics	6.55	a	b	c		
GROUP 8 Drivers On Tri-Axle Trucks	6.60	a	b	c		
GROUP 9 Drivers on Low-Boy, Drivers On Tandem, Tandem Axle Semi-Trucks	6.65	a	b	c		
GROUP 10 Drivers on Trac-O-Trucks, Euclids, Tournapulls when pulling other than self-loading Equip. 11 yds to & incl. 16 yds. Drivers on Mixer Trucks above 4 yds.	6.70	a	b	c		
GROUP 11 Drivers on Trac-O-Trucks, Euclids, Tournapull when pulling other than self-loading equip. over 16 yds, helicopter pilot	6.85	a	b	c		

FOOTNOTES:

a. 10.50 Per Week Per Employee
b. 10.00 Per Week Per Employee
c. 1 week paid vacation after 1 yr. service, 2 weeks after 3 yrs., & 3 weeks after 10 yrs.

SUPERSEDEAS DECISION

STATE: INDIANA COUNTY: Porter
DECISION NUMBER: AQ-3135 DATE: DATE OF PUBLICATION
Supersedes Decision No. AP-658 dated May 18, 1973 in 38 FR 13199
DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction.

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos Workers	$9.35	.58	.67		.05	
Boilermakers	9.05	.50	.80		.01	
Bricklayers:						
Bricklayers & Stonemasons	9.15	.35	.55	.50	.01	
Marble, Tile & Terrazzo Workers	9.15	.35	.55	.50	.01	
Carpenters:						
Building, Heavy & Highway						
Carpenters & Soft Floor Layers	9.20	.50	.57		.05	
Millwrights & Piledrivermen	9.20	.50	.57		.05	
Cement Masons:						
Building						
Eastern ½ of County	8.21	.45	.70		.03	
Western ½ of County	8.92	.60	.65		.01	
Heavy & Highway						
Eastern ½ of County	7.63	.45	.70		.03	
Western ½ of County	8.20	.50	.40		.01	
Electricians	9.15	3¼%	5½%		.2%	
Elevator Constructors:						
Elevator Constructors	7.64	.17	.185	2%+a&b	.005	
Helpers	70%JR	.17	.185	2%+a&b	.005	
Helpers (Prob.)	50%JR					
Glaziers	7.80	.25	.25	.25		
Ironworkers	9.90	.50	.60		.05	
Lathers	8.25		.35	.50		
Leadburners	8.75	.30		c	.01	
Painters:						
North of Highway #6						
Commercial:						
Brush	7.75	.37	.25		.02	
Spray	8.50	.37	.25		.02	
Industrial						
Brush	8.65	.37	.25		.02	
Spray	9.40	.37	.25		.02	
Remainder of County						
Brush	7.50					
Spray	8.50					
Pipefitters	7.65	.27	.30		.02	
Plasterers (Eastern ½ of County)	8.21	.45	.70		.03	
Plumbers	9.52	.50	.50		.02	
Roofers	9.55	.30	.35			
Sheet Metal Workers	9.07	.48	.52		.08	
Sprinkler Fitters	8.75	.30	.40		.05	

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Truck Drivers: (Bldg., Hvy., & Highway)						
2-3 Axle Trucks	$6.50	d14.00	d14.00	.25		
4-Axle Trucks	6.70	d14.00	d14.00	.25		
5-Axle Trucks	6.90	d14.00	d14.00	.25		
6-Axle Trucks	7.10	d14.00	d14.00	.25		
Welders - receive rate prescribed for craft performing operation to which welding is incidental.						

PAID HOLIDAYS:
A-New Year's Day; Memorial Day; C-Independence Day;
D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Holidays: A through F.

b. Employer contributes 4% of regular hourly rate to vacation pay credit for employee who has worked in the business more than 5 years. Employer contributes 2% of regular hourly rate to vacation pay credit for employee who has worked in the business less than 5 years.

c. Holidays: A through F, plus Washington's Birthday, Good Friday & Christmas Eve, providing employee has worked 45 full days during the 120 ca calendar days prior to the holidays and the regularly scheduled work days immediately preceding and following the holiday.

d. Per Week Per Employee.

SOUTH OF U. S. HIGHWAY #20

LABORERS: BUILDING CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP A						
Building & Construction Laborers, scaffold builders other than for mason or plasterers, ironworkers' helpers, mechanic helpers, mechanic tenders, window washers & cleaners, roofers' helpers, railroad laborer, masonary wall washers (interior & exterior), cement finisher helper, carpenter helper, all portable water pumps with discharge up to 3 inches, mason tender	$6.65	.35	.35		.07	
GROUP B						
Waterproofing, handling of cresote lumber or like treated material (excluding railroad material), asphalt rakers & lutemen, kettlemen, air tool operators, jackmen & sheeting men working in ditches 6 feet in depth or deeper, assembly of unicrete pump, chain saw operators, tile layers (sewer or field), sewer pipe layers (metallic & non-metallic), motor driven wheelbarrows & concrete buggies, hyster operators, pumpcrete assembler, conveyor assemblers, core drill opr., cement, lime or silica clay handlers (bulk or bag), pneumatic spikers, deck engine & winch operator, water main & cable ducking (mettallic & non-metallic)	6.85	.35	.35		.07	
GROUP C						
Plaster Tenders, Mortar Mixers, Welders (acetylene or electric), cutting torch or burner, cement nozzle laborers, cement gun operator, scaffold builders when working for plasterer or mason tenders	6.95	.35	.35		.07	
GROUP D						
Dynamite Men	7.65	.35	.35		.07	

NORTH OF U. S. HIGHWAY #20

LABORERS: BUILDING CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP A						
Building & Construction Laborers, scaffold builders other than for mason or plasterers, ironworkers' helpers, mechanic helpers, mechanic tenders, window washers & cleaners, roofers' helpers, railroad laborer, masonary wall washers (interior & exterior), cement finishers helper, carpenter helper, all portable water pumps with discharge up to 3", mason tenders	$6.85	.35	.35		.07	
GROUP B						
Waterproofing, handling of cresote lumber on like treated material (excluding railroad material), asphalt rakers & lutemen, kettlemen, air tool operators, vibrators, chipping hammer operator, jackmen & sheeting men working in ditches deeper than 6', laborers working in ditches 6' in depth or deeper, assembly of unicrete pump, chain saw operators, tile layers (sewer or field), sewer pipe layers (metallic & non-metallic) motor-driven wheelbarrows & concrete buggies, hyster opera-pump crete assemblers, conveyor assemblers, core drill operators, cement, lime, or silica clay handlers (bulk or bag), pneumatic spikers, deck, engine & winch operator, water main & cable ducking (metallic & non-metallic)	7.05	.35	.35		.07	
GROUP C						
Plaster tenders, Mortar Mixers, Welders (acetylene or electric), cutting torch or burner, cement nozzle laborers, cement gun operator, scaffold builders when working for plasterer or mason tenders	7.15	.35	.35		.07	
GROUP D						
Dynamite Men	7.85	.35	.35		.07	

LINE CONSTRUCTION:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Othe
NORTH INDIANA EXCLUSIVE OF CALUMET AREA						
Linemen	$7.38	.35	1%		.25%	
Heavy Equipment Operators:						
Class "A"	6.79	.35	1%		.25%	
Class "B"	5.95	.35	1%		.25%	
Senior Ground Truck Driver With Winch	5.00	.35	1%		.25%	
Ground Truck Driver:						
With Winch	4.69	.35	1%		.25%	
Without Winch	4.14	.35	1%		.25%	
Groundmen:						
0 to 12 Months	3.86	.35	1%		.25%	
After 12 Months	4.59	.35	1%		.25%	
CALUMET AREA						
Linemen	$7.68	.35	1%		.25%	
Heavy Equipment Operators:						
Class "A"	6.86	.35	1%		.25%	
Class "B"	6.01	.35	1%		.25%	
Senior Ground Truck Driver With Winch	5.11	.35	1%		.25%	
Ground Truck Driver:						
With Winch	4.76	.35	1%		.25%	
Without Winch	4.21	.35	1%		.25%	
Groundmen:						
0 to 12 Months	3.96	.35	1%		.25%	
After 12 Months	4.71	.35	1%		.25%	

BUILDING, SEWER & TUNNEL CONSTRUCTION NORTH OF ROUTE #6	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
POWER EQUIPMENT OPERATORS:						
GROUP I						
Mechanic (with truck $1.00 per hour more asphalt plant, autograde, batch plant, benoto (requires two engineers) boiler & throttle valve, caisson figs, central redi-mix plant combination tugger hoist & air compressors, compressor, & throttle, concrete breaker (truck mounted), concrete conveyor, concrete paver over 27E cu. ft. concrete paver 27E cu. ft. and under, concrete tower, cranes all, cranes, tower, derricks, all derricks, traveling, forklift - lull type, forklift - 10 ton and voer, hoists, one, two and three, drum hoists, two tugger one floor, hydraulic boom truck, locomotives, all, piledrivers and skid rig, pit machines, pre-stress machine pump cretes and similar types, rock drill (self-propelled), rock drill (truck mounted), slip form paver, straddle buggies, tractor with boom and side boom, trenching machine, winch tractor	$9.50	.50	.50		.05	
GROUP II						
Asphalt spreader, boilers, bulldozers, combination back hoe fron endloader, engineer acting as conductor in charge of crew, grader, elevating, greaser engineer, grouting machines, highlift shovels or fron endloader, loists, automatic, corboy drilling machines, hoists, all elevators, hoists, tugger single drum, motor patrol, post hole digger, rollers, all, scoops - tractor drawn stone crushers, tournapull, winch trucks	9.00	.50	.50		.05	
GROUP III						
Concrete mixer (two bags and over), conveyor, portable, steam generators, tractors, farm & similar type, air compressor, forlift trucks, generators, pumps (1 to 3 not to exceed a total of 300 ft.), pumps, well points, welding machines (2 through 5), winches, 4 snall electric drill winches.	7.60	.50	.50		.05	
GROUP IV						
Heaters, mechanical, oilers, switchmen	6.65	.50	.50		.05	

POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	O
CLASS I						
Mechanic (with truck $1.00 per hour more) asphalt plant, autograde, batch plant, bento (requires two engineers), boiler & throttle valve, caisson rigs, central redimix plant, combination tugger hoist & air compressor, compressor and throttle concrete breaker (truck mounted), concrete conveyor, concrete paver over 27E cu. ft., concrete paver 27E cu. ft. and under, concrete tower, cranes, all, cranes, tower, derricks, all, derricks, traveling, forklift-lull type, forklift - 10 ton and over hoists, one, two, and three drum, hoists, two tugger one floor hydraulic boom truck, locomotives, all, pile drivers and skid rig, pit machines, pre-stress machine, pump cretes and similar types, rock drill (self-propelled), rock drill (truck mounted), slip-form paver, straddle buggies, tractor with boom & side boom, trenching machine, winch tractors	$9.40	.50	.50		.05	
CLASS II						
Asphalt spreader, boiler, bulldozers, combination backhoe front endloader, engineer acting as conductor in charge of crew, grader, elevating, greaser engineer, grouting machines, highlift shovels or front endloader, hoists, automatic, cowboy drilling machines, hoists, all elevators, hoists, tugger single drum, motor patrol, post hole digger, rollers, all, scoops - tractor drawn, stone crushers, tournapull, winch trucks	8.90	.50	.50		.05	
CLASS III						
Concrete mixer (2 bag & over) conveyor, portable steam generators, tractors, farm & similar type, air compressor, forklift trucks, generators, pumps (1 to 3 not to exceed a total of 300 ft.) pumps, well points, welding machines (2 through 5), winches 4 small electric drill winches	7.50	.50	.50		.05	
CLASS IV						
Heaters, mechanical, oilers & switchmen	6.55	.50	.50		.05	

POWER EQUIPMENT OPERATORS HEAVY & HIGHWAY CONST.	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Others
CLASS I						
Auto patrol, automatic dry batch plant, backhoe. ½ yd. & over, ballast regulator (R. R.), concrete mixer, 27 cu. ft., or over, concrete pump, core drilling machine, crane or derrick, dredge engineer, dredge operator, euclid loader, gradall, highlift, shovel - 3 yds. and over, hoist - two & three drums, locomotive operator, mechanic, mucking machine, panelboard concrete plant (central mix type), paver hetherington, pile driver, road paving mixer ross carrier, throttle valve & compressor on Clever Brooks type combination, throttle valve & firemen conb. on horizontal or upright boiler, tournapull or similar type equipment, tractorboom trench machine, tug boat operator, winch truck with "A"-frame	$8.85	.40	.50		.04	
CLASS II						
Backhoe-tractor mounted (less than ½ yd.) bitum.mixer, bitum, paver bitum. plant eng., bulldozer, concrete mixer (less than 27 cu. ft.) elevating, grader, elevating loader, portable greaser, highlife shovel under 3yds., jersey spreader or base paver, mechanic, pull grader, power control, asphalt roller, waterbound macadam, bitum. macadam, brick surface heater & planer, tamper-multiple vibrating asphalt water bound macadam, bitum. macadam, brick surface, tractorpush, tractor with scoop, widener apsco or similar type	8.55	.40	.50		.04	
CLASS III						
Assistant plant engineer, back filler, broom & belt machine, concrete finishing machine, concrete spreader - power driven, post hole digger-power driven finishing machine and bull float, form tamper - motor driven, hoist-one drum, multiple tamping machine, paving breaker, roller-earth & subbase material, sheepfoot roller (self-propelled), subgrader, tamper-multiple vibrating-						

POWER EQUIPMENT OPERATORS (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
earth & subbase material, tractaire, tractaire with drill, tractor, with all attachments except backhoe & incl. highlift endloaders of 1 cu. yd. capacity and less, bituminous distributor	8.10	.40	.50		.04	
CLASS IV Air compressors, all conveyors, fireman on boiler, generator, assistant mechanic power curing spraying machine, pull broom (power propelled), seaman tiller, spike machine, striping machine, paint-motor driven, throttle, valve, welding machine, well point system	7.10	.40	.50		.04	
CLASS V Oiler, deck hand, mechanical heater (1 to 5), outboard or inboard motor boat, concrete power saw (powerdriven), water pump, grasscutters, helper on C.M.I. & similar type machine, hetherington assistant greaser	6.25	.40	.50		.04	

Indiana-1-LAB-2-3- I

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
LABORERS: HEAVY & HIGHWAY						
Class I Dynamite and powdermen	$5.45	.18	.25		.07	
Class II Asphalt lutemen, asphalt raker men, batch truck dumpers, cement handlers (bulk or bag cement), concrete puddlers, hand blade operator, power tools and power equipment side rail setters (for sidewalks, side ditches, radii and pavement), spreader box tenders, tile layers, transverse and longitudial hand bull float men, wagon drill operator, chain saws, concrete rubbers, concrete saws (manually operated)	5.25	.18	.25		.07	
Class III Common laborers, unskilled	5.10	.18	.25		.07	

STATE: INDIANA
COUNTY: St. Joseph
DECISION NUMBER: AQ-3136
DATE: DATE OF PUBLICATION
Supersedes Decision No. AP-659 dated May 18, 1973 in 38 FR 13203
DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction.

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos Workers	$9.625	.30	.15			
Boilermakers	9.05	.50	.80		.01	
Bricklayers:						
Bricklayers & Stonemasons	9.09	.40	.35		.03	
Marble, Tile & Terrazzo Workers	7.75	.35	.25		.01	
Carpenters:						
Building						
Carpenters & Soft Floor Layers	8.33	.35	.45		.05	
Millwrights & Piledrivermen	8.33	.35	.45		.05	
Heavy & Highway						
Carpenters	8.58	.40	.40		.05	
Cement Masons:						
Building	8.26	.40	.50		.01	
Heavy & Highway	7.87	.40	.50		.01	
Electricians	8.60	2.8%	5%	4%	.2%	
Elevator Constructors:						
Elevator Constructors	8.23	.345	.23	2%+a&b	.005	
Helpers	70%JR	.345	.23	2%+a&b	.005	
Helpers (Prob.)	50%JR					
Ironworkers	8.70	.55	.65		.01	
Lathers	8.52	.33	.25		.01	
Leadburners	8.75	.30		d	.01	
Painters:						
Brush, Roller & Spray	6.85		.20			
Plasterers	8.42	.40	.50		.01	
Plumbers & Steamfitters	8.65	.32	.40		.10	
Roofers:						
Composite, Damp & Waterproof	7.90		.30		.03	
Slate, Tile & Asbestos	8.05		.30		.03	
Helpers	4.75		.30		.03	
Sheet Metal Workers	8.45	.45	.50			
Sprinkler Fitters	8.75	.30	.40		.05	
Truck Drivers:						
Pick-Up Trucks	6.24		c	e		
Single Axle Trucks	6.45		c	e		
Tandem Trucks	6.56		c	e		
Tri-Axle Trucks	6.61		c	e		
Semi-Trailer	6.66		c	e		
Welders - receive rate prescribed for craft performing operation to which welding is incidental.						

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Holidays: A through F.

b. Employer contributes 4% of regular hourly rate to vacation pay credit for employee who has worked in business more than 5 years. Employer contributes 2% of regular hourly rate to vacation pay credit for employee who has worked in business less than 5 years.

c. $14.00 per week per employee.

d. Holidays, A through F plus Washington's Birthday, Good Friday and Christmas Eve, providing employee has worked 45 full days during the 120 Calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday.

e. 1 week paid vacation for 3 years service, two weeks for 12 years service & 3 weeks for 15 years service.

INDIANA LINE CONSTRUCTION AREA II

LINE CONSTRUCTION:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
NORTH INDIANA EXCLUSIVE OF CALUMET AREA						
Linemen	$7.38	.35	1%		.25%	
Heavy Equipment Operators:						
Class "A"	6.79	.35	1%		.25%	
Class "B"	5.95	.35	1%		.25%	
Senior Ground Truck Driver With Winch	5.00	.35	1%		.25%	
Ground Truck Driver:						
With Winch	4.69	.35	1%		.25%	
Without Winch	4.14	.35	1%		.25%	
Groundmen:						
0 to 12 Months	3.86	.35	1%		.25%	
After 12 Months	4.59	.35	1%		.25%	
CALUMET AREA						
Linemen	$7.68	.35	1%		.25%	
Heavy Equipment Operators:						
Class "A"	6.86	.35	1%		.25%	
Class "B"	6.01	.35	1%		.25%	
Senior Ground Truck Driver With Winch	5.11	.35	1%		.25%	
Ground Truck Driver:						
With Winch	4.76	.35	1%		.25%	
Without Winch	4.21	.35	1%		.25%	
Groundmen:						
0 to 12 Months	3.96	.35	1%		.25%	
After 12 Months	4.71	.35	1%		.25%	

LABORERS: BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	Ap. Tr.	Others
GROUP A						
Building & Construction Laborers, scaffold builders other than for mason or plasterers, ironworkers' helpers, mechanic helpers, machanic tenders, window washers & cleaners, roofers' helpers, railroad laborer, masonary wall washers (interior & exterior), cement finishers helper, carpenter helper, all portable water pumps with discharge up to 3", mason tenders	$6.65	.35	.30		.07	
GROUP B						
Waterproofing, handling of cresote lumber on like treated material (excluding railroad material), asphalt rakers & lutemen, kettlemen, air tool operators, vibrators, chipping hammer operator, jackmen & sheeting men working in ditches deeper than 6', laborers working in ditches 6' in depth or deeper, assembly of unicrete pump, chain saw operators, tile layers (sewer or field), sewer pipe layers (metallic & non-metallic) motor-driven wheelbarrows & concrete buggies, hyster opera-pump crete assemblers, conveyor assemblers, core drill operators, cement, lime, or silica clay handlers (bulk or bag), pneumatic spikers, dock, engine & winch operator, water main & cable ducking (metallic & non-metallic)	6.85	.35	.30		.07	
GROUP C						
Plaster tenders, Mortar Mixers, Welders (acetylene or electric), cutting torch or burner, cement nozzle laborers, cement gun operator, scaffold builders when working for plasterer or mason tenders	6.95	.35	.30		.07	
GROUP D						
Dynamite Men	7.65	.35	.30		.07	

POWER EQUIPMENT OPERATORS:
Building, Sewer & Tunnel Construction

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP I All Power Cranes, Truck Cranes, Locomotive Cranes, LeTourneau Tournapulls, Shovels, Draglines, Derricks, Pile-Drivers, HighLifts, Tractors w/Side Boom or "A" Frame, ForkLifts 18' 6" in Height or Over, Motor Patrols, Combination Backhoe & Loader, Mechanic	$9.37	.50	.50	.20	.05	
GROUP II All Bulldozers, Scoops, Push Cats, Concrete Mixers of more than 21 cu. ft. capacity, Locomotives, Rollers, Stone Crushers, Sand & Gravel Loaders, Fork-Lifts under 18' 6", Air Compressors - 600 cu. ft. & over, Combination of Tugger Hoist & Compressor, Combination of Gasoline or Diesel driven Welding Machine & Compressor, Engineers operating Throttle Valve with Boiler and Compressor for PileDriving, Concrete Pumps, Trench Machines excluding Ditch Witches, Cableways & all 2 or more drums	8.01	.50	.50	.20	.05	
GROUP III Truck Winches w/A Frame & Power Winches Tractors-Farm Type, Drills & Conveyors, Small rubber tire end loaders ½ cu. yd & Under	7.43	.50	.50	.20	.05	
GROUP IV Gin Poles, Sasgen Derricks & Similar Hoists, Firemen, Oilers, One Drum Hoist Single Drum Tugger Hoist, Automatic Hoist, Elevators	6.85	.50	.50	.20	.05	

POWER EQUIPMENT OPERATORS
HEAVY & HIGHWAY

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
CLASS I Auto patrol, automatic dry batch plant, backhoe, ½ yd. & over, ballast regulator (R.R.), concrete mixer, 27 cu. ft. or over, concrete pump, core drilling machine, crane or derrick, dredge engineer, dredge operator, euclid loader, gradall, highlift shovel-4 yds. and over, hoist-two & three drums, locomotive operator, mechanic, mucking machine, panelboard concrete plant (central mix type), paver-hetherington, piledriver, road paving mixer, ross carrier, throttle valve & compressor or Clever Brooks type combination, throttle valve & firemen comb., on horizontal or upright boiler, tournapull or similar type equipment, tractor - boom, trench machine, tug boat operator, winch truck with "A"-frame	$8.75	.40	.50		.04	
CLASS II Backhoe-tractor mounted (less than ½ yd.) bitum. mixer, bitum. paver bitum. plant eng., bulldozer, concrete mixer (less than 27 cu. ft.), elevating grader, elevating loader, portable greaser, highlift shovel under 3 yds., jersey spreader or base paver, mechanic pull grader, power control, asphalt toller, waterbound macadam, bitum. macadam, brick surface heater & planer, tamper-multiple vibrating, asphalt waterbound macadam, bitum. macadam, brick surface, tractor-push, tractor with scoop, widener apsco or similar type	8.45	.40	.50		.04	
CLASS III Assistant plant engineer, back filler, broom & belt machine, concrete finishing machine, concrete spreader-power driven, post digger - power driven, finishing machine and bull float, form grader, form tamper - motor driven, hoist - one drum, multiple tamping machine, paving breaker, roller - earth & subbase material, sheepfoot roller (self-propelled), subgrader, tamper - multiple vibrating - earth & subbase material, tractaire, tractaire with drill, tractor, with all attachments except backhoe & incl. highlift end-loaders of 1 cu. yd. capacity and less bituminous distributor	8.00	.40	.50		.04	

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
POWER EQUIPMENT OPERATORS:						
CLASS IV						
Air compressors, all conveyors, fireman on boiler, generator, assistant mechanic, power curing spraying machine, pull broom (power propelled), seaman tiller, spike machine, stripping machine, paint-motor driven, throttle valve, welding machine, well point system	7.00	.40	.50		.04	
CLASS V						
Oiler, deck hand; mechanical heater (1 to 5), outboard or inboard motor boat, concrete power saw (powerdriven), water pump, grasscutters, helpers on CMI & similar type machine, hetherington, assistant greaser	6.15	.40	.50		.04	

Indiana-1-LAB-2-3- I

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
LABORERS: HEAVY & HIGHWAY						
Class I						
Dynamite and powdermen	$5.45	.18	.25		.07	
Class II						
Asphalt lutemen, asphalt raker men, batch truck dumpers, cement handlers (bulk or bag cement), concrete puddlers, hand blade operator, power tools and power equipment side rail setters (for sidewalks, side ditches, radii and pavement), spreader box tenders, tile layers, transverse and longitudial hand bull float men, wagon drill operator, chain saws, concrete rubbers, concrete saws (manually operated)	5.25	.18	.25		.07	
Class III						
Common laborers, unskilled	5.10	.18	.25		.07	

TRUCK DRIVERS: HEAVY & HIGHWAY	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP A						
Acey wagons over 3 buckets	$6.775	a14.00	a14.00			
GROUP B						
Acey wagon to and including 3 buckets	6.725	a14.00	a14.00			
GROUP C						
Tandem-tandem semi-trucks-truck mechanics - heavy equipment type water wagon over 5,000 gallons - Tri-axle trucks pulling tilt-top trailers - Low boys, tandem-tandem axle	6.675	a14.00	a14.00			
GROUP D						
Tri-axle trucks - Tandem axle semi-trucks - Equipment not self loaded or pusher loaded such as Koehring or similar dumpster, track truck, Euclid bottom dump and hug bottom dump, Tourna-trailers, Tournarockers, Athey wagons, or similar equipment over 12 cu. yd. - Tandem axle trucks pulling tilt-top trailers - Low boys, tandem axle - Tri-axle batch	6.625	a14.00	a14.00			
GROUP E						
Tandem "Dog Legs" trucks - Semi-water trucks - Sprinkler trucks - Heavy equipment-type water wagon 5,000 gallon & under	6.575	a14.00	a14.00			
GROUP F						
Truck mounted pavement breakers - Tandem trucks over 15 ton payload-Single axle semi-trucks-Farm tractors hauling material-Equipment not self loaded or pusher loaded such as Koehring or similar dumpster, track truck, Euclid bottom dump and hug bottom dump, Tournatrailers, Tournarockers, Athey wagons, or similar equipment 12 cubic yds. & under-Mixer trucks, all types, - Single axle trucks pulling tilt top trailer lowboys, single axle	6.525	a14.00	a14.00			
GROUP G						
Tandem axle fuel trucks - Tandem axle water trucks - Bituminous distributor, one man	6.475	a14.00	a14.00			

TRUCK DRIVERS (CON'T)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP H Single axle Dog-Legs - Tandem trucks or Dog-Legs - Winch trucks or A frames used for transportation - Batch trucks, wet or dry over 3 (34E) batches - Grease and Maint. trucks servicing tandem axle trucks	$6.425	a14.00	a14.00			
GROUP I Single axle fuel trucks - Single axle water trucks - Bituminous distributors, two man	6.375	a14.00	a14.00			
GROUP J Single axle straight trucks - Batch trucks, wet or dry 3 (34E) batches or less - Grease & Maint. trucks servicing single axle trucks	6.325	a14.00	a14.00			
GROUP K Helpers, greasers, tire men, batch board tenders	6.275	a14.00	a14.00			
GROUP L Pick-Up trucks	6.175	a14.00	a14.00			

FOOTNOTE:

a. Per Week Per Employee

SUPERSEDEAS DECISION

STATE: INDIANA
COUNTY: Vanderburgh
DECISION NUMBER: AQ-3137
DATE: DATE OF PUBLICATION
Supersedes Decision No. AP-660 dated May 18, 1973 in 38 FR 13208
DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories).

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos Workers	$8.45	.35	.30			
Boilermakers	9.05	.50	.80		.01	
Bricklayers & Stonemasons	8.20	.35				
Marble, Tile & Terrazzo Workers	7.77					
Carpenters:						
Carpenters & Soft Floor Layers	7.50	.30	.30		.03	
Millwrights & Piledrivermen	7.75	.30	.30		.03	
Cement Masons	7.33	.40	.20			
Electricians	8.48	.25	1%		.125%	
Elevator Constructors:						
Elevator Constructors	8.14	.345	.26	2%+a&b	.005	
Helpers	70%JR	.345	.26	2%+a&b	.005	
Helpers (Prob.)	50%JR					
Glaziers	7.565	.26	.20		.01	
Ironworkers	8.15	.25	.25			
Lathers	7.85				.01	
Leadburners	8.75	.30		c	.01	
Painters:						
Brush & Roller	6.85	.45	.20			
Spray & Sandblasting	7.60	.45	.20			
Plasterers	8.77					
Plumbers & Steamfitters	8.93	.30	.50	10%	.04	
Roofers:						
Composition	7.43	.30	.15			
Slate & Tile	7.68	.30	.15			
Slab & Gypsum Plank	7.68	.30	.15			
Helpers	5.10	.30	.15			
Sheet Metal Workers	7.70	.25	.25			
Sprinkler Fitters	8.75	.30	.40		.05	

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:
a. Holidays: A through F.
b. Employer contributes 4% of regular hourly rate to vacation pay credit for employee who has worked in business more than 5 years. Employer contributes 2% of regular hourly rate to vacation pay credit for employee who has worked in business less than 5 years.
c. Holidays: A through F plus Washington's Birthday, Good Friday & Xmas Eve; providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regularly scheduled work days immediately preceding and following the holiday.

INDIANA-16-LAB

LABORERS: BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP A					
Building & Construction Laborers, scaffold builders other than for mason or plasterers, ironworkers' helpers, mechanic helpers, mechanic tenders, window washers & cleaners, roofers' helpers, railroad laborer, masonary wall washers (interior & exterior), cement finishers helper, carpenter helper, all portable water pumps with discharge up to 3", mason tenders	$6.10	.35	.30		.07
GROUP B					
Waterproofing, handling of cresote lumber on like treated material (excluding railroad material), asphalt rakers & lutemen, kettlemen, air tool operators, vibrators, chipping hammer operator, jackmen & sheeting men working in ditches deeper than 6', laborers working in ditches 6' in depth or deeper, assembly of unicrete pump, chain saw operators, tile layers (sewer or field), sewer pipe layers (metallic & non-metallic) motor-driven wheelbarrows & concrete buggies, hyster opera-pump crete assemblers, conveyor assemblers, core drill operators, cement, lime, or silica clay handlers (bulk or bag), pneumatic spikers, deck, engine & winch operator, water main & cable ducking (metallic & non-metallic)	6.30	.35	.30		.07
GROUP C					
Plaster tenders, Mortar Mixers, Welders (acetylene or electric), cutting torch or burner, cement nozzle laborers, cement gun operator, scaffold builders when working for plasterer or masons, mason tenders	6.40	.35	.30		.07
GROUP D					
Dynamite Men	7.10	.35	.30		.07

POWER EQUIOMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP A						
A-frame winch truck, air compressor over 6000 cu. ft. air tugger, auto-grade (CMI), auto patrol backhoe, ballast regulator (RR), batcher plant (electric control concrete), bending machine (pipe), bituminous plant, mituminous mixer travel plant, bituminous powe roller, bulldozer, cable way, Chicago boom, clamshell, concrete mixer (21 cu. ft. or voer), crane, craneman, crusher plant, derrich boat, dinkey, dope pots (pipeline), dragline, dredge operator, drill operator, elevating grader, elevating grader , elevator, Ford hoe (or similar type equipment), forklift formless paver, gantry cranem gradeall greademan, grout gro ut pump, Hetherington paver, highlift, hoist, hopto. hough loader (or similar type), hydro crane, hydro hammer, locomotive, crane, locomotive, mechanic mobile mixer, motor crane, motor crane oiler and one (1)piece of minor equipment, mucking machine, multiple tamping machine (RR), overhead crane, pile, driver, pulls, push dozer push boats, roller (sheep foot), Ross carrier, scoop shovel, side boom, swing crane, tial boom, tar machine, (pipeline), throttle valve, trnch machine, welder pump, truck mounted drill 2 to 4 pieces of minor equipment, well point, whirleys	$8.79	.25	.25			
GROUP B						
Air compressor (200 cu. ft. per. min. capacity or more brakeman, bull float, concrete mixer (over 10S & under 21S), concrete spreader or puddler, deck engine drill helper, electric vibrator Kompactor (earth or rock), finishing machine, fireman, greaser (on grease facilities servicing heavy equipment), material pump motor boats, motor crane oiler, oiler and one piece of minor equipment, portable loader, post hole digger, power broom,						

BUILDING CONSTRUCTION CONT'D	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
rock roller, roller-wobble wheel (earth and rock), spike machine (RR), seaman tiller, spreader rock, sub grader, tamping machine, turck mounted drill oiler, welding machine widener (Apsco or similar type)	7.91	.25	.25			
GROUP C						
Air compressor (under 200 cu. ft. per min.), bituminous distributor, cement saw, conveyor, desk hand, earth roller form grader, generator, guard rail driver, heater, oiler, paving joint machine, steam Jenny, vibrator, water pump	7.30	.25	.25			

INDIANA LINE CONSTRUCTION - AREA III

LINE CONSTRUCTION:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
LINEMEN & CABLE SPLICER	$8.48	.25	1%			
DIGGING MACHINE OPERATOR	8.48	.25	1%			
GROUNDMAN	7.12	.25	1%			
TRUCK DRIVERS:						
WITH WINCH	7.83	.25	1%			
WITHOUT WINCH	7.43	.25	1%			

IND-5-TD-1

TRUCK DRIVERS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP 1						
Single axle straight trucks, batch trucks, wet or dry, over 3(34E) batches	$6.675	.30	all.00			
GROUP 2						
Tandem trucks or dog-legs, trucks over 15 ton payload, single-axle semi-truck (3 axle unit) Low-boys single axle (3-axle unit), Winch trucks or A-frames when used to transport material; Batch trucks wet or dry, over 3(34E) batches, farm tractors pulling trailers	6.775	.30	all.00			
GROUP 3						
Tandem axle semi-trucks (4-axle unit), drivers on equipment when not self-loaded or pusher loaded such as Koehring or similar dumpsters, track trucks Euclid bottom dump & hug bottom dump, Tournatrailers, Tournarockers or similar equipment 12 cu. yds. & under; Low-Boys, Tandem axle (4 axle unit), drivers on pavement breakers	6.885	.30	all.00			
GROUP 4						
Tandem-Tandem Semi-Trucks (5-axle unit) Low Boys Tandem (5-axle unit)	6.945	.30	all.00			
GROUP 5						
Drivers on equipment when not self-loaded or pusher loaded such as Koehring or similar dumpsters, track trucks Euclid bottom dump & hug bottom dump, Tournatrailers, Tournarockers or similar equipment over 12 cu. yds. Truck Mechanic Drivers on mixer trucks all types	6.985	.30	all.00			
GROUP 6						
Drivers on bituminous distributors two-man	6.725	.30	all.00			
GROUP 7						
Drivers on bituminous distributors one-man	6.835	.30	all.00			
GROUP 8						
Drivers of pickup trucks when hauling equip. supplies & materials to & from & on the job site.	6.515	.30	all.00			
GROUP 9						
Helpers, Greasers, Tire Men & members tending batch boards	6.575	.30	all.00			

FOOTNOTE:
a.-Per Week Per Employee

SUPERSEDEAS DECISION

STATE: INDIANA
COUNTY: Vigo
DECISION NUMBER: AQ-3138
DATE: DATE OF PUBLICATION
Supersedes Decision No. AP-661 dated May 18, 1973 in 38 FR 13211
DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories).

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos Workers	$9.00	.30	.20		.02	
Boilermakers	9.05	.50	.80		.01	
Bricklayers:						
Bricklayers & Stonemasons	8.35	.30	.50		.01	
Pointers, Caulkers & Blocklayers	8.35	.30	.50		.01	
Marble, Tile & Terrazzo Workers	7.95	.30	.50		.01	
Marble, Tile & Terrazzo Helpers	6.40	.30	.30			
Carpenters:						
Carpenters & Soft Floor Layers	6.93	.35	.40		.02	
Millwrights & Piledrivermen	7.18	.35	.40		.02	
Cement Masons	6.60	.45	.25			
Electricians	8.95	.15	17%+.30		.02	
Elevator Constructors:						
Elevator Constructors	8.04	.345	.23	2%+a&b	.005	
Helpers	70%JR	.345	.23	2%+a&b	.005	
Helpers (Prob.)	50%JR					
Glaziers	8.74					
Ironworkers	8.60	.55	1.10			
Leadburners	8.75	.30		c	.01	
Painters:						
Brush, Roller & Paperhangers	7.30				.02	
Spray	8.30				.02	
Structural Steel:						
Up to 30'	7.55				.02	
30' to 100'	8.35				.02	
Over 100'	9.35				.02	
Plasterers	7.20	.45	.25			
Plumbers & Steamfitters	8.55	.30	.60	.70	.10	
Roofers	7.25	.25	.20			
Sheet Metal Workers	7.50	.21	.35			
Sprinkler Fitters	8.75	.30	.40		.05	

Welders - receive rate prescribed for craft performing operation to which welding is incidental.

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Holidays: A through F.

b. Employer contributes 4% of regular hourly rate to vacation pay credit for employee who has worked in the business more than 5 years. Employer contributes 2% of regular hourly rate to vacation pay credit for employee who has worked in the business less than 5 years.

c. Holidyas, A through F plus Washington's Birthday, Good Friday and Christmas Eve, providing employee has worked 45 full days during the 120 calendar days prior to the holiday and the regularly scheduled work days immediately preceding and following the holiday.

INDIANA - LINE CONSTRUCTION-AREA I

LINE CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Linemen	$7.47	.35	1%		.25%	
Heavy Equipment Operator "A"	7.13	.35	1%		.25%	
Heavy Equipment Operator "B"	5.87	.35	1%		.25%	
Powderman	5.73	.35	1%		.25%	
Equipment mechanic	5.73	.35	1%		.25%	
Senior groundman truck driver with winch	4.91	.35	1%		.25%	
Groundman truck driver with winch	4.72	.35	1%		.25%	
Groundman truck driver without winch	4.13	.35	1%		.25%	
Senior groundman after 3 years	4.71	.35	1%		.25%	
Senior groundman after 12 months	4.58	.35	1%		.25%	
Groundman 0-12 months	3.88	.35	1%		.25%	

INDIANA-16-LAB

LABORERS: BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP A					
Building & Construction Laborers, scaffold builders other than for mason or plasterers, ironworkers' helpers, mechanic helpers, mechanic tenders, window washers & cleaners, roofers' helpers, railroad laborer, masonary wall washers (interior & exterior), cement finishers helper, carpenter helper, all portable water pumps with discharge up to 3", mason tenders	$6.10	.35	.30		.07
GROUP B					
Waterproofing, handling of creosote lumber on like treated material (excluding railroad material), asphalt rakers & lutemen, kettlemen, air tool operators, vibrators, chipping hammer operator, jackmen & sheeting men working in ditches deeper than 6', laborers working in ditches 6' in depth or deeper, assembly of unicrete pump, chain saw operators, tile layers (sewer or field), sewer pipe layers (metallic & non-metallic) motor-driven wheelbarrows & concrete buggies, hyster opera-pump crete assemblers, conveyor assemblers, core drill operators, cement, lime, or silica clay handlers (bulk or bag), pneumatic spikers, deck, engine & winch operator, water main & cable ducking (metallic & non-metallic)	6.30	.35	.30		.07
GROUP C					
Plaster tenders, Mortar Mixers, Welders (acetylene or electric), cutting torch or burner, cement nozzle laborers, cement gun operator, scaffold builders when working for plasterer or masons, mason tenders	6.40	.35	.30		.07
GROUP D					
Dynamite Men	7.10	.35	.30		.07

INDIANA-9-PEO-1 T&S 1 of 2

POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP A						
Master Mechanic	$8.31	.30	.40		.05	
GROUP B						
Utility Operator	8.20	.30	.40		.05	
GROUP C						
Power Cranes, Draglines, Derricks, electric overhead cranes, shovels, gradall, mechanics, repair & maintenance of all equipment, tractor highlift shovel, tournadozer, concrete mixers with skip, tournamixer, two-drum machine or two cage hoists w/tower or boom, cableways, tower machines, motor patrol, boom tractor, boom or winch truck, winch truck, winch or hydraulic boom truck, truck crane, torunapull, tractor operating scoops, bulldozer, push tractor, finishing machine on asphalt, large rollers & rollers on asphalt, gravel, macadam & brick surface, ross carrier or similar machine gravel processing machine, asphalt plant engineer or pug mill, 2 air compressors, hetherington paver operator, farm tractor with ½ yard bucket and/or backhoe attachment, dredge engineer, dredge operator, central mix plant engineer, rock spreader, CMI or similar type machine concrete pump, truck or skid mounted, tower crane, engine or rock crusher plant, boiler operator, concrete plant engineer, ditching machine over 6" or with a dual attachment, tractor mounted loaders, cherry picker, hydra crane, air compressor 300 cu. ft. or over, standard or dinkey locomotives, scoopmobiles, euclid loader, soil cement machine, backfiller, elevating machine, power blade, asphalt plant engineer, drilling machines including well testing, caissons, shaft or any similiar type drilling machines, paint machine,						

POWER EQUIPMENT OPERATORS (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
pipe cleaning machine, pipe wrapping machine, pipe bending machine, Apsco Paver, Boring Machine, Tractors without winch, head equipment greasers, barber green loaders, formless paver, well point system, concrete spreader	$8.02	.30	.40		.05	
GROUP D						
Power subgrader, bull float, form grader, finishing machine, concrete mixers without skip, pavement breaker, rock crushers, ditching machine under 6", curing machine, truck crane oiler and driver, one drum machines w/o tower or boom, air tugger, self propelled concrete saw, post hole digger, two or four generators or welding machines, mechanized heaters irrespective of motor power when used for temporary heat, small rollers on earth, two or four water pumps, fork-lift, curing machine, concrete & blacktop curb machine, farm tractor with less than half yard bucket	7.18	.30	.40		.05	
GROUP E						
One Water pumps, oilers, air valves or Steam Valves from plant, one welding machine, track jack, mud jack, air compressor less than 300 cu. ft. capacity, gunnite machine, house elevators, when used for hoisting material, engine tenders, foreman, wagon drill, flexplane, conveyor, siphon & pulsometer, switchman on paint pots, fireman on asphalt plants, distriping machine, (motor driven), form tamper, seaman tiller, bulk cement plant equipment greaser, operators to do winter work in shop between Nov. 1st & March 1st and Deck Hands	6.29	.30	.40		.05	

TRUCK DRIVERS: (BUILDING CONST.)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP I						
Single axel trucks seven (7) cu. yds. or less than ten and one-half (10½) tons, dumpsters, scoopmobiles five (5) cu. yds. and under or less than seven and one-half (7½) ton, mixer trucks three (3) cu. yds. and under, air compressors and welding machines, including those pulled by seperate units, batch trucks -- wet or dry -- 2-"34E" batches or less, truck driver helpers, warehousemen, mechanic's helpers, greasers and tire men, and all pick up trucks, Drivers on dumpsters or similar dumpsters, mounted on a four (4) wheel truck rated two (2) cu. yds. or less, and small pallet type fork lift operator and drivers on pilot vehicles	$5.335	.30	a 11.00			
GROUP II						
Drivers on tandem axel trucks eighteen (18) cu. yds. or twenty-four (24) tons gross, six (6) wheel trucks, Koehring or similar dumpsters, track trucks, euclids, bug bottom dumps, tournapulls, tournatrailers, tournarockers, or similar equipment when used for transportation purposes under nine (9) cu. yds. or less than thirteen and one-half (13½ tons, tandems and semi trailer service trucks, mixer trucks over three (3) cu. yds. and including six and one-half (6½ cu. yds., fork lift, four (4) wheel A-Frame trucks when used for transportation purposes, four (4) wheel winch trucks, pavement breakers batch trucks -- wet or dry -- over 2 up to and including 4-"34E" batches, two (2) men oil distributors	5.835	.30	a 11.00			

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
TRUCK DRIVERS: (BUILDING CONST.) (CONT'D)					
GROUP III					
Koehring or similar dumpsters, track trucks, semi trailer water trucks, Euclids, hug bottom dumps, tournapulls, tourna-trailers, tournarockers, tractor trailers, tandems, A-Frame winch trucks, hydrolift dtrucks or similar equipment when used for transportation purposes, mixer trucks over six and one-half (6½) cu. yds. batch trucks -- wet or dry -- over 4-"34E" batches, single axle low boy trailers, and contractor's mechanics when working on equipment operated by employees within this bargaining unit, six (6) wheel pole trailers and one (1) man oil distributors	$6.035	.30	a 11.00		
GROUP IV					
Drivers on heavy equipment over sixteen (16) cu. yds., or twenty-four (24) ton, such as Koehring or similar dumpsters, track trucks, Euclids, hug bottom dumps, tournapulls, tournarockers or similar equipment when used for transportation purposes, pole trailers over six (6) wheels, water pulls, low boy trailers tandem axles or more no weight limitation, diesel and/or heavy equipment mechanics when working on equipment operated by employees within this bargaining unit	6.185	.30	a 11.00		

STATE: Massachusetts
DECISION NO.: AQ-3160
COUNTY: Worcester
DATE: Date of Publication
Supersedes Decision No. AQ-3150 dated March 22, 1974 in 39 FR 11057
DESCRIPTION OF WORK: Building Construction (excluding single family hames and garden type apartments up to and including 4 stories), Heavy & Highway Const.

BUILDING, HEAVY & HIGHWAY CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
ASBESTOS WORKERS	$8.62	.47	.20		.01	
BOILERMAKERS	8.705	.50	10%		.01	
BRICKLAYERS; Cement masons; Plasterers; & Stonemasons:						
Warren	9.10	.45	.40		.02	
Hopedale, Milford, & Southboro	8.70	.60	.65		.04	
Ashburnham, Athol, E. Templeton, Fitchburg, Gardner, Harvard, Hubbardston, Lancaster, Leominster, Lunenburg, Petersham, Phillipston, Princeton, Royalston, Sterling, Templeton, Westminster, & Winchendon	8.75	.60	.60		.04	
Remainder of County	8.50	.55	.55		.02	
CARPENTERS; Soft floor layers:						
Ashburnham, Athol, E. Gardner, E. Templeton, Fitchburg, Gardner, Harvard, Leominster, Lunenburg, N. Leominster, Petersham, Phillipston, Royalston, S. Ashburnham, S. Royalston, Templeton, Westminster, & Winchendon	8.85	.50	.50		.03	
Berlin, Bolton, Clinton, Northboro, Southboro, & Westboro	8.50	.50	.30		.07	
Blackstone, Millville	7.67	.25	.25			
Hopedale, Mendon, Milford, Upton, & W. Upton	8.48	.30	.30		.025	
Hardwick, Warren, & W. Brookfield	8.63	.35	.50		.02	
Remainder of County	8.95	.40	.50		.03	
ELECTRICIANS:						
Warren	8.47	.30	1%+.15	.43	a	
Ashburnham, Athol, Bolton, Fitchburg, Gardner, Harvard, Hubbardston, Lancaster, Leominster, Lunenburg, Phillipston, Princeton, Royalston, Templeton, Westminster, & Winchendon	8.80	.45	1%+.35		.02	
Remainder of County	9.33	5%	1%+.24		.01	
ELEVATOR CONSTRUCTORS	8.13	.345	.23	2%+b+c	.015	
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.345	.23	2%+b+c	.015	
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR					
GLAZIERS	8.55	.25	.36		.02	
IRONWORKERS:						
Blackstone	7.95	.50	1.40		.03	
Remainder of County	8.39	.50	1.40		.06	

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
LABORERS (BUILDING):						
Laborers; Carpenter tenders; Cement finisher tenders; Wrecking laborers	6.80	.40	.40		.05	
Jackhammer op.; Pavement breakers; Wagon drills; Asphalt rakers; Carbide core drilling machine; Chain saw op.; Pipelayer; Barco type jumping tampers; Laser beam; Concrete pump; Mason tenders; Mortar mixers; Ride-on motorized buggy	7.05	.40	.40		.05	
Air track; Block pavers; Rammers; Curb setters	7.30	.40	.40		.05	
Blasters; Powdermen	7.55	.40	.40		.05	
Open air caisson; Cylindrical work & boring crew:						
Laborer; Top man	6.55	.40	.40		.05	
Helper	6.67	.40	.40		.05	
Bottom men	7.30	.40	.40		.05	
Driller	7.42	.40	.40		.05	
LATHERS:						
Sturbridge, & Warren	7.60	.45	.25			
Clinton, Harvard, Lancaster, Leominster, Southboro, & Uxbridge	8.12	1.25	.25		.01	
LEADBURNERS	8.75	.30		d	.01	
LINE CONSTRUCTION:						
Lineman	8.08	.25	1%	e		
Equipment operator	7.17	.25	1%	e		
Driver groundman	5.41	.25	1%	e		
Groundman	5.16	.25	1%	e		
MARBLE SETTERS:						
Ashburnham, Fitchburg, Harvard, Lancaster, Leominster, Lunenburg, Princeton, Sterling, Westminster	8.25	.60	.50			
Auburn, Barre, Berlin, Blackstone, Bolton, Boylston, Brookfield, Charlton, Clinton, Douglas, Dudley, Grafton, Hardwick, Holden, Leicester, Mendon, Millbury, Millville, New Braintree, Northboro, Northbridge, Oakham, Oxford, Paxton, Rutland, Shrewsbury, Southbridge, Spencer, Sturbridge, Sutton, Upton, Uxbridge, Webster, W. Boylston, Westboro, & Worcester	8.50	.50	.45		.02	
Warren	9.10	.45	.40		.02	
MARBLE SETTERS' HELPERS	6.50	.20	.10			
MILLWRIGHTS	9.13	.50	.50		.03	

AQ-3160 P. 3

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
PAINTERS:						
Warren:						
Brush	$5.525	.30	.25			
Spray	7.366	.40	.3334			
Swing stage under 40 & steel	5.712	.30	.25			
Swing stage over 40 & steel	6.025	.30	.25			
Hopedale, Mendon, Milford, Southboro, Upton, & Westboro:						
Brush (New construction)	7.85	.35	.35		.06	
Brush (Repaint)	7.30	.35	.35		.06	
Steel (New construction)	8.10	.35	.35		.06	
Steel (Repaint)	7.55	.35	.35		.06	
Spray (New construction)	8.80	.35	.35		.06	
Spray (Repaint)	8.25	.35	.35		.06	
Remainder of County:						
Brush	8.33	.50	.25		.02	
Steel	8.955	.50	.25		.02	
Sandblasting; Spray	9.33	.50	.25		.02	
PILEDRIVERMEN	9.15	.50	.30			
PIPEFITTERS:						
Hopedale, & Southboro	9.175	.53	.55		.025	
Remainder of County	9.725	.35	.25		.05	
PLASTERERS' TENDERS:						
Auburn, Barre, Berlin, Blackstone, Bolton, Boylston, Brookfield, Charlton, Clinton, Douglas, Dudley, E. Brookfield, Grafton, Hardwick, Holden, Hopedale, Leicester, Mendon, Milford, Millbury, New Braintree, Northboro, Northbridge, N. Brookfield, Oakham, Oxford, Paxton, Rutland, Shrewsbury, Southboro, Southbridge, Spencer, Sterling, Sturbridge, Sutton, Upton, Uxbridge, Warren, Webster, Westboro, W. Boylston, W. Brookfield, Whitinsville, & Worcester	7.05	.40	.40		.05	
PLUMBERS:						
Hopedale, & Southboro	9.175	.53	.55		.025	
Ashburnham, Athol, Bolton, Fitchburg, Gardner, Harvard, Hubbardston, Lancaster, Leominster, Lunenburg, Petersham, Phillipston, Royalston, Templeton, Westminster, & Winchendon	8.75	.30	.40	4%	.02	
Remainder of County	9.225	.65	.45			
ROOFERS; Damp-proofers	8.50					
SHEET METAL WORKERS	9.50	.55	.25		.05	
SPRINKLER FITTERS	9.08	.40	.60		.07	
STEAMFITTERS:						
Ashburnham, Athol, Bolton, Fitchburg, Gardner, Harvard, Hubbardston, Lancaster, Leominster, Lunenburg, Petersham, Phillipston, Royalston, Templeton, Westminster & Winchendon	8.75	.30	.40	4%	.02	
Remainder of County	9.225	.65	.45			

AQ-3160 P. 4

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
TERRAZZO WORKERS:						
Ashburnham, Fitchburg, Harvard, Lancaster, Leominster, Lunenburg, Princeton, Sterling, & Westminster	$8.25	.60	.50			
Auburn, Barre, Berlin, Blackstone, Bolton, Boylston, Brookfield, Charlton, Clinton, Douglas, Dudley, Grafton, Hardwick, Holden, Leicester, Mendon, Millbury, Millville, New Braintree, Northboro, Northbridge, Oakham, Oxford, Paxton, Rutland, Shrewsbury, Southbridge, Spencer, Sturbridge, Sutton, Upton, Uxbridge, Webster, W. Boylston, Westboro, & Worcester	8.50	.50	.45		.02	
Warren	9.10	.45	.40		.02	
TERRAZZO WORKERS' HELPERS	7.40	.20	.10			
TILE SETTERS:						
Ashburnham, Fitchburg, Harvard, Lancaster, Leominster, Lunenburg, Princeton, Sterling, & Westminster	8.25	.60	.50			
Auburn, Barre, Berlin, Blackstone, Bolton, Boylston, Brookfield, Charlton, Clinton, Douglas, Dudley, Grafton, Hardwick, Holden, Leicester, Mendon, Millbury, Millville, New Braintree, Northboro, Northbridge, Oakham, Oxford, Paxton, Rutland, Shrewsbury, Southbridge, Spencer, Sturbridge, Sutton, Upton, Uxbridge, Webster, W. Boylston, Westboro, & Worcester	8.50	.50	.45		.02	
Warren	9.10	.45	.40		.02	
TILE SETTERS' HELPERS	6.50	.20	.10			

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; & F-Christmas Day.

FOOTNOTES:
a. $.30 per man per week
b. Employer contributes 4% of basic hourly rate for 5 years or more of service or 2% of basic hourly rate for 6 months to 5 years of service as vacation pay credit.
c. 6 paid holidays: A through F.
d. 9 paid holidays: A through F, Washington's Birthday, Good Friday, & Christmas Eve, provided the employee has worked at least 45 full days during the 120 calendar days immediately prior to the holiday and the regular scheduled work days immediately preceding and following the holiday.
e. 7 paid holidays: A through F, & Bunker Hill Day, provided the employee has worked 10 days prior to the listed holidays.

Towns of Royalston, Wynchendon, Athol, Phillipston, Templeton, Petersham, Barre, Hardwick, Newbraintree, Oakham, Brookfield, West Brookfield, East Brookfield, North Brookfield, Warren and Sturbridge.

BUILDING CONSTRUCTION
POWER EQUIPMENT OPERATORS

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Shovels, Cranes, Hydraulic Cranes 10 ton capacity or over, Draglines, Derricks, Elevators with Chicago Boom, Backhoes, Gradalls, Elevating Graders, Pile Driving Rigs, Concrete Road Pavers, three drum Hoisting and Trenching Machines, Belt-type Loaders, Front End Loaders-5½ yards or over, Dual Drum Paver, Automatic Grader (i. e. C.M.I.) Combination Back Hoe-Loader-3/4 yard hoe or over.	$8.30	.45	.60	a	.05	
Rotary Drill (with mounted compressor), Compressor house (3 to 6 compressors), Rock and Earth Boring Machines (excluding McCarthy and similar drills), Graders, Front End Loaders-4 yards to 5½ yards, two Drum Hoists, High Fork Lifts with capacity of 15 feet and over, Scrapers-21 yards and over (struck load), Sonic Hammer Console.	8.10	.45	.60	a	.05	
Combination Backhoe-Loader-up to 3/4 yard hoe, Bulldozers, Push Cats, Scrapers-up to 21 yards (struck Load)-self propelled or tractor drawn, Tireman, Front End Loaders-up to 4 yards, Asphalt Paver, Asphalt Roller-10 ton or over, Well Drillers, Mechanics, Welders, Pumpcrete Machines, Concrete Pumps, and similar type pumps, Engineer or Fireman on High Pressure Boiler (on job), Self-Loading Batch Plant, Well Point, Electric Pumps used in Well Point System, Pumps-12 inches and over (total discharge), Compressor (one or two) 900 cu. ft. and over, Powered Grease Truck, Automatic Elevators, (manually or remote controls), Grout Pumps, Boom Truck, Hydraulic Cranes-under 10 ton.	7.90	.45	.60	a	.05	
Asphalt Roller-under 10 ton.	7.60	.45	.60	a	.05	

BUILDING CONSTRUCTION
POWER EQUIPMENT OPERATORS (cont'd.)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Single Drum Hoist, Self-Propelled Roller, Self-Propelled Compactors, Power Pavement Breakers, Concrete Pavement Finishing Machines, Two Bag Mixers with Skip, McCarthy and similar drills, Batch Plants (not self-loading) Bulk Cement Plants, Self-Propelled Material Spreaders, A Frame Trucks, Fork Lifts-up to 15 feet.	$6.93	.45	.60	a	.05	
Compressors (one or two) 315 cu. ft. to 900 cu. ft., Pumps-4 inches to 12 inches (total discharge), Tractor (without blade or bucket) Drawing Rollers, Rubber Tire Roller, Compactors or other machines used for pulverizing, Grading or Seeding.	6.74	.45	.60	a	.05	
Compressors (up to 315 cu. ft.), Small Mixers, Pumps (up to 4 inches), Power Heaters, Welding Machines, Conveyors, Oiler, Helpers on Grease Truck and Grease Trucks with hand greasing equipment.	6.12	.45	.60	a	.05	

PAID HOLIDAYS:
A-New Year's Day, B-Memorial Day, C-Independence Day, D-Labor Day, E-Thanksgiving Day, F-Christmas Day.

Footnotes:
a. Holidays: A through F, Veterans' Day and Columbus Day.

Towns of Royalston, Wynchendon, Athol, Phillipston, Templeton, Petersham, Barre, Hardwick, Newbraintree, Oakham, Brookfield, West Brookfield, East Brookfield, North Brookfield, Warren, and Stumbridge.

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
POWER EQUIPMENT OPERATORS						
Shovels, Crawler and Truck Cranes, Derricks, Backhoes, Trenching Machines, Elevating Graders, Belt-type Loaders, Gradalls, Pile Drivers, Concrete Pavers, on site Processing Plant (Engineer in charge), Dragline, Clam Shell, Cableways, Shaft Hoists, Mucking Machines, Front End Loader-5½ yards and over, Tower Cranes, Self-propelled Hydraulic Cranes-10 tons and over, Dual Pavers, Automatic Grader-Excavator (C.M.I. or equal), Scrapers towing pan or wagon, Tandem Dozers or Push Cats (2 units in tandem), Welder using semi automatic Welding Machine, Shotcrete Machine, Tunnel Boring Machine.	$8.30	.45	.60	a	.05	
Rotary Drill (with mounted Compressor), Compressor House (3 to 6 Compressors), Rock and Earth Boring Machines (excluding McCarthy and similar drills), Grader, Front End Loaders-4 yards to 5½ yards, Scraper-21 yards and over (struck load), Forklifts-7 ft. lift and over or 3 ton capacity and over, Sonic Hammer Console.	8.10	.45	.60	a	.05	
Bulldozer, Push Cats, Scrapers-up to 21 yards (struck load) self-propelled or Tractor Drawn, Self-powered Asphalt Paver, Front End Loaders-up to 4 yards, Mechanics, Welders, Well Driller, Pumpcrete Machine, Engineer or Fireman on High Pressure Boiler (on job), Self-loading Batch Plant (on job), Well Point Operators, Electric Pumps used in Well Point system, Tireman, Pumps-16 inches or over total discharge, Compressors (1 or 2) 900 cu. ft. and over, Powered Grease Truck, Asphalt Roller-10 ton and over, Tunnel Locomotives and Dinkys, Grout Pumps, Hydraulic Jacks (jacking pipe, slip forms, etc.), Boom Truck, Self-Propelled Hydraulic Cranes-up to 10 ton.	7.90	.45	.60	a	.05	
Asphalt Roller-up to 10 ton.	7.60	.45	.60	a	.05	

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
POWER EQUIPMENT OPERATORS:						
Hoists, Conveyors, Self-powered Rollers and Compactors, Power Pavement Breaker Self-propelled Material Spreader, Self-powered Concrete Finishing Machine, Two Bag Mixer with skip, McCarthy and similar Drills, Batch Plant (not self-loading), Bulk Cement Plant.	$6.93	.45	.60	a	.05	
Compressor (315 cu. ft. to 900 cu. ft., 1 or 2), Pumps 4" to 16" total discharge, Tractor without blade drawing sheeps-foot roller, Rubber tired roller or other type of compactors including machines for pulverizing and aerating soil.	6.74	.45	.60	a	.05	
Compressor (up to 315 cu. Ft.), Small Mixers with skip, Oiler, Pumps up to 4", Grease Truck, Helper on powered Grease Truck, Power Heaters, Welding Machines						
A-Frame Trucks, Forklifts-up to 7 ft. lift and up to 3 ton capacity, Hydro Broom, Parts Man (in repair shop), Power Safety Boat.	6.12	.45	.60	a	.05	

Footnotes:

a. Paid Holidays: New Year's Day; Washington's Birthday; Memorial Day; Independence Day; Labor Day; Columbus Day; Veterans' Day; Thanksgiving and Christmas Day.

Remainder of County

BUILDING, HEAVY & HIGHWAY CONSTRUCTION POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Shovels, cranes, truck cranes, draglines, trench hoes, backhoes, three drum machines, derricks, pile drivers, elevator towers, hoists, gradalls, shovel dozers, front end loaders, fork lifts, augers, cherry pickers, boring machines, rotary drills, post hole hammers, post hole diggers, pumpcrete machines, pavement breakers, mechanical hoist, cement concrete pavers, shaft hoists, steam engines, cableways, paving concrete mixers, trenching machines, hoisting engines, uke loaders, asphalt plant (on site), concrete batching &/or mixing plant (on site), crusher plant (on site), Timber jacks	$9.11	.55	.60	a	.02	
Boom over 150' including jib - additional $.35 per hour Boom over 185' including jib - additional $.70 per hour Boom over 210' including jib - additional $1.00 per hour Boom over 250' including jib - additional $1.50 per hour Boom over 295' including jib - additional $2.00 per hour						
Master mechanic	9.86	.55	.60	a	.02	
Sonic or vibratory hammers. graders, scrapers, tractors, concrete pumps, tandem scrapers, bulldozers, mulching machines, york rakes, portable steam boilers, rollers, spreaders, tampers, self-propelled or tractor drawn, asphalt pavers, mechanics maintenance, group pumps, locomotive or machines used in place thereof, portable steam generators, paving screed machines, stationary steam boilers, paving concrete finishing machines	8.99	.55	.60	a	.02	

BUILDING, HEAVY & HIGHWAY CONSTRUCTION POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Pumps (1-3 grouped), compressors, welding machines (1-3 grouped), generators, concrete vibrators, lighting plants, heaters (power driven 1-5), wellpoint systems (operating and installing), syphons-pulsometers, concrete mixers, valves controlling permanent plant air or steam, conveyors, Jackson type tamper, single diaphragm pump	$7.625	.55	.60	a	.02	
Assistant engineers (firemen)	8.31	.55	.60	a	.02	
Oilers and apprentices (other than truck cranes and gradalls)	6.75	.55	.60	a	.02	
Oilers and apprentices on truck cranes and gradalls	7.13	.55	.60	a	.02	

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day

FOOTNOTE:
a. 10 paid holidays: A through F; Washington's Birthday; Columbus Day; Veterans' Day; & Patriots' Day.

HEAVY & HIGHWAY CONSTRUCTION LABORERS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Carpenter tenders; Cement finisher tenders; Laborers; Wrecking laborers	$6.55	.40	.40		.05	
Asphalt rakers; Fence & guard rail erectors; Laser beam operators; Mason tenders; Pipelayers; Pneumatic drill operators; Pneumatic tool operators; Wagon drill operators	6.80	.40	.40		.05	
Air track operators; Block pavers; Rammers; Curb setters	7.05	.40	.40		.05	
Blasters; Powdermen	7.30	.40	.40		.05	

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TRUCK DRIVERS-BUILDING CONSTRUCTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Two axle equipment	$3.97	.24	.35	a+b		
Three axle equipment	4.02	.24	.35	a+b		
Four and five axle equipment	4.12	.24	.35	a+b		
Low bed trailer	4.22	.24	.35	a+b		
Specialized earth moving equipment other than conventional	4.22	.24	.35	a+b		
Helpers on low beds	3.97	.24	.35	a+b		
HEAVY AND HIGHWAY CONSTRUCTION						
Station wagons, panel trucks and pick-up trucks	$5.91	.35	.50	a+b		
Two axle equipment; helpers on low bed when assigned at the discretion of the employer, warehousemen, forklift opers.	6.01	.35	.50	a+b		
Three axle equipment and tiremen	6.06	.35	.50	a+b		
Four and five axle equipment	6.16	.35	.50	a+b		
Specialized earth moving equipment under 35 tons other than conventional type trucks, low bed, vachaul, mechanics, paving restoration equipment, Mechanics	6.26	.35	.50	a+b		
Specialized earth moving equipment over 35 tons	6.51	.35	.50	a+b		
Trailers for earth moving equipment, (double hookup)	6.76	.35	.50	a+b		

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day;
C-Independence Day; D-Labor Day;
E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:
a. One half day's pay each month in which an employee has worked 15 days provided he has been employed for 4 months.
b. Holidays: A through F, Washington's Birthday, Columbus Day and Veteran's Day after 30 days employment provided an employee works two days of the calendar week in which the holiday falls.

SUPERSEDEAS DECISION

STATE: NEW JERSEY

COUNTY: CAMDEN & GLOUCESTER

DECISION NO.: AQ-2,093

DATE: DATE OF PUBLICATION

Supersedeas Decision No. AP-836 dated May 25, 1973 in 38 FR 13951
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), heavy and highway construction.

4-8-New Jersey-CAM-GLOU-1-2-3-W 1 Of 2

BUILDING, HEAVY, HIGHWAY CONSTRUCTION	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS H & W	Pensions	Vacation	App. Tr.	Other
Asbestos workers	$9.62	.50	.50			
Boilermakers	8.35	8%	12½%	10%	.01	
Boilermakers' helpers	7.82	8%	12½%	10%	.01	
Bricklayers	8.25	.75	.60			
Carpenters, insulator and soft floor layers	9.53	.30	6%		.02	
Cement masons	9.90	.55	.45			
Electricians, linemen & pipe type cable:						
Electricians	9.80	.39+E	1%+15		.05	
Linemen and cable splicers	9.80	.39+E	1%+15		.05	
Elevator constructors	9.25	.345	.20	2%+a+b	.015	
Elevator constructors' helpers	6.475	.345	.20	2%+a+b	.015	
Elevator constructors' helpers (prob.)	4.625					
Glaziers	8.38	.35	.30		.01	
Ironworkers:						
Structural, Ornamental & Reinforcing	9.08	.43	1.07			
Laborers, Building:						
Laborers	6.70	.35	.40			
Brick tenders, mortar mixers, scaffold builders (brick), hod carriers (brick), power tool op.	6.80	.35	.40			
Burners, nozzle men (gunnite) & motorized buggy operators	6.925	.35	.40			
Lathers' tenders & plasterers' tenders	7.20	.35	.40			
Jackhammer, operator, concrete vibrator & barco tamper operator	7.05	.35	.30			
Lathers	8.61	.225	.10			
Lead burners	8.75	.30		b	.01	
Painters:						
Commercial and industrial	7.75	.50	.50	.35+e		
Spackling machine	7.75	.50	.50	.35+e		
Steel, Bosun Chair	8.15	.50	.50	.35+e		
Commercial spray and dipping	8.55	.50	.50	.35+e		
Brushing hazardous material on commercial work	8.55	.50	.50	.35+e		
Brushing hazardous material on steel	8.80	.50	.50	.35+e		
Sandblasting	8.80	.50	.50	.35+e		
Using roller on tanks	8.80	.50	.50	.35+e		
Spraying hazardous material	9.25	.50	.50	.35+e		
Spraying hazardous material on steel on tanks	9.25	.50	.50	.35+e		
Piledrivermen & dock builders	9.42	1.23	.55		.07	
Plasterers	8.82					
Plumbers & Steamfitters:						
Gloucester County:						
Blue Belle, Malega & New Field	9.00	.37	.37		.02	
Camden Co., & remainder of Gloucester County	8.80	.37	.85	1.00	.05	

4-8-New Jersey-CAM-GLOU-1-2-3-W 2 of 2

BUILDING, HEAVY, HIGHWAY CONSTRUCTION	Basic Hourly Rates	FRINGE BENEFITS PAYMENTS H & W	Pensions	Vacation	App. Tr.	Other
Roofers:						
Composition	8.815	1.00	.55	d		
Composition helpers	4.70	.80	.55	d		
Slate, tile & asbestos	8.75	1.00	.50			
Slate, tile & asbestos helpers	5.39	1.00	.50			
Asphalt shingle	7.34	1.00	.50			
Ashalt shingle helpers	5.39	1.00	.50			
Sheet meatl workers	9.70	.30	.50		.01	
Sprinkler fitters	9.70	.30	.50		.02	

Welders - receive rate prescribed for craft performing operation to which welding is incidental.

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Holidays: A through F; employer contributes 4% basic hourly rate for 5 years or more of service or 2% basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit.

b. Holidays: A through F; Washington's Birthday, Good Friday and Christmas Eve, providing employee has worked 45 full days during the 120 calendar days prior to the holidays, and the regular scheduled work days immediately preceding and following the holiday.

c. Employer contributes 1% to Temporary Disability Fund.

d. Holiday: Election Day.

e. Holidays: B, C, Veteran's Day and the Tuesday following Labor Day.

NJ-1-LAB-2-3- C

HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	
Laborers:						
Blasters	$7.10	.41	.64	a		
Finishers, rammer, paver & gunnite nozzle man and stonecutter	6.80	.41	.64	a		
Timberman	6.75	.41	.64	a		
Form setters	6.80	.41	.64	a		
Grademan	6.80	.41	.64	a		
Sewer pipe, laser men, conduit & duct line layers	6.50	.41	.64	a		
Wagon drill op's, & drill masters	6.60	.41	.64	a		
Wagon drill op. helper & drill master helper, powder carrier, magazine tender	6.25	.41	.64	a		
Jackhammer, chipping hammer, pavement breaker, power buggy, concrete cutter, asphalt cutter, sheet hammer & tree cutter op., & such other power tools used to perform work usually done manually by laborers	6.60	.41	.64	a		
Signal man	6.30	.41	.64	a		
Wrapping and coating of all pipe	6.20	.41	.64	a		
Common laborers, landscape laborers, railroad track man, flagman, salamander tenders, pitmen & gunmen	6.10	.41	.64	a		
FREE AIR TUNNEL WORK	Daily Rates					
Blasters	$63.77	.41	.59	a		
Skilled men (including miners, drill runners, iron men, maintenance men, conveyor men, safety miners, riggers, block layers, powder carriers, all other skilled men)	60.57	.41	.59	a		
Semi-skilled men (including miners' helpers, chuck tenders, track men, nippers, brake men, derail men, cable men, hose men, grout men, gravel men, form men, bell or signal men (top or bottom), form workers and movers, concrete workers, shaft men, tunnel laborers, caulkers' helpers, all other semi-skilled men)	59.28	.41	.59	a		
All others (including powder watchmen, change house attendants, top laborers)	55.22	.41	.59	a		

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:

a. Holidays: A through F; Washington's Birthday; Armistice Day; Presidential Election Day; (providing employee works 3 days for the same employer within a period of 10 working days consisting of 5 working days before and 5 working days after the day upon which the holiday falls).

N.J. 4-LAB-5-L

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS: H & W	PENSIONS	VACATION	APP. TR.	OTHER
Laborers, Asphalt						
Street:						
Head raker	$6.55	.41	.59	a		
Rakers and screed board man	6.40	.41	.59	a		
Tampers, smoothers, kettlemen, painters, top shovelers and roller boys	6.15	.41	.59	a		
Plant:						
Scale mixers and burner men	6.40	.41	.59	a		
Feeders and dust men	6.15	.41	.59	a		

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Holidays: A through F, Washington's Birthday; Armistice Day & Presidential Election Day providing employee works on (3) three days for the same employer within a period of ten (10) working days, consisting of five (5) working days before and five (5) working days after the day on which the holiday falls or is observed as such.

BUILDING & HEAVY CONSTRUCTION - POWER EQUIPMENT OPERATORS:

GROUP I: Autograde - combn. subgrader, base MTL spreader & base trimmer (CMI & similar types), autograde placer-trimmer-spreader-combn. (CMI & similar types), autograde slipform paver (CMI & similar types), backhoes (all types, including all combination hoe loaders), central power plants (all types), concrete paving machines, cranes (all types including overhead & straddle travelling type), cranes (gantry), derricks (land or floating), drillmaster, quarrymaster (down the hole drill), draglines, elevator graders, engines (large diesel 1620 HP and staging pump), front end loaders (5 yds. and over), gradalls, grader, rago, helicopters (co-pilot), jack (screw air hydraulic power operated unit or console type (not hand jack or pile load test type), locomotive (large), mucking machines, pavers (21-E and over), paver (resinous, broyhill), pavement & concrete breaker (super-hammer), pavement breaker truck mounted, piledriver, scooper (loader and shovel) koehring, shovels, tree chopper, trench machines

GROUP II: "A" frame, boring & drilling machines, brush chopper, chipper & shredder, cableways carryalls, cherry pickers (6 tons & under), concrete pump, concrete pumping system, pumpcrete, squeezecrete & similar types, conveyors (125' & over), econo-mobiles (hilo, lull, hyster similar type equipment), fork lifts, front end loaders (2 yds, but less than 5 yds.), grove cutting machine, heater planer, pans (letourneau, dw's ukes), pumpcrete (unit type), pumpcrete machines (squeezecrete & concrete pumping regardless of size), rollers (backtop), scrapers (letourneau, dw's ukes), side booms, squeezecrete, straddle carrier (ross & similar types), winch trucks (hoisting)

GROUP III: Aerial platform (used as hoist), hoist (all type hoists, gas, diesel, electric, air, hydraulic, single and double drum, concrete, brick shaft caisson, conveyor, snorkel, roof, tugger, and house cars or any other similar type hoisting machines, portable or stationary, except Chicago boom type), elevators or house cars, roof hoist

GROUP IV: Asphalt curbing machine, asphalt plant engineer, asphalt spreaders, auto-grade tube finisher & texturing machine (CMI & similar), autograde curecrete machine (CMI & similar), autograde crub trimmer & sidewalk, shoulder slipform (CMI & similar types), bar bending machines (power), batchers, batching plant & crusher on site, belt conveyor systems, boilers and steam jennies (irrespective of their use), boom type skimmer machines, bridge deck finisher, car dumpers (railroad), compressor and blower type units (used independently or mounted on dual purpose trucks, on job site or in conjunction with hob site, in loading and unloading of concrete, cement, fly ash, instancrete, or similar type materials), concrete breaking machines, concrete finishing machines, concrete saws & cutters (ride on type), concrete spreaders hetzel, rexomatic and similar types, conveyors (under 125'), crushing machines, ditching machines (small, ditchwitch or similar), drill doctor (duties include dust collector, maintenance), dope pots (mechanical with or without pump), dumpsters, fine grade machine (large type), front end loaders (under 2 yds.), generators giraffe grinders, grader (finish only), graders and motor patrols, gunite machines (excluding nozzle), hammer vibrator (in conjunction with generator), hoppers, hopper doors (power operated), ladders (motorized), laddervator, lights (portable generating light plants), locomotive (dinky type), maintenance and repair of asphalt curbing machines, concrete finishing machines, concrete vibrators, gas buggies, leveling machines, portable generators, power saws, compressor equipment or compressor units used in connection with cement,

BUILDING & HEAVY CONSTRUCTION - POWER EQUIPMENT OPERATORS CONT'D.:

paint, insulating and acoustical sprays, plaster, curing and sandblasting (all and similar types), mechanic, mixers (excepting paving mixers), motor patrols and graders, pavers (under 21-E), pavement breakers (small, self propelled ride on type, also maintains compressor or hydraulic unit), pipe bending machine (power), pitch pump, plaster pump (regardless of size), post hole digger, rod bending machines (power), scales (power), seaman pulverizing mixer, silas, steam jennies and boilers (irrespective of theiruse), steel cutting machine (service & maintains), vibrating plants (used in conjunction with unloading, welder and repair mechanic.

GROUP V: Welding machines (gas or electric converters of any type 2 or 3 in battery), compressors (2 or 3 within a total distance of 100' constitutes a battery), welding system, mutiple (rectifiertransformer type)

GROUP VI: Bulldozer, fireman, sprinkler and water pump trucks (used on job site or in conjunction with job site), stone, spreaders, sweepers & brooms, tractors (D-8 and over), water & sprinkler trucks (used on job site or in conjunction with job site)

GROUP VII: Compressor (single), heaters (nelson or other type including propane, natural gas or flow type units), pumps (4 inch suction & over including submersible pumps), temporary heating plant (nelson or other type including propane, natural gas or flow type units), welding machines (gas or electric converters of any type single), wellpoint system (including installation and maintenance)

GROUP VIII: Concrete spreaders (small type), fertilizing equipment and maintenance of), grease, gas, fuel and oil supply trucks, mulching equipment (operation and maintenance of), seeding equipment (operation and maintenance of), tamping machines (vibrating self propelled)

GROUP IX: Assistant engineer/oiler, mechanics helper, tire repair & maintenance

GROUP X: Water Operations: On all power boats used in conjunction with pipeline, river crossings and all types of construction: captain (power boats), tug master (power boats)

GROUP XI: Water Operations: Deckhand

GROUP XII: Pump (staging)

GROUP XIII: Rollers (grade fill or stone base)

GROUP XIV: Helicopters (pilot/engineer)

BUILDING AND HEAVY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
POWER EQUIPMENT OPERATORS						
GROUP 1	$10.73	7%	10%+5%	a	3%	
GROUP 2	9.85	7%	10%+5%	a	3%	
GROUP 3	9.65	7%	10%+5%	a	3%	
GROUP 4	8.96	7%	10%+5%	a	3%	
GROUP 5	8.81	7%	10%+5%	a	3%	
GROUP 6	8.76	7%	10%+5%	a	3%	
GROUP 7	8.05	7%	10%+5%	a	3%	
GROUP 8	8.41	7%	10%+5%	a	3%	
GROUP 9	7.60	7%	10%+5%	a	3%	
GROUP 10	8.91	7%	10%+5%	a	3%	
GROUP 11	7.50	7%	10%+5%	a	3%	
GROUP 12	9.95	7%	10%+5%	a	3%	
GROUP 13	8.41	7%	10%+5%	a	3%	
GROUP 14	12.33	7%	10%+5%	a	3%	

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE

a. Holidays, A through F plus Washington's Birthday and Presidential Election Day provided the employee works any of the three days in the five work days preceeding the holiday and the first work day after the recognized holiday.

POWER EQUIPMENT OPERATORS - HIGHWAY, ROAD, STREET & SEWER CONSTRUCTION:

GROUP I: Autograde-combn., subgrader, base MTL. spreader & base trimmer (CMI & similar types), autograde placer-trimmer-spreader-combn. (CMI & similar types), autograde slipform paver (CMI & similar types), backhoes (all types, including all combination hoe loaders), central power plants (all types), concrete paving machines, cranes (all types including overhead & straddle travelling type), cranes (gantry), drillmaster, quarrymaster (down the hole drill), draglines, elevator graders, engines (large diesel 1620 HP and staging pump), front end loader (5 yds. and over), gradalls, grader, rago, helicopters (co-pilot), jacks (screw air hydraulic power operated unit or console type (not hand jack or pile load test type), locomotive (large), mucking machine, pavers (21-E and over), paver (resinous, broyhill), pavement & concrete breaker (superhammer), pavement breaker truck mounted, piledriver, scooper (loader and shovel), koehring, shovels, tree chopper, trench machines

GROUP II: "A" frame, boring & drilling machines, brush chopper, chipper & shredder, cableways, carryalls, cherry pickers (6 tons and under), concrete pump, concrete pumping system, pumpcrete, squeezecrete and similar types, conveyors (125' and over), economobiles (hilo, lull, hyster and similar type equipment), fork lifts, front end loaders 2 yds. but less than 5 yds., groove cutting machine, heater planer, pans (letourneau, dw's ukes), pumpcrete (unit type), pumpcrete machines (squeezecrete & concrete pumping machines regardless of size), rollers (blacktop), scrapers (letourneau, dw's, ukes), side booms, squeezecrete, straddle carrier (ross & similar types), winch trucks (hoisting)

GROUP III: Asphalt curbing machine, asphalt plant engineer, asphalt spreaders, autograde tube finisher & texturing machine (CMI and similar), autograde curecrete machine (CMI and similar types), autograde curb trimmer & sidewalk, shoulder slip form (CMI and similar types), bar bending machines (power), batchers, batching plant and crusher on site, belt conveyor systems, bridge deck finisher, car dumpers (railroad), compressor and blower type units (used independently or mounted on dual purpose trucks, on the job site or in conjunction with job site in loading and unloading of concrete, cement, fly ash, instancrete or similar type materials, concrete breaking machines, concrete finishing machines, concrete saws & cutters (ride on type), concrete spreaders, hetzel, rexomatic & similar types, conveyors (under 125'), crushing machines, ditching machines (small ditchwitch or similar), drill doctor (duties include dust collector, maintenance), dope pots (mechanical with or without pump), dumpster, fine grade machine (large type), concrete vibrators, skimmer machines (boom type), generators, giraffe grinders, grader (finish only), graders & motor patrols, gunite machine (excluding nozzle), hammer vibratory (in conjunction with generator), hoppers, hopper doors (power operated), laddervator, lights (portable generating light plants), locomotive (dinky type), maintenance and repair of asphalt curbing machines, concrete finishing machines, concrete vibrators, gas buggies, leveling machines, portable generators, power saws, compressor equipment or compressor units used in connection with cement, paint, insulating and acoustical sprays, plaster, curing and sandblasting (all and similar types), mechanic, mixers (excepting paving mixers), motor patrols and graders, pavers (under 21-E), pavement breaker (small, selfpropelled ride on type, also maintains compressor or hydraulic unit), pipe bending machine (power), pitch pump, front end loaders (1 yd. and over, but less than 2 yds.), post hole digger, rod bending machine (power), scales (power), seaman pulverizing mixer, silas, steam jennies and boilers (irrespective of their use), steel cutting machine (services and maintains), vibrating plants (used in conjunction with unloading, welder and and repair mechanic

POWER EQUIPMENT OPERATORS - HIGHWAY, ROAD, STREET & SEWER CONSTRUCTION CONT'D. :

GROUP IV: Bulldozer, fireman, sprinkler and water pump trucks (used on job site or in conjunction with job site), stone spreaders, sweepers and brooms, tractors (D-8 and over), water and sprinkler trucks (used on job site in conjunction with job site

GROUP V: Compressors (single), heaters (nelson or other type including propane, natural gas or flowtype units), pumps (4 inch suction and over including submersible pumps), temporary heating plant (nelson or other type including propane, natural gas or flow type units), pumps (diesel engine and hydraulic immaterial of power), wellpoint systems (including installation and maintenance), welding machines (gas or electric converters of any type 2 or 3 in battery), pumps (2 of less than 4 inch suction including submersible pumps

GROUP VI: Front end loaders (under 1 yard)

GROUP VII: Helicopters (pilot/engineer)

GROUP VIII: Pump (staging)

GROUP IX: Rollers (grade fill or stone base), tractors (under D-8)

GROUP X: Tug master (power boats), captain (power boats)

GROUP XI: Compressors (2 or 3 within a total distance of 100' constitutes a battery

GROUP XII: Concrete spreaders (small type), fertilizing equipment, operation & maintenance of grease, gas, fuel and oil supply trucks, mulching equipment, operation and maintenance of seeding machines, tamping machines (vibrating, self propelled), farm tractors, conveyor loaders (not including elevator graders), fine grade machine (small type), concrete mixers (small), road finishing machines (small type), welding machines (gas or electric converters of any type-single), form line graders (small type)

HIGHWAY, ROAD, STREET & SEWER CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP I	$10.73	7%	5%+10%	a	3%	
GROUP II	9.85	7%	5%+10%	a	3%	
GROUP III	8.96	7%	5%+10%	a	3%	
GROUP IV	8.76	7%	5%+10%	a	3%	
GROUP V	8.05	7%	5%+10%	a	3%	
GROUP VI	8.61	7%	5%+10%	a	3%	
GROUP VII	12.33	7%	5%+10%	a	3%	
GROUP VIII	9.95	7%	5%+10%	a	3%	
GROUP IX	8.41	7%	5%+10%	a	3%	
GROUP X	8.91	7%	5%+10%	a	3%	
GROUP XI	8.66	7%	5%+10%	a	3%	
GROUP XII	7.90	7%	5%+10%	a	3%	

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:
a. Paid holidays; A through F, Washington's Birthday and Presidential Election Day, provided the employee works any three days in the five day work week preceding the holiday and the first work day following the holiday.

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS			
		H & W	PENSIONS	VACATION	APP. TR.
STEEL ERECTION					
Power Equipment Operators:					
Cranes and derricks (land or floating), with booms (including jib), less than 140'	$11.53	7%	15%	a	3%
Cranes and derricks (land or floating), with booms (including jib), 140' and over	12.33	7%	15%	a	3%
A-frames, cherry pickers, elevators, permanent or temporary or any other hoisting machine regardless of motor power, fork lifts, hoists house cars, side booms	10.88	7%	15%	a	3%
Air compressors (2 or 3 in battery), welding machines (gasoline or electric) converters of any type, 2 or 3 in battery multiple welders	9.31	7%	15%	a	3%
Air compressors single, welding machines (gasoline electric converter of any type, single)	8.50	7%	15%	a	3%
Firemen	8.83	7%	15%	a	3%
Oilers	8.00	7%	15%	a	3%
Water Operations:					
On all power boats used in conjunction with pipe line, river crossings and all types of construction work:					
Captain, tugmaster	9.25	7%	15%	a	3%
Deckhand	7.95	7%	15%	a	3%

Paid Holidays:
A-New Years' Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

Footnote:
a. Holidays: A through F; Washington's Birthday; Veteran's Day and Presidential Election Day.

TRUCK DRIVERS, BUILDING, HEAVY & HIGHWAY	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Straight, dump, transit-mix, pickup, water & fuel and ambulance drivers	$5.20	a+c	b	d		
Low boy, tractor trailer, winch straight, euclid trailer, dump not self-loading, winch trailer, asphalt or oil distributor	5.55	a+c	b	d		
Mechanics	5.70	a+c	b	d		
Ten wheel dump & trailer dump off-site	4.50	a+c	b	d		
Tow truck	5.35	a+c	b	d		
Mechanics' helper	4.50	a+c	b	d		

FOOTNOTES:

a. Employer contributes $1.90 per day to Health & Welfare.

b. Employer contributes $2.00 per day to Pension Fund.

c. Employer contributes $1.00 per day to Life Insurance.

d. Employee who has worked or received pay for 90 days within a year prior to his anniversary date shall receive 50 hours straight time Vacation Pay; 3 years but less than 8 years of service 100 hours; more than 8 years but less than 15 years-125 hours; 15 years or more - 165 hours.

STATE: NEW JERSEY

DECISION NO.: AQ-2,094

COUNTY: ATLANTIC & CAPE MAY COUNTIES, NEW JERSEY
DATE: DATE OF PUBLICATION

Supersedeas Decision No. AP-809 dated May 11, 1973 in 38 FR 12561
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), heavy and highway construction.

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BUILDING, HEAVY, HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos workers	$9.22	.50	.50			
Boilermakers	8.35	8%	9½ + 3%	10%	.01	
Boilermakers' helpers	7.82	8%	9½ + 3%	10%	.01	
Bricklayers	9.42	.40	.20		.02	
Carpenters, Millwrights and Insulators	9.53	.30	6%		.02	
Cement masons	9.17	.40	.20		.02	
Electricians	8.20	.20 + g	1% + .25		.02	
Elevator Constructors:						
Elevator constructors	9.25	.345	.20	2% +a+b	.015	
Elevator constructors' helpers	6.475	.345	.20	2%+a+b	.015	
Elevator constructors' helpers (prob.)	4.625					
Ironworkers, structural	9.20	.64	1.06		.05	
Ironworkers, ornamental	9.20	.64	1.06		.05	
Ironworkers, reinforcing	9.20	.64	1.06		.05	
Laborers, Building Construction:						
Laborers	6.35	.55	.15			
Air tool operator	6.80	.55	.15			
Concrete workers	6.35	.55	.15			
Gunnite men	6.80	.55	.15			
Nozzle gun operator	6.45	.40	.15			
Mason tenders	6.35	.55	.15			
Plasterers' tenders	6.35	.55	.15			
Lathers	7.85		.15		.01	
Leadburners	8.75	.30		c	.01	
Marble setters	9.42	.40	.20		.02	
Painters:						
Brush and roller	7.00	.45	.45			
Structural steel, tanks & flag poles	7.50	.45	.45			
Spray	7.50	.45	.45			
Sandblasting and striping of lines by mechanical machines	8.00	.45	.45			
Piledrivermen and dock builders	9.42	1.23	.55		.07	
Plasterers	9.42	.40	.20		.02	
Plumbers	9.00	.37	.37		.02	
Roofers:						
Composition, Rollermen and Kettlemen	8.60	.30	.30			
Slate, tile and dampproofers	8.85	.30	.30			
Sheet metal workers	8.75	.30	.30			
Soft floor layers	9.53	.30	6%		.02	
Steam fitters	9.00	.37	.37		.02	
Stone masons	9.42	.40	.20		.02	
Sprinkler fitters	9.45	.40	.60		.07	
Terrazzo workers	9.42	.40	.20			
Tile setters	9.42	.40	.20			

1-5-N.J.-At1-CM-1-2-3-X 2 of 2

BUILDING, HEAVY, HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Truck Drivers: (Building, Heavy & Highway)						
Truck drivers	$5.55	d+h		e + f		
Truck drivers' helpers	5.45	d+h		e + f		
Euclids, 10-wheel tractors & tractor trailer trucks, lowbeds and pole trailer	5.85	d+h		e + f		
Tractor, trailers, transit mix, 10-wheel flats and dumps	5.70	d+h		e + f		
Warehousemen	5.45	d+h		e + f		
Welders - receive rate prescribed for craft performing operation to which welding is incidental.						

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Employer contributes 4% basic hourly rate for 5 years or more of service, or 2% basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit.

b. Holidays: A through F.

c. Holidays: A through F; Washington's Birthday; Good Friday providing employee has worked at least 45 full days during the 120 calendar days prior to the holiday and the regularly scheduled work days immediately preceding and following the holiday.

d. $1.00 per week employer contribution to Life Insurance Fund.

e. One week vacation after one year's work; two weeks vacation after 3 year's work.

f. Holidays: A through F; Washington's Birthday, Armistice Day, Presidental Election Day provided an employee works 3 days in the week in which the holiday falls.

g. Employer contributes 1% to Temporary Disability Fund.

h. Employer contributes $2.30 per day to an employees Health & Welfare Benefit Funds.

i. Employer contributes $1.60 per day to an employees Pension Fund.

NJ-1-LAB-2-3- C

HEAVY AND HIGHWAY CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Laborers:					
Blasters	$7.10	.41	.64	a	
Finishers, rammer, paver & gunnite nozzle man and stonecutter	6.80	.41	.64	a	
Timberman	6.75	.41	.64	a	
Form setters	6.80	.41	.64	a	
Grademan	6.80	.41	.64	a	
Sewer pipe, laser men, conduit & duct line layers	6.50	.41	.64	a	
Wagon drill op., & drill masters	6.60	.41	.64	a	
Wagon drill op. helper & drill master helper, powder carrier, magazine tender	6.25	.41	.64	a	
Jackhammer, chipping hammer, pavement breaker, power buggy, concrete cutter, asphalt cutter, sheet hammer & tree cutter op., & such other power tools used to perform work usually done manually by laborers	6.60	.41	.64	a	
Signal man	6.30	.41	.64	a	
Wrapping and coating of all pipe	6.20	.41	.64	a	
Common laborers, landscape laborers, railroad track man, flagman, salamander tenders, pitman & dumpmen	6.10	.41	.64	a	
FREE AIR TUNNEL WORK	Daily Rates				
Blasters	$63.77	.41	.59	a	
Skilled men (including miners, drill runners, iron men, maintenance men, conveyor men, safety miners, riggers, block layers, powder carriers, all other skilled men)	60.57	.41	.59	a	
Semi-skilled men (including miners' helpers, chuck tenders, track men, nippers, brake men, derail men, cable men, hose men, grout men, gravel men, form men, bell or signal men (top or bottom), form workers and movers, concrete workers, shaft men, tunnel laborers, caulkers' helpers, all other semi-skilled men)	59.28	.41	.59	a	
All others (including powder watchmen, change house attendants, top laborers)	55.22	.41	.59	a	

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:

a. Holidays: A through F; Washington's Birthday; Armistice Day; Presidential Electi Day; (providing employee works 3 days for the same employer within a period of 10 working days consisting of 5 working days before and 5 working days after the day upon which the holiday falls).

N.J. 4-LAB-5-L

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Laborers, Asphalt						
Street:						
Head raker	$6.55	.41	.59	a		
Rakers and screed board man	6.40	.41	.59	a		
Tampers, smoothers, kettlemen, painters, top shovelers and roller boys	6.15	.41	.59	a		
Plant:						
Scale mixers and burner men	6.40	.41	.59	a		
Feeders and dust men	6.15	.41	.59	a		

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Holidays: A through F, Washington's Birthday; Armistice Day & Presidential Election Day providing employee works on (3) three days for the same employer within a period of ten (10) working days, consisting of five (5) working days before and five (5) working days after the day on which the holiday falls or is observed as such.

BUILDING & HEAVY CONSTRUCTION - POWER EQUIPMENT OPERATORS:

GROUP I: Autograde - combn. subgrader, base MIL spreader & base trimmer (CMI & similar types), autograde placer-trimmer-spreader-combn. (CMI & similar types), autograde slipform paver (CMI & similar types), backhoes (all types, including all combination hoe loaders), central power plants (all types), concrete paving machines, cranes (all types including overhead & straddle travelling type), cranes (gantry), derricks (land or floating), drillmaster, quarrymaster (down the hole drill), draglines, elevator graders, engines (large diesel 1620 HP and staging pump), front end loaders (5 yds. and over), gradalls, grader, rago, helicopters (co-pilot), jack (screw air hydraulic power operated unit or console type (not hand jack or pile load test type), locomotive (large), mucking machines, pavers (21-E and over), paver (resinous, broyhill), pavement & concrete breaker (super-hammer), pavement breaker truck mounted, piledriver, scooper (loader and shovel) koehring, shovels, tree chopper, trench machines

GROUP II: "A" frame, boring & drilling machines, brush chopper, chipper & shredder, cableways carryalls, cherry pickers (6 tons & under), concrete pump, concrete pumping system, pumpcrete, squeezecrete & similar types, conveyors (125' & over), econo-mobiles (hilo, lull, hyster similar type equipment), fork lifts, front end loaders (2 yds, but less than 5 yds.), grove cutting machine, heater planer, pans (letourneau, dw's ukes), pumpcrete (unit type), pumpcrete machines (squeezecrete & concrete pumping regardless of size), rollers (backtop), scrapers (letourneau, dw's ukes), side booms, squeezecrete, straddle carrier (ross & similar types), winch trucks (hoisting)

GROUP III: Aerial platform (used as hoist), hoist (all type hoists, gas, diesel, electric, air hydraulic, single and double drum, concrete, brick shaft caisson, conveyor, snorkel, roof, tugger, and house cars or any other similar type hoisting machines, portable or stationary, except Chicago boom type), elevators or house cars, roof hoist

GROUP IV: Asphalt curbing machine, asphalt plant engineer, asphalt spreaders, auto-grade tube finisher & texturing machine (CMI & similar), autogrede curecrete machine (CMI & similar), autograde crub trimmer & sidewalk, shoulder slipform (CMI & similar types), bar bending machines (power), batchers, batching plant & crusher on site, belt conveyor systems, boilers and steam jennies (irrespective of their use), boom type skimmer machines, bridge deck finisher, car dumpers (railroad), compressor and blower type units (used independently or mounted on dual purpose trucks, on job site or in conjunction with hob site, in loading and unloading of concrete, cement, fly ash, instancrete, or similar type materials), concrete breaking machines, concrete finishing machines, concrete saws & cutters (ride on type), concrete spreaders hetzel, rexomatic and similar types, conveyors (under 125'), crushing machines, ditching machines (small, ditchwitch or similar), drill doctor (duties include dust collector, maintenance), dope pots (mechanical with or without pump), dumpsters, fine grade machine (large type), front end loaders (under 2 yds.), generators giraffe grinders, grader (finish only), graders and motor patrols, gunite machines (excluding nozzle), hammer vibrator (in conjunction with generator), hoppers, hopper doors (power operated), ladders (motorized), laddervator, lights (portable generating light plants), locomotive (dinky type), maintenance and repair of asphalt curbing machines, concrete finishing machines, concrete vibrators, gas buggies, leveling machines, portable generators, power saws, compressor equipment or compressor units used in connection with cement,

BUILDING & HEAVY CONSTRUCTION - POWER EQUIPMENT OPERATORS CONT'D.:

paint, insulating and acoustical sprays, plaster, curing and sandblasting (all and similar types), mechanic, mixers (excepting paving mixers), motor patrols and graders, pavers (under 21-E), pavement breakers (small, self propelled ride on type, also maintains compressor or hydraulic unit), pipe bending machine (power), pitch pump, plaster pump (regardless of size), post hole digger, rod bending machines (power), scales (power), seaman pulverizing mixer, silas, steam jennies and boilers (irrespective of theiruse), steel cutting machine (service & maintains), vibrating plants (used in conjunction with unloading, welder and repair mechanic.

GROUP V: Welding machines (gas or electric converters of any type 2 or 3 in battery), compressors (2 or 3 within a total distance of 100' constitutes a battery), welding system, mutiple (rectifier transformer type)

GROUP VI: Bulldozer, fireman, sprinkler and water pump trucks (used on job site or in conjunction with job site), stone, spreaders, sweepers & brooms, tractors (D-8 and over), water & sprinkler trucks (used on job site or in conjunction with job site)

GROUP VII: Compressor (single), heaters (nelson or other type including propane, natural gas or flow type units), pumps (4 inch suction & over including submersible pumps), temporary heating plant (nelson or other type including propane, natural gas or flow type units), welding machines (gas or electric converters of any type single), wellpoint system (including installation and maintenance)

GROUP VIII: Concrete spreaders (small type), fertilizing equipment and maintenance of), grease, gas, fuel and oil supply trucks, mulching equipment (operation and maintenance of), seeding equipment (operation and maintenance of), tamping machines (vibrating self propelled)

GROUP IX: Assistant engineer/oiler, mechanics helper, tire repair & maintenance

GROUP X: Water Operations: On all power boats used in conjunction with pipeline, river crossings and all types of construction: captain (power boats), tug master (power boats)

GROUP XI: Water Operations: Deckhand

GROUP XII: Pump (staging)

GROUP XIII: Rollers (grade fill or stone base)

GROUP XIV: Helicopters (pilot/engineer)

BUILDING AND HEAVY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
POWER EQUIPMENT OPERATORS						
GROUP 1	$10.73	7%	10%+5%	a	3%	
GROUP 2	9.85	7%	10%+5%	a	3%	
GROUP 3	9.65	7%	10%+5%	a	3%	
GROUP 4	8.96	7%	10%+5%	a	3%	
GROUP 5	8.81	7%	10%+5%	a	3%	
GROUP 6	8.76	7%	10%+5%	a	3%	
GROUP 7	8.05	7%	10%+5%	a	3%	
GROUP 8	8.41	7%	10%+5%	a	3%	
GROUP 9	7.60	7%	10%+5%	a	3%	
GROUP 10	8.91	7%	10%+5%	a	3%	
GROUP 11	7.50	7%	10%+5%	a	3%	
GROUP 12	9.95	7%	10%+5%	a	3%	
GROUP 13	8.41	7%	10%+5%	a	3%	
GROUP 14	12.33	7%	10%+5%	a	3%	

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE

a. Holidays, A through F plus Washington's Birthday and Presidential Election Day provided the employee works any of the three days in the five work days preceeding the holiday and the first work day after the recognized holiday.

POWER EQUIPMENT OPERATORS - HIGHWAY, ROAD, STREET & SEWER CONSTRUCTION:

GROUP I: Autograde-combn., subgrader, base MTL. spreader & base trimmer (CMI & similar types), autograde placer-trimmer-spreader-combn. (CMI & similar types), autograde slipform paver (CMI & similar types), backhoes (all types, including all combination hoe loaders), central power plants (all types), concrete paving machines, cranes (all types including overhead & straddle travelling type), cranes (gantry), drillmaster, quarrymaster (down the hole drill), draglines, elevator graders, engines (large diesel 1620 HP and staging pump), front end loader (5 yds. and over), gradalls, grader, rago, helicopters (co-pilot), jacks (screw air hydraulic power operated unit or console type (not hand jack or pile load test type), locomotive (large), mucking machine, pavers (21-E and over), paver (resinous, broyhill), pavement & concrete breaker (superhammer), pavement breaker truck mounted, piledriver, scooper (loader and shovel), koehring, shovels, tree chopper, trench machines

GROUP II: "A" frame, boring & drilling machines, brush chopper, chipper & shredder, cableways, carryalls, cherry pickers (6 tons and under), concrete pump, concrete pumping system, pumperete, squeezecrete and similar types, conveyors (125' and over), ecconomobiles (hilo, lull, hyster and similar type equipment), fork lifts, front end loaders 2 yds. but less than 5 yds., groove cutting machine, heater planer, pans (letourneau, dw's ukes), pumperete (unit type), pumperete machines (squeezecrete & concrete pumping machines regardless of size), rollers (blacktop), scrapers (letourneau, dw's, ukes), side booms, squeezecrete, straddle carrier (ross & similar types), winch trucks (hoisting)

GROUP III: Asphalt curbing machine, asphalt plant engineer, asphalt spreaders, autograde tube finisher & texturing machine (CMI and similar), autograde curecrete machine (CMI and similar types), autograde curb trimmer & sidewalk, shoulder slip form (CMI and similar types), bar bending machines (power), batchers, batching plant and crusher on site, belt conveyor systems, bridge deck finisher, car dumpers (railroad), compressor and blower type units (used independently or mounted on dual purpose trucks, on the job site or in conjunction with job site in loading and unloading of concrete, cement, fly ash, instancrete or similar type materials, concrete breaking machines, concrete finishing machines, concrete saws & cutters (ride on type), concrete spreaders, hetzel, rexomatic & similar types, conveyors (under 125'), crushing machines, ditching machines (small ditchwitch or similar), drill doctor (duties include dust collector, maintenance), dope pots (mechanical with or without pump), dumpster, fine grade machine (large type), concrete vibrators, skimmer machines (boom type), generators, giraffe grinders, grader (finish only), graders & motor patrols, gunite machine (excluding nozzle), hammer vibratory (in conjunction with generator), hoppers, hopper doors (power operated), laddervator, lights (portable generating light plants), locomotive (dinky type), maintenance and repair of asphalt curbing machines, concrete finishing machines, concrete vibrators, gas buggies, leveling machines, portable generators, power saws, compressor equipment or compressor units used in connection with cement, paint, insulating and acoustical sprays, plaster, curing and sandblasting (all and similar types), mechanic, mixers (excepting paving mixers), motor patrols and graders, pavers (under 21-E), pavement breaker (small, selfpropelled ride on type, also maintains compressor or hydraulic unit), pipe bending machine (power), pitch pump, front end loaders (1 yd. and over, but less than 2 yds.), post hole digger, rod bending machine (power), scales (power), seaman pulverizing mixer, silas, steam jennies and boilers (irrespective of their use), steel cutting machine (services and maintains), vibrating plants (used in conjunction with unloading, welder and and repair mechanic

POWER EQUIPMENT OPERATORS - HIGHWAY, ROAD, STREET & SEWER CONSTRUCTION CONT'D. :

GROUP IV: Bulldozer, fireman, sprinkler and water pump trucks (used on job site or in conjunction with job site), stone spreaders, sweepers and brooms, tractors (D-8 and over), water and sprinkler trucks (used on job site in conjunction with job site

GROUP V: Compressors (single), heaters (nelson or other type including propane, natural gas or flowtype units), pumps (4 inch suction and over including submersible pumps), temporary heating plant (nelson or other type including propane, natural gas or flow type units), pumps (diesel engine and hydraulic immaterial of power), wellpoint systems (including installation and maintenance), welding machines (gas or electric converters of any type 2 or 3 in battery), pumps (2 of less than 4 inch suction including submersible pumps

GROUP VI: Front end loaders (under 1 yard)

GROUP VII: Helicopters (pilot/engineer)

GROUP VIII: Pump (staging)

GROUP IX: Rollers (grade fill or stone base), tractors (under D-8)

GROUP X: Tug master (power boats), captain (power boats)

GROUP XI: Compressors (2 or 3 within a total distance of 100' constitutes a battery

GROUP XII: Concrete spreaders (small type), fertilizing equipment, operation & maintenance of grease, gas, fuel and oil supply trucks, mulching equipment, operation and maintenance of seeding machines, tamping machines (vibrating, self propelled), farm tractors, conveyor loaders (not including elevator graders), fine grade machine (small type), concrete mixers (small), road finishing machines (small type), welding machines (gas or electric converters of any type-single), form line graders (small type)

HIGHWAY, ROAD, STREET & SEWER CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP I	$10.73	7%	5% + 10%	a	3%	
GROUP II	9.85	7%	5% + 10%	a	3%	
GROUP III	8.96	7%	5% + 10%	a	3%	
GROUP IV	8.76	7%	5% + 10%	a	3%	
GROUP V	8.05	7%	5% + 10%	a	3%	
GROUP VI	8.61	7%	5% + 10%	a	3%	
GROUP VII	12.33	7%	5% + 10%	a	3%	
GROUP VIII	9.95	7%	5% + 10%	a	3%	
GROUP IX	8.41	7%	5% + 10%	a	3%	
GROUP X	8.91	7%	5% + 10%	a	3%	
GROUP XI	8.66	7%	5% + 10%	a	3%	
GROUP XII	7.90	7%	5% + 10%	a	3%	

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:
a. Paid holidays; A through F, Washington's Birthday and Presidential Election Day, provided the employee works any three days in the five day work week preceding the holiday and the first work day following the holiday.

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS			
		H & W	PENSIONS	VACATION	APP. TR.
STEEL ERECTION					
Power Equipment Operators:					
Cranes and derricks (land or floating), with booms (including jib), less than 140'	$11.53	7%	15%	a	3%
Cranes and derricks (land or floating), with booms (including jib), 140' and over	12.33	7%	15%	a	3%
A-frames, cherry pickers, elevators, permanent or temporary or any other hoisting machine regardless of motor power, fork lifts, hoists house cars, side booms	10.88	7%	15%	a	3%
Air compressors (2 or 3 in battery), welding machines (gasoline or electric) converters of any type, 2 or 3 in battery multiple welders	9.31	7%	15%	a	3%
Air compressors single, welding machines (gasoline electric converter of any type, single)	8.50	7%	15%	a	3%
Firemen	8.83	7%	15%	a	3%
Oilers	8.00	7%	15%	a	3%
Water Operations:					
On all power boats used in conjunction with pipe line, river crossings and all types of construction work:					
Captain, tugmaster	9.25	7%	15%	a	3%
Deckhand	7.95	7%	15%	a	3%

Paid Holidays:
A-New Years' Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

Footnote:
a. Holidays: A through F; Washington's Birthday; Veteran's Day and Presidential Election Day.

STATE: Texas

COUNTY: Statewide (excluding Dallas-Fort Worth Regional Airport)

DECISION NO.: AQ-100

DATE: Date of Publication

Supersedes Decisions No. AQ-46 thru AQ-61, dated November 23, 1973, in 38 FR 32400 thru 32415.

DESCRIPTION OF WORK: See "Area Covered by Various Zones"

	ZONE 1	ZONE 2	ZONE 3	ZONE 4	ZONE 5	ZONE 6
	Basic Hourly Rates	BASIC HOURLY RATE	BASIC HOURLY RATE	BASIC HOURLY RATE	BASIC HOURLY RATE	BASIC HOURLY RATE
Air Tool Man	$2.50	$2.60	$2.50	$2.60	$2.25	$2.25
Asphalt Heaterman	3.35	2.75	2.75	2.50	2.50	3.00
Asphalt Raker	3.70	3.00	3.00	2.00	2.75	2.70
Asphalt Shoveler	-	2.15	2.35	2.00	2.85	-
Batching Plant Scaleman	4.10	2.85	3.30	3.25	3.00	-
Batterboard Setter	-	-	-	-	-	-
Carpenter	3.50	3.45	3.50	3.50	3.25	2.75
Carpenter Helper	3.05	2.85	2.50	2.30	2.25	2.00
Concrete Finisher (Paving)	4.00	3.60	-	3.55	3.00	3.00
Concrete Finisher Helper (Paving)	3.40	3.00	-	2.75	2.60	-
Concrete Finisher (Structures)	4.15	3.50	3.50	2.85	3.00	3.10
Concrete Finisher Helper (Structures)	-	3.00	2.85	2.45	2.75	2.25
Concrete Rubber	3.50	-	-	-	2.50	-
Electrician	6.90	6.70	-	5.25	5.95	5.50
Electrician Helper	-	-	-	3.48	-	-
Fireman	-	-	-	-	2.85	3.00
Flagman	-	-	-	-	-	2.00
Form Builder (Structures)	4.40	3.25	3.65	2.80	3.00	3.30
Form Builder Helper (Structures)	2.75	2.50	2.60	2.25	2.50	2.75
Form Liner (Paving and Curb)	4.00	-	-	2.50	-	3.00
Form Setter (Paving and Curb)	3.50	2.60	2.10	3.00	3.75	-
Form Setter Helper (Paving and Curb)	3.25	2.50	2.00	2.00	-	-
Form Setter (Structures)	4.55	3.55	3.50	3.00	3.00	3.50
Form Setter Helper (Structures)	3.30	2.50	2.75	2.40	2.75	2.35
Laborer, Common	2.40	2.25	2.00	1.75	2.00	2.00
Laborer, Utility Man	2.85	2.50	2.70	2.00	2.45	2.50
Manhole Builder, Brick	-	-	-	2.60	2.30	3.00
Mechanic	3.85	3.60	3.40	3.00	3.30	3.35
Mechanic Helper	-	-	2.50	2.60	2.75	3.00
Oiler	3.50	3.00	2.50	2.50	2.50	2.50
Serviceman	3.40	3.00	2.75	2.75	2.65	2.40
Painter (Structures)	5.65	-	-	3.00	-	-
Painter Helper (Structures)	-	-	-	-	-	-
Piledriverman	-	4.10	-	-	-	3.60
Pipelayer	2.60	-	3.00	2.50	2.75	2.30
Pipelayer Helper	2.50	-	-	2.00	2.25	2.00
Pneumatic Mortarman	-	-	-	-	-	-
Powderman	3.75	3.50	3.50	3.30	3.25	-
Powderman Helper	-	2.50	2.45	-	2.50	-
Reinforcing Steel Setter (Paving)	$3.25	$ -	$ -	$2.25	$ -	$ -
Reinforcing Steel Setter (Structures)	4.00	3.50	3.45	2.60	3.25	3.00
Reinforcing Steel Setter Helper	-	-	2.50	2.00	2.25	2.50
Steel Worker (Structural)	-	-	-	-	-	-
Steel Worker Helper (Structural)	-	-	-	-	-	-
Sign Erector	3.00	3.25	-	-	-	-
Sign Erector Helper	2.50	-	-	-	-	-
Spreader Box Man	3.20	3.00	2.95	2.50	3.00	3.00
Swamper	2.40	2.50	-	2.00	2.75	2.60
Power Equipment Operators:						
Asphalt Distributor	3.75	3.00	3.00	2.70	3.00	3.00
Asphalt Paving Machine	4.20	3.20	3.25	2.85	3.00	3.00
Broom or Sweeper Operator	2.55	2.50	2.50	2.15	-	-
Bulldozer, 150 HP and Less	3.50	3.00	3.00	3.25	3.00	3.00
Bulldozer, over 150 HP	3.95	3.50	3.25	3.45	3.25	3.25
Concrete Paving Curing Machine	-	3.50	-	-	-	-
Concrete Paving Finishing Machine	4.00	3.50	-	3.50	-	-
Concrete Paving Gang Vibrator	-	-	-	-	-	-
Concrete Paving Mixer	-	-	-	-	-	-
Concrete Paving Saw	-	-	-	-	-	-
Concrete Paving Spreader	-	-	-	-	-	-
Paving Sub Grader	-	-	-	-	-	-
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (less than 1½ CY)	3.60	3.50	3.50	3.50	3.25	3.00
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (1½ CY & Over)	4.55	4.00	4.00	3.75	3.65	3.50
Crusher or Screening Plant Operator	3.70	3.00	3.00	3.00	3.10	-
Foundation Drill Operator (Crawler Mounted)	-	-	-	-	3.75	-
Foundation Drill Operator (Truck Mounted)	3.90	4.50	3.80	-	4.25	-
Foundation Drill Operator Helper	-	3.00	2.80	-	3.20	-
Front End Loader (2½ CY and Less)	3.45	3.00	3.00	3.00	2.85	3.00
Front End Loader (Over 2½ CY)	4.10	3.35	3.40	3.40	3.40	3.10
Mixer (Over 16 CF)	-	-	-	-	-	-
Mixer (16 CF and Less)	-	-	-	-	-	-
Motor Grader Operator, Fine Grade	4.55	4.10	3.75	3.75	3.75	3.75
Motor Grader Operator	3.95	3.75	3.50	3.00	3.50	3.00
Pump Crete	-	-	-	-	-	-
Roller, Steel Wheel (Plant-Mix Pavements)	3.45	2.50	2.90	2.50	2.60	2.65
Roller, Steel Wheel (Other-Flat Wheel or Tamping)	3.00	2.70	2.40	2.25	2.50	2.35

	ZONE 1	ZONE 2	ZONE 3	ZONE 4	ZONE 5	ZONE 6
	BASIC HOURLY RATES	BASIC HOURLY RATES	BASIC HOURLY RATES	BASIC HOURLY RATES	BASIC HOURLY RATES	BASIC HOURLY RATES
Power Equipment Operators (Cont'd):						
Roller, Pneumatic (Self-Propelled)	$2.95	$2.50	$2.50	$2.25	$2.25	$2.20
Scrapers (17 CY and Less)	3.30	3.00	3.00	3.00	3.00	3.00
Scrapers (Over 17 CY)	3.95	3.50	3.25	3.25	3.20	3.25
Self-Propelled Hammer	-	-	-	-	-	-
Side Boom	-	-	-	3.10	-	2.30
Tractor (Crawler Type) 150 HP and Less	2.90	2.75	2.75	2.50	2.50	-
Tractor (Crawler Type) over 150 HP	3.35	3.50	3.25	2.75	2.95	2.75
Tractor (Pneumatic) 80 HP and Less	2.85	2.65	2.50	2.00	2.20	2.25
Tractor (Pneumatic) over 80 HP	3.00	3.00	2.75	2.60	2.50	2.85
Traveling Mixer	3.55	-	2.30	-	2.50	3.00
Trenching Machine, Light	3.00	-	-	-	3.10	3.00
Trenching Machine, Heavy	4.40	-	-	-	-	3.25
Wagon Drill, Boring Machine or Post Hole Driller Operator	3.15	3.25	3.00	3.00	2.90	-
Truck Drivers:						
Single Axle, Light	2.75	2.50	2.50	2.25	2.00	2.00
Single Axle, Heavy	3.00	2.75	2.50	2.25	2.50	2.25
Tandem Axle or Semitrailer	2.40	2.25	2.25	2.25	2.25	2.15
Lowboy-Float	-	-	-	2.80	-	-
Transit-Mix	3.30	-	2.60	2.25	-	-
Winch	-	2.75	-	-	2.50	-
Vibrator Man (Hand Type)	-	-	-	-	2.50	-
Weighman (Truck Scales)	2.40	2.30	2.25	2.75	-	-
Welder	4.55	3.50	3.50	3.25	4.00	3.50
Welder Helper	-	-	-	-	3.00	-

	ZONE 7	ZONE 8	ZONE 9	ZONE 10	ZONE 11	ZONE 12
	BASIC HOURLY RATES	BASIC HOURLY RATES	BASIC HOURLY RATES	BASIC HOURLY RATES	BASIC HOURLY RATES	BASIC HOURLY RATES
Air Tool Man	$2.15	$2.30	$2.80	$2.60	$2.50	$2.75
Asphalt Heaterman	2.85	2.50	2.60	3.45	-	2.75
Asphalt Raker	2.95	-	3.25	3.50	3.50	3.50
Asphalt Shoveler	2.50	-	-	2.70	-	-
Batching Plant Scaleman	3.30	-	3.00	3.00	3.00	3.60
Batterboard Setter	2.75	-	-	-	-	-
Carpenter	3.50	3.55	3.25	3.75	3.75	3.50
Carpenter Helper	2.50	2.25	2.70	2.70	2.50	3.00
Concrete Finisher (Paving)	4.00	3.50	-	3.75	4.00	4.00
Concrete Finisher Helper (Paving)	-	-	-	3.00	3.15	3.25
Concrete Finisher (Structures)	3.15	3.40	3.50	3.70	3.60	3.50
Concrete Finisher Helper (Structures)	**2.75**	**2.50**	**2.80**	**3.25**	**3.00**	**3.00**
Concrete Rubber	**-**	**2.75**	**2.95**	**2.75**	**2.75**	**-**

	ZONE 7	ZONE 8	ZONE 9	ZONE 10	ZONE 11	ZONE 12
	Basic Hourly Rates	BASIC HOURLY RATES	BASIC HOURLY RATES	BASIC HOURLY RATES	BASIC HOURLY RATES	BASIC HOURLY RATES
Electrician	$5.70	$ -	$5.00	$5.50	$5.50	$6.00
Electrician Helper	-	-	-	3.00	3.00	-
Fireman	-	-	-	-	-	-
Flagman	-	3.00	-	-	-	-
Form Builder (Structures)	3.00	3.50	3.50	3.75	4.00	3.45
Form Builder Helper **(Structures)**	2.55	2.25	3.00	2.50	3.25	-
Form Liner (Paving and Curb)	4.00	-	-	-	3.70	4.00
Form Setter (Paving and Curb)	2.65	-	3.60	3.45	3.65	3.35
Form Setter Helper (Paving and Curb)	2.30	-	-	**2.85**	**2.75**	-
Form Setter (Structures)	3.20	3.25	3.50	3.65	3.75	3.50
Form Setter Helper (Structures)	2.25	2.75	2.50	3.00	3.00	2.50
Laborer, Common	2.00	2.00	2.00	2.25	2.25	2.00
Laborer, Utility Man	2.50	2.25	2.50	2.50	2.50	2.65
Manhole Builder, Brick	2.65	-	-	-	-	-
Mechanic	**3.70**	3.50	4.00	3.70	3.80	3.50
Mechanic Helper	3.15	2.45	2.50	3.15	2.95	3.20
Oiler	2.80	2.50	3.25	**3.10**	3.00	2.75
Serviceman	-	3.00	2.25	-	-	2.60
Painter (Structures)	-	5.00	-	3.75	4.00	-
Painter Helper (Structures)	-	-	-	-	-	-
Piledriverman	-	-	-	-	-	-
Pipelayer	2.20	2.90	3.25	3.40	3.00	2.30
Pipelayer Helper	-	-	2.25	2.50	2.75	2.25
Pneumatic **Mortarman**	-	-	-	-	2.75	-
Powderman	-	2.90	3.25	-	4.00	-
Powderman Helper	-	-	-	-	-	-
Reinforcing Steel Setter (Paving)	3.15	3.25	3.75	2.75	2.50	3.25
Reinforcing Steel Setter (Structures)	2.75	**3.95**	3.50	3.25	3.50	3.25
Reinforcing Steel Setter Helper	2.15	3.25	2.50	2.75	-	3.00
Steel Worker (Structural)	-	-	-	-	3.25	-
Steel Worker Helper (Structural)	-	-	-	-	3.00	-
Sign Erector	-	-	**3.00**	3.00	-	-
Sign Erector Helper	-	-	-	-	-	-
Spreader Box Man	2.75	3.25	3.00	-	-	2.75
Swamper	-	-	2.65	-	-	-
Power Equipment Operators:						
Asphalt Distributor	3.00	2.95	3.00	3.50	-	3.15
Asphalt Paving Machine	3.50	3.00	3.25	3.50	3.50	3.50
Broom or Sweeper Operator	3.25	-	-	-	-	-
Bulldozer, 150 H.P. and Less	3.00	3.00	3.25	3.50	**3.50**	3.25
Bulldozer, over 150 HP	3.25	3.25	3.50	3.70		3.50
Concrete Paving Curing Machine	-	-	-	3.85	3.75	-
Concrete Paving Finishing Machine	4.00	-	-	-	**4.00**	4.00
Concrete Paving Gang Vibrator	-	-	-	-	-	-
Concrete Paving Mixer	-	-	-	3.75	3.80	-

	ZONE 7	ZONE 8	ZONE 9	ZONE 10	ZONE 11	ZONE 12
	Basic Hourly Rates	BASIC HOURLY RATES	BASIC HOURLY RATES	BASIC HOURLY RATES	BASIC HOURLY RATES	BASIC HOURLY RATES
Power Equipment Operators (Cont'd)						
Concrete Paving Saw	$2.60	$ -	$ -	$ -	$3.50	$3.60
Concrete Paving Spreader	4.00	-	-	-	-	4.00
Paving Sub Grader	-	-	-	-	-	-
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (less than 1½ CY)	3.00	3.50	3.75	3.60	3.75	3.50
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (1½ CY and Over)	3.80	3.75	4.00	4.00	4.00	3.75
Crusher or Screening Plant Operator	3.00	3.50	3.50	3.50	-	-
Foundation Drill Operator (Crawler Mounted)	-	-	-	-	-	5.60
Foundation Drill Operator (Truck Mounted)	4.55	-	4.40	3.90	3.90	-
Foundation Drill Operator Helper	-	-	-	-	2.75	-
Front End Loader (2½ CY and Less)	2.50	3.00	3.25	3.35	3.25	3.00
Front End Loader (Over 2½ CY)	3.50	3.50	3.50	3.50	3.75	3.50
Mixer (Over 16 CF)	-	-	-	-	-	3.50
Mixer (16 CF and Less)	-	-	-	-	3.25	-
Motor Grader Operator, Fine Grade	3.75	3.75	4.00	4.00	4.00	3.75
Motor Grader Operator	3.25	3.25	3.50	3.65	3.65	3.50
Pump Crete	2.45	-	-	-	-	-
Roller, Steel Wheel (Plant-Mix Pavements)	2.90	2.50	2.90	3.55	3.55	3.25
Roller, Steel Wheel (Other-Flat Wheel or Tamping)	2.25	2.50	2.50	3.10	3.00	2.50
Roller, Pneumatic (Self-Propelled)	2.35	2.25	2.25	2.85	3.10	2.50
Scrapers (17 CY and Less)	2.90	3.00	3.25	3.25	3.25	3.25
Scrapers (Over 17 CY)	3.25	3.25	3.50	3.50	3.75	3.50
Self-Propelled Hammer	-	-	-	-	-	-
Side Boom	-	-	-	-	3.50	-
Tractor (Crawler Type) 150 HP and Less	-	2.75	3.00	-	2.85	3.00
Tractor (Crawler Type) over 150 HP	2.90	3.00	3.25	3.45	3.65	3.25
Tractor (Pneumatic) 80 HP and Less	2.10	2.25	2.50	3.00	-	2.70
Tractor (Pneumatic) over 80 HP	2.60	2.50	3.10	3.50	2.75	3.00
Traveling Mixer	2.45	-	-	3.10	3.00	3.00
Trenching Machine, Light	-	-	-	3.25	3.25	-
Trenching Machine, Heavy	-	-	4.00	-	-	-
Wagon Drill, Boring Machine or Post Hole Driller Operator	-	2.75	3.00	3.10	2.80	-
Truck Drivers:						
Single Axle, Light	2.25	2.25	2.50	2.50	2.50	2.25
Single Axle, Heavy	2.35	2.50	2.50	2.90	3.25	2.50
Tandem Axle or Semitrailer	2.50	2.50	2.50	2.85	2.75	2.50
Lowboy-Float	-	-	-	-	-	-
Transit-Mix	-	-	-	-	2.95	3.15

	ZONE 7	ZONE 8	ZONE 9	ZONE 10	ZONE 11	ZONE 12
	Basic Hourly Rates	BASIC HOURLY RATES	BASIC HOURLY RATES	BASIC HOURLY RATES	BASIC HOURLY RATES	BASIC HOURLY RATES
Truck Drivers (Cont'd):						
Winch	$2.75	$ -	$ -	$ -	$3.00	$ -
Vibrator Man (Hand Type)	-	-	-	-	-	-
Weighman (Truck Scales)	-	-	2.25	-	-	2.45
Welder	3.00	4.25	3.50	3.85	4.00	4.00
Welder Helper	-	-	-	-	2.75	-

	ZONE 13	ZONE 14	ZONE 15	ZONE 16
	BASIC HOURLY RATES	BASIC HOURLY RATES	BASIC HOURLY RATES	BASIC HOURLY RATES
Air Tool Man	-	-	-	2.75
Asphalt Heaterman	2.75	-	3.30	-
Asphalt Raker	3.00	2.75	3.00	3.50
Asphalt Shoveler	2.75	-	2.50	-
Batching Plant Scaleman	-	2.85	3.30	-
Batterboard Setter	-	-	-	-
Carpenter	3.25	3.50	3.95	4.15
Carpenter Helper	2.75	2.75	3.25	3.15
Concrete Finisher (Paving)	-	-	4.00	4.00
Concrete Finisher Helper (Paving)	-	-	3.00	3.25
Concrete Finisher (Structures)	3.25	3.45	4.00	3.75
Concrete Finisher Helper (Structures)	2.70	2.50	3.25	-
Concrete Rubber	2.90	-	3.25	3.50
Electrician	-	6.00	6.00	6.35
Electrician Helper	-	-	-	-
Fireman	-	3.00	-	-
Flagman	-	-	-	-
Form Builder (Structures)	3.50	3.60	3.65	4.00
Form Builder Helper (Structures)	-	2.25	2.75	-
Form Liner (Paving and Curb)	-	-	4.25	3.75
Form Setter (Paving and Curb)	-	-	3.70	3.75
Form Setter Helper (Paving and Curb)	-	-	2.75	-
Form Setter (Structures)	3.75	3.25	3.75	4.00
Form Setter Helper (Structures)	2.75	2.75	3.10	3.50
Laborer, Common	2.00	2.00	2.50	2.50
Laborer, Utility Man	2.50	2.50	2.90	3.15
Manhole Builder, Brick	-	-	-	-
Mechanic	4.25	3.00	4.20	4.00

	ZONE 13	ZONE 14	ZONE 15	ZONE 16		
	Basic Hourly Rates	BASIC HOURLY RATES	BASIC HOURLY RATES	BASIC HOURLY RATES	BASIC HOURLY RATES	BASIC HOURLY RATES
Mechanic Helper	$3.00	$2.50	$3.50	$ -		
Oiler	2.60	2.75	3.25	3.50		
Serviceman	-	-	3.45	-		
Painter (Structures)	-	4.00	4.75	4.50		
Painter Helper (Structures)	-	-	3.00	-		
Piledriverman	-	-	4.50	3.50		
Pipelayer	-	3.25	4.00	-		
Pipelayer Helper	-	-	2.75	-		
Pneumatic Mortarman	-	-	-	-		
Powderman	-	-	-	-		
Powderman Helper	-	-	-	-		
Reinforcing Steel Setter (Paving)	-	-	3.20	3.00		
Reinforcing Steel Setter (Structures)	3.60	-	3.60	3.80		
Reinforcing Steel Setter Helper	-	-	2.60	-		
Steel Worker (Structural)	-	-	3.65	-		
Steel Worker Helper (Structural)	-	-	-	-		
Sign Erector	-	-	-	-		
Sign Erector Helper	-	-	-	-		
Spreader Box Man	2.75	2.85	-	-		
Swamper	-	-	-	-		
Power Equipment Operators:						
Asphalt Distributor	3.25	2.75	3.25	3.65		
Asphalt Paving Machine	3.25	3.20	4.00	4.00		
Broom or Sweeper Operator	-	2.25	3.00	-		
Bulldozer, 150 HP and Less	3.25	3.00	3.50	3.75		
Bulldozer, over 150 HP	3.50	3.75	3.95	4.00		
Concrete Paving Curing Machine	-	-	3.50	-		
Concrete Paving Finishing Machine	-	-	3.25	3.75		
Concrete Paving Gang Vibrator	-	-	2.75	-		
Concrete Paving Mixer	-	-	4.25	-		
Concrete Paving Saw	-	-	-	-		
Concrete Paving Spreader	-	-	4.00	4.00		
Paving Sub Grader	-	-	3.75	-		
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (less than 1½ CY)	3.50	3.75	3.75	3.75		
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (1½ CY and Over)	3.75	4.00	4.00	4.00		
Crusher or Screening Plant Operator	-	3.50	-	-		
Foundation Drill Operator (Crawler Mounted)	-	-	4.50	-		

	ZONE 13	ZONE 14	ZONE 15	ZONE 16		
	Basic Hourly Rates	BASIC HOURLY RATES	BASIC HOURLY RATES	BASIC HOURLY RATES		
Power Equipment Operators: (Cont'd)						
Foundation Drill Operator (Truck Mounted)	$ -	$5.25	$4.00	$ -		
Foundation Drill Operator Helper	-	-	-	-		
Front End Loader (2½ CY and Less)	3.00	3.00	3.40	3.25		
Front End Loader (Over 2½ CY)	3.55	3.45	3.50	3.50		
Mixer (Over 16 CF)	-	-	-	-		
Mixer (16 CF and Less)	-	-	3.30	-		
Motor Grader Operator, Fine Grade	3.75	3.75	4.00	4.45		
Motor Grader Operator	3.50	3.25	3.75	4.00		
Pump Crete	-	-	-	-		
Roller, Steel Wheel (Plant-Mix Pavements)	3.00	3.00	3.20	-		
Roller, Steel Wheel (Other-Flat Wheel or Tamping)	2.55	2.50	3.00	4.00		
Roller, Pneumatic (Self-Propelled)	2.75	2.55	3.00	3.35		
Scrapers (17 CY and Less)	3.00	3.00	3.25	-		
Scrapers (Over 17 CY)	3.75	3.50	3.65	-		
Self-Propelled Hammer	-	-	3.75	-		
Side Boom	-	-	-	-		
Tractor (Crawler Type) 150 HP and Less	2.95	-	3.00	-		
Tractor (Crawler Type) over 150 HP	3.75	3.35	4.00	-		
Tractor (Pneumatic) 80 HP and Less	2.50	2.60	-	2.50		
Tractor (Pneumatic) over 80 HP	3.25	2.75	-	3.50		
Traveling Mixer	3.00	2.75	3.25	2.60		
Trenching Machine, Light	-	-	-	-		
Trenching Machine, Heavy	-	-	-	-		
Wagon Drill, Boring Machine or Post Hole Driller Operator	-	3.25	-	-		
Truck Drivers:						
Single Axle, Light	2.50	2.25	2.75	2.75		
Single Axle, Heavy	2.50	2.25	2.75	2.75		
Tandem Axle or Semitrailer	2.50	2.25	2.50	2.50		
Lowboy-Float	3.50	2.25	3.70	4.25		
Trailer-Mix	-	-	3.15	3.10		
Winch	-	-	3.45	4.25		
Vibrator Man (Hand Type)	-	-	-	-		
Weighman (Truck Scales)	-	-	-	-		
Welder	-	-	4.00	4.00		
Welder Helper	-	-	3.25	-		

AREA COVERED BY VARIOUS ZONES

ZONE 1 - Archer, Armstrong, Baylor, Briscoe, Carson, Castro, Childress, Clay, Collingsworth, Dallam, Deaf Smith, Donley, Gray, Hall, Hansford, Hardeman, Hartley, Hemphill, Hutchinson, Lipscomb, Montague, Moore, Ochiltree, Oldham, Parmer, Potter, Randall, Roberts, Sherman, Swisher, Wheeler, Wichita & Wilbarger Counties

DESCRIPTION OF WORK: Streets, Highways, Runways, Water & Sewer Lines and Paving & Utilities Incidental to General Building Construction. This wage determination does not apply to any residential construction (single family homes and garden type apartments up to and including 4 stories).

ZONE 2 - Bailey, Borden, Cochran, Cottle, Crosby, Dawson, Dickens, Fisher, Floyd, Foard, Gaines, Garza, Hale, Haskell, Hockley, Jones, Kent, King, Knox, Lamb, Lubbock, Lynn, Motley, Scurry, Shackelford, Stephens, Stonewall, Terry, Throckmorton, Yoakum & Young Counties

DESCRIPTION OF WORK: Streets, Highways, Runways, Water & Sewer Lines and Paving & Utilities Incidental to General Building Construction. This wage determination does not apply to any residential construction (single family homes and garden type apartments up to and including 4 stories).

ZONE 3 - Andrews, Brown, Callahan, Coke, Coleman, Comanche, Concho, Crane, Crockett, Eastland, Ector, Erath, Glasscock, Howard, Irion, Kimble, Loving, Martin, McCulloch, Menard, Midland, Mills, Mitchell, Nolan, Reagan, Runnels, San Saba, Schleicher, Sterling, Sutton, Taylor, Tom Green, Upton, Ward & Winkler Counties

DESCRIPTION OF WORK: Streets, Highways, Runways, Water & Sewer Lines and Paving & Utilities Incidental to General Building Construction. This wage determination does not apply to any residential construction (single family homes and garden type apartments up to and including 4 stories).

ZONE 4 - Brewster, Culberson, El Paso, Hudspeth, Jeff Davis, Pecos, Presidio, Reeves & Terrell Counties

DESCRIPTION OF WORK: Streets, Highways, Runways, Water & Sewer Lines, Paving Incidental to General Building Construction and Utilities Incidental to General Building Construction (excluding El Paso County). This wage determination does not apply to any residential construction (single family homes and garden type apartments up to and including 4 stories).

ZONE 5 - Atascosa, Bandera, Bexar, Comal, Dimmit, Edwards, Frio, Guadalupe, Kendall, Kerr, Kinney, LaSalle, Maverick, McMullen, Medina, Real, Uvalde, Val Verde, Wilson & Zavala Counties

DESCRIPTION OF WORK: Streets, Highways, Runways, Water & Sewer Lines and Paving & Utilities Incidental to General Building Construction. This wage determination does not apply to any residential construction (single family homes and garden type apartments up to and including 4 stories).

ZONE 6 - Brooks, Cameron, Duval, Hidalgo, Jim Hogg, Kenedy, Starr, Webb, Willacy & Zapata Counties

DESCRIPTION OF WORK: Streets, Highways, Runways, Water & Sewer Lines and Paving & Utilities Incidental to General Building Construction. This wage determination does not apply to any residential construction (single family homes and garden type apartments up to and including 4 stories).

ZONE 7 - Aransas, Bee, Calhoun, DeWitt, Goliad, Jackson, Jim Wells, Karnes, Kleberg, Lavaca, Live Oak, Nueces, Refugio, San Patricio & Victoria Counties

DESCRIPTION OF WORK: Streets, Highways, Runways, Water & Sewer Lines and Paving & Utilities Incidental to General Building Construction. This wage determination does not apply to any residential construction (single family homes and garden type apartments up to and including 4 stories).

ZONE 8 - Austin, Bastrop, Blanco, Burnet, Caldwell, Colorado, Fayette, Gillespie, Gonzales, Hays, Lee, Llano, Mason, Travis & Williamson Counties

DESCRIPTION OF WORK: Streets, Highways, Runways, Water & Sewer Lines and Paving & Utilities Incidental to General Building Construction. This wage determination does not apply to any residential construction (single family homes and garden type apartments up to and including 4 stories).

ZONE 9 - Bell, Bosque, Coryell, Falls, Freestone, Hamilton, Hill, Lampasas, Limestone, McLennan & Navarro Counties

DESCRIPTION OF WORK: Streets, Highways, Runways, Water & Sewer Lines and Paving & Utilities Incidental to General Building Construction (excluding Bell & Coryell Counties). This wage determination does not apply to any residential construction (single family homes and garden type apartments up to and including 4 stories).

ZONE 10 - Cooke, Denton, Hood, Jack, Johnson, Palo Pinto, Parker, Somervell, Tarrant & Wise Counties

DESCRIPTION OF WORK: Streets, Highways, Runways, Water & Sewer Lines (excluding work performed on the site of water or sewage treatment facilities), Paving Incidental to General Building Construction and Utilities Incidental to General Building Construction (excluding Tarrant County). This wage determination does not apply to any residential construction (single family homes and garden type apartments up to and including 4 stories).

ZONE 11 - Collin, Dallas, Ellis, Grayson & Rockwall Counties

DESCRIPTION OF WORK: Streets, Highways, Runways, Water & Sewer Lines (excluding work performed on the site of water or sewage treatment facilities) and Paving & Utilities Incidental to General Building Construction. This wage determination does not apply to any residential construction (single family homes and garden type apartments up to and including 4 stories).

ZONE 12 - Bowie, Camp, Cass, Delta, Fannin, Franklin, Grege, Harrison, Hopkins, Hunt, Kaufman, Lamar, Marion, Morris, Rains, Red River, Rusk, Smith, Titus, Upshur, Van Zandt & Wood Counties

DESCRIPTION OF WORK: Streets, Highways, Runways, Water & Sewer Lines and Paving & Utilities Incidental to General Building Construction. This wage determination does not apply to any residential construction (single family homes and garden type apartments up to and including 4 stories).

ZONE 13 - Anderson, Angelina, Cherokee, Henderson, Houston, Jasper, Nacogdoches, Newton, Panola, Polk, Sabine, San Augustine, San Jacinto, Shelby, Trinity & Tyler Counties

DESCRIPTION OF WORK: Streets, Highways, Runways, Water & Sewer Lines and Paving & Utilities Incidental to General Building Construction. This wage determination does not apply to any residential construction (single family homes and garden type apartments up to and including 4 stories).

ZONE 14 - Brazos, Burleson, Grimes, Leon, Madison, Milam, Robertson, Walker & Washington Counties

DESCRIPTION OF WORK: Streets, Highways, Runways, Water & Sewer Lines and Paving & Utilities Incidental to General Building Construction. This wage determination does not apply to any residential construction (single family homes and garden type apartments up to and including 4 stories).

ZONE 15 - Brazoria, Fort Bend, Galveston, Harris, Matagorda, Montgomery, Waller & Wharton Counties

DESCRIPTION OF WORK: Streets, Highways, Runways, Water & Sewer Lines and Paving & Utilities Incidental to General Building Construction (excluding Galveston Island). This wage determination does not apply to any residential construction (single family homes and garden type apartments up to and including 4 stories).

ZONE 16 - Chambers, Hardin, Jefferson, Liberty & Orange Counties

DESCRIPTION OF WORK: Streets, Highways, Runways, Water & Sewer Lines (excluding Jefferson & Orange Counties) and Paving & Utilities Incidental to General Building Construction (excluding Jefferson & Orange Counties). This wage determination does not apply to any residential construction (single family homes and garden type apartments up to and including 4 stories).

INDEX TO GENERAL WAGE DETERMINATION DECISIONS AND MODIFICATIONS AS OF MARCH 1, 1974

There is set forth below an index to general wage determination decisions and modifications as published in the FEDERAL REGISTER pursuant to the Davis-Bacon and related Acts. The index lists general wage determination decisions and modifications by State and county. An updated index is published on the first Friday of each month.

The index is published for the convenience of the public and the Department of Labor will endeavor to keep it accurate and up to date. In the event the data in the index and published general decisions do not coincide, the published general decisions shall control.

ABBREVIATIONS

(B)—Building Construction.
(D)—Dredging Construction.
(F)—Flood Control Construction.
(H)—Heavy Construction.
(Hw)—Highway Construction.
(R)—Residential Construction.
Mod.—Modification.
(HE)—Heavy Engineering.
(LE)—Light Engineering.
(U)—Utility.
(S)—Streets.
(W&S)—Water and Sewer Lines.

Signed at Washington, D.C., this 29th day of March 1974.

RAY J. DOLAN,
Assistant Administrator,
Wage and Hour Division.

ALABAMA

STATEWIDE
Decision #AQ-4002 (D)
38 FR 21037 - 8/3/73
Mod. #1 - 39 FR 4264 - 2/1/74
AUTAUGA COUNTY
Decision #AQ-4038 (Hw)
38 FR 33215 - 11/30/73
Mod. #1 - 38 FR 34568 - 12-14-73
(D) - See Statewide
BALDWIN COUNTY
Decision #AQ-4060 (R)
39 FR 3374 - 1/25/74
Decision #AQ-4038 (Hw)
38 FR 33215 - 11/30/73
(D) - See Statewide
BARBOUR COUNTY
(D) - See Statewide
(Hw) - See Autauga County
BIBB COUNTY
(D) - See Statewide
(Hw) - See Autauga County
BLOUNT COUNTY
Decision #AM-448 (R)
36 FR 16359 - 8/20/71
(D) - See Statewide
(Hw) - See Autauga County
BULLOCK COUNTY
(D) - See Statewide
(Hw) - See Autauga County
BUTLER COUNTY
(D) - See Statewide
(Hw) - See Autauga County
CALHOUN COUNTY
Decision #AQ-4037 (Hw)
38 FR 33214 - 11/30/73
Mod. #1 - 38 FR 34568 - 12-14-73
(D) - See Statewide
CHAMBERS COUNTY
(D) - See Statewide
(Hw) - See Autauga County
CHEROKEE COUNTY
(D) - See Statewide
(Hw) - See Autauga County
CHILTON COUNTY
(D) - See Statewide
(Hw) - See Autauga County
CHOCTAW COUNTY
(D) - See Statewide
(Hw) - See Autauga County

ALABAMA (Cont'd)

CLARKE COUNTY
(D) - See Statewide
(Hw) - See Autauga County
CLAY COUNTY
(D) - See Statewide
(Hw) - See Autauga County
CLEBURNE COUNTY
(D) - See Statewide
(Hw) - See Autauga County
COFFEE COUNTY
(D) - See Statewide
(Hw) - See Autauga County
COLBERT COUNTY
Decision #AQ-4038 (Hw)
38 FR 33215 - 11/30/73
(D) - See Statewide
CONECUH COUNTY
(D) - See Statewide
(Hw) - See Autauga County
(R) - See Baldwin County
COOSA COUNTY
(D) - See Statewide
(Hw) - See Autauga County
COVINGTON COUNTY
(D) - See Statewide
(Hw) - See Autauga County
CRENSHAW COUNTY
(D) - See Statewide
(Hw) - See Autauga County
CULIMAN COUNTY
(D) - See Statewide
(Hw) - See Autauga County
DALE COUNTY
(D) - See Statewide
(Hw) - See Autauga County
DALLAS COUNTY
(D) - See Statewide
(Hw) - See Autauga County
DE KALB COUNTY
(D) - See Statewide
(Hw) - See Autauga County
ELMORE COUNTY
(D) - See Statewide
(Hw) - See Autauga County
ESCAMBIA COUNTY
(D) - See Statewide
(Hw) - See Autauga County

ALABAMA (Cont'd)

ETOWAH COUNTY
(D) - See Statewide
(Hw) - See Calhoun County
FAYETTE COUNTY
(D) - See Statewide
(Hw) - See Autauga County
FRANKLIN COUNTY
(D) - See Statewide
(Hw) - See Autauga County
GENEVA COUNTY
(D) - See Statewide
(Hw) - See Autauga County
GREENE COUNTY
(D) - See Statewide
(Hw) - See Autauga County
HALE COUNTY
(D) - See Statewide
(Hw) - See Autauga County
HENRY COUNTY
(D) - See Statewide
(Hw) - See Autauga County
HOUSTON COUNTY
(D) - See Statewide
(Hw) - See Autauga County
JACKSON COUNTY
(D) - See Statewide
(Hw) - See Autauga County
JEFFERSON COUNTY
Decision AQ-4034 (B,Hw)
38 FR 32334 - 11/23/73
Mod. #1 - 38 FR 33877 - 12/7/73
Mod. #2 - 39 FR 7016 - 2/22/74
(D) - See Statewide
(R) - See Blount County
LAMAR COUNTY
(D) - See Statewide
(Hw) - See Autauga County
LAUDERDALE COUNTY
(D) - See Statewide
LAWRENCE COUNTY
(D) - See Statewide
(Hw) - See Autauga County
LEE COUNTY
(D) - See Statewide
(Hw) - See Autauga County

ALABAMA (cont'd)

LIMESTONE COUNTY
(D) - See Statewide
(Hw) - See Autauga County
LOWNDES COUNTY
(D) - See Statewide
(Hw) - See Autauga County
MACON COUNTY
(D) - See Statewide
(Hw) - See Autauga County
MADISON COUNTY
(D) - See Statewide
(Hw) - See Colbert County
MARENGO COUNTY
(D) - See Statewide
(Hw) - See Autauga County
MARION COUNTY
(D) - See Statewide
(Hw) - See Autauga County
MARSHALL COUNTY
(D) - See Statewide
(Hw) - See Autauga County
MOBILE COUNTY
Decision #AQ-4027 (B,Hw)
38 FR 29155 - 10/19/73
Mod. #1 - 38 FR 33204 - 11/30/73
Mod. #2 - 39 FR 7016 - 2/22/74
(D) - See Statewide
(R) - See Baldwin County
MONROE COUNTY
(D) - See Statewide
(Hw) - See Autauga County
MONTGOMERY COUNTY
Decision #AP-184 (B)
38 FR 11244 - 5/4/73
Mod. # 1 - 38 FR 13103 - 5/18/73
Decision #AQ-4082 (R)
39 FR 8100 - 3/1/74
(D) - See Statewide
(Hw) - See Baldwin County
MORGAN COUNTY
(D) - See Statewide
(Hw) - See Colbert County
PERRY COUNTY
(D) - See Statewide
(Hw) - See Autauga County
PICKENS COUNTY
(D) - See Statewide
(Hw) - See Autauga County

ALABAMA (Cont'd)

PIKE COUNTY
(D) - See Statewide
(Hw) - See Autauga County
RANDOLPH COUNTY
(D) - See Statewide
(Hw) - See Autauga County
RUSSELL COUNTY
(D) - See Statewide
(H) - See Autauga County
SAINT CLAIR COUNTY
(D) - See Statewide
(Hw) - See Calhoun County
(R) - See Blount County
SHELBY COUNTY
(Hw) - See Calhoun County
(R) - See Blount County
SUMTER COUNTY
(D) - See Statewide
(Hw) - See Autauga County
TALLADEGA COUNTY
(D) - See Statewide
(Hw) - See Calhoun County
TALLAPOOSA COUNTY
(D) - See Statewide
(Hw) - See Autauga County
TUSCALOOSA COUNTY
(D) - See Statewide
(Hw) - See Calhoun County
WALKER COUNTY
(D) - See Statewide
(Hw) - See Calhoun County
WASHINGTON COUNTY
(D) - See Statewide
(Hw) - See Autauga County
(R) - See Baldwin County
WILCOX COUNTY
(D) - See Statewide
(Hw) - See Autauga County
WINSTON COUNTY
(D) - See Statewide
(Hw) - See Autauga County

ALASKA

STATEWIDE
Decision #AP-902 (B, Hw, H, D)
38 FR 13127 - 5/18/73
Mod. #1 - 38 FR 24487 - 9/7/73
Mod. #2 - 38 FR 27704 - 10/5/73
Mod. #3 - 39 FR 4264 - 2/1/74
Decision #AP-903 (R)
38 FR 13133 - 5/18/73
Mod. #1 - 38 FR 24487 - 9/7/73
Mod. #2 - 38 FR 27704 - 10/5/73
Mod. #3 - 39 FR 4265 - 2/1/74

ARIZONA

STATEWIDE
Decision #AQ-1085 (B,H,Hw)
39 FR 5952 - 2/15/74
APACHE COUNTY
Decision #AQ-1086 (R)
(Navajo and Hopi Indian Reservations Only)
39 FR 6987 - 2/22/74
(B,H,Hw) - See Statewide
COCHISE COUNTY
(B,H,Hw) - See Statewide
COCONINO COUNTY
(B,H,Hw) - See Statewide
(R) - See Apache County
GILA COUNTY
(B,H,Hw) - See Statewide
GRAHAM COUNTY
(B,H,Hw) - See Statewide
GREENLEE COUNTY
(B,H,Hw) - See Statewide
MARICOPA COUNTY
(B,H,Hw) - See Statewide
Decision #AQ-1073 (R)
39 FR 4288 - 2/1/74
MOHAVE COUNTY
(B,H,Hw) - See Statewide
NAVAJO COUNTY
(B,H,Hw) - See Statewide
(R) - See Apache County
PIMA COUNTY
(B,H,Hw) - See Statewide
Decision #AQ-1074 (R)
39 FR 4295 - 2/1/74
PINAL COUNTY
(B,H,Hw) - See Statewide
SANTA CRUZ COUNTY
(B,H,Hw) - See Statewide
YAVAPAI COUNTY
(B,H,Hw) - See Statewide
YUMA COUNTY
(B,H,Hw) - See Statewide

ARKANSAS

STATEWIDE
Decision #AP-701 (Hw)
38 FR 4087 - 2/9/73
Mod. #1 - 38 FR 23648 - 8/31/73
Decision #AQ-4002 (D)
38 FR 21037 - 8/3/73
Mod. #1 - 39 FR 4264 - 2/1/74

ARKANSAS COUNTY
(Hw) - See Statewide
(D) - See Statewide
Decision #AP-1107 (F)
38 FR 17358 - 6/29/73

ASHLEY COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

BAXTER COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

BENTON COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

BOONE COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

BRADLEY COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

CALHOUN COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

CARROLL COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

CHICOT COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

ARKANSAS (Cont'd)

CLARK COUNTY
(Hw) (D) - See Statewide
(F) - See Arkansas County

CLAY COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

CLEBURNE COUNTY
(Hw) - See Statewide
(D)- See Statewide
(F) - See Arkansas County

CLEVELAND COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

COLUMBIA COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

CONWAY COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

CRAIGHEAD COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

CRAWFORD COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

CRITTENDEN COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

GROSS COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

DALLAS COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

DESHA COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

ARKANSAS (Cont'd)

DREW COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

FAULKNER COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

FRANKLIN COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

FULTON COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

GARLAND COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

GRANT COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

GREENE COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

HEMPSTEAD COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F(- See Arkansas County

HOT SPRING COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

HOWARD COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

INDEPENDENCE COUNTY
(Hw) (D) - See Statewide
(F) - See Arkansas County

IZARD COUNTY
(Hw) (D) - See Statewide
(F) - See Arkansas County

ARKANSAS (Cont'd)

JACKSON COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

JEFFERSON COUNTY
(Hw) - See Statewide
(D) - See Statewide

JOHNSON COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

LAFAYETTE COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

LAWRENCE COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

LEE COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

LINCOLN COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

LITTLE RIVER COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

LOGAN COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

LENOKE COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

MADISON COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

MARION COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

ARKANSAS (Cont'd)

MILLER COUNTY
(Hw) - See Statewide
(D) - see Statewide
(F) - See Arkansas County
MISSISSIPPI COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
MONROE COUNTY
(hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
MONTGOMERY COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
NEVADA COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
NEWTON COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - Arkansas County
OUACHITA COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
PERRY COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
PHILLIPS COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
PIKE COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
POINSETT COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
POLK COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

ARKANSAS (CONT'D)

POPE COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
PRAIRIE COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
PULASKI COUNTY
(Hw) - See Statewide
(D) - See Statewide
Decision #AQ-7 (B)
38 FR 19631 - 7/20/73
Mod. #1 - 38 FR 29132 - 10/19/73
Mod. #2 - 38 FR 31094 - 11/9/73
Mod. #3 - 39 FR 3373 - 1/25/74
Decision #AP-356 (R)
37 FR 23489 - 11/3/72
RANDOLPH COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
ST. FRANCIS COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
SALINE COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
SCOTT COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
SEARCY COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
SEBASTIAN COUNTY
(Hw) - See Statewide
(D) - See Statewide
SEVIER COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

ARKANSAS (CONT'D)

SHARP COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
STONE COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
UNION COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
Decision #AQ-2 (B)
38 FR 18330 - 7/13/73
Mod. #1 - 38 FR 23648 - 8/31/73
Mod. #2 - 38 FR 29132 - 10/19/73
Mod. #3 - 38 FR 31753 - 11/16/73
Mod. #4 - 39 FR 3373 - 1/25/74
VAN BUREN COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
WASHINGTON COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
WHITE COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
WOODRUFF COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
YELL COUNTY
(Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

CALIFORNIA

ALAMEDA COUNTY
Decision #AQ-1088 (B,H,Hw,D)
39 FR 8103 - 3/1/74
Decision #AQ-1087 (R)
39 FR 7021 - 2/22/74
ALPINE COUNTY
(B,H,Hw,D) - See Alameda County
AMADOR COUNTY
(B,H,Hw,H) - See Alameda County
(R) - See Alameda County
BUTTE COUNTY
(B,H,Hw,D) - See Alameda County
CALVARAS COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County
COLUSA COUNTY
(B,H,Hw,D) - See Alameda County
CONTRA COSTA COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County
DELNORTE COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County
ELDORADO COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County
FRESNO COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County
GLENN COUNTY
(B,H,Hw,D) - See Alameda County
HUMBOLDT COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County
IMPERIAL COUNTY
Decision AQ-1064 (B,H,Hw,D)
38 FR 34579 - 12-14-73
Mod. #1 - 39 FR 1687 - 1/11/74
Decision AQ-1065 (R)
38 FR 34588 - 12-14-73
Mod. #1 - 39 FR 1687 - 1/11/74
INYO COUNTY
(B,H,Hw,D) - See Imperial County
KERN COUNTY
(B,H,Hw,D) - See Imperial County
(R) - See Imperial County
KING COUNTY
(B,H,Hw,D) - See Alameda County
LAKE COUNTY
(B,H,Hw,D) - See Alameda County
LASSEN COUNTY
(B,H,Hw,D) - See Alameda County
LOS ANGELES COUNTY
(B,H,Hw,D) - See Imperial County
(R) - See Imperial County
MADERA COUNTY
(B,H,Hw,D) - See Alameda County
MARIN COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County

CALIFORNIA (Cont'd)

MARIPOSA COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County
MENDOCINO COUNTY
(B,H,Hw, D) - See Alameda County
MERCED COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County
MODOC COUNTY
(B,H,Hw,D) - See Alameda County
MONO COUNTY
(B,H,Hw,D) - See Imperial County
MONTEREY COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County
NAPA COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County
NEVADA COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County
ORANGE COUNTY
(B,H,Hw,D) - See Imperial County
(R) - See Imperial County
PLACER COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County
PLUMAS COUNTY
(B,H,Hw,D) - See Alameda County
RIVERSIDE COUNTY
(B,H,Hw,D) - See Imperial County
(R) - See Imperial County
SACRAMENTO COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County
SAN BENITO COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County
SAN BERNARDINO COUNTY
(B,H,Hw,D) - See Imperial County
(R) - See Imperial County
SAN DIEGO COUNTY
Decision #AQ-1002 - (B,H,Hw,D)
38 FR 18832 - 7/13/73
Mod. #1 - 38 FR 21006 - 8/3/73
Mod. #2 - 38 FR 27705 - 10/5/73
Mod. #3 - 38 FR 29132 - 10/19/73
Mod. #4 - 39 FR 1687 - 1/11/74

CALIFORNIA (Cont'd)

SAN DIEGO COUNTY (Cont'd)
Decision #AQ-1003 (R)
38 FR 18839 - 7/13/73
Mod. #1 - 38 FR 21008 - 8/3/73
Mod. #2 - 38 FR 27705 - 10/5/73
Mod. #3 - 38 FR 29135 - 10/19/73
Mod. #4 - 39 FR 1687 - 1/11/74
SAN FRANCISCO COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County
SAN JOAQUIN COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County
SAN LUIS OBISPO COUNTY
(B,H,Hw,D) - See Imperial County
SAN MATEO COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County
SANTA BARBARA COUNTY
(B,H,Hw,D) - See Imperial County
(R) - See Imperial County
SANTA CLARA COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County
SANTA CRUZ COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County
SHASTA COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County
SIERRA COUNTY
(B,H,Hw,D) - See Alameda County
SISKIYOU COUNTY
(B,H,Hw,D) - See Alameda County
SOLANO COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County
SONOMA COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County
STANISLAUS COUNTY
(B,H,Hw,D) - See Alameda County
SUTTER COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County
TEHAMA COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County
TRINITY COUNTY
(B,H,Hw,D) - See Alameda County

CALIFORNIA (Cont'd)

TULARE COUNTY
(B,H,Hw,D) - See Alamada County
TUOLUMNE COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County
VENTURA COUNTY
(B,H,Hw,D) - See Imperial County
(R) - See Imperial County
YOLO COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County
YUBA COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County

COLORADO

STATEWIDE
Decision #AQ-1013 (Hw)
38 FR 22328 - 8/17/73
ADAMS COUNTY
(Hw) - See Statewide
Decision #AQ-1061 (B,H,Hw)
38 FR 33242 - 11/30/73
Mod. #1 - 38 FR 35141 - 12/21/73
Decision #AM-6,723 (R)
37 FR 7921 - 4/21/72
ALAMOSA COUNTY
(Hw) - See Statewide
ARAPHOE COUNTY
(Hw) - See Statewide
(B,H,Hw) - See Adams County
(R) - See Adams County
ARCHULETA COUNTY
(Hw) - See Statewide
BACA COUNTY
(Hw) - See Statewide
BENT COUNTY
(Hw) - See Statewide
BOULDER COUNTY
(Hw) - See Statewide
(B,H,Hw) - See Adams County
(R) - See Adams County
CHAFFEE COUNTY
(Hw) - See Statewide
CHYENNE COUNTY
(Hw) - See Statewide

COLORADO (cont'd)

CLEAR CREEK
(B,H,Hw) - See Adams County
(Hw) - See Statewide
(R) - See Adams County
CONEJOS COUNTY
(Hw) - See Statewide
COSTILLA COUNTY
(Hw) - See Statewide
CROWLEY COUNTY
(Hw) - See Statewide
CUSTER COUNTY
(Hw) - See Statewide
DELTA COUNTY
(Hw) - See Statewide
DENVER COUNTY
(Hw) - See Statewide
(B,H,Hw) - See Adams County
(R) - See Adams County
DOLORES COUNTY
(Hw) - See Statewide
DOUGLAS COUNTY
(Hw) - See Statewide
(B,H,Hw) - See Adams County
(R) - See Adams County
EAGLE COUNTY
(Hw) - See Statewide
ELBERT COUNTY
(Hw) - See Statewide
(B,H,Hw) - See Adams County
(R) - See Adams County
EL PASO COUNTY
(Hw) - See Statewide
Decision #AQ-1012 (B,H,Hw)
38 FR 22322 - 8/17/73
Mod. #1 - 38 FR 31097 - 11/9/73
Mod. #2 - 38 FR 32333 - 11/23/73
Mod. #3 - 38 FR 35141 - 12-21-73
FREMONT COUNTY
(Hw) - See Statewide
GARFIELD COUNTY
Decision #AQ-1062 (B,H,Hw)
38 FR 33881 - 12/7/73
Mod. #1 - 38 FR 35141 - 12-21-73
(Hw) - See Statewide
GILPIN COUNTY
(B,H,Hw) - See Adams County
(Hw) - See Statewide
(R) - See Adams County
GRAND COUNTY
(Hw) - See Statewide
GUNNISON COUNTY
(B,H,Hw) - See Garfield County
(Hw) - See Statewide
HINDSDALE COUNTY
(Hw) - See Statewide
HEURFANO COUNTY
(Hw) - See Statewide

COLORADO (Cont'd)

JACKSON COUNTY
(Hw) - See Statewide
JEFFERSON COUNTY
(Hw) - See Statewide
(B,H,Hw) - See Adams County
(R) - See Adams County
KIOWA COUNTY
(Hw) - See Statewide
KIT CARSON COUNTY
(Hw) - See Statewide
LAKE COUNTY
(Hw) - See Statewide
LAPLATA COUNTY
(Hw) - See Statewide
LARIMER COUNTY
(B,H,Hw) - See Adams County
(Hw) - See Statewide
LAS ANIMAS COUNTY
(Hw) - See Statewide
LINCOLN COUNTY
(Hw) - See Statewide
LOGAN COUNTY
(Hw) - See Statewide
MESA COUNTY
(B,H,Hw) - See Garfield County
(Hw) - See Statewide
MINERAL COUNTY
(Hw) - See Statewide
MOFFAT COUNTY
(Hw) - See Statewide
MONTEZUMA COUNTY
(Hw) - See Statewide
MONTROSE COUNTY
(B,H,Hw) - See Garfield County
(Hw) - See Statewide
MORGAN COUNTY
(Hw) - See Statewide
OTERO COUNTY
(Hw) - See Statewide
OURAY COUNTY
(Hw) - See Statewide

COLORADO (Cont'd)

PARK COUNTY
(hw) - See Statewide
PHILLIPS COUNTY
(Hw) - See Statewide
PITKIN COUNTY
(B,H,Hw) - See Garfield County
(Hw) - See Statewide
PROWERS COUNTY
(Hw) - See Statewide
PUEBLO COUNTY
(Hw) - See Statewide
Decision #AQ-1063 (B,H,Hw)
38 FR 33888 - 12/7/73
Mod. #1 - 38 FR 35141 - 12/21/73
RIO BLANCO COUNTY
(Hw) - See Statewide
RIO GRANDE COUNTY
(Hw) - See Statewide
ROUTT COUNTY
(Hw) - See Statewide
SAGUACHE COUNTY
(Hw) - See Statewide
SAN JUAN COUNTY
(Hw) - See Statewide
SAN MIGUEL COUNTY
(Hw) - See Statewide
SEDGWICK COUNTY
(Hw) - See Statewide
SUMMIT COUNTY
(B,H,Hw) - See Adams County
(Hw) - See Statewide
TELLER COUNTY
(Hw) - See Statewide
WASHINGTON COUNTY
(Hw) - See Statewide
WELD COUNTY
(Hw) - See Statewide
(B,H,Hw) - See Adams County
YUMA COUNTY
(Hw) - See Statewide

CONNECTICUT

FAIRFIELD COUNTY
Decision #AQ-3014 (B,H,Hw)
38 FR 28475 - 10/12/73
Mod. #1 - 38 FR 32334 - 11/23/73
Mod. #2 - 38 FR 34568 - 12/14/73
Mod. #3 - 39 FR 4267 - 2/1/74
Decision #AP-803 (D)
38 FR 10580 - 4/27/73
Decision #AQ-3035 (R)
38 FR 31088 - 11/9/73
Mod. #1 - 38 FR 34571 - 12/14/73
Mod. #2 - 39 FR 4270 - 2/1/74
HARTFORD COUNTY
Decision #AQ-3015 (B,H,Hw)
38 FR 28480 - 10/12/73
Mod. #1 - 38 FR 32334 - 11/23/73
Mod. #2 - 38 FR 34569 - 12/14/73
Mod. #3 - 39 FR 4267 - 2/1/74
Decision #AQ-3096 (R)
39 FR 5961 - 2/15/74
(D) - See Fairfield County
LITCHFIELD COUNTY
Decision #AQ-3016 (B,H,Hw)
38 FR 28485 - 10/12/73
Mod. #1 - 38 FR 32334 - 11/23/73
Mod. #2 - 38 FR 34569 - 12/14/73
Mod. #3 - 39 FR 4268 - 2/1/74
MIDDLESEX COUNTY
Decision #AQ-3097 (B,H,Hw)
39 FR 5962 - 2/15/74
(D) - See Fairfield County
NEW HAVEN COUNTY
Decision #AQ-3098 (B,H,Hw)
39 FR 5966 - 2/15/74
(D) - See Fairfield County
NEW LONDON COUNTY
Decision #AQ-3019 - (B,H,Hw)
38 FR 28499 - 10/12/73
Mod. #1 - 38 FR 32335 - 11/23/73
Mod. #2 - 38 FR 34570 - 12/14/73
Mod. #3 - 39 FR 4269 - 2/1/74
(D) - See Fairfield County
TOLLAND COUNTY
Decision #AQ-3020 (B,H,Hw)
38 FR 28503 - 10/12/73
Mod. #1 - 38 FR 32355 - 11/23/73
Mod. #2 - 38 FR 35142 - 12/21/73
Mod. #3 - 39 FR 5047 - 2/8/74
WINDHAM COUNTY
Decision #AQ-3021 - (B,H,Hw)
38 FR 28507 - 10/12/73
Mod. #1 - 38 FR 32335 - 11/23/73
Mod. #2 - 38 FR 34571 - 12/14/73
Mod. #3 - 39 FR 4270 - 2/1/74

DELAWARE

STATEWIDE
Decision #AP-803 (D)
38 FR 10580 - 4/27/73
Decision #AQ-2029 (B,H,Hw)
38 FR 31774 - 11/16/73
Mod. #1 - 38 FR 35570 - 12/28/73
Mod. #2 - 39 FR 3373 - 1/25/74
KENT COUNTY
(B,H,Hw,D) - See Statewide
NEW CASTLE COUNTY
(D) - See Statewide
(B,H,Hw) - See Statewide
SUSSEX COUNTY
(D) - See Statewide
(B,H,Hw) - See Statewide

FLORIDA

ALACHUA COUNTY
Decision #AQ-4070 (B)
39 FR 5971 - 2/15/74
Decision #AQ-4031 (Hw)
38 FR 31092 - 11/9/73
BAKER COUNTY
Decision #AQ-4004 (Hw)
38 FR 22841 - 8/24/73
BAY COUNTY
Decision #AP-196 (B)
38 FR 15229 - 6/8/73
Mod. #1 - 38 FR 27163 - 9/28/73
Mod. #2 - 38 FR 27707 - 10/5/73
Mod. #3 - 38 FR 31753 - 11/16/73
Mod. #4 - 38 FR 35142 - 12/21/73
Mod. #5 - 39 FR 5047 - 2/8/74
Decision #AQ-4002 (D)
38 FR 21037 - 8/3/73
Mod. #1 - 39 FR 4264 - 2/1/74
Decision #AQ-4030 (Hw)
38 FR 29727 - 10/26/73
Mod. #1 - 38 FR 31098 - 11/9/73
BRADFORD COUNTY
(Hw) - See Alachua County
BREVARD COUNTY (Cape Kennedy Kennedy Space Flight Center & Patrick AFB only)
Decision #AQ-4056 (B)
39 FR 3390 - 1/25/74
Mod. #1 - 39 FR 4271 - 2/1/74
Mod. #2 - 39 FR 5047 - 2/8/74
Decision #AQ-4067 (D)
39 FR 5069 - 2/8/74
Decision #AQ-4006 (Hw)
38 FR 22842 - 8/24/73
Mod. #1 - 39 FR 5047 - 2/8/74
BROWARD COUNTY
Decision #AQ-4003 (Hw)
38 FR 22841 - 8/24/73
(D) - See Brevard County
CALHOUN COUNTY
(Hw) - See Bay County
CHARLOTTE COUNTY
Decision #AQ-4019 (Hw)
38 FR 27703 - 10/5/73
(D) - See Brevard County
CITRUS COUNTY
Decision #AQ-4039 (Hw)
38 FR 33203 - 11/30/73
(D) - See Brevard County
CLAY COUNTY
(Hw) - See Baker County
COLLIER COUNTY
(D) - See Brevard County
(Hw) - See Charlotte County
COLUMBIA COUNTY
(Hw) - See Alachua County
DADE COUNTY
Decision #AQ-4033 (B)
38 FR 31778 - 11/16/73

FLORIDA (cont'd)

DADE COUNTY (CONT'D)
Mod. #1 - 39 FR 5948 - 2/15/74
(D) - See Brevard County
(Hw) - See Broward County
DESOTO COUNTY
Decision #AQ-4017 (Hw)
38 FR 27718 - 10/5/73
DIXIE COUNTY
(D) - See Brevard County
(Hw) - See Alachua County
DUVAL COUNTY
Decision #AQ-4071 (B)
39 FR 5973 - 2/15/74
(D) - See Brevard County
(Hw) - See Baker County
ESCAMBIA COUNTY
Decision #AQ-4055 (B)
39 FR 3388 - 1/25/74
Decision #AP-178 (R)
38 FR 11259 - 5/4/73
(D) - See Bay County
Decision #AQ-4005 (Hw)
38 FR 22842 - 8/24/73
FLAGLER COUNTY
(D) - See Brevard County
(Hw) - See Baker County
FRANKLIN COUNTY
(D) - See Bay County
GADSDEN COUNTY
Decision #AP-179 (R)
38 FR 11260 - 5/4/73
(Hw) - See Bay County
GILCHRIST COUNTY
(Hw) - See Alachua County
GLADES COUNTY
(Hw) - See Charlotte County
GULF COUNTY
(D) - See Bay County
(Hw) - See Bay County
HAMILTON COUNTY
(Hw) - See Alachua County
HARDEE COUNTY
Decision #AQ-4040 (R)
38 FR 34565 - 12/14/73
(Hw) - See De Soto County
HENDRY COUNTY
(Hw) - See Charlotte County
HERNANDO COUNTY
(D)-See Brevard County
(Hw)-See Citrus County
HIGHHLANDS COUNTY
(Hw) - See De Soto County
HILLSBOROUGH COUNTY
Decision #AQ-4054 (B)
39 FR 3386 - 1/25/74
Mod. #1 - 39 FR 5948 - 2/15/74

FLORIDA (cont'd)

HILLSBOURGH COUNTY (CONT'D)
Decision #AQ-4018 (Hw)
38 FR 27703 - 10/5/73
(D) - See Brevard County
(Hw) - See DeSoto County
HOLMES COUNTY
(Hw) - See Bay County
INDIAN RIVER COUNTY
(D) - See Brevard County
(Hw) - See Brevard County
JACKSON COUNTY
(Hw) - See Bay County
JEFFERSON COUNTY
(D) - See Bay County
(R) - See Gadsden County
(Hw) - See Bay County
LAFAYETTE COUNTY
(Hw) - See Alachua County
LAKE COUNTY
Decision #AP-181 (R)
38 FR 11261 - 5/4/73
(Hw) - See Brevard County
LEE COUNTY
(D) - See Brevard County
(Hw) - See Charlotte County
LEON COUNTY
Decision #AQ-4050 (B)
39 FR 1689 - 1/11/74
(Hw) - See Bay County
(R) - See Gadsden County
LEVY COUNTY
(D) - See Brevard County
(Hw) - See Citrus County
LIBERTY COUNTY
(Hw) - See Bay County
MADISON COUNTY
(R) - See Gadsden County
(Hw) - See Alachua County
MANATEE COUNTY
(D) - See Brevard County
(Hw) - See Hillsborough County
MARION COUNTY
(Hw) - See Citrus County
MARTIN COUNTY
(D) - See Brevard County
(Hw) - See Broward County
MONROE COUNTY
(D) - See Brevard County
(Hw) - See Broward County
NASSAU COUNTY
(D) - See Brevard County
(Hw) - See Baker County
OKALOOSA COUNTY
(B) - See Escambia County
(D) - See Bay County
(Hw) - See Escambia County
Decision #AP-180 (R)
38 FR 11260 - 5/4/73

FLORIDA (cont'd)

OKEECHOBEE COUNTY
(Hw) - See DeSoto County
ORANGE COUNTY
Decision #AQ-4053 (B)
39 FR 3384 - 1/25/74
Mod. #1 - 39 FR 5948 - 2/15/74
(Hw) - See Brevard County
(R) - See Lake County
OSCEOLA COUNTY
(Hw) - See Brevard County
(R) - See Lake County
PALM BEACH COUNTY
(D) - See Brevard County
(Hw) - See Broward County
PASCO COUNTY
(D) - See Brevard County
(Hw) - See Hillsborough County
PINELLAS COUNTY
Decision #AQ-4057 (B)
39 FR 3392 - 1/25/74
Decision #AP-182 (R)
38 FR 11261 - 5/4/73
(D) - See Brevard County
(Hw) - See Hillsborough County
POLK COUNTY
(Hw) - See DeSoto County
(R) - See Hardee County
PUTNAM COUNTY
(Hw) - See Baker County
ST. JOHNS COUNTY
(D) - See Brevard County
(Hw) - See Baker County
ST. LUCIE COUNTY
(D) - See Brevard County
(Hw) - See Broward County
SANTA ROSA COUNTY
(B) - See Escambia County;
(D) - See Bay County
(Hw) - See Escambia County
(R) - See Okaloosa County
SARASOTA COUNTY
(D) - See Brevard County
(Hw) - See Hillsborough County
SEMINOLE COUNTY
(Hw) - See Brevard County
(R) - See Lake County
SUMTER COUNTY
(Hw) - See Citrus County
SUWANNEE COUNTY
(Hw) - See Alachua County
TAYLOR COUNTY
(D) - See Brevard County
(R) - See Gadsden County
(Hw) - See Alachua County
UNION COUNTY
(Hw) - See Alachua County

FLORIDA (Cont'd)

VOLUSIA COUNTY (Cape Kennedy, Kennedy Space Flight Center & Patrick Air Force Base only)
(B) - See Brevard County
(D) - See Brevard County
(Hw) - See Brevard County
WAKULLA COUNTY
(D) - See Bay County
(Hw) - See Bay County
WALTON COUNTY
(B) - See Escambia County
(D) - See Bay County
(Hw) - See Bay County
(R) - See Okaloosa County
WASHINGTON COUNTY
(Hw) - See Bay County

GEORGIA

APPLING COUNTY
Decision #AM-473 (Hw)
36 FR 16421 - 8/20/71
Mod. #1 - 39 FR 5048 - 2/8/74
ATKINSON COUNTY
(Hw) - See Appling County
BACON COUNTY
(Hw) - See Appling County
BAKER COUNTY
(Hw) - See Appling County
BALDWIN COUNTY
Decision #AM-472 (Hw)
36 FR 16420 - 8/20/71
Mod. #1 - 39 FR 5048 - 2/8/74
BANKS COUNTY
Decision #AM-471 (Hw)
36 FR 16419 - 8/20/71
BARROW COUNTY
(Hw) - See Banks County
BARTOW COUNTY
(Hw) - See Banks County
BEN HILL COUNTY
(Hw) - See Appling County
BERRIEN COUNTY
(Hw) - See Appling County
BIBB COUNTY
(Hw) - See Baldwin County
BLECKLEY COUNTY
(Hw) - See Appling County
BRANTLEY COUNTY
(Hw) - See Appling County
BROOKS COUNTY
(Hw) - See Appling County
BRYAN COUNTY
Decision #AM-475 (Hw)
36 FR 16424 - 8/20/71
Mod. #1 - 39 FR 5048 - 2/8/74
Decision #AQ-2039 (D)
39 FR 3395 - 1/25/74
BULLOCH COUNTY
(Hw) - See Appling County
BURKE COUNTY
(Hw) - See Baldwin County
BUTTS COUNTY
(Hw) - See Baldwin County
CALHOUN COUNTY
(Hw) - See Appling County
CAMDEN COUNTY
(D) - See Bryan County
(Hw) - See Appling County
CANDLER COUNTY
(Hw) - See Appling County
CARROLL COUNTY
(Hw) - See Baldwin County
CATOOSA COUNTY
(Hw) - See Banks County
CHARLTON COUNTY
(Hw) - See Appling County

GEORGIA (Cont'd)

CHATHAM COUNTY CONT'D.
Decision #AQ-4069 (H,Hw)
39 FR 5979 - 2/15/74
Decision #AQ-4058 (R)
39 FR 3394 - 1/25/74
(D) - See Bryan County
CHATTAHOOCHEE COUNTY
(Hw) - See Baldwin County
CHATTOOGA COUNTY
(Hw) - See Banks County
CHEROKEE COUNTY
(Hw) - See Banks County
CLARKE COUNTY
(Hw) - See Baldwin County
CLAY COUNTY
(Hw) - See Appling County
CLAYTON COUNTY
Decision #AM-474 (Hw)
36 FR 16423 - 8/20/71
Mod. #1 - 39 FR 5048 - 2/8/74
CLINCH COUNTY
(Hw) - See Appling County
COBB COUNTY
(B,H,Hw) - See Fulton County
(R) - See Fulton County
COFFEE COUNTY
(Hw) - See Appling County
COLQUITT COUNTY
(Hw) - See Appling County
COLUMBIA COUNTY
(Hw) - See Baldwin County
COOK COUNTY
(Hw) - See Appling County
COWETA COUNTY
(Hw) - See Baldwin County
CRAWFORD COUNTY
(Hw) - See Baldwin County
CRISP COUNTY
(Hw) - See Baldwin County
DADE COUNTY
(Hw) - See Banks County
DAWSON COUNTY
(Hw) - See Banks County
DECATUR COUNTY
(Hw) - See Appling County
DEKALB COUNTY
(B,H,Hw) - See Fulton County
(R) - See Fulton County

GEORGIA (Cont'd)

DODGE COUNTY
(Hw) - See Appling County
DOOLY COUNTY
(Hw) - See Baldwin County
DOUGHERTY COUNTY
(Hw) - See Appling County
DOUGLAS COUNTY
(Hw) - See Banks County
EARLY COUNTY
(Hw) - See Appling County
ECHOLS COUNTY
(Hw) - See Appling County
EFFINGHAM COUNTY
(Hw) - See Appling County
ELBERT COUNTY
(Hw) - See Banks County
EMANUEL COUNTY
(Hw) - See Baldwin County
EVANS COUNTY
(Hw) - See Appling County
FANNIN COUNTY
(Hw) - See Banks County
FAYETTE COUNTY
(Hw) - See Baldwin County
FLOYD COUNTY
(Hw) - See Banks County
FORSYTH COUNTY
(Hw) - See Banks County
FRANKLIN COUNTY
(Hw) - See Banks County
FULTON COUNTY
Decision #AQ-4068 (B,H,Hw)
39 FR 5975 - 2/15/74
Decision #AQ-4052 (R)
39 FR 2328 - 1/18/74
GILMER COUNTY
(Hw) - See Banks County
GLASCOCK COUNTY
(Hw) - See Baldwin County
GLYNN COUNTY
(D) - See Bryan County
(Hw) - See Appling County
GORDON COUNTY
(Hw) - See Banks County
GRADY COUNTY
(Hw) - See Appling COunty
GREENE COUNTY
(Hw) - See Appling County

GEORGIA (Cont'd)

GWINNETT COUNTY
(Hw) - See Banks County
HABERSHAM COUNTY
(Hw) - See Banks County
HALL COUNTY
(Hw) - See Banks County
HANCOCK COUNTY
(Hw) - See Baldwin County
HARALSON COUNTY
(Hw) - See Banks County
HARRIS COUNTY
(Hw) - See Baldwin County
HART COUNTY
(Hw) - See Banks County
HEARD COUNTY
(Hw) - See Baldwin County
HENRY COUNTY
(Hw) - See Clayton County
HOUSTON COUNTY
(Hw)-See Baldwin County
IRWIN COUNTY
(Hw) - See Appling County
JACKSON COUNTY
(Hw) - See Banks County
JASPER COUNTY
(Hw) - See Baldwin County
JEFF DAVIS COUNTY
(Hw) - See Appling County
JEFFERSON COUNTY
(Hw) - See Baldwin County
JENKINS COUNTY
(Hw) - See Baldwin County
JOHNSON COUNTY
(Hw) - See Baldwin County
JONES OCUNTY
(Hw) - See Baldwin County
LAMAR COUNTY
(Hw) - See Baldwin County
LANIER COUNTY
(Hw) - See Appling County
LAURENS COUNTY
(Hw) - See Appling County
LEE COUNTY
(Hw) - See Appling County
LIBERTY COUNTY
(D) - See Bryan County
(Hw) - See Bryan County
LINCOLN COUNTY
(Hw) - See Baldwin County

GEORGIA (Cont'd)

LONG COUNTY
(Hw) - See Appling County
LOWNDES COUNTY
(Hw) - See Appling County
LUMPKIN COUNTY
(Hw) - See Banks County
MCDUFFIE COUNTY
(Hw) - See Baldwin County
McINTOSH COUNTY
(D) - See Bryan County
(Hw) - See Appling County
MACON COUNTY
(Hw) - See Baldwin County
MADISON COUNTY
(Hw) - See Banks County
MARION COUNTY
(Hw) - See Baldwin County
MERIWETHER COUNTY
(Hw) - See Baldwin County
MILLER COUNTY
(Hw) - See Appling County
MITCHELL COUNTY
(Hw) - See Appling County
MONROE COUNTY
(Hw) - See Baldwin County
MONTGOMERY COUNTY
(Hw) - See Appling County
MORGAN COUNTY
(Hw) - See Baldwin County
MURRAY COUNTY
(Hw) - See Banks County
MUSCOGEE COUNTY
(Hw) - See Baldwin County
NEWTON COUNTY
(Hw) - See Baldwin County
OCONEE COUNTY
(Hw) - See Baldwin County
OGLETHORPE COUNTY
(Hw) - See Baldwin County
PAULDING COUNTY
(Hw) - See Banks County
PEACH COUNTY
(Hw) - See Baldwin County
PICKENS COUNTY
(Hw) - See Banks County
PIERCE COUNTY
(Hw) - See Appling County
PIKE COUNTY
(Hw) - See Baldwin County

GEORGIA (Cont'd)

POLK COUNTY
(Hw) - See Banks County
PULASKI COUNTY
(Hw) - See Baldwin County
PUTNAM COUNTY
(Hw) - See Baldwin County
QUITMAN COUNTY
(Hw) - See Appling County
RABUN COUNTY
(Hw) - See Banks County
RANDOLPH COUNTY
(Hw) - See Appling County
RICHMOND COUNTY
(Hw) - See Baldwin County
ROCKDALE COUNTY
(Hw) - See Baldwin County
SCHLEY COUNTY
(Hw) - See Baldwin County
SCREVEN COUNTY
(Hw) - See Baldwin County
SEMINOLE COUNTY
(Hw) - See Appling County
SPALDING COUNTY
(Hw) - See Baldwin County
STEPHENS COUNTY
(Hw) - See Banks County
STEWART COUNTY
(Hw) - See Baldwin County
SUMTER COUNTY
(Hw) - See Baldwin County
TALBOT COUNTY
(Hw) - See Baldwin County
TALIAFERRO COUNTY
(Hw) - See Baldwin County
TATTNALL COUNTY
(Hw) - See Appling County
TAYLOR COUNTY
(Hw) - See Baldwin County
TELFAIR COUNTY
(Hw) - See Appling County
TERRELL COUNTY
(Hw) - See Appling County
THOMAS COUNTY
(Hw) - See Appling County
TIFT COUNTY
(Hw) - See Appling County
TOOMBS COUNTY
(Hw) - See Appling County

GEORGIA (Cont'd)

TOWNS COUNTY
(Hw) - See Banks County
TREUTLEN COUNTY
(Hw) - See Appling County
TROUP COUNTY
(Hw) - See Baldwin County
TURNER COUNTY
(Hw) - See Appling County
TWIGGS COUNTY
(Hw) - See Baldwin County
UNION COUNTY
(Hw) - See Banks County
UPSON COUNTY
(Hw) - See Baldwin County
WALKER COUNTY
(Hw) - See Banks County
WALTON COUNTY
(Hw) - See Baldwin County
WARE COUNTY
Decision #AP-155 (B)
38 FR 4073 - 2/9/73
Mod. #1 - 38 FR 5088 - 2/23/73
Decision #AP-160 (R)
38 FR 5083 - 2/23/73
Mod. #1 - 38 FR 10573 4/27/73
(Hw) - See Appling County
WARREN COUNTY
(Hw) - See Baldwin County
WASHINGTON COUNTY
(Hw) - See Baldwin County
WAYNE COUNTY
(Hw) - See Appling County
WEBSTER COUNTY
(Hw) - See Baldwin County
WHEELER COUNTY
(Hw) - See Appling County
WHITE COUNTY
(Hw) - See Banks county
WHITFIELD COUNTY
(Hw) - See Banks County
WILCOX COUNTY
(Hw) - See Baldwin County
WILKES COUNTY
(Hw) - See Baldwin County
WILKINSON COUNTY
(Hw) - See Baldwin County
WORTH COUNTY
(Hw) - See Appling County

GUAM

GUAM
Decision #AQ-1034 (B,R,H,Hw)
38 FR 25848 - 9/14/73

HAWAII

STATEWIDE
Decision #AQ-1040 (R)
38 FR 26571 - 9/21/73
Mod. #1 - 38 FR 31753 - 11/16/73
Decision #AQ-1039 (B,Hw,H)
38 FR 26565 - 9/21/73
Mod. #1 - 38 FR 31753 - 11/16/73

IDAHO

STATEWIDE
Decision #AQ-1054 (B,H,Hw)
38 FR 31119 - 11/9/73
Mod. #1 - 38 FR 33878 - 12/7/73
Mod. #2 - 39 FR 4271 - 2/1/74
ADA COUNTY
Decision #AQ-1029 (R)
38 FR 24513 - 9/7/73
Mod. #1 - 38 FR 26543 - 9/21/73
(B,H,Hw) - See Statewide
ADAMS COUNTY
(B,H,Hw) - See Statewide
BANNOCK COUNTY
(B,H,Hw) - See Statewide
BEAR LAKE COUNTY
(B,H,Hw) - See Statewide
BENEWAH COUNTY
(B,H,Hw) - See Statewide
BINGHAM COUNTY
(B,H,Hw) - See Statewide
BLAINE COUNTY
(B,H,Hw) - See Statewide
BOISE COUNTY
(B,H,Hw) - See Statewide
BONNER COUNTY
(B,H,Hw) - See Statewide
BONNEVILLE COUNTY
(B,H,Hw) - See Statewide
BOUNDARY COUNTY
(B,H,Hw) - See Statewide
BUTTE COUNTY
(B,H,Hw) - See Statewide
CAMAS COUNTY
(B,H,Hw) - See Statewide
CANYON COUNTY
(B,H,Hw) - See Statewide
CARIBOU COUNTY
(B,H,Hw) - See Statewide
CASSIA COUNTY
(B,H,Hw) - See Statewide
CLARK COUNTY
(B,H,Hw) - See Statewide
CLEARWATER COUNTY
(B,H,Hw) - See Statewide
CUSTER COUNTY
(B,H,Hw) - See Statewide
ELMORE COUNTY
(B,H,Hw) - See Statewide
FRANKLIN COUNTY
(B,H,Hw) - See Statewide

IDAHO (Cont'd)

FREMONT COUNTY
(B,H,Hw) - See Statewide
GEM COUNTY
(B,H,Hw) - See Statewide
GOODLING COUNTY
(B,H,Hw) - See Statewide
IDAHO COUNTY
(B,H,Hw) - See Statewide
JEFFERSON COUNTY
(B,H,Hw) - See Statewide
JEROME COUNTY
(B,H,Hw) - See Statewide
KOOTENAI COUNTY
(B,H,Hw) - See Statewide
LATAH COUNTY
(B,H,Hw) - See Statewide
LEMHI COUNTY
(B,H,Hw) - See Statewide
LEWIS COUNTY
(B,H,Hw) - See Statewide
LINCOLN COUNTY
(B,H,Hw) - See Statewide
MADISON COUNTY
(B,H,Hw) - See Statewide
MINIDOKA COUNTY
(B,H,Hw) - See Statewide
NEZ PERCE COUNTY
(B,H,Hw) - See Statewide
ONEIDA COUNTY
(B,H,Hw) - See Statewide
OWYHEE COUNTY
(B,H,Hw) - See Statewide
PAYETTE COUNTY
(B,H,Hw) - See Statewide
POWER COUNTY
(B,H,Hw) - See Statewide
SHOSHONE COUNTY
(B,H,Hw) - See Statewide
TETON COUNTY
(B,H,Hw) - See Statewide
TWIN FALLS COUNTY
(B,H,Hw) - See Statewide
VALLEY COUNTY
(B,H,Hw) - See Statewide
WASHINGTON COUNTY
(B,H,Hw) - See Statewide

ILLINOIS

ADAMS COUNTY
Decision #AQ-3090 (H,Hw)
39 FR 5112 - 2/8/74
ALEXANDER COUNTY
Decision #AQ-3093 (H,Hw)
39 FR 5127 - 2/8/74
Decision #AQ-3094 (D)
39 FR 5070 - 2/8/74
BOND COUNTY
Decision #AQ-3092 (H,Hw)
39 FR 5122 - 2/8/74
BOONE COUNTY
Decision #AQ-3086 (H,Hw)
39 FR 5087 - 2/8/74
BROWN COUNTY
(H)(Hw) - See Adams County
(D) - See Alexander County
BUREAU COUNTY
Decision #AQ-3087 (H,Hw)
39 FR 5094 - 2/8/74
CALHOUN COUNTY
(H)(Hw) - See Bond County
(D) - See Alexander County
CARROLL COUNTY
(H)(Hw) - See Bureau County
CASS COUNTY
(H)(Hw) - See Adams County
(D) - See Alexander County
CHAMPAIGN COUNTY
Decision #AP-689 (B)
38 FR 15247 - 6/8/73
Mod. #1 - 38 FR 18811 - 7/13/73
Mod. #2 - 38 FR 22304 - 8/17/73
Mod. #3 - 38 FR 29139 - 10/19/73
Mod. #4 - 38 FR 32336 - 11/23/73
Mod. #5 - 39 FR 5048 - 2/8/74
Decision #AQ-3089 (H,Hw)
39 FR 5108 - 2/8/74
CHRISTIAN COUNTY
(H)(Hw) - See Adams County
CLARK COUNTY
(H) (Hw) - See Champaign County
CLAY COUNTY
Decision #AQ-3091 (H,Hw)
39 FR 5117 - 2/8/74
CLINTON COUNTY
(H,Hw) - See Bond County
COLES COUNTY
(H,Hw) - See Champaign County
COOK COUNTY
Decision #AP-690 (B,H,Hw)
38 FR 15250 - 6/8/73
Mod. #1 - 38 FR 20162 - 7/27/73
Mod. #2 - 38 FR 22304 - 8/17/73
Mod. #3 - 38 FR 29139 - 10/19/73
Mod. #4 - 39 FR 5050 - 2/8/74

ILLINOIS

COOK COUNTY (Cont'd)
Decision #AP-1003 (R)
38 FR 15302 - 6/8/73
Mod. #1 - 38 FR 20162 - 7/13/73
Mod. #2 - 38 FR 22308 - 8/17/73
Mod. #3 - 38 FR 29142 - 10/19/73
Mod. #4 - 39 FR 5059 - 2/8/74
Decision #AQ-3095 (D)
39 FR 5982 - 2/15/74
CRAWFORD COUNTY
(H)(Hw) - See Clay County
CUMBERLAND COUNTY
(H)(Hw) - See Champaign County
DEKALB COUNTY
(H)(Hw) - See Boone County
DEWITT COUNTY
(H)(Hw) - See Champaign County
DOUGLAS COUNTY
(H) (Hw) - See Champaign County
DU PAGE COUNTY
Decision #AP-691 (B)
38 FR 15256 - 6/8/73
Mod. #1 - 38 FR 20162 - 7/27/73
Mod. #2 - 38 FR 22305 - 8/17/73
Mod. #3 - 38 FR 29139 - 10/19/73
Mod. #4 - 39 FR 5050 - 2/8/74
Decision #AP-1004 (R)
38 FR 15305 - 6/8/73
Mod. #1 - 38 FR 20162 - 7/27/73
Mod. #2 - 38 FR 22309 - 8/17/73
Mod. #3 - 38 FR 29142 - 10/19/73
Mod. #4 - 39 FR 5059 - 2/8/74
(H) (Hw) - See Boone County
EDGAR COUNTY
(H)(Hw) - See Champaign County
EDWARDS COUNTY
(H)(Hw) - See Clay County
EFFINGHAM COUNTY
(H)(Hw) - See Clay County
FAYETTE COUNTY
(H)(Hw) - See Clay County
FORD COUNTY
None
FRANKLIN COUNTY
(H)(Hw) - See Alexander County
FULTON COUNTY
Decision #AQ-3088 (H,Hw)
39 FR 5102 - 2/8/74
GALLATIN COUNTY
(H)(Hw) - See Alexander County
(D) - See Alexander County
GREENE COUNTY
(H)(Hw) - See Bond County
(D) - See Alexander County
GRUNDY COUNTY
None
HAMILTON COUNTY
(H)(Hw) - See Clay County

ILLINOIS (Cont'd)

HANCOCK COUNTY
(H,Hw) - See Fulton County
HARDIN COUNTY
(H,Hw) - See Alexander County
(D) - See Alexander County
HENDERSON COUNTY
(H,Hw) - See Fulton County
HENRY COUNTY
(H)(Hw) - See Bureau County
IROQUOIS COUNTY
None
JACKSON COUNTY
(H)(Hw) - See Alexander County
(D) - See Alexander
JASPER COUNTY
(H,Hw) - See Clay County
JEFFERSON COUNTY
(H,Hw) - See Clay County
JERSEY COUNTY
(H,Hw) - See Bond County
(D) - See Alexander
JO DAVIESS COUNTY
(H)(Hw) - See Bureau County
JOHNSON COUNTY
(H,Hw) - See Alexander County
KANE COUNTY
Decision #AP-692 (B)
38 FR 15260 - 6/8/73
Mod. #1 - 38 FR 18811 - 7/13/73
Mod. #2 - 38 FR 22305 - 8/17/73
Mod. #3 - 38 FR 29139 - 10/19/73
Mod. #4 - 39 FR 5051 - 2/8/74
Decision #AP-1005 (R)
38 FR 15309 - 6/8/73
Mod. #1 - 38 FR 18812 - 7/13/73
Mod. #2 - 38 FR 22309 - 8/17/73
Mod. #3 - 38 FR 29143 - 10/19/73
Mod. #4 - 39 FR 5060 - 2/8/74
(H,Hw) - See Boone County
KANKAKEE COUNTY
None
KENDALL COUNTY
(H,Hw) - See Boone County
KNOX COUNTY
(H,Hw) - See Fulton County
LAKE COUNTY
Decision #AP-693 (B)
38 FR 15263 - 6/8/73
Mod. #1 - 38 FR 22305 - 8/17/73
Mod. #2 - 38 FR 29140 - 10/19/73
Mod. #3 - 39 FR 5051 - 2/8/74
Decision #AP-1006 - (R)
38 FR 15263 - 6/18/73
Mod. #1 - 38 FR 22309 - 8/17/73
Mod. #2 - 38 FR 29143 - 10/19/73
Mod. #3 - 39 FR 5060 - 2/8/74
(D) - See Cook County
(H,Hw) - See Boone County

ILLINOIS (Cont'd)

LA SALLE COUNTY
None
LAWRENCE COUNTY
(H,Hw) - See Clay County
LEE COUNTY
(H,Hw) - See Bureau County
LIVINGSTON COUNTY
None
LOGAN COUNTY
(H,Hw) - See Adams County
MCDONOUGH COUNTY
(Hw) - See Boone County
MCHENRY COUNTY
(H,Hw) - See Boone County
McCLEAN COUNTY
None
MACON COUNTY
(Hw) - See Champaign County
MACOUPIN COUNTY
(H,Hw) - See Bond County
MADISON COUNTY
Decision #AQ-3077 (B)
39 FR 5071 - 2/8/74
Decision #AQ-3079 (R)
39 FR 5079 - 2/8/74
(H,Hw) - See Bond County
MARION COUNTY
(H,Hw) - See Clay County
MARSHALL COUNTY
None
MASON COUNTY
(H,Hw) - See Adams County
MASSAC COUNTY
(H,Hw) - See Alexander County
MENARD COUNTY
(H,Hw) - See Adams County
MERCER COUNTY
(H,Hw) - See Fulton County
MONROE COUNTY
(H,Hw) - See Bond County
(D) - See Alexander County
MONTGOMERY COUNTY
(H,Hw) - See Bond County
MORGAN COUNTY
(H,Hw) - See Adams County
(D) - See Alexander County
MOULTRIE COUNTY
(H,Hw) - See Champaign County
OGLE COUNTY
(H,Hw) - See Bureau County
PEORIA COUNTY
Decision #AP-695 (B) (D)
38 FR 15270 - 6/8/73
Mod. #1 - 38 FR 18811 - 7/13/73
Mod. #2 - 38 FR 29140 - 10/19/73
Mod. #3 - 39 FR 5051 - 2/8/74
Decision #AP-1008 (R)
38 FR 15319 - 6/8/73
Mod. #1 - 38 FR 18812 - 7/13/73
Mod. #2 - 38 FR 29143 - 10/19/73

ILLINOIS (Cont'd)

PEORIA COUNTY (Cont'd)
Mod. #3 - 39 FR 5060 - 2/8/74
(H,Hw) - See Fulton County
PERRY COUNTY
(H,Hw) - See Alexander County
PIATT COUNTY
(H,Hw) - See Champaign County
PIKE COUNTY
(H,Hw) - See Adams County
(D) - See Alexander County
POPE COUNTY
(H,Hw,D) - See Alexander County
PULASKI COUNTY
(H,Hw,D) - See Alexander County
PUTNAM COUNTY
None
RANDOLPH COUNTY
(H,Hw,D) - See Alexander County
RICHLAND COUNTY
(H,Hw) - See Clay County
ROCK ISLAND COUNTY
Decision #AP-696 (B)
38 FR 17276 - 6/8/73
Mod. #1 - 38 FR 29140 - 10/19/73
Mod. #2 - 39 FR 5052 - 2/8/74
(H,Hw) - See Bureau County
SAINT CLAIR COUNTY
Decision #AQ-3078 (B)
39 FR 5075 - 2/8/74
Decision #AQ-3080 (R)
39 FR 5083 - 2/8/74
(H,Hw) - See Bond County
(D) - See Alexander County
SALINE COUNTY
(H,Hw) - See Alexander County
SANGAMON COUNTY
Decision #AP-698 (B)
38 FR 15284 - 6/8/73
Mod. #1 - 38 FR 18812 - 7/13/73
Mod. #2 - 38 FR 29141 - 10/19/73
Mod. #3 - 39 FR 5053 - 2/8/74
Decision #AP-1010 (R)
38 FR 15203 - 6/18/73
Mod. #1 - 38 FR 18812 - 7/13/73
Mod. #2 - 38 FR 29144 - 10/19/73
Mod. #3 - 39 FR 5061 - 2/8/74
(H,Hw) - See Adams County
SCHUYLER COUNTY
(H,Hw) - See Adams County
SCOTT COUNTY
(H,Hw) - See Adams County
(D) - See Alexander County
SHELBY COUNTY
(H,Hw) - See Champaign County
STARK COUNTY
(H,Hw) - See Fulton County
STEPHENSON COUNTY
(H,Hw) - See Bureau County

ILLINOIS (Cont'd)

TAZEWELL COUNTY
(B,R) - See Peoria County
(H,Hw) - See Fulton County
UNION COUNTY
(H,Hw,D) - See Alexander County
VERMILLION COUNTY
Decision #AP-699 (B)
38 FR 15287 - 6/18/73
Mod. #1 - 38 FR 29141 - 10/19/73
Mod. #2 - 39 FR 5054 - 2/8/74
(H,Hw) - See Champaign County
WABASH COUNTY
(H,Hw) - See Clay County
WARREN COUNTY
(H,Hw) - See Fulton County
WASHINGTON COUNTY
(H,Hw) - See Bond County
WAYNE COUNTY
(H,Hw) - See Clay County
WHITE COUNTY
(H,Hw) - See Clay County
WHITEWIDE COUNTY
(H,Hw) - See Bureau County
WILL COUNTY
Decision #AP-1001 (B)
38 FR 15294 - 6/8/73
Mod. #1 - 38 FR 22306 - 8/17/73
Mod. #2 - 38 FR 29141 - 10/19/73
Mod. #3 - 39 FR 5059 - 2/8/74
Decision #AP-1011 (R)
38 FR 15329 - 6/8/73
Mod. #1 - 38 FR 22310 - 8/17/73
Mod. #2 - 38 FR 29144 - 10/19/73
Mod. #3 - 39 FR 5062 - 2/8/74
(H,Hw) - See Boone County
WILLIAMSON COUNTY
Decision #AP-1000 (B)
38 FR 15291 - 6/8/73
Mod. #1 - 38 FR 29141 - 10/19/73
Mod. #2 - 39 FR 5056 - 2/8/74
(H,Hw) - See Alexander County
WINNEBAGO COUNTY
Decision #AP-1002 (B)
38 FR 15298 - 6/8/73
Mod. #1 - 38 FR 22308 - 8/17/73
Mod. #2 - 38 FR 29142 - 10/19/73
Mod. #3 - 39 FR 5059 - 2/8/74
(H,Hw) - See Bureau County
WOODFORD COUNTY
None

INDIANA

ADAMS COUNTY
Decision #AP-662 (H)(Hw)
38 FR 13214 - 5/18/73
Mod. #1 - 38 FR 17332 - 6/29/73
Mod. #2 - 38 FR 18816 - 7/13/73
ALLEN COUNTY
Decision #AP-648 (B)
38 FR 13165 - 5/18/73
Mod. #1 - 38 FR 18814 - 7/13/73
Mod. #2 - 38 FR 30313 - 11/2/73
Decision #AQ-3000 (R)
38 FR 22341 - 8/17/73
(H)(Hw) - See Adams County
BARTHOLOMEW COUNTY
Decision #AP-649 (B)
38 FR 13168 - 5/18/73
Mod. #1 - 38 FR 15787 - 6/15/73
Mod. #2 - 38 FR 18814 - 7/13/73
Mod. #3 - 38 FR 30314 - 11/2/73
Decision #AP-666 (H)(Hw)
38 FR 13237 - 5/18/73
Mod. #1 - 38 FR 17333 - 6/29/73
Mod. #2 - 38 FR 18817 - 7/13/73
BENTON COUNTY
Decision #AP-650 (B)
38 FR 13171 - 5/18/73
Mod. #1 - 38 FR 18814 - 7/13/73
Mod. #2 - 38 FR 30316 - 11/2/73
Decision #AP-663 (H)(Hw)
37 FR 13221 - 5/18/73
Mod. #1 - 38 FR 15787 - 6/15/73
Mod. #2 - 38 FR 17332 - 6/29/73
Mod. #3 - 38 FR 18816 - 7/13/73
BLACKFORD COUNTY
Decision #AP-664 (H)(Hw)
38 FR 13227 - 5/18/73
Mod. #1 - 38 FR 17332 - 6/29/73
Mod. #2 - 38 FR 18817 - 7/13/73
BOONE COUNTY
Decision #AM-668 (R)
38 FR 13247 - 5/18/73
Decision #AP-665 (Hw)(H)
38 FR 13232 - 5/18/73
Mod. #1 - 38 FR 17332 - 6/29/73
Mod. #2 - 38 FR 18817 - 7/13/73
BROWN COUNTY
(H)(Hw) - See Bartholomew County
CARROLL COUNTY
(H)(Hw) - See Benton County
CASS COUNTY
(H)(Hw) - See Benton County
CLARK COUNTY
Decision #AQ-3094 (D)
39 FR 5070 - 2/8/74
(H)(Hw) - See Bartholomew County
CLAY COUNTY
(H)(Hw) - See Boone County
CLINTON COUNTY
(H)(Hw) - See Benton County

INDIANA (cont'd)

CRAWFORD COUNTY
Decision #AP-667 (H,Hw)
38 FR 13244 - 5/18/73
Mod. #1 - 38 FR 17333 - 6/29/73
Mod. #2 - 38 FR 18817 - 7/13/73
(D) - See Clark County
DAVIESS COUNTY
(H,HW) - See Boone County
DEARBORN COUNTY
Decision #AP-651 (B)
38 FR 13174 - 6/18/73
Mod. #1 - 38 FR 18814 - 7/13/73
Mod. #2 - 38 FR 30317 - 11/2/73
(D) - See Clark County
(H,Hw) - See Bartholomew County
DECATUR COUNTY
(H,Hw) - See Bartholomew County
DEKALB COUNTY
(H,Hw) - See Adams County
DELAWARE COUNTY
Decision #AP-652 (B)
38 FR 13177 - 5/18/73
Mod. #1 - 38 FR 15787 - 6/15/73
Mod. #2 - 38 FR 18814 - 7/13/73
Mod. #3 - 38 FR 30318 - 11/2/73
(H,Hw) - See Blackford County
DUBOIS COUNTY
(H,Hw) - See Crawford County
ELKHART COUNTY
(H,Hw) - See Adams County
FAYETTE COUNTY
(H,Hw) - See Blackford County
FLOYD COUNTY
(D) - See Clark County
(H,Hw) - See Bartholomew County
FOUNTAIN COUNTY
(H,Hw) - See Boone County
FRANKLIN COUNTY
(H,Hw) - See Bartholomew County
FULTON COUNTY
(H,Hw) - See Benton County
GIBSON COUNTY
(H,Hw) - See Crawford County

INDIANA (Cont'd)

GRANT COUNTY
Decision #AP-653 (B)
38 FR 13180 - 5/18/73
Mod. #1 - 38 FR 15787 - 6/15/73
Mod. #2 - 38 FR 18814 - 7/13/73
Mod. #3 - 38 FR 30318 - 11/2/73
(H,Hw) - See Blackford County
GREENE COUNTY
(H,Hw) - See Boone County
HAMILTON COUNTY
(H,Hw) - See Blackford County
(R) - See Boone County
HANCOCK COUNTY
(H,Hw) - See Blackford County
(R) - See Boone County
HARRISON COUNTY
(D) - See Clark County
(H,Hw) - See Bartholomew County
HENDRICKS COUNTY
(H,Hw,) - See Boone County
(R) - See Boone County
HENRY COUNTY
(H,Hw) - See Blackford County
HOWARD COUNTY
(H,Hw) - See Benton County
HUNTINGTON COUNTY
(H,Hw) - See Adams County
JACKSON COUNTY
(H,Hw) - See Bartholomew County
JASPER COUNTY
(H,Hw) - See Benton County
JAY COUNTY
(H,Hw) - See Blackford County
JEFFERSON COUNTY
(D) - See Clark County
(H,Hw) - See Bartholomew County
JENNINGS COUNTY
(H,Hw) - See Bartholomew County
JOHNSON COUNTY
(H,Hw) - See Blackford County
(R) - See Boone County
KNOX COUNTY
(H,Hw) - See Boone County
KOSCIUSKO COUNTY
(H,Hw) - See Adams County

INDIANA (Cont'd)

LAGRANGE COUNTY
(H,Hw) - See Adams County
LAKE COUNTY
Decision #AP-654 (B,H,Hw)
38 FR 13182 - 5/18/73
Mod. #1 - 38 FR 18815 - 7/13/73
Mod. #2 - 38 FR 30319 - 11/2/73
Decision #AQ-3095 (D)
39 FR 5982 - 2/15/74
LAPORTE COUNTY
Decision #AP-655 (B,H,Hw)
38 FR 13188 - 5/18/73
Mod. #1 - 38 FR 18815 - 7/13/73
Mod. #2 - 38 FR 30320 - 11/2/73
(D) - See Lake County
LAWRENCE COUNTY
(H,Hw) - See Bartholomew County
MADISON COUNTY
(H,Hw) - See Blackford County
MARION COUNTY
Decision #AP-656 (B)
38 FR 13193 - 5/18/73
Mod. #1 - 38 FR 15787 - 6/15/73
Mod. #2 - 38 FR 18815 - 7/13/73
Mod. #3 - 38 FR 30321 - 11/2/73
(R) - See Boone County
(H,Hw) - See Blackford County
MARSHALL COUNTY
(H,Hw) - See Adams County
MARTIN COUNTY
(H,Hw) - See Bartholomew County
MIAMI COUNTY
(H,Hw) - See Benton County
MONROE COUNTY
Decision #AP-657 (B)
38 FR 13196 - 5/18/73
Mod. #1 - 38 FR 18815 - 7/13/73
Mod. #2 - 38 FR 30321 - 11/2/73
(H,Hw) - See Bartholomew County
MONTGOMERY COUNTY
(H,Hw) - See Boone County
MORGAN COUNTY
(R) - See Boone County
(H,Hw) - See Boone County
NEWTON COUNTY
(H,Hw) - See Benton County
NOBLE COUNTY
(H,Hw) - See Adams County

INDIANA (Cont'd)

OHIO COUNTY
(D) - See Clark County
(H,Hw) - See Bartholomew County
ORANGE COUNTY
(H,Hw) - See Bartholomew County
OWEN COUNTY
(H,Hw) - See Boone County
PARKE COUNTY
(H,Hw) - See Boone County
PERRY COUNTY
(D) - See Clark County
(H,Hw) - See Crawford County
PIKE COUNTY
(H,Hw) - See Crawford County
PORTER COUNTY
Decision #AP-658 (B,H,Hw)
38 FR 13199 - 5/18/73
Mod. #1 - 38 FR 18815 - 7/13/73
Mod. #2 - 38 FR 30322 - 11/2/73
(D) - See Lake County
POSEY COUNTY
(D) - See Clark County
(H,Hw) - See Crawford County
PULASKI COUNTY
(H,Hw) - See Benton County
PUTNAM COUNTY
(H,Hw) - See Boone County
RANDOLPH COUNTY
(H,Hw) - See Blackford County
RIPLEY COUNTY
(H,Hw) - See Bartholomew County
RUSH COUNTY
(H,Hw) - See Blackford County
SAINT JOSEPH COUNTY
Decision #AP-659 (B,H,Hw)
38 FR 13203 - 5/18/73
Mod. #1 - 38 FR 18816 - 7/13/73
Mod. #2 - 38 FR 30323 - 11/2/73
SCOTT COUNTY
(H,Hw) - See Bartholomew County
SHELBY COUNTY
(R) - See Boone County
(H,Hw) - See Blackford County
SPENCER COUNTY
(D) - See Clark County
(H,Hw) See Crawford County

INDIANA (Cont'd)

STARKE COUNTY
(H,Hw) - See Adams County
STEUBEN COUNTY
(H,Hw) - See Adams County
SULLIVAN COUNTY
(H,Hw) - See Boone County
SWITZERLAND COUNTY
(D) - See Clark County
(H,Hw) - See Bartholomew County
TIPPECANOE COUNTY
(B,H,Hw) - See Benton County
TIPTON COUNTY
(H,Hw) - See Benton County
UNION COUNTY
(H,Hw) - See Blackford County
VANDERBURGH COUNTY
Decision #AP-660 (B)
38 FR 13208 - 5/18/73
Mod. #1 - 38 FR 18816 - 7/13/73
Mod. #2 - 38 FR 30324 - 11/2/73
(D) - See Clark County
(H,Hw) - See Crawford County
VERMILLION COUNTY
(H,Hw) - See Boone County
VIGO COUNTY
Decision #AP-661 (B)
38 FR 13211 - 5/18/73
Mod. #1 - 38 FR 15787 - 6/15/73
Mod. #2 - 38 FR 17332 - 6/29/73
Mod. #3 - 38 FR 18816 - 7/13/73
Mod. #4 - 38 FR 30324 - 11/2/73
(H,Hw) - See Boone County
WABASH COUNTY
(H,Hw) - See Benton County
WARREN COUNTY
(H,Hw) - See Boone County
WARRICK COUNTY
(D) - See Clark County
(H,Hw) - See Crawford County
WASHINGTON COUNTY
(H,Hw) - See Bartholomew County
WAYNE COUNTY
(H,Hw) - See Blackford County
WELLS COUNTY
(H,Hw) - See Adams County
WHITE COUNTY
(H,Hw) - See Benton County
WHITLEY COUNTY
(H,Hw) - See Adams County

IOWA

ADAIR COUNTY
None
ADAMS COUNTY
None
ALLAMAKEE COUNTY
None
APPANOOSE COUNTY
None
AUDUBON COUNTY
None
BENTON COUNTY
None
BLACK HAWK COUNTY
Decision #AQ-17 (B,H,Hw) (City of Waterloo & abutting Municipalities
38 FR 21078 - 8/3/73
Mod. #1 - 38 FR 22849 - 8/24/73
Mod. #2 - 38 FR 26545 - 9/21/73
Mod. #3 - 38 FR 29145 - 10/19/73
Mod. #4 - 38 FR 31754 - 11/16/73
BOONE COUNTY
None
BREMER COUNTY
None
BUCHANAN COUNTY
None
BUENA VISTA COUNTY
None
BUTLER COUNTY
None
CALHOUN COUNTY
None
CARROLL COUNTY
Decision #AM-6,712 (H,Hw)
37 FR 7429 - 4-14-72
CASS COUNTY
(H,Hw) - See Carroll County
CEDAR COUNTY
None
CERRO GORDO COUNTY (MASON CITY)
Decision #AM-2,448 (B,H,Hw)
36 FR 16796 - 8-25-71
Mod. #1-36 FR 18985 - 9-24-71
Mod. #2-37 FR 4465 - 3-3-72
Mod. #3-38 FR 16579 - 6/22/73
Mod. #4-38 FR 18115 - 7/6/73
Mod. #5-38 FR 20163 - 7/27/73
Mod. #6 - 38 FR 22843 - 8/24/73
CHEROKEE COUNTY
None
CHICKASAW COUNTY
None
CLARKE COUNTY
None

IOWA (Cont'd)

CLAY COUNTY
(H,Hw) - See Carroll County
CLAYTON COUNTY
None
CLINTON COUNTY (City of Clinton and abutting municipalities)
Decision #AQ-12 (B,H,Hw)
38 FR 21059 - 8/3/73
Mod. #1 - 38 FR 22846 - 8/24/73
Mod. #2 - 38 FR 26544 - 9/21/73
Mod. #3 - 38 FR 29144 - 10/19/73
Mod. #4 - 38 FR 30313 - 11/2/73
Mod. #5 - 38 FR 31754 - 11/16/73
CRAWFORD COUNTY
(H,Hw) - See Carroll County
DALLAS COUNTY
None
DAVIS COUNTY
None
DECATUR COUNTY
None
DELAWARE COUNTY
None
DES MOINES COUNTY (City of Burlington and Abutting Municipalities; and Burlington Ordnance Plant)
Decision #AQ-16 (B,H,Hw)
38 FR 21074 - 8/3/73
Mod. #1 - 38 FR 22849 - 8/24/73
Mod. #2 - 38 FR 26545 - 9/21/73
Mod. #3 - 38 FR 29145 - 10/19/73
Mod. #4 - 38 FR 31097 - 11/9/73
DICKINSON COUNTY
None
DUBUQUE COUNTY (City of Dubuque and abutting municipalities)
Decision #AQ-13 (B,H,Hw)
38 FR 21062 - 8/3/73
Mod. #1 - 38 FR 22846 - 8/24/73
Mod. #2 - 38 FR 26544 - 9/21/73
Mod. #3 - 38 FR 29144 - 10/19/73
EMMET COUNTY
None
FAYETTE COUNTY
None
FLOYD COUNTY
None
FRANKLIN COUNTY
None
FREMONT COUNTY
None
GREENE COUNTY
None
GRUNDY COUNTY
None

IOWA (Cont'd)

GUTHRIE COUNTY
None
HAMILTON COUNTY
None
HANCOCK COUNTY
None
HARDIN COUNTY
None
HARRISON COUNTY
None
HENRY COUNTY
None
HOWARD COUNTY
(H,Hw) - See Carroll County
HUMBOLDT COUNTY
None
IDA COUNTY
None
IOWA COUNTY
None
JACKSON COUNTY
None
JASPER COUNTY
None
JEFFERSON COUNTY
None
JOHNSON COUNTY (City of Iowa City and abutting municipalities)
Decision #AQ-20 (B,H,Hw)
38 FR 22861 - 8/24/73
Mod. #1 - 38 FR 26545 - 9/21/73
Mod. #2 - 38 FR 29145 - 10/19/73
Mod. #3 - 38 FR 31754 - 11/16/73
JONES COUNTY
None
KEOKUK COUNTY
None
KOSSUTH COUNTY
None
LEE COUNTY
None
LINN COUNTY (City of Cedar Rapids and Abutting Municipalities)
Decision #AQ-19 (B,H,Hw)
38 FR 22857 - 8/24/73
Mod. #1 - 38 FR 26545 - 9/21/73
Mod. #2 - 38 FR 29145 - 10/19/73
Mod. #3 - 38 FR 31754 - 11/16/73
LINN COUNTY (Except City of Cedar Rapids and Abutting Municipalities)
Decision #AP-536 (H,Hw)
38 FR 18139 - 7/6/73

IOWA (Cont'd)

LOUISA COUNTY
None
LUCAS COUNTY
None
LYON COUNTY
None
MADISON COUNTY
None
MAHASKA COUNTY
None
MARION COUNTY
None
MARSHALL COUNTY
None
MILLS COUNTY
None
MITCHELL COUNTY
None
MONONA COUNTY
(H,Hw) - See Carroll County
MONROE COUNTY
None
MONTGOMERY COUNTY
None
MUSCATINE COUNTY
None
O'BRIEN COUNTY
(H,Hw) - See Carroll County
OSCEOLA COUNTY
(H,Hw) - See Carroll County
PAGE COUNTY
None
PALO ALTO COUNTY
None
PLYMOUTH COUNTY
None
POCAHONTAS COUNTY
None
POLK COUNTY (City of Des Moines and Abutting Municipalities)
Decision #AQ-15 (B,H,Hw)
38 FR 21070 - 8/3/73
Mod. #1 - 38 FR 22848 - 8/24/73
Mod. #2 - 38 FR 26545 - 9/21/73
Mod. #3 - 38 FR 29145 - 10/19/73
Mod. #4 - 38 FR 30313 - 11/2/73
Mod. #5 - 38 FR 31097 - 11/9/73
POLK COUNTY (Except City of Des Moines and Abutting Municipalities)
Decision #AP-215 (H,Hw)
37 FR 16266 - 8-11-72

IOWA (Cont'd)

POTTAWATTAMIE COUNTY (City of Council Bluffs and the area within 3 miles from the City limits)
Decision #AM-2,455 (B,H,Hw)
36 FR 16820 - 8-25-71
Mod. #1-37 FR 4466 - 3-3-72
POWESHIEK COUNTY
None
RINGGOLD COUNTY
(H,Hw) - See Carroll County
SAC COUNTY
None
SCOTT COUNTY
Decision #AQ-3 (B,H,Hw)
38 FR 19641 - 7/20/73
Mod. #1 - 38 FR 26544 - 9/21/73
Mod. #2 - 38 FR 29144 - 10/19/73
Mod. #3 - 38 FR 30313 - 11/2/73
SHELBY COUNTY
None
SIOUX COUNTY
None
STORY COUNTY (City of Ames and abutting municipalities)
Decision #AQ-14 (B,H,Hw)
38 FR 21066 - 8/3/73
Mod. #1 - 38 FR 22847 - 8/24/73
Mod. #2 - 38 FR 26545 - 9/21/73
Mod. #3 - 38 FR 29145 - 10/19/73
Mod. #4 - 38 FR 30313 - 11/2/73
Mod. #5 - 38 FR 31097 - 11/9/73
TAMA COUNTY
None
TAYLOR COUNTY
(H,Hw) - See Carroll County
UNION COUNTY
None
VAN BUREN COUNTY
(H,Hw) - See Carroll County
WAPELLO COUNTY
None
WARREN COUNTY
None
WASHINGTON COUNTY
None
WAYNE COUNTY
None
WEBSTER COUNTY (FORT DODGE)
Decision #AM-2,458 (B,H,Hw)
36 FR 16830 - 8-25-71
Mod. #1-37 FR 4466 - 3-3-72
Mod. #2-37 FR 11117 - 6/2/72
Mod. #3 - 38 FR 15787 - 6/15/73
Mod. #4 - 38 FR 17337 - 6/29/73
Mod. #5 - 38 FR 18115 - 7/6/73
Mod. #6 - 38 FR 18817 - 7/13/73
Mod. #7 - 38 FR 22844 - 8/24/73

IOWA (Cont'd)

WINNEBAGO COUNTY
None
WINNESHIEK COUNTY
None
WOODBURY COUNTY (City of Sioux City and abutting municipalities)
Decision #AQ-11 (B)
38 FR 21055 - 8/3/73
Mod. #1 - 38 FR 22845 - 8/24/73
Mod. #2 - 38 FR 23653 - 8/31/73
Mod. #3 - 38 FR 26544 - 9/21/73
Mod. #4 - 38 FR 29144 - 10/19/73
Mod. #5 - 38 FR 31097 - 11/9/73
WORTH COUNTY
None
WRIGHT COUNTY
None

KANSAS

ALLEN COUNTY
Decision #AP-519 (Hw)
38 FR 7732 - 3/23/73
Mod. #1 - 38 FR 22313 - 8/17/73
ANDERSON COUNTY
(Hw) - See Allen County
ATCHISON COUNTY
Decision #AQ-21 (D)
38 FR 23647 - 8/31/73
(Hw) - See Allen County
BARBER COUNTY
Decision #AP-521 (Hw)
38 FR 7734 - 3/23/73
Mod. #1 - 38 FR 22313 - 8/17/73
BARTON COUNTY
(Hw) - See Barber County
BOURBON COUNTY
(Hw) - See Allen County
BROWN COUNTY
(Hw) - See Allen County
BUTLER COUNTY
(Hw) - See Allen County
CHASE COUNTY
(Hw) - See Allen County
CHAUTAUQUA COUNTY
(Hw) - See Allen County
CHEROKEE COUNTY
(Hw) - See Allen County
CHEYENNE COUNTY
(Hw) - See Barber County
CLARK COUNTY
(Hw) - See Barber County

KANSAS (Cont'd)

CLAY COUNTY
(Hw) - See Allen County
CLOUD COUNTY
(Hw) - See Allen County
COFFEY COUNTY
(Hw) - See Allen County
COMANCHE COUNTY
(Hw) - See Barber County
COWLEY COUNTY
(Hw) - See Allen County
CRAWFORD COUNTY
(Hw) - See Allen County
DECATUR COUNTY
(Hw) - See Barber County
DICKINSON COUNTY
(Hw) - See Allen County
DONIPHAN COUNTY
(D) - See Atchison County
(Hw) - See Allen County
DOUGLAS COUNTY
Decision #AP-503 (Hw)
37 FR 17349 - 8-25-72
Mod. #1-37 FR 20389 - 9-29-72
Mod. #2-38 FR 6523 - 3/9/73
Mod. #3-38 FR 9389 - 4/13/73
Mod. #4-38 FR 20164 - 7/27/73
Mod. #5-38 FR 22850 - 8/24/73
EDWARDS COUNTY
(Hw) - See Barber County
ELK COUNTY
(Hw) - See Allen County
ELLIS COUNTY
(Hw) - See Barber County
ELLSWORTH COUNTY
(Hw) - See Barber County
FINNEY COUNTY
(Hw) - See Barber County
FORD COUNTY
(Hw) - See Barber County
FRANKLIN COUNTY
(Hw) - See Allen County
GEARY COUNTY
(Hw) - See Allen County
GOVE COUNTY
(Hw) - See Barber County
GRAHAM COUNTY
(Hw) - See Barber County
GRANT COUNTY
(Hw) - See Barber County

KANSAS (Cont'd)

GRAY COUNTY
(Hw) - See Barber County
GREELEY COUNTY
(Hw) - See Barber County
GREENWOOD COUNTY
(Hw) - See Allen County
HAMILTON COUNTY
(Hw) - See Barber County
HARPER COUNTY
(Hw) - See Allen County
HARVEY COUNTY
(Hw) - See Allen County
HASKELL COUNTY
(Hw) - See Barber County
HODGEMAN COUNTY
(Hw) - See Barber County
JACKSON COUNTY
(Hw) - See Allen County
JEFFERSON COUNTY
(Hw) - See Douglas County
JEWELL COUNTY
(Hw) - See Barber County
JOHNSON COUNTY
Decision #AQ-44 (B,H,Hw)
38 FR 31780 - 11/16/73
Decision #AQ-62 (R)
38 FR 32388 - 11/23/73
KEARNY COUNTY
(Hw) - See Barber County
KINGMAN COUNTY
(Hw) - See Allen County
KIOWA COUNTY
(Hw) - See Barber County
LABETTE COUNTY
(Hw) - See Allen County
LANE COUNTY
(Hw) - See Barber County
LEAVENWORTH COUNTY
Decision #AQ-36 (B)
38 FR 28511 - 10/24/73
Mod. #1 - 38 FR 31754 - 11/16/73
(Hw) - See Douglas County
(D) - See Atchison County

KANSAS (Cont'd)

LINCOLN COUNTY
(Hw) - See Barber County
LINN COUNTY
(Hw) - See Allen County
LOGAN COUNTY
(Hw) - See Barber County
LYON COUNTY
(Hw) - See Allen County
McPHERSON COUNTY
(Hw) - See Allen County
MARION COUNTY
(Hw) - See Allen County
MARSHALL COUNTY
(Hw) - See Allen County
MEADE COUNTY
(Hw) - See Barber County
MIAMI COUNTY
(Hw) - See Douglas County
MITCHELL COUNTY
(Hw) - See Barber County
MONTGOMERY COUNTY
(Hw) - See Allen County
MORRIS COUNTY
(Hw) - See Allen County
MORTON COUNTY
(Hw) - See Barber County
NEMAHA COUNTY
(Hw) - See Allen County
NEOSHO COUNTY
(Hw) - See Allen County
NESS COUNTY
(Hw) - See Barber County
NORTON COUNTY
(Hw) - See Barber County
OSAGE COUNTY
(Hw) - See Allen County
OSBORNE COUNTY
(Hw) - See Barber County
OTTAWA COUNTY
(Hw) - See Allen County
PAWNEE COUNTY
(Hw) - See Barber County
PHILLIPS COUNTY
(Hw) - See Barber County
POTTAWATOMIE COUNTY
(Hw) - See Allen County
PRATT COUNTY
(Hw) - See Barber County
RAWLINS COUNTY
(Hw) - See Barber County

KANSAS (Cont'd)

RENO COUNTY
(Hw) - See Allen County
REPUBLIC COUNTY
(Hw) - See Allen County
RICE COUNTY
(Hw) - See Barber County
RILEY COUNTY
(Hw) - See Allen County
ROOKS COUNTY
(Hw) - See Barber County
RUSH COUNTY
(Hw) - See Barber County
RUSSELL COUNTY
(Hw) - See Barber County
SALINE COUNTY
(Hw) - See Allen County
SCOTT COUNTY
(Hw) - See Barber County
SEDGWICK COUNTY
Decision #AP-533 (R)
38 FR 16573 - 6/22/73
Decision #AP-532 (B)
38 FR 13922 - 5/25/73
Mod. #1 - 38 FR 20166 - 7/27/73
Mod. #2 - 38 FR 27163 - 9/28/73
Decision #AP-520 (Hw)
38 FR 7733 - 3/23/73
Mod. #1 - 38 FR 22313 - 8/17/73
SEWARD COUNTY
(Hw) - See Barber County
SHAWNEE COUNTY
Decision #AQ-32 (B)
38 FR 27169 - 9/28/73
(Hw) - See Douglas County
Decision #AQ-33 (R)
38 FR 27172 - 9/28/73

KANSAS (Cont'd)

SHERIDAN COUNTY
(Hw) - See Barber County
SHERMAN COUNTY
(Hw) - See Barber County
SMITH COUNTY
(Hw) - See Barber County
STAFFORD COUNTY
(Hw) - See Barber County
STANTON COUNTY
(Hw) - See Barber County
STEVENS COUNTY
(Hw) - See Barber County
SUMNER COUNTY
(Hw) - See Allen County
THOMAS COUNTY
(Hw) - See Barber County
TREGO COUNTY
(Hw) - See Barber County
WABAUNSEE COUNTY
(Hw) - See Allen County
WALLACE COUNTY
(Hw) - See Barber County
WASHINGTON COUNTY
(Hw) - See Allen County
WICHITA COUNTY
(Hw) - See Barber County
WILSON COUNTY
(Hw) - See Allen County
WOODSON COUNTY
(Hw) - See Allen County
WYANDOTTE COUNTY
(B,H,Hw) - See Johnson County
(R) - See Johnson County
(D) - See Atchison County

KENTUCKY

ADAIR COUNTY
Decision #AQ-4075 (H,Hw)
39 FR 5983 - 2/15/74
Mod. #1 - 39 FR 8102 - 3/1/74
ALLEN COUNTY
Decision #AQ-4084 (H,Hw)
39 FR 8118 - 3/1/74
ANDERSON COUNTY
Decision #AQ-4063 (H,Hw)
39 FR 4301 - 2/1/74
Mod. #1 - 39 FR 7016 - 2/22/74
BALLARD COUNTY
Decision #AQ-4002 (D)
38 FR 21037 - 8/3/73
Mod. #1 - 39 FR 4264 - 2/1/74
(H,Hw) - See Allen County
BARREN COUNTY
(H,Hw) - See Adair County
BATH COUNTY
(H,Hw) - See Anderson County
Decision #AQ-4066 (R)
39 FR 4305 - 2/1/74
BELL COUNTY
(H,Hw) - See Adair County
BOONE COUNTY
Decision #AQ-4013 (B)
38 FR 27175 - 9/28/73
Decision #AQ-4036 (H,Hw)
38 FR 32349 - 11/23/73
Mod. #1 - 38 FR 33879 - 12/7/73
Mod. #2 - 39 FR 1189 - 1/4/74
Decision #AQ-3094 (D)
39 FR 5070 - 2/8/74
BOURBON COUNTY
(Hw,H) - See Anderson County
(R) - See Bath County
BOYD COUNTY
Decision #AQ-4020 (B)
38 FR 28516 - 10/12/73
(H,Hw) - See Anderson County
(D) - See Boone County
BOYLE COUNTY
(H,Hw) - See Anderson County
BRACKEN COUNTY
(H,Hw) - See Anderson County
(D) - See Boone County
BREATHITT COUNTY
Decision #AQ-4076 (H,Hw)
39 FR 5987 - 2/15/74
Mod. #1 - 39 FR 8102 - 3/1/74

KENTUCKY (Cont'd)

BRECKINRIDGE COUNTY
Decision #AP-183 (R)
38 FR 11278 - 5/4/73
(H,Hw) - See Anderson County
(D) - See Boone County
BULLITT COUNTY
(D) - See Boone County
(H,Hw) - See Anderson County
(R) - See Breckinridge County
BUTLER COUNTY
(H,Hw) - See Allen County
CALDWELL COUNTY
(H,Hw) - See Allen County
CALLOWAY COUNTY
(H,Hw) - See Allen County
CAMPBELL COUNTY
(B,H,D,Hw) - See Boone County
CARLISLE COUNTY
(D) - See Ballard County
(H,Hw) - See Allen County
CARROLL COUNTY
(H,Hw) - See Anderson County
(D) - See Boone County
CARTER COUNTY
(H,Hw) - See Anderson County
CASEY COUNTY
(H,Hw) - See Adair County
CHRISTIAN COUNTY
(H,Hw) - See Allen County
CLARK COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County
CLAY COUNTY
(H,Hw) - See Adair County
CLINTON COUNTY
(H,Hw) - See Adair County
CRITTENDEN COUNTY
(H,Hw) - See Allen County
(D) - See Boone County
CUMBERLAND COUNTY
(H,Hw) - See Adair County
DAVIESS COUNTY
(H,Hw) - See Allen County
(D) - See Boone County
EDMONSON COUNTY
(H,Hw) - See Allen County

KENTUCKY (Cont'd)

ELLIOTT COUNTY
(H,Hw) - See Anderson County
ESTILL COUNTY
(H,Hw) - See Adair County
FAYETTE COUNTY
Decision #AQ-4021 (B)
38 FR 28519 - 10/12/73
(R) - See Bath County
FLEMING COUNTY
(H,Hw) - See Anderson County
FLOYD COUNTY
(H,Hw) - See Breathitt County
FRANKLIN COUNTY
(H,Hw) - See Anderson County
FULTON COUNTY
(D) - See Ballard County
(H,Hw) - See Allen County
GALLATIN COUNTY
(H,Hw) - See Anderson County
(D) - See Boone County
GARRARD COUNTY
(H,Hw) - See Adair County
GRANT COUNTY
(H,Hw) - See Anderson County
GRAVES COUNTY
(H,Hw) - See Allen County
GRAYSON COUNTY
(H,Hw) - See Anderson County
GREENE COUNTY
(H,Hw) - See Adair County
GREENUP COUNTY
(H,Hw) - See Anderson County
(D) - See Boone County

KENTUCKY (Cont'd)

HANCOCK COUNTY
(H,Hw) - See Allen County
(D) - See Boone County
HARDIN COUNTY
(H,Hw) - See Anderson County
(R) - See Breckinridge County
(D) - See Boone County
HARLAN COUNTY
(H,Hw) - See Adair County
HARRISON COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County
HART COUNTY
(H,Hw) - See Adair County
HENDERSON COUNTY
(H,Hw) - See Allen County
(D) - See Boone County
HENRY COUNTY
(H,Hw) - See Anderson County
HICKMAN COUNTY
(D) - See Ballard County
(H,Hw) - See Allen County
HOPKINS COUNTY
(H,Hw) - See Allen County
JACKSON COUNTY
(H,Hw) - See Adair County
JEFFERSON COUNTY
Decision #AQ-4022 (B)
38 FR 28522 - 10/12/73
(D) - See Boone County
(R) - See Breckinridge County
(H,Hw) - See Anderson County

KENTUCKY (Cont'd)

JESSAMINE COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County
JOHNSON COUNTY
Decision #AQ-4080 (H,Hw)
39 FR 7033 - 2/22/74
KENTON COUNTY
(B,H,Hw,D) - See Boone County
KNOTT COUNTY
(H,Hw) - See Breathitt County
KNOX COUNTY
(H,Hw) - See Adair County
LARUE COUNTY
(H,Hw) - See Anderson County
LAUREL COUNTY
(H,Hw) - See Adair County
LAWRENCE COUNTY
(H,Hw) - See Johnson County
LEE COUNTY
(H,Hw) - See Adair cOunty
LESLIE COUNTY
(H,Hw) - See Adair County
LETCHER COUNTY
(H,Hw) - See Breathitt County
LEWIS COUNTY
(H,Hw) - See Anderson County
(D) - See Boone County
LINCOLN COUNTY
(H,Hw) - See Adair county
LIVINGSTON COUNTY
(H,Hw) - See Allen County
(D) - See Boone County
LOGAN COUNTY
(H,Hw) - See Allen County
LYON COUNTY
(H,Hw) - See Allen County

KENTUCKY (Cont'd)

McCRACKEN COUNTY
Decision #AQ-4023 (B)
38 FR 28525 - 10/12/73
(D) - See Boone County
(H,Hw) - See Allen County
McCREARY COUNTY
(H,Hw) - See Adair County
McLEAN COUNTY
(H,Hw) - See Allen County
MADISON COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County
MAGOFFIN COUNTY
(H,Hw) - See Breathitt County
MARION COUNTY
(H,Hw) - See Anderson County
(R) - See Breckinridge County
MARSHALL COUNTY
(H,Hw) - See Allen County
MARTIN COUNTY
(H,Hw) - See Breathitt County
MASON COUNTY
(H,Hw) - See Anderson County
(D) - See Boone County
MEADE COUNTY
(H,Hw) - See Anderson County
(R) - See Breckinridge County
(D) - See Boone County
MENIFEE COUNTY
(H,Hw) - See Adair County

KENTUCKY (Cont'd)

MERCER COUNTY
(H,Hw) - See Anderson County
METCALFE COUNTY
(H,Hw) - See Adair County
MONROE COUNTY
(H,Hw) - See Adair County
MONTGOMERY COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County
MORGAN COUNTY
(H,Hw) - See Anderson County
MUHLENBERG COUNTY
(H,Hw) - See Allen County
NELSON COUNTY
(H,Hw) - See Anderson County
(R) - See Breckinridge County
NICHOLAS COUNTY
(H,Hw) - See Anderson County
OHIO COUNTY
(H,Hw) - See Allen County
OLDHAM COUNTY
(H,Hw) - See Anderson County
(R) - See Breckinridge County
(D) - See Boone County
OWEN COUNTY
(H,Hw) - See Anderson County
OWSLEY COUNTY
(H,Hw) - See Adair County
PENDLETON COUNTY
(H,Hw) - See Anderson County
(D) - See Boone County
PERRY COUNTY
(H,Hw) - See Breathitt County
PIKE COUNTY
(H,Hw) - See Breathitt County
POWELL COUNTY
(H,Hw) - See Adair County
PULASKI COUNTY
(H,Hw) - See Adair County
ROBERTSON COUNTY
(H,Hw) - See Anderson County
ROCKCASTLE COUNTY
(H,Hw) - See Adair County
ROWAN COUNTY
(H,Hw) - See Anderson County

KENTUCKY (Cont'd)

RUSSELL COUNTY
(Hw,H) - See Adair County
SCOTT COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County
SHELBY COUNTY
(H,Hw) - See Anderson County
(R) - See Breckinridge County
SIMPSON COUNTY
(H,Hw) - See Allen County
SPENCER COUNTY
(H,Hw) - See Anderson County
(R) - See Breckinridge County
TAYLOR COUNTY
(H,Hw) - See Allen County
TODD COUNTY
(H,Hw) - See Allen County
TRIGG COUNTY
(H,Hw) - See Allen County
TRIMBLE COUNTY
(H,Hw) - See Anderson County
(D) - See Boone County
UNION COUNTY
(H,Hw) - See Allen County
(D) - See Boone County
WARREN COUNTY
Decision #AQ-4024 (B,H,Hw)
38 FR 28527 - 10/12/73
WASHINGTON COUNTY
(H,Hw) - See Anderson County
(R) - See Breckinridge County
WAYNE COUNTY
(H,Hw) - See Adair County
WEBSTER COUNTY
(H,Hw) - See Allen County
WHITLEY COUNTY
(H,Hw) - See Adair County
WOLFE COUNTY
(H,Hw) - See Adair County
WOODFORD COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County

LOUISIANA

STATEWIDE
Decision #AQ-4002 (D)
38 FR 21037 - 8/3/73
Mod. #1 - 39 FR 4264 - 2/1/74
ACADIA PARISH
(D) - See Statewide
Decision #AP-1107 (F)
38 FR 17358 - 6/29/73
Decision #AQ-76 (B)
39 FR 4306 - 2/1/74
ALLEN PARISH
(D) - See Statewide
(B,F) - See Acadia Parish
ASCENSION PARISH
(D) - See Statewide
(B,F) - See Acadia Parish
ASSUMPTION PARISH
(D) - See Statewide
(B,F) - See Acadia Parish
AVOYELLES PARISH
(D) - See Statewide
(F) - See Acadia Parish
BEAUREGARD PARISH
(D) - See Statewide
(B,F) - See Acadia Parish
BIENVILLE PARISH
(D) - See Statewide
(F) - See Acadia Parish
BOSSIER PARISH
(D) - See Statewide
(F) - See Acadia Parish
Decision #AQ-83 (B,R)
39 FR 7037 - 2/22/74
CADDO PARISH
(D) - See Statewide
(B,R) - See Bossier Parish
CALCASIEU PARISH
(D) - See Statewide
(B) - See Acadia Parish
(F) - See Acadia Parish

LOUISIANA (Cont'd)

CALCASIEU PARISH (cont'd)
Decision #AQ-77 (R)
39 FR 4321 - 2/1/74
CALDWELL PARISH
(D) - See Statewide
(F) - See Acadia Parish
CAMERON PARISH
(D) - See Statewide
(B,F) - See Acadia Parish
CATAHOULA PARISH
(D) - See Statewide
(F) - See Acadia Parish
CLAIBORNE PARISH
(D) - See Statewide
(F) - See Acadia Parish
CONCORDIA PARISH
(D) - See Statewide
(F) - See Acadia Parish
DE SOTO PARISH
(D) - See Statewide
(F) - See Acadia Parish
EAST BATON ROUGE PARISH
(D) - See Statewide
(B) - See Acadia Parish
EAST CARROLL PARISH
(D) - See Statewide
(F) - See Acadia Parish
EAST FELICIANA PARISH
(D) - See Statewide
(B,F) - See Acadia Parish
EVANGELINE PARISH
(D) - See Statewide
(B,F) - See Acadia Parish
FRANKLIN PARISH
(D) - See Statewide
(F) - See Acadia Parish

LOUISIANA (Cont'd)

GRANT PARISH
(D) - See Statewide
(F) - See Acadia Parish
IBERIA PARISH
(D) - See Statewide
(B,F) - See Acadia Parish
IBERVILLE PARISH
(D) - See Statewide
(B,F) - See Acadia Parish
JACKSON PARISH
(D) - See Statewide
(F) - See Acadia Parish
JEFFERSON PARISH
(D) - See Statewide
(B,F) - See Acadia Parish
JEFFERSON DAVIS PARISH
(D) - See Statewide
(B,F) - See Acadia Parish
LAFAYETTE PARISH
(D) - See Statewide
(B,F) - See Acadia Parish
LAFOURCHE PARISH
(D) - See Statewide
(B,F) - See Acadia Parish
LA SALLE PARISH
(D) - See Statewide
(F) - See Acadia Parish
LINCOLN PARISH
(D) - See Statewide
(F) - See Acadia Parish
LIVINGSTON PARISH
(D) - See Statewide
(B,F) - See Acadia Parish
MADISON PARISH
(D) - See Statewide
(F) - See Acadia Parish
MOREHOUSE PARISH
(D) - See Statewide
(F) - See Acadia Parish
NATCHITOCHES PARISH
(D) - See Statewide
(F) - See Acadia Parish
ORLEANS PARISH
(D) - See Statewide
(B) - See Acadia Parish

LOUISIANA (Cont'd)

OUACHITA PARISH
(D) - See Statewide
Decision #AP-317 (R)
37 FR 17305-8/25/72
PLAQUEMINES PARISH
(D) - See Statewide
(B,F) - See Acadia Parish
POINTE COUPEE PARISH
(D) - See Statewide
(B,F) - See Acadia Parish
RAPIDES PARISH
(D) - See Statewide
Decision #AQ-39 (B)
38 FR 29752 - 10/26/73
Mod. #1 - 38 FR 35570 - 12/28/73
Mod. #2 - 39 FR 4273 - 2/1/74
Mod. #3 - 39 FR 5062 - 2/8/74
RED RIVER PARISH
(D) - See Statewide
(F) - See Acadia Parish
RICHLAND PARISH
(D) - See Statewide
(F) - See Acadia Parish
SABINE PARISH
(D) - See Statewide
(F) - See Acadia Parish
ST. BERNARD PARISH
(D) - See Statewide
(B,F) - See Acadia Parish
ST. CHARLES PARISH
(D) - See Statewide
(B,F) - See Acadia Parish
ST. HELENA PARISH
(D) - See Statewide
(B,F) - See Acadia Parish
ST. JAMES PARISH
(D) - See Statewide
(B,F) - See Acadia Parish
ST. JOHN THE BAPTIST PARISH
(D) - See Statewide
(B,F) - See Acadia Parish
ST. LANDRY PARISH
(D) - See Statewide
(B,F) - See Acadia Parish
ST. MARTIN PARISH
(D) - See Statewide
(B,F) - See Acadia Parish

LOUISIANA (Cont'd)

ST. MARY PARISH
(D) - See Statewide
(B,F) - See Acadia Parish
ST. TAMMANY PARISH
(D) - See Statewide
(B,F) - See Acadia Parish
TANGIPAHOA PARISH
(D) - See Statewide
(B,F) - See Acadia Parish
TENSAS PARISH
(D) - See Statewide
(F) - See Acadia Parish
TERREBONE PARISH
(D) - See Statewide
(B,F) - See Acadia Parish
UNION PARISH
(D) - See Statewide
(F) - See Acadia Parish
VERMILLION PARISH
(D) - See Statewide
(B,F) - See Acadia Parish
VERNON PARISH
(D) - See Statewide
(F) - See Acadia Parish
WASHINGTON PARISH
(D) - See Statewide
(B,F) - See Acadia Parish
WEBSTER PARISH
(D) - See Statewide
(F) - See Acadia Parish
WEST BATON ROUGE PARISH
(D) - See Statewide
(B,F) - See Acadia Parish
WEST CARROLL PARISH
(D) - See Statewide
(F) - See Acadia Parish
WEST FELICIANA PARISH
(D) - See Statewide
(B,F) - See Acadia Parish
WINN PARISH
(D) - See Statewide
(F) - See Acadia Parish

MAINE

ANDROSCOGGIN COUNTY
None
AROOSTOOK COUNTY
None
CUMBERLAND COUNTY
Decision #AP-803 (D)
38 FR 10580 - 4/27/73
FRANKLIN COUNTY
None
HANCOCK COUNTY
(D) - See Cumberland County
KENNEBEC COUNTY
None
KNOX COUNTY
(D) - See Cumberland County
LINCOLN COUNTY
(D) - See Cumberland County
OXFORD COUNTY
None
PENOBSCOT COUNTY
None
PISCATAQUIS COUNTY
None
SAGADAHOC COUNTY
(D) - See Cumberland County
SOMERSET COUNTY
None
WALDO COUNTY
(D) - See Cumberland County
WASHINGTON COUNTY
(D) - See Cumberland County
YORK COUNTY
(D) - See Cumberland County

MARYLAND

ALLEGANY COUNTY
None
ANNE ARUNDEL COUNTY
Decision #AQ-2039 (D)
39 FR 3395 - 1/25/74
Decision #AQ-2040 (B,H,Hw)
39 FR 3396 - 1/25/74
BALTIMORE CITY & BALTIMORE COUNTY
Decision #AQ-2022 (B,H)
38 FR 29182 - 10/19/73
Mod. #1 - 38 FR 31756 - 11/16/73
Mod. #2 - 38 FR 35570 - 12/28/73
Decision #AQ-2072 (R)
39 FR 8122 - 3/1/74
Decision #AP-803 (D)
38 FR 10580 - 4/27/73
CALVERT COUNTY
(D) - See Anne Arundel County
CAROLINE COUNTY
None
CARROLL COUNTY
None
CECIL COUNTY
(R) - See Baltimore County
CHARLES COUNTY
(D) - See Anne Arundel County
DORCHESTER COUNTY
(D) - See Anne Arundel County
FREDERICK COUNTY
None
GARRETT COUNTY
None
HARFORD COUNTY
(R) - See Baltimore County
(D) - See Anne Arundel County
HOWARD COUNTY
(R) - See Baltimore County
KENT COUNTY
(D) - See Anne Arundel County

MARYLAND (Cont'd)

MONTGOMERY COUNTY
Decisiob #AQ-2036 (B)
38 FR 35143 - 12/21/73
Mod. #1 - 39 FR 2327 - 1/18/74
Mod. #2 - 39 FR 7019 - 2/22/74
Decision #AP-450 (R)
37 FR 25117 - 11/25/72
PRINCE GEORGES COUNTY
(B)-See Montgomery County
(R) - See Montgomery County
(D) - See Anne Arundel County
QUEEN ANNES COUNTY
(D) - See Anne Arundel County
ST. MARYS COUNTY
(D) - See Anne Arundel County
SOMERSET COUNTY
(D) - See Anne Arundel County
TALBOT COUNTY
(D) - See Anne Arundel County
WASHINGTON COUNTY
None
WICOMICO COUNTY
(D) - See Anne Arundel County
WORCESTER COUNTY
(D) - See Baltimore County

MASSACHUSETTS

BARNSTABLE COUNTY
Decision AQ-3038 (B,H,Hw, & Marine)
38 FR 32352 - 11/23/73
Mod. #1 - 38 FR 34572 - 12/14/73
Mod. #2 - 39 FR 1191 - 1/4/74
Mod. #3 - 39 FR 2325 - 1/18/74
Mod. #4 - 39 FR 4275 - 2/1/74
Decision #AP-803 - (D)
38 FR 10580 - 4/27/73
BERKSHIRE COUNTY
None
BRISTOL COUNTY
Decision AQ-3039 (B,H,Hw, & Marine)
38 FR 32356 - 11/23/73
Mod. #1 - 38 FR 34572 - 12/14/73
Mod. #2 - 39 FR 1191 - 1/4/74
Mod. #3 - 39 FR 2325 - 1/18/74
Mod. #4 - 39 FR 4275 - 2/1/74
Decision #AQ-3071 (R)
38 FR 34566 - 12/14/73
(D) - See Barnstable County
DUKES COUNTY
(D) - See Barnstable County
ESSEX COUNTY
Decision AQ-3040 (B,H,Hw & Marine)
38 FR 32361 - 11/23/73
Mod. #1 - 38 FR 34572 - 12/14/73
Mod. #2 - 39 FR 1191 - 1/4/74
Mod. #3 - 39 FR 2325 - 1/18/74
Mod. #4 - 39 FR 4276 - 2/1/74
Decision #AQ-3076 (R)
39 FR 4263 - 2/1/74
(D) - See Barnstable County
FRANKLIN COUNTY
None
HAMPDEN COUNTY
Decision #AQ-3031 (B,H,Hw)
38 FR 30357 - 11/2/73
Mod. #1 - 38 FR 33205 - 11/30/73
Mod. #2 - 39 FR 1192 - 1/4/74
Mod. #3 - 39 FR 4274 - 2/1/74
Decision #AQ-3032 (R)
38 FR 30361 - 11/2/73
Mod. #1 - 38 FR 33205 - 11/30/73
Mod. #2 - 39 FR 4274 - 2/1/74
HAMPSHIRE COUNTY
None
MIDDLESEX COUNTY
Decision AQ-3041 (B,H,Hw & Marine)
38 FR 32366 - 11/23/73
Mod. #1 - 38 FR 34572 - 12/14/73
Mod. #2 - 39 FR 1192 - 1/4/74
Mod. #3 - 39 FR 2325 - 1/18/74
Mod. #4 - 39 FR 4274 - 2/1/74
(D) - See Barnstable County

MASSACHUSETTS (CONT'D)

MIDDLESEX COUNTY (CONT'D)
Decision #AQ-3042 (R)
Mod. #1 - 38 FR 34573 - 12/14/73
Mod. #2 - 39 FR 1193 - 1/4/74
Mod. #3 - 39 FR 2325 - 1/18/74
Mod. #4 - 39 FR 4277 - 2/1/74
NANTUCKET COUNTY
(D) - See Barnstable County
NORFOLK COUNTY
Decision AQ-3043 (B,H,Hw)
38 FR 32376 - 11/23/73
Mod. #1 - 38 FR 34573 - 12/14/73
Mod. #2 - 39 FR 1194 - 1/4/74
Mod. #3 - 39 FR 2326 - 1/18/74
Mod. #4 - 39 FR 4277 - 2/1/74
Decision AQ-3044 (R)
38 FR 32380 - 11/23/73
Mod. #1 - 38 FR 34573 - 12/14/73
Mod. #2 - 39 FR 1190 - 1/4/74
Mod. #3 - 39 FR 2326 - 1/18/74
Mod. #4 - 39 FR 4278 - 2/1/74
(D) - See Barnstable County
PLYMOUTH COUNTY
Decision #AQ-3083 (B,H,Hw)
39 FR 4323 - 2/1/74
Decision #AQ-3084 (R)
39 FR 4327 - 2/1/74
(D) - See Barnstable County
SUFFOLK COUNTY
Decision AQ-3045 (B,H,Hw,Marine & D)
38 FR 32383 - 11/23/73
Mod. #1 - 38 FR 34574 - 12/14/73
Mod. #2 - 39 FR 1191 - 1/4/74
Mod. #3 - 39 FR 2326 - 1/18/74
Mod. #4 - 39 FR 4278 - 2/1/74
Decision #AQ-3072 (R)
39 FR 1195 - 1/4/74
Mod. #1 - 39 FR 4278 - 2/1/74
WORCESTER COUNTY
Decision #AQ-3073 (B,H,Hw)
39 FR 1197 - 1/4/74
Mod. #1 - 39 FR 2326 - 1/18/74
Mod. #2 - 39 FR 4278 - 2/1/74
Mod. #3 - 39 FR 5948 - 2/15/74

MICHIGAN

ALCONA COUNTY
Decision #AQ-3095 (D)
39 FR 5982 - 2/15/74
Decision #AP-78 (Highway, Bridge, Airport & Sewer Cons, excl. of Bldgs.)
37 FR 28377 - 12/22/72
Mod. #1 - 38 FR 936 - 1/5/73
Mod. #2 - 38 FR 4629 - 2/16/73
ALGER COUNTY
(Hw) (D) - See Alcona County
ALLEGAN COUNTY
Decision #AQ-3049 (B,H)
38 FR 35145 - 12/21/73
Mod. #1 - 39 FR 5063 - 2/8/74
Decision #AM-398 (R)
36 FR 15891 - 8/18/71
Decision #AP-77 (Highway, Bridge, Airport & Sewer Cons, excl. of Bldg.)
37 FR 28374 - 12/22/72
Mod. #1 - 38 FR 4629 - 2/16/73
Mod. #2 - 38 FR 21012 - 8/3/73
(D) - See Alcona County
ALPENA COUNTY
Decision #AQ-3050 (B,H)
39 FR 4330 - 2/1/74
(Hw,D) - See Alcona County
ANTRIM COUNTY
(Hw,D) - See Alcona County
ARENAC COUNTY
(Hw,D) - See Alcona County
BARAGA COUNTY
Decision #AQ-3051 (B,H)
38 FR 35149 - 12/21/73
Mod. #1 - 39 FR 5063 - 2/8/74
(Hw,D) - See Alcona County
BARRY COUNTY
(Hw) - See Allegan County
BAY COUNTY
(D) - See Alcona County
(Hw) - See Allegan County

MICHIGAN (Cont'd)

BENZIE COUNTY
(D) - See Alcona County
(Hw) - See Alcona County
BERRIEN COUNTY
Decision #AQ-3052 (B,H)
39 FR 1691 - 1/11/74
Decision #AM-399 (R)
36 FR 15892 - 8/18/71
(D) - See Alcona County
(Hw) - See Allegan County
BRANCH COUNTY
Decision #AM-401 (R)
36 FR 15894 - 8/18/71
(Hw) - See Allegan County
CALHOUN COUNTY
Decision #AQ-3053 (B,H)
38 FR 35152 - 12/21/73
Mod. #1 - 39 FR 5064 - 2/8/74
Decision #AM-400 (R)
36 FR 15892 - 8/18/71
(Hw) - See Allegan County
CASS COUNTY
(Hw) - See Allegan County
(R) - See Branch County
CHARLEVOIX COUNTY
Decision #AQ-3054 (B,H)
38 FR 35156 - 12/21/73
Mod. #1 - 39 FR 5948 - 2/15/74
(Hw,D) - See Alcona County
CHEBOYGAN COUNTY
(Hw,D) - See Alcona County
CHIPPEWA COUNTY
Decision #AQ-3055 (B,H)
39 FR 1695 - 1/11/74
(Hw,D) - See Alcona County
CLARE COUNTY
(Hw) - See Alcona County
CLINTON COUNTY
(Hw) - See Allegan County

MICHIGAN (cont'd)

CRAWFORD COUNTY
(Hw) - See Alcona County
DELTA COUNTY
(Hw,D) - See Alcona County
DICKINSON COUNTY
(Hw) - See Alcona County
EATON COUNTY
Decision #AM-3041 (R)
36 FR 24027 - 12/17/71
(Hw) - See Allegan County
EMMET COUNTY
Decision #AQ-3056 (B,H)
39 FR 4334 - 2/1/74
(Hw,D) - See Alcona County
GENESEE COUNTY
Decision #AQ-3057 (B,H)
39 FR 4338 - 2/1/74
Decision AP-76 (Highway, Bridge, Airpost & Sewer Cons, excl. of Bldgs.)
37 FR 28372 - 12/22/72
Mod. #1 - 38 FR 4628 - 2/16/73
GLADWIN COUNTY
(Hw) - See Alcona County
GOGEBIC COUNTY
Decision #AQ-3058 (B,H)
38 FR 35159 - 12/21/73
Mod. #1 - 39 FR 5949 - 2/15/74
(Hw,D) - See Alcona County
GRAND TRAVERSE COUNTY
Decision #AQ-3059 (B,H)
39 FR 1698 - 1/11/74
(Hw,D) - See Alcona County
GRATIOT COUNTY
(Hw) - See Allegan County
HILLSDALE COUNTY
(Hw) - See Allegan County
HOUGHTON COUNTY
(B,H) - See Baraga County
(Hw,D) - See Alcona County
HURON COUNTY
Decision #AQ-3060 (B,H)
38 FR 35162 - 12/21/73
(D) - See Alcona County
(Hw) - See Allegan County
INGHAM COUNTY
Decision #AQ-3061 (B,H)
38 FR 35166 - 12/21/73
Mod. #1 - 39 FR 5064 - 2/8/74
(Hw) - See Allegan County
(R) - See Eaton County

MICHIGAN (Cont'd)

IONIA COUNTY
(Hw) - See Allegan County
IOSCO COUNTY
(D,Hw) - See Alcona County
IRON COUNTY
(Hw) - See Alcona County
ISABELLA COUNTY
(Hw) - See Alcona County
JACKSON COUNTY
(Hw) - See Allegan County
KALMAZOO COUNTY
Decision #AQ-3062 (B,H)
38 FR 35170 - 12/21/73
Mod. #1 - 39 FR 5065 - 2/8/74
(Hw) - See Allegan County
(R) - See Branch County
KALKASKA COUNTY
(Hw) - See Alcona County
KENT COUNTY
Decision #AP-23 (B,H)
37 FR 20443 - 9/29/72
Mod. #1 - 38 FR 22704 - 10/20/72
Decision #AM-402 (R)
36 FR 15895 - 8/18/71
KEWEENAW COUNTY
(B,H) - See Baraga County
(Hw) - See Alcona County
LAKE COUNTY
(Hw) - See Alcona County
LAPEER COUNTY
(Hw) - See Allegan County
LEELANAU COUNTY
(B,H) - See Grand Traverse County
(Hw) - See Alcona County
LENAWEE COUNTY
(Hw) - See Allegan County
LIVINGSTON COUNTY
(Hw) - See Allegan County
LUCE COUNTY
(Hw,D) - See Alcona County
MACKINAC COUNTY
(B,H) - See Chippewa County
(Hw) - See Alcona County
MACOMB COUNTY
Decision #AQ-3069 (B,H)
39 FR 1707 - 1/11/74
(D) - See Alcona County
(Hw) - See Genessee County
Decision #AQ-3070 (R)
39 FR 4351 - 2/1/74

MICHIGAN (CONT'D)

MANISTEE COUNTY
(Hw,D) - See Alcona County
MARQUETTE COUNTY
Decision #AQ-3063 (B,H)
39 FR 1701 - 1/11/74
(Hw,D) - See Alcona County
MASON COUNTY
Decision #AQ-3064 (B,H)
39 FR 1704 - 1/11/74
(Hw,D) - See Alcona County
MECOSTA COUNTY
(Hw) - See Alcona County
MENOMINEE COUNTY
(D) - See Alcona County
(Hw) - See Alcona County
MIDLAND COUNTY
(Hw) - See Allegan County
MISSAUKEE COUNTY
(Hw) - See Alcona County
MONROE COUNTY
(D) - See Alcona County
(Hw) - See Genessee County
MONTCALM COUNTY
(Hw) - See Allegan County
(R) - See Kent County
MONTMORENCY COUNTY
(Hw) - See Alcona County
MUSKEGON COUNTY
Decision #AQ-3066 (B,H)
38 FR 35178 - 12/21/73
Mod. #1 - 39 FR 5066 - 2/8/74
Decision #AM-403 (R)
36 FR 15896 - 8/18/71
(D) - See Alcona County
(Hw) - See Allegan County
NEWAYGO COUNTY
(Hw) - See Alcona County
OAKLAND COUNTY
(B,H,R) - See Macomb County
(D) - See Alcona County
(Hw) - See Genessee County
OCEANA COUNTY
(B,H,R) - See Muskegon County
(D) - See Alcona County
(Hw) - See Allegan County
OGEMAW COUNTY
(Hw) - See Alcona County
ONTONAGON COUNTY
(B,H) - See Baraga County
(Hw,D) - See Alcona County
OSCEOLA COUNTY
(Hw) - See Alcona County

MICHIGAN (Cont'd)

OSCODA COUNTY
(Hw) - See Alcona County
OTSEGO COUNTY
(Hw) - See Alcona County
OTTAWA COUNTY
(D) - See Alcona County
(Hw) - See Allegan County
(R) - See Allegan County
PRESQUE COUNTY
(D) - See Alcona County
(Hw) - See Alcona County
ROSCOMMON COUNTY
(Hw) - See Alcona County
SAGINAW COUNTY
Decision #AQ-3065 (B,H)
38 FR 35174 - 12/21/73
Mod. #1 - 39 FR 5065 - 2/8/74
(Hw) - See Allegan County
SAINT CLAIR COUNTY
Decision #AQ-3067 (B,H)
39 FR 4342 - 2/1/74
(Hw) - See Allegan County
SAINT JOSEPH COUNTY
(Hw) - See Allegan County
(R) - See Branch County
SANILAC COUNTY
(D) - See Alcona County
(Hw) - See Allegan County
SCHOOLCRAFT COUNTY
(D) - See Alcona County
(Hw) - See Alcona County
SHIAWASSEE COUNTY
(Hw) - See Allegan County
TUSCOLA COUNTY
(D) - See Alcona County
(Hw) - See Allegan County
VAN BUREN COUNTY
(D) - See Alcona County
(Hw) - See Allegan County
WASHTENAW COUNTY
Decision #AQ-3068 (B,H)
39 FR 4346 - 2/1/74
(Hw) - See Genessee County
WAYNE COUNTY
(B,h,R) - See Macomb County
(D) - See Alcona County
(Hw) - See Genesee County
WEXFORD COUNTY
(Hw) - See Alcona County

MINNESOTA

AITKIN COUNTY
None
ANOKA COUNTY
Decision #AQ-3099 (B,R)
39 FR 7039 - 2/22/74
Decision #AP-642 (H,Hw)
38 FR 6556 - 3/9/73
Mod. #1 - 38 FR 11225 - 5/4/73
Mod. #2 - 38 FR 30327 - 11/2/73
BECKER COUNTY
Decision #AP-49 (Hw)
37 FR 25097 - 11/25/72
BELTRAMI COUNTY
None
BENTON COUNTY
None
BIG STONE COUNTY
Decision #AP-50 (Hw)
37 FR 25098 - 11/25/72
BLUE EARTH COUNTY
None
BROWN COUNTY
None
CARLTON COUNTY
None
CARVER COUNTY
Decision #AQ-3100 (B,R)
39 FR 7043 - 2/22/74
(H,Hw) - See Anoka County
CASS COUNTY
(Hw) - See Becker County
CHIPPEWA COUNTY
(Hw) - See Big Stone County
CHISAGO COUNTY
None
CLAY COUNTY
(Hw) - See Becker County
CLEAR WATER COUNTY
None
COOK COUNTY
Decision #AP-643 (H,Hw)
38 FR 6559 - 3/9/73
Mod. #1 - 38 FR 11226 - 5/4/73
Mod. #2 - 38 FR 30328 - 11/2/73
Mod. #3 - 38 FR 34574 - 12/14/73
Decision #AQ-3095 (D)
39 FR 5982 - 2/15/74
(H,Hw) - See Anoka County
COTTONWOOD COUNTY
None
CROW WING COUNTY
(H,Hw) - See Anoka County
DAKOTA COUNTY
(H,Hw) - See Anoka County

MINNESOTTA (Cont'd)

DODGE COUNTY
None
DOUGLAS COUNTY
(Hw) - See Big Stone County
FAIRBAULT COUNTY
None
FILLMORE COUNTY
None
FREEBORN COUNTY
None
GOODHUE COUNTY
None
GRANT COUNTY
(Hw) - See Big Stone County
HENNEPIN COUNTY
(B,R) - See Carver County
(H,Hw) - See Anoka County
HOUSTON COUNTY
None
HUBBARD COUNTY
(Hw) - See Becker County
ISANTI COUNTY
None
ITASKA COUNTY
None
JACKSON COUNTY
None
KANABEC COUNTY
None
KANDIYOHI COUNTY
(Hw) - See Big Stone County
KITTSON COUNTY
None
KOOCHICHING COUNTY
None
LAC QUI PARLE COUNTY
(Hw) - See Big Stone County
LAKE COUNTY
(H,Hw) - See Cook County
(D) - See Cook County
LAKE OF THE WOODS COUNTY
None
LE SUEUR COUNTY
None
LINCOLN COUNTY
None

MINNESOTA (cont'd)

LYON COUNTY
None
MCLEOD COUNTY
None
MAHNOMEN COUNTY
None
MARSHALL COUNTY
None
MARTIN COUNTY
None
MEEKER COUNTY
None
MILLE LACS COUNTY
Non
MORRISON COUNTY
None
MOWER COUNTY
None
MURRAY COUNTY
None
NICOLLET COUNTY
None
NOBLES COUNTY
None
NORMAN COUNTY
None
OLMSTEAD COUNTY
None
OTTER TAIL COUNTY
(Hw) - See Becker County
PENNINGTON COUNTY
None
PINE COUNTY
None
PIPESTONE COUNTY
None
POLK COUNTY
None
POPE COUNTY
(Hw) - See Big Stone County
RAMSEY COUNTY
(R,B) - See Dakota County
(H,Hw) - See Anoka County

MINNESOTA (Cont'd)

RED LAKE COUNTY
None
REDWOOD COUNTY
None
RENVILLE COUNTY
None
RICE COUNTY
None
ROCK COUNTY
None
ROSEAU COUNTY
None
SAINT LOUIS COUNTY
(D) - See Cook County
(H,Hw) - See Cook County
CITY OF DULUTH
Decision #AQ-3102 (B,R)
39 FR 7051 - 2/22/74
SCOTT COUNTY
(H,Hw) - See Anoka County
(B,R) - See Carver County
SHERBURNE COUNTY
None
SIBLEY COUNTY
None
STEARNS COUNTY
None
STEELE COUNTY
None
STEVENS COUNTY
(Hw) - See Big Stone County
SWIFT COUNTY
(Hw) - See Big Stone County
TODD COUNTY
(Hw) - See Becker County
TRAVERSE COUNTY
(Hw) - See Big Stone County
WABASHA COUNTY
None
WADENA COUNTY
(Hw) - See Becker County
WASECA COUNTY
None
WASHINGTON COUNTY
(B,R) - See Dakota County
(H,Hw) - See Anoka County
WATONWAN COUNTY
None
WILKIN COUNTY
(Hw) - See Becker County
WINONA COUNTY
None
WRIGHT COUNTY
None
YELLOW MEDICINE COUNTY
None

MISSISSIPPI

STATEWIDE
Decision #AQ-4002 (D)
38 FR 21037 - 8/3/73
Mod. #1 - 39 FR 4264 - 2/1/74
Decision #AP-1107 (F)
38 FR 17358 - 6/29/73
ADAMS COUNTY
Decision #AQ-4046 (Hw)
38 FR 35186 - 12/21/73
Mod. #1 - 39 FR 4279 - 2/1/74
(D) - See Statewide
(F) - See Statewide
ALCORN COUNTY
Decision #AQ-4042 (Hw)
38 FR 35182 - 12/21/73
Mod. #1 - 39 FR 4279 - 2/1/74
(D) - See Statewide
(F) - See Statewide
AMITE COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Adams County
ATTALA COUNTY
Decision #AQ-4045 (Hw)
38 FR 35185 - 12/21/73
Mod. #1 - 39 FR 4279 - 2/1/74
(D) - See Statewide
(F) - See Statewide
BENTON COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Alcorn County
BOLIVAR COUNTY
Decision #AQ-4043 (Hw)
38 FR 35188 - 12/21/73
Mod. #1 - 39 FR 4279 - 2/1/74
(D) - See Statewide
(F) - See Statewide
CALHOUN COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Alcorn County
CARROLL COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Bolivar County
CHICKASAW COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Alcorn County
CHOCTAW COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Alcorn County

MISSISSIPPI (cont'd)

CLAIBORNE COUNTY
Decision #AQ-4044 (Hw)
38 FR 35184 - 12/21/73
Mod. #1 - 39 FR 4269 - 2/1/74
(D) - See Statewide
(F) - See Statewide
CLARKE COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Attala County
CLAY COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Alcorn County
COAHOMA COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Bolivar County
COPIAH COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Claiborne County
(R) - See Hinds County
COVINGTON COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Adams County
DE SOTO COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Bolivar County
FORREST COUNTY
Decision #AM-8264 (R)
37 FR 13017 - 6/30/72
(D) - See Statewide
(F) - See Statewide
(Hw) - See Adams County
FRANKLIN COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Adams County
GEORGE COUNTY
Decision #AQ-4047 (Hw)
38 FR 35187 - 12/21/73
Mod. #1 - 39 FR 4279 - 2/1/74
(D) - See Statewide
(F) - See Statewide
(R) - See Harrison County
GREENE COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Adams County

GRENADA COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Bolivar County
HANCOCK COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See George County
(R) - See Harrison County
HARRISON COUNTY
Decision #AQ-4081 (B,H,Water & Sewer)
39 FR 7054 - 2/22/74
Decision #AP-174 (R)
38 FR 10584 - 4/27/73
Mod. #1 - 39 FR 8102 - 3/1/74
(D,F) - See Statewide
(Hw) - See George County
Decision #AQ-4048 (R)
38 FR 35573 - 12/28/73
(D,F) - See Statewide
(Hw) - See Claiborne
HINDS COUNTY
Decision #AP-158 (B,H,R)
38 FR 4636 - 2/16/73
Mod. #1 - 38 FR 7169 - 3/16/73
Mod. #2 - 38 FR 18818 - 7/13/73
Mod. #3 - 38 FR 27164 - 9/28/73
HOLMES COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Claiborne County
HUMPHREYS COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Claiborne County
ISSAQUENA COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Claiborne County
ITAWAMBA COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Alcorn County
JACKSON COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See George County
(R) - See Harrison County
JASPER COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Attala County

JEFFERSON COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Adams County
JEFFERSON DAVIS COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Adams County
JONES COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Adams County
(R) - See Forest County
KEMPER COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Attala County
LAFAYETTE COUNTY
(D) - See Statewide
(R) - See Statewide
(Hw) - See Alcorn County
LAMAR COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Adams County
LAUDERDALE COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Attala County
LAWRENCE COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Adams County
LEAKE COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Attala County
LEE COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Alcorn County
LEFLORE COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Bolivar County
LINCOLN COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Adams County
LOWNDES COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Alcorn County

MADISON COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Claiborne County
(R) - See Hinds County
MARION COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Adams County
MARSHALL COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Alcorn County
MONROE COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Alcorn County
MONTGOMERY COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Bolivar County
NESHOBA COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Attala County
NEWTON COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Attala County
NOXUBEE COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Attala County
OKTIBBEHA COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Alcorn County
PANOLA COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Bolivar County
PEARL RIVER COUNTY
(B,H) - See Harrison County
(D) - See Statewide
(F) - See Statewide
(Hw) - See Statewide
(R) - See Harrison County
PERRY COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Adams County
PIKE COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Adams County

PONTOTOC COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Alcorn County
PRENTISS COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Alcorn County
QUITMAN COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Bolivar County
RANKIN COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Claiborne County
(R) - See Hinds County
SCOTT COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Attala County
SHARKEY COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Claiborne County
SIMPSON COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Claiborne County
(R) - See Hinds County
SMITH COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Attala County
STONE COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Georgia County
(R) - See Harrison County
SUNFLOWER COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Bolivar County
TALLAHATCHIE COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Bolivar County

MISSISSIPPI (Cont'd)

TATE COUNTY
(D,F)-See Statewide
(Hw)-See Bolivar County
TIPPAH COUNTY
(D,F)-See Statewide
(Hw)-See Alcorn County
TISHOMINGO COUNTY
(D,F)-See Statewide
(Hw)-See Alcorn County
TUNICA COUNTY
(D,F)-See Statewide
(Hw)-See Bolivar County
UNION COUNTY
(D,F,)-See Statewide
(Hw)-See Alcorn County
WALTHALL COUNTY
(D,F)-See Statewide
(Hw)-See Adams County
WARREN COUNTY
(D,F)-See Statewide
(Hw)-See Claiborne County
WASHINGTON COUNTY
Decision #AQ-4072 (B)
39 FR 5933 - 2/15/74
(D,F)-See Statewide
(Hw)-See Bolivar County
WAYNE COUNTY
(D,F)-See Statewide
(Hw)-See Adams
WEBSTER COUNTY
(D,F)-See Statewide
(Hw)-See Alcorn County
WILKINSON COUNTY
(D,F)-See Statewide
(Hw)-See Adams County
WINSTON COUNTY
(D,F)-See Statewide
(Hw)-See Attalo County
YALOBUSHA COUNTY
(D,F)-See Statewide
(Hw)-See Bolivar County
YAZOO COUNTY
(D,F)-See Statewide
(Hw)-See Claiborne County
(R)-See Hinds County

MISSOURI

ADAIR COUNTY
Decision #AQ-81 (Hw)
39 FR 6987 - 2/22/74
ANDREW COUNTY
Decision #AQ-21 (D)
38 FR 23647 - 8/31/73
(Hw) - See Adair County
ATCHISON COUNTY
(D) - See Andrew County
(Hw) - See Adair County
AUDRAIN COUNTY
(Hw) - See Adair County
BARRY COUNTY
(Hw) - See Adair County
BARTON COUNTY
Decision #AP-509 (H,Hw)
37 FR 21783 - 10/13/72
Mod. #1 - 38 FR 20177 - 7/27/73
Mod. #2 - 38 FR 32340 - 11/23/73
(Hw) - See Adair County
BATES COUNTY
(Hw) - See Adair County
BENTON COUNTY
(Hw) - See Adair County
BOLLINGER COUNTY
(Hw) - See Adair County
BOONE COUNTY
(D) - See Andrew County
(Hw) - See Adair County
BUCHANAN COUNTY
(D) - See Andrew County
(Hw) - See Adair County
BUTLER COUNTY
(Hw) - See Adair County
CALDWELL COUNTY
(Hw) - See Adair County
CALLAWAY COUNTY
(D) - See Andrew County
(Hw) - See Adair County
CAMDEN COUNTY
(Hw) - See Adair County
CAPE GIRARDEAU COUNTY
Decision #AQ-3094 (D)
39 FR 5070 - 2/8/74
(Hw) - See Adair County
CARROLL COUNTY
(D) - See Andrew County
(Hw) - See Adair County
CARTER COUNTY
(Hw) - See Adair County

MISSOURI (Cont'd)

CASS COUNTY
Decision AQ-44 (B,H,Hw)
38 FR 31780 - 11/16/73
Decision AQ-62 (R)
38 FR 32388 - 11/23/73
CEDAR COUNTY
(Hw) - See Adair County
CHARITON COUNTY
(D) - See Andrew County
(Hw) - See Adair County
CHRISTIAN COUNTY
(Hw) - See Adair County
CLARK COUNTY
(Hw) - See Adair County
CLAY COUNTY
(B,H,Hw) - See Cass County
(D) - See Andrew County
(R) - See Cass County
CLINTON COUNTY
(Hw) - See Adair County
COLE COUNTY
(D) - See Andrew County
(Hw) - See Adair County
COOPER COUNTY
(D) - See Andrew County
(Hw) - See Adair County
CRAWFORD COUNTY
(Hw) - See Adair County
DADE COUNTY
(Hw) - See Adair County
DALLAS COUNTY
(Hw) - See Adair County
DAVIESS COUNTY
(Hw) - See Adair County
DE KALB COUNTY
(Hw) - See Adair County
DENT COUNTY
(Hw) - See Adair County
DOUGLAS COUNTY
(Hw) - See Adair County
DUNKLIN COUNTY
(Hw) - See Adair County
FRANKLIN COUNTY
(D) - See Andrew County
(Hw) - See Adair County
GASCONADE COUNTY
(D) - See Andrew County
(Hw) - See Adair County
GENTRY COUNTY
(Hw) - See Adair County
GREENE COUNTY
(Hw) - See Adair County
GRUNDY COUNTY
(Hw) - See Adair County
HARRISON COUNTY
(Hw) - See Adair County

MISSOURI (Cont'd)

HENRY COUNTY
(Hw) - See Adair County
HICKORY COUNTY
(Hw) - See Adair County
HOLT COUNTY
Decision #AP-506 (H,Hw)
37 FR 21774 - 10/13/72
Mod. #1 - 38 FR 20176 - 7/27/73
(D) - See Andrew County
(Hw) - See Adair County
HOWARD COUNTY
(D) - See Andrew County
(Hw) - See Adair County
HOWELL COUNTY
(Hw) - See Adair County
IRON COUNTY
(Hw) - See Adair County
JACKSON COUNTY
(B,H,Hw) - See Cass County
(D) - See Andrew County
(R) - See Cass County
JASPER COUNTY
None
JEFFERSON COUNTY
(D) - See Cape Girdeau County
(Hw) - See Adair County
JOHNSON COUNTY
(Hw) - See Adair County
KNOX COUNTY
(Hw) - See Adair County
LACLEDE COUNTY
(H,Hw) - See Barton County
(Hw) - See Adair County
LAFAYETTE COUNTY
(D) - See Andrew County
(Hw) - See Adair County
LAWRENCE COUNTY
(H,Hw) - See Barton County
(Hw) - See Adair County
LEWIS COUNTY
(Hw) - See Adair County
LINCOLN COUNTY
(Hw) - See Adair County
LINN COUNTY
Decision #AP-508 (H,Hw)
37 FR 21779 - 10/13/72
Mod. #1 - 37 FR 23057 - 10/27/72
Mod. #2 - 38 FR 20177 - 7/27/73
(Hw) - See Adair County
LIVINGSTON COUNTY
(Hw) - See Adair County
MC DONALD COUNTY
None
MACON COUNTY
(Hw) - See Adair County
MADISON COUNTY
(Hw) - See Adair County
MARIES COUNTY
(Hw) - See Adair County

MISSOURI (Cont'd)

MARION COUNTY
(Hw) - See Adair County
MERCER COUNTY
(Hw) - See Adair County
MILLER COUNTY
(Hw) - See Adair County
MISSISSIPPI COUNTY
(D) - See Cape Girardeau County
(Hw) - See Adair County
MONITEAU COUNTY
(D) - See Andrew County
(Hw) - See Adair County
MONROE COUNTY
(Hw) - See Adair County
MONTGOMERY COUNTY
(D) - See Andrew County
(Hw) - See Adair County
MORGAN COUNTY
(Hw) - See Adair County
NEW MADRID COUNTY
(Hw) - See Adair County
NEWTON COUNTY
(Hw) - See Adair County
NODAWAY COUNTY
(Hw) - See Adair County
OREGON COUNTY
(Hw) - See Adair County
OSAGE COUNTY
(D) - See Andrew County
(Hw) - See Adair County
OZARK COUNTY
(Hw) - See Adair County
PEMISCOT COUNTY
(Hw) - See Adair County
PERRY COUNTY
(D) - See Cape Girardeau County
(Hw) - See Adair County
PETTIS COUNTY
(Hw, H) - See Linn County
(Hw) - See Adair County
PHELPS COUNTY
(Hw) - See Adair county
PIKE COUNTY
(Hw) - See Adair county
PLATTE COUNTY
(B,H,Hw) - See Cass County
(D) - See Andrew County
(R) - See Cass County
POLK COUNTY
(Hw) - See Adair County
PULASKI COUNTY
(Hw) - See Adair County
PUTNAM COUNTY
(Hw) - See Adair County
RALLS COUNTY
(Hw) - See Adair County
RANDOLPH COUNTY
(Hw) - See Adair County

MISSOURI (Cont'd)

RAY COUNTY
(B,H,Hw,R) - See Cass County
(D) - See Andrew County
REYNOLDS COUNTY
(Hw) - See Adair County
RIPLEY COUNTY
(Hw) - See Adair County
ST. CHARLES COUNTY
Decision #AP-534 (B,H,Hw)
38 FR 18141 - 7/6/73
Mod. #1 - 38 FR 20177 - 7/27/73
Mod. #2 - 38 FR 28473 - 10/12/73
Mod. #3 - 38 FR 31756 - 11/16/73
(D) - See Andrew County
Decision #AP-504 (R)
37 FR 17881 - 9/1/72
Mod. #1 - 38 FR 4078 - 2/9/73
Mod. #2 - 38 FR 6524 - 3/9/73
Mod. #3 - 38 FR 13917 - 5/25/73
Mod. #4 - 38 FR 18124 - 7/6/73
Mod. #5 - 38 FR 20173 - 7/27/73
Mod. #6 - 38 FR 28473 - 10/12/73
Mod. #7 - 38 FR 34575 - 12/14/73
(D) - See Cape Girardeau County
ST. CLAIR COUNTY
(Hw) - See Adair County
ST. FRANCOIS COUNTY
(Hw) - See Adair County
ST. LOUIS COUNTY
(B,H,Hw,R) - See St. Charles County
(D) - See Cape Girardeau County
(D) - See Andrew County
STE. GENEVIEVE COUNTY
(D) - See Cape Girardeau County
(Hw) - See Adair County
SALINE COUNTY
(D) - See Andrew County
(Hw) - See Adair County
SCHUYLER COUNTY
(Hw) - See Adair County
SCOTLAND COUNTY
(Hw) - See Adair County
SCOTT COUNTY
Decision #AP-507 (H,Hw)
37 FR 21776 - 10/13/72
Mod. #1 - 37 FR 25109 - 11/25/72
Mod. #2 - 38 FR 20176 - 7/27/73
Mod. #3 - 38 FR 32339 - 11/23/73
(D) - See Cape Girardeau County
(Hw) - See Adair County
SHANNON COUNTY
(Hw) - See Adair County
SHELBY COUNTY
(Hw) - See Adair County
STODDARD COUNTY
(Hw) - See Adair County

MISSOURI (Cont'd)

STONE COUNTY
(Hw) - See Adair County
SULLIVAN COUNTY
(Hw) - See Adair County
TANEY COUNTY
(Hw) - See Adair County
TEXAS COUNTY
(Hw) - See Adair County
VERNON COUNTY
(Hw) - See Adair County
WARREN COUNTY
(D) - See Andrew County
(Hw) - See Adair County
WASHINGTON COUNTY
(Hw) - See Adair County
WAYNE COUNTY
(Hw) - See Adair County
WEBSTER COUNTY
(Hw) - See Adair County
WORTH COUNTY
(Hw) - See Adair County
WRIGHT COUNTY
(Hw) - See Adair County

MONTANA

STATEWIDE
Decision #AQ-1071 (B)
39 FR 3399 - 1/25/74
Mod. #1 - 39 FR 5949 - 2/15/74
Decision #AQ-1070 (H,Hw)
39 FR 2329 - 1/18/74
Mod. #1 - 39 FR 4280 - 2/1/74
BEAVERHEAD COUNTY
(B,H,Hw) - See Statewide
BIG HORN COUNTY
(B,H,Hw) - See Statewide
BLAINE COUNTY
(B,H,Hw) - See Statewide
BROADWATER COUNTY
(B,H,Hw) - See Statewide
CARBON COUNTY
(B,H,Hw) - See Statewide
CARTER COUNTY
(B,H,Hw) - See Statewide
CASCADE COUNTY
Decision #AQ-1076 (R)
39 FR 4361 - 2/1/74
Mod. #1 - 39 FR 5949 - 2/15/74
(B,H,Hw) - See Statewide
CHOUTEAU COUNTY
(B,H,Hw) - See Statewide
CUSTER COUNTY
(B,H,Hw) - See Statewide
DANIELS COUNTY
(B,H,Hw) - See Statewide
DAWSON COUNTY
(B,H,Hw) - See Statewide
DEERLODGE COUNTY
(B,H,Hw) - See Statewide
Decision #AQ-1075 (R)
39 FR 4354 - 2/1/74
Mod. #1 - 39 FR 5949 - 2/15/74
(R) - See Silverbow County
FALLON COUNTY
(B,H,Hw) - See Statewide
FERGUS COUNTY
(B,H,Hw) - See Statewide
FLATHEAD COUNTY
(B,H,Hw) - See Statewide
(R) - See Cascade County
GALLATIN COUNTY
(B,H,Hw) - See Statewide
(R) - See Deerlodge County
GARFIELD COUNTY
(B,H,Hw) - See Statewide
GLACIER COUNTY
(B,H,Hw) - See Statewide
GOLDEN VALLEY COUNTY
(B,H,Hw) - See Statewide
GRANITE COUNTY
(B,H,Hw) - See Statewide

MONTANA (Cont'd)

HILL COUNTY
(B,H,Hw) - See Statewide
(R) - See Cascade County
JEFFERSON COUNTY
(B,H,Hw) - See Statewide
JUDITH BASIN COUNTY
(B,H,Hw) - See Statewide
LAKE COUNTY
(B,H,Hw) - See Statewide
LEWIS & CLARK COUNTY
(B,H,Hw) - See Statewide
LIBERTY COUNTY
(B,H,Hw) - See Statewide
LINCOLN COUNTY
(B,H,Hw) - See Statewide
MC CONE COUNTY
(B,H,Hw) - See Statewide
MADISON COUNTY
(B,H,Hw) - See Statewide
MEAGHER COUNTY
(B,H,Hw)- See Statewide
MINERAL COUNTY
(B,H,Hw) - See Statewide
MISSOURLA COUNTY
(B,H,Hw) - See Statewide
MUSSELSHELL COUNTY
(B,H,Hw) - See Beaverhead County
PARK COUNTY
(B,H,Hw) - See Statewide
PETROLEUM COUNTY
(B,H,Hw) - See Statewide
PHILLIPS COUNTY
(B,H,Hw) - See Statewide
PONDERA COUNTY
(B,H,Hw) - See Statewide
POWDER RIVER COUNTY
(B,H,Hw) - See Statewide
POWELL COUNTY
(B,H,Hw) - See Statewide
PRAIRIE COUNTY
(B,H,Hw) - See Statewide
RAVALLI COUNTY
(B,H,Hw) - See Statewide

MONTANA (Cont'd)

RICHLAND COUNTY
(B,H,Hw) - See Statewide
ROOSEVELT COUNTY
(B,H,Hw) - See Statewide
ROSEBUD COUNTY
(B,H,Hw) - See Statewide
SANDERS COUNTY
(B,H,Hw) - See Statewide
(R) - See Cascade County
SHERIDAN COUNTY
(B,H,Hw) - See Statewide
SILVERBOW COUNTY
(R) - See Deerlodge County
(B,H,Hw) - See Statewide
STILLWATER COUNTY
(B,H,Hw) - See Statewide
SWEETGRASS COUNTY
(B,H,Hw) - See Statewide
TETON COUNTY
(B,H,Hw) - See Statewide
TOOLE COUNTY
(B,H,Hw) - See Statewide
TREASURE COUNTY
(B,H,Hw) - See Statewide
VALLEY COUNTY
(B,H,Hw) - See Statewide
(R) - See Cascade County
WHEATLAND COUNTY
(B,H,Hw) - See Statewide
WIBAUX COUNTY
(B,H,Hw) - See Statewide
YELLOW STONE COUNTY
(B,H,Hw) - See Statewide

NEBRASKA

ADAMS COUNTY
Decision #AQ-80 (Hw)
39 FR 5990 - 2/15/74
ANTELOPE COUNTY
(Hw) - See Adams County
ARTHUR COUNTY
(Hw) - See Adams County
BANNER COUNTY
Decision #AQ-79 (B)
39 FR 5933 - 2/15/74
(Hw) - See Adams County
BLAINE COUNTY
(Hw) - See Adams County
BOONE COUNTY
(Hw) - See Adams County
BOX BUTTE COUNTY
(B) - See Banner County
(Hw) - See Adams County
BOYD COUNTY
(Hw) - See Adams County
BROWN COUNTY
(Hw) - See Adams County
BUFFALO COUNTY
(Hw) - See Adams County
BURT COUNTY
(Hw) - See Adams County
BUTLER COUNTY
(Hw) - See Adams County
CASS COUNTY
(Hw) - See Adams County
CEDAR COUNTY
(Hw) - See Adams County
CHASE COUNTY
(Hw) - See Adams County
CHERRY COUNTY
(Hw) - See Adams County
CHEYENNE COUNTY
(B) - See Banner County
(Hw) - See Adams County
CLAY COUNTY
(Hw) - See Adams County
COLFAX COUNTY
(Hw) - See Adams County
CUMING COUNTY
(Hw) - See Adams County
CUSTER COUNTY
(Hw) - See Adams County
DAKOTA COUNTY
(Hw) - See Adams County

NEBRASKA (Cont'd)

DAWES COUNTY
(B) - See Banner County
(Hw) - See Adams County
DAWSON COUNTY
(Hw) - See Adams County
DEUEL COUNTY
(B) - See Banner County
(Hw) - See Adams County
DIXON COUNTY
(Hw) - See Adams County
DODGE COUNTY
(Hw) - See Adams County
DOUGLAS COUNTY
Decision AQ-63 (B,H,Hw)
38 FR 33895 - 12/7/73
Mod. #1 - 38 FR 35570 - 12/28/73
Decision #AQ-25 (R)
38 FR 24540 - 9/7/73
Mod. #1 - 38 FR 31099 - 11/9/73
Mod. #2 - 38 FR 33879 - 12/7/73
DUNDY COUNTY
(Hw) - See Adams County
FILLMORE COUNTY
(Hw) - See Adams County
FRANKLIN COUNTY
(Hw) - See Adams County
FRONTIER COUNTY
(Hw) - See Admas County
FURNAS COUNTY
(Hw) - See Adams County
GAGE COUNTY
(Hw) - See Adams County
GARDEN COUNTY
(B) - See Banner County
(Hw) - See Adams County
GARFIELD COUNTY
(Hw) - See Adams County
GOSPER COUNTY
(Hw) - See Admas County
GRANT COUNTY
(Hw) - See Adams County

NEBRASKA (Cont'd)

GREELEY COUNTY
(Hw) - See Adams County
HALL COUNTY
Decision #AQ-24 - (B)
38 FR 24486 - 9/7/73
Mod. #1 - 38 FR 30330 - 11/2/73
(Hw) - See Adams County
HAMILTON COUNTY
(Hw) - See Adams County
HARLAN COUNTY
(Hw) - See Adams County
HAYES COUNTY
(Hw) - See Adams County
HITCHCOCK COUNTY
(Hw) - See Adams County
HOLT COUNTY
(Hw) - See Adams County
HOOKER COUNTY
(Hw) - See Adams County
HOWARD COUNTY
(Hw) - See Adams County
JEFFERSON COUNTY
(Hw) - See Adams County
JOHNSON COUNTY
(Hw) - See Adams County
KEARNEY COUNTY
(Hw) - See Adams County
KEITH COUNTY
(Hw) - See Adams County
KEYAPAHA COUNTY
(Hw) - See Adams County
KIMBALL COUNTY
(B) - See Banner County
(Hw) - See Adams County
KNOX COUNTY
(Hw) - See Adams County
LANCASTER COUNTY
Decision #AQ-65 (B)
38 FR 34597 - 12/14/73
Decision #AM-6,140 (R)
36 FR 21736 - 11/12/71
(Hw) - See Adams County
LINCOLN COUNTY
(Hw) - See Admas County
LOGAN COUNTY
(Hw) - See Adams County
LOUP COUNTY
(Hw) - See Adams County
MC PHERSON COUNTY
(Hw) - See Admas County
MADISON COUNTY
(Hw) - See Adams County

NEBRASKA (Cont'd)

MERRICK COUNTY
(Hw) - See Adams County
MORRILL COUNTY
(B) - See Banner County
(Hw) - See Adams County
NANCE COUNTY
(Hw) - See Adams County
NEMAHA COUNTY
Decision #AQ-21 (D)
38 FR 23647 - 8/31/73
(Hw) - See Adams County
NUCKOLLS COUNTY
(Hw) - See Adams County
OTOE COUNTY
(Hw) - See Adams County
PAWNEE COUNTY
(Hw) - See Adams County
PERKINS COUNTY
(Hw) - See Adams County
PHELPS COUNTY
(Hw) - See Adams County
PIERCE COUNTY
(Hw) - See Adams County
PLATTE COUNTY
(Hw) - See Adams County
POLK COUNTY
(Hw) - See Adams County
RED WILLOW COUNTY
(Hw) - See Adams County
RICHARDSON COUNTY
(D) - See Neemaha County
(Hw) - See Adams County
ROCK COUNTY
(Hw) - See Adams County
SALINE COUNTY
(Hw) - See Adams County
SARPY COUNTY
(B,H,Hw) - See Douglas County
SAUNDERS COUNTY
(Hw) - See Adams County
SCOTTS BLUFF COUNTY
(B) - See Banner County
(Hw) - See Adams County
SEWARD COUNTY
(Hw) - See Adams County
SHERIDAN COUNTY
(B) - See Banner County
(Hw) - See Adams County
SHERMAN COUNTY
(Hw) - See Adams County
SIOUX COUNTY
(Hw) - See Adams County
(B) - See Banner County

NEBRASKA (Cont'd)

STANTON COUNTY
(Hw) - See Adams County
THAYER COUNTY
(Hw) - See Adams County
THOMAS COUNTY
(Hw) - See Adams County
THURSTON COUNTY
(Hw) - See Adams County
VALLEY COUNTY
(Hw) - See Adams County
WASHINGTON COUNTY
(Hw) - See Adams County
WAYNE COUNTY
(Hw) - See Adams County
WEBSTER COUNTY
(Hw) - See Adams County
WHEELER COUNTY
(Hw) - See Adams County
YORK COUNTY

NEVADA

STATEWIDE (Excluding the Nevada Test Site & Tonopah Test Range)
Decision #AQ-1080 (B,H,Hw)
39 FR 5131 - 2/8/74
CHURCHILL COUNTY
(B,H,Hw) - See Statewide
CLARK COUNTY
Decision #AQ-1081 (R) (Excluding the Nevada Test Site)
39 FR 5992 - 2/15/74
(B,H,Hw) - See Statewide
Decision #AQ-1083 (B,H,Hw) (Nevada Test Site including the Tonopah Test Range
39 FR 6001 - 2/15/74
DOUGLAS COUNTY
(B,H,Hw) - See Statewide
ELKO COUNTY
(B,H,Hw) - See Statewide
ESMERALDA COUNTY
(B,H,Hw) - See Statewide
EUREKA COUNTY
(B,H,Hw) - See Statewide
HUMBOLDT COUNTY
(B,H,Hw) - See Statewide
LANDER COUNTY
(B,H,Hw) - See Statewide

NEVADA

LINCOLN COUNTY
(B,H,Hw) - See Statewide
LYON COUNTY
(B,H,Hw) - See Statewide
MINERAL COUNTY
(B,H,Hw) - See Statewide
NYE COUNTY
(B,H,Hw) - See Clark County (Nevada Test Site)
(B,H,Hw) - See Statewide
ORMSBY COUNTY
(B,H,Hw) - See Statewide
PERSHING COUNTY
(B,H,Hw) - See Statewide
STOREY COUNTY
(B,H,Hw) - See Statewide
WASHOE COUNTY
Decision #AQ-1082 (R)
39 FR 5996 - 2/15/74
(B,H,Hw) - See Statewide
WHITE PINE COUNTY
(B,H,Hw) - See Statewide

NEW HAMPSHIRE

BELKNAP COUNTY
None
CARROLL COUNTY
None
CHESHIRE COUNTY
None
COOS COUNTY
None
GRAFTON COUNTY
None
HILLSBORO COUNTY
Decision #AQ-3029 (B)
38 FR 30362 - 11/2/73
Mod. #1 - 39 FR 5950 - 2/15/74
Decision AQ-3033 (R)
38 FR 31130 - 11/9/73
Mod. #1 - 39 FR 5950 - 2/15/74
MERRIMACK COUNTY
None
ROCKINGHAM COUNTY
Decision #AP-803 (D)
38 FR 10580 - 4/27/73
Decision #AQ-3074 (B)
39 FR 3415 - 1/25/74
Mod. #1 - 39 FR 7017 - 2/22/74
Decision #AQ-3075 (R)
39 FR 3418 - 1/25/74
Mod. #1 - 39 FR 7017 - 2/22/74
STRAFFORD COUNTY
None
SULLIVAN COUNTY
None

NEW JERSEY

ATLANTIC COUNTY
Decision #AP-809 (B,H,Hw)
38 FR 12561 - 5/11/73
Mod. #1 - 38 FR 21705 - 8/10/73
Mod. #2 -38 FR 22853 - 8/24/73
Mod. #3 - 38 FR 31760 - 11/16/73
Mod. #4 - 39 FR 8102 - 3/1/74
Decision #AP-803 (D)
38 FR 10580 - 4/27/73
BERGEN COUNTY
Decision #AP-810 (B,H,Hw)
38 FR 12567 - 5/11/73
Mod. #1 - 38 FR 21705 - 8/10/73
Mod. #2 - 38 FR 31760 - 11/16/73
(D) - See Atlantic County
BURLINGTON COUNTY
Decision #AP-829 (B,H,Hw)
38 FR 13272 - 5/18/73
Mod. #1 - 38 FR 21707 - 8/10/73
Mod. #2 - 38 FR 29740 - 10/26/73
Mod. #3 - 38 FR 31762 - 11/16/73
Mod. #4 - 38 FR 35142 - 12/21/73
(D) - See Atlantic County
CAMDEN COUNTY
Decision #AP-836 (B,H,Hw)
38 FR 13951 - 5/25/73
Mod. #1 - 38 FR 21014 - 8/3/73
Mod. #2 - 38 FR 31762 - 11/16/73
(D) - See Atlantic County
CAPE MAY COUNTY
(B,H,Hw,D) - See Atlantic County
CUMBERLAND COUNTY
Decision #AP-837 (B,H,Hw)
38 FR 13957 - 5/25/73
Mod. #1 - 38 FR 31763 - 11/16/73
(D) - See Atlantic County
ESSEX COUNTY
Decision #AP-826 (B,H,Hw)
38 FR 13252 - 5/18/73
Mod. #1 - 38 FR 21705 - 8/10/73
Mod. #2 - 38 FR 31761 - 11/16/73
GLOUCESTER COUNTY
(B,H,Hw) - See Camden County
(D) - See Atlantic County
HUDSON COUNTY
Decision #AP-828 (B,H,Hw)
38 FR 13265 - 5/18/73
Mod. #1 - 38 FR 18126 - 7/6/73
Mod. #2 - 38 FR 31761 - 11/16/73
(D) - See Atlantic County
HUNTERDON COUNTY
None
MERCER COUNTY
Decision #AP-827 (B,H,Hw)
38 FR 13258 - 5/18/73
Mod. #1 - 38 FR 21706 - 8/10/73
(D) - See Atlantic County

NEW JERSEY (Cont'd)

MIDDLESEX COUNTY
Decision #AP-838 (B,H,Hw)
38 FR 13963 - 5/25/73
Mod. #1 - 38 FR 31763 - 11/16/73
Mod. #2 - 38 FR 34575 - 12/14/73
(D) - See Atlantic County
MONMOUTH COUNTY
Decision #AP-839 (B,H,Hw)
38 FR 13971 - 5/25/73
Mod. #1 - 38 FR 31764 - 11/16/73
(D) - See Atlantic County
MORRIS COUNTY
Decision #AP-840 (B,H,Hw)
38 FR 13978 - 5/25/73
Mod. #1 - 38 FR 31765 - 11/16/73
(D) - See Atlantic County
OCEAN COUNTY
Decision #AP-841 (B,H,Hw)
38 FR 13985 - 5/25/73
Mod. #1 - 38 FR 31766 - 11/16/73
(D) - See Atlantic County
PASSAIC COUNTY
Decision #AQ-2054 (B,H,Hw)
39 FR 5146 - 2/8/74
(D) - See Atlantic County
SALEM COUNTY
(D) - See Atlantic County
SOMERSET COUNTY
Decision #AM-1,719 (B,H,Hw)
36 FR 14892 - 8/11/71
Mod. #1 - 36 FR 19285 - 10/1/71
Mod. #2 - 36 FR 20080 - 10/15/71
Mod. #3 - 37 FR 972 - 1/21/72
Mod. #4 - 37 FR 6137 - 3/24/72
(D) - See Atlantic County
SUSSEX COUNTY
None
UNION COUNTY
Decision #AP-846 (B,Hw,H)
38 FR 15333 - 6/8/73
Mod. #1 - 38 FR 31766 - 11/16/73
(D) - See Atlantic County
WARREN COUNTY
None

NEW MEXICO

STATEWIDE
Decision #AQ-18 (Streets, Highways, Utilities and Light Engineering Construction)
38 FR 21714 - 8/10/73
Mod. #1 - 38 FR 22853 - 8/24/73
Decision #AQ-35 (Building & Heavy Engineering Construction
38 FR 28529 - 10/12/73
Mod. #1 - 38 FR 29740 - 10/26/73
Mod. #2 - 38 FR 30330 - 11/2/73
Mod. #3 - 38 FR 31767 - 11/16/73
Mod. #4 - 38 FR 33211 - 11/30/73
Mod. #5 - 38 FR 33880 - 12/7/73
BERNALILLO COUNTY
(B,HE,S,Hw,U,LE) - See Statewide
CATRON COUNTY
(B,HE,S,Hw,U,LE) - See Statewide
CHAVES COUNTY
(B,HE,S,Hw,U,LE) - See Statewide
COLFAX COUNTY
(B,HE,S,Hw,U,LE) - See Statewide
CURRY COUNTY
(B,HE,S,Hw,U,LE) - See Statewide
DE BACA COUNTY
(B,He,S,Hw,U,LE) - See Statewide
DONA ANA COUNTY
(B,HE,S,Hw,U,LE) - See Statewide
Decision #AP-340 (R)
37 FR 19869 - 9/22/72
EDDY COUNTY
(B,HE,S,Hw,U,LE) - See Statewide
GRANT COUNTY
(B,HE,S,Hw,U,LE) - See Statewide
GUADALUPE COUNTY
(B,HE,S,Hw,U,LE) - See Statewide
HARDING COUNTY
(B,HE,S,Hw,U,LE) - See Statewide
HIDALGO COUNTY
(B,HE,S,Hw,U,LE) - See Statewide
LEA COUNTY
(B,HE,S,Hw,U,LE) - See Statewide
LINCOLN COUNTY
(B,HE,S,Hw,U,LE) - See Statewide
LOS ALAMOS COUNTY
(B,HE,S,Hw,U,LE) - See Statewide
LUNA COUNTY
(B,HE,S,Hw,U,LE) - See Statewide
McKINLEY COUNTY
(B,HE,S,Hw,U,LE) - See STatewide
MORA COUNTY
(B,HE,S,Hw,U,LE) - See Statewide

NEW MEXICO (Cont'd)

OTERO COUNTY
(B,HE,S,Hw,U,LE) - See Statewide
QUAY COUNTY
(B,HE,S,Hw,U,LE) - See Statewide
RIO ARRIBA COUNTY
(B,HE,S,Hw,U,LE) - See Statewide
ROOSEVELT COUNTY
(B,HE,S,Hw,U,LE) - See Statewide
SANDOVAL COUNTY
(B,HE,S,Hw,U,LE) - See Statewide
SAN JUAN COUNTY
(B,HE,S,Hw,U,LE) - See Statewide
SAN MIGUEL COUNTY
(B,HE,S,Hw,U,LE) - See Statewide
SANTA FE COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
SIERRA COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
SOCORRO COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
TAOS COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
TORRANCE COUNTY
(B,HE,S,Hw,U,LE)-See Statewide
UNION COUNTY
(B,HE,S,Hw,U,LE) - See Statewide
VALENCIA COUNTY
(B,HE,S,Hw,U,LE) - See Statewide

NEW YORK

ALBANY COUNTY
Decision #AP-452 (H,B,Hw)
37 FR 26782 - 12/15/72
Mod. #1 - 38 FR 9397 - 4/13/73
Mod. #2 - 38 FR 18819 - 7/13/73
Mod. #3 - 38 FR 21016 - 8/3/73
Mod. #4 - 38 FR 26549 - 9/21/73
Mod. #5 - 39 FR 4280 - 2/1/74
ALLEGANY COUNTY
None
BRONX COUNTY
Decision #AP-487 (B,H,Hw)
38 FR 6608 - 3/9/73
Mod. #1 - 38 FR 8872 - 4/6/73
Mod. #2 - 38 FR 12514 - 5/11/73
Mod. #3 - 38 FR 22854 - 8/24/73
Decision #AP-400 (R)
37 FR 13913 - 7/14/72
Mod. #1 - 37 FR 23510 - 11/3/72
Mod. #2 - 38 FR 5097 - 2/23/73
Mod. #3 - 38 FR 12514 - 5/11/73
Mod. #4 - 38 FR 22854 - 8/24/73
Decision #AP-803 (D)
38 FR 10580 - 4/27/73
BROOME COUNTY
Decision #AP-469 (B,H,Hw)
38 FR 4169 - 2/9/73
Mod. #1 - 38 FR 9397 - 4/13/73
Mod. #2 - 38 FR 18126 - 7/6/73
Mod. #3 - 38 FR 21022 - 8/3/73
Mod. #4 - 38 FR 22854 - 8/24/73
Mod. #5 - 38 FR 24491 - 9/7/73
Mod. #5 - 39 FR 4280 - 2/1/74
CATTARAUGUS COUNTY
None
CAYUGA COUNTY
Decision #AQ-3095 (D)
39 FR 5982 - 2/15/74
CHAUTAUGUA COUNTY
(D) - See Cayuga County
CHEMUNG COUNTY
None
CHENANGO COUNTY
None

NEW YORK (Cont'd)

CLINTON COUNTY
None
COLUMBIA COUNTY
None
CORTLAND COUNTY
None
DELAWARE COUNTY
None
DUTCHESS COUNTY
Decision AQ-2028 (B,H,Hw)
36 FR 31135 - 11/9/73
Mod. #1 - 39 FR 5066 - 2/8/74
(D) - See Bronx County
ERIE COUNTY
Decision #AP-800 (B,H,Hw)
38 FR 8404 - 3/30/73
Mod. #1 - 38 FR 9398 - 4/13/73
Mod. #2 - 38 FR 18820 - 7/13/73
Mod. #3 - 38 FR 22854 - 8/24/73
(D) - See Cayuga County
ESSEX COUNTY
None
FRANKLIN COUNTY
(D) - See Cayuga County
FULTON COUNTY
None
GENESEE COUNTY
None
GREENE COUNTY
None
HAMILTON COUNTY
None
HERKIMER COUNTY
None
JEFFERSON COUNTY
Decision #AP-807 (B,H,Hw)
38 FR 12582 - 5/11/73
Mod. #1 - 38 FR 18820 - 7/13/73
Mod. #2 - 38 FR 21023 - 8/3/73
(D) - See Cayuga County

NEW YORK (Cont'd)

KINGS COUNTY
(B,H,Hw,R,D) - See Bronx County
LEWIS COUNTY
None
LIVINGSTON COUNTY
None
MADISON COUNTY
None
MONROE COUNTY
Decision #AQ-2037 (B,H,Hw)
38 FR 35188 - 12/21/73
(D) - See Cayuga County
MONTGOMERY COUNTY
None
NASSAU COUNTY
Decision #AQ-2001 (B,H,Hw)
38 FR 18845 - 7/13/73
Mod. #1 - 38 FR 24491 - 9/7/73
Mod. #2 - 39 FR 5950 - 2/15/74
(D) - See Bronx County
NEW YORK COUNTY
(B,H,Hw,R,D) - See Bronx County
NIAGARA COUNTY
Decision #AQ-2048 (B,H,Hw)
39 FR 4368 - 2/1/74
(D) - See Cayuga County

NEW YORK (Cont'd)

ONEIDA COUNTY
Decision #AP-844 (B,H,Hw) (Cont'd)
38 FR 15341 - 6/8/73
Mod. #1 - 38 FR 18822 - 7/13/73
Mod. #2 - 38 FR 21026 - 8/3/73
Mod. #3 - 38 FR 29149 - 10/19/73
Mod. #4 - 38 FR 35571 - 12/28/73
ONONDAGA COUNTY
Decision #AP-808 (B,H,Hw)
38 FR 12587 - 5/11/73
Mod. #1 - 38 FR 18821 - 7/13/73
Mod. #2 - 38 FR 21025 - 8/3/73
Mod. #3 - 38 FR 29148 - 10/19/73
ONTARIO COUNTY
None
ORANGE COUNTY
Decision #AP-845 (B,H,Hw)
38 FR 15346 - 6/8/73
Mod. #1 - 38 FR 18820 - 7/13/73
Mod. #2 - 39 FR 5950 - 2/15/74
(D) - See Bronx County
ORLEANS COUNTY
(D) - See Cayuga County
OSWEGO COUNTY
(D) - See Cayuga County
OTSEGA COUNTY
None
PUTNAM COUNTY
None
QUEENS COUNTY
(B,H,Hw,R,D) - See Bronx County
RENSSELAER COUNTY
Decision #AP-860 (B,H,Hw)
38 FR 18160 - 7/6/73
Mod. #1 - 38 FR 21030 - 8/3/73
Mod. #2 - 38 FR 22854 - 8/24/73
RICHMOND COUNTY
(B,H,Hw,R,D) - See Bronx County
ROCKLAND COUNTY
(D) - See Albany County

NEW YORK (cont'd)

ST LAWRENCE COUNTY
(D) - See Cayuga County
SARATOGA COUNTY
Decision #AP-451 (B,H,Hw)
37 FR 25099 - 11/25/72
Mod. #1 - 38 FR 21014 - 8/3/73
SCHENECTADY COUNTY
Decision #AP-859 (B,H,Hw)
38 FR 18156 - 7/6/73
Mod. #1 - 38 FR 21028 - 8/3/73
SCHOHARIE COUNTY
None
SCHUYLER COUNTY
None
SENECA COUNTY
None
STEUBEN COUNTY
Decision #AP-486 (B,H,Hw)
38 FR 6516 - 3/9/73
Mod. #1 - 38 FR 20184 - 7/27/73
SUFFOLK COUNTY
Decision #AM-1,735 (B,H,Hw)
36 FR 14890 - 8/11/71
Mod. #1 - 36 FR 18988 - 9/24/71
Mod. #2 - 37 FR 4021 - 2/2 /72
Mod. #3 - 37 FR 22706 - 10/20/72
Mod. #4 - 37 FR 23973 - 11/10/72
(D) - See Bronx County
SULLIVAN COUNTY
None
TIOGA COUNTY
None
TOMPKINS COUNTY
None
ULSTER COUNTY
None
WARREN COUNTY
None
WASHINGTON COUNTY
None
WAYNE COUNTY
(D) - See Cayuga County
WESTCHESTER COUNTY
Decision #AQ-2041 (B,H,Hw)
39 FR 3421 - 1/25/74
(D) - See Bronx County
WYOMING COUNTY
None
YATES COUNTY
None

NORTH CAROLINA

STATEWIDE
Decision #AQ-4064 (H,Hw)
39 FR 4371 - 2/1/74
Mod. #1 - 39 FR 7018 - 2/22/74
Decision #AP-156 (Sewer & Water)
38 FR 4618 - 2/16/73
ALAMANCE COUNTY
Decision #AQ-4078 (R)
39 FR 7010 - 2/22/74
(Sewer & Water, H,Hw) - See Statewide
ALEXANDER COUNTY
(Sewer & Water, H,Hw) - See Statewide
ALLEGHANY COUNTY
(Sewer & Water, H,Hw) - See Statewide
ANSON COUNTY
(Sewer & Water, H,Hw) - See Statewide
ASHE COUNTY
(Sewer & Water, H,Hw) - See Statewide
AVERY COUNTY
(Sewer & Water, H,Hw) - See Statewide
BEAUFORT COUNTY
Decision #AQ-2039 (D)
39 FR 3395 - 1/25/74
(Sewer & Water, H,Hw) - See Statewide
BERTIE COUNTY
Decision #AQ-4079 (R)
39 FR 7010 - 2/22/74
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
BLADEN COUNTY
(Sewer & Water, H,Hw) - See Statewide
BRUNSWICK COUNTY
(Sewer & Water, H,Hw) - See Statewide
(D) - See Beaufort County
BUNCOMBE COUNTY
(Sewer & Water, H,Hw) - See Statewide
BURKE COUNTY
(Sewer & Water, H,Hw) - See Statewide
CABARRUS COUNTY
(Sewer & Water, H,Hw) - See Statewide
CALDWELL COUNTY
(Sewer & Water, H,Hw) - See Statewide
CAMDEN COUNTY
(Sewer & Water, H,Hw) - See Statewide
CARTERET COUNTY
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
(R) - See Craven County
CASWELL COUNTY
(Sewer & Water, H,Hw) - See Statewide
CATAWBA COUNTY
(Sewer & Water, H,Hw) - See Statewide
CHATHAM COUNTY
(Sewer & Water, H,Hw) - See Statewide

NORTH CAROLINA (Cont'd)

CHEROKEE COUNTY
(Sewer & Water,H,Hw) - See Statewide
CHOWAN COUNTY
(Sewer & Water, H,Hw) - See Statewide
(D) - See Beaufort County
(R) - See Bertie County
CLAY COUNTY
(Sewer & Water, H,Hw) - See Statewide
CLEVELAND COUNTY
(Sewer & Water, H,Hw) - See Statewide
COLUMBUS COUNTY
(Sewer & Water, H,Hw) - See Statewide
CRAVEN COUNTY
Decision #AQ-4083 (R)
39 FR 8101 - 3/1/74
(Sewer & Water, H,Hw) - See Statewide
(D) - See Beaufort County
CUMBERLAND COUNTY
(Sewer & Water, H,Hw) - See Statewide
CURRITUCK COUNTY
(Sewer & Water, H,Hw) - See Statewide
(D) - See Beaufort County
DARE COUNTY
(Sewer & Water, H,Hw) - See Statewide
(D) - See Beaufort County
DAVIDSON COUNTY
(Sewer & Water, H,Hw) - See Statewide
DAVIE COUNTY
(Sewer & Water, H,Hw) - See Statewide
DUPLIN COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Craven County
DURHAM COUNTY
(Sewer & Water, H,Hw) - See Statewide
EDGECOMBE COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Bertie County
FORSYTH COUNTY
(Sewer & Water, H,Hw) - See Statewide
FRANKLIN COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Bertie County
GASTON COUNTY
(Sewer & Water, H,Hw) - See Statewide
GATES COUNTY
(Sewer & Water, H,Hw) - See Statewide
(D) - See Beaufort County
GRAHAM COUNTY
(Sewer & Water, H,Hw) - See Statewide
GRANVILLE COUNTY
(Sewer & Water, H,Hw) - See Statewide
GREENE COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Craven County
GUILFORD COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Alamance County

NORTH CAROLINA (Cont'd)

HALIFAX COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Bertie County
HARNETT COUNTY
(Sewer & Water, H,Hw) - See Statewide
HAYWOOD COUNTY
(Sewer & Water, H,Hw) - See Statewide
HENDERSON COUNTY
(Sewer & Water, H,Hw) - See Statewide
HERTFORD COUNTY
(Sewer & Water, H,Hw) - See Statewide
(D) - See Beaufort County
(R) - See Bertie County
HOKE COUNTY
(Sewer & Water, H,Hw) - See Statewide
HYDE COUNTY
(Sewer & Water, H,Hw) - See Statewide
(D) - See Beaufort County
IREDELL COUNTY
(Sewer & Water, H,Hw) - See Statewide
JACKSON COUNTY
(Sewer & Water, H,Hw) - See Statewide
JOHNSTON COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Craven County
JONES COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Craven County
LEE COUNTY
(Sewer & Water, H,Hw) - See Statewide
LENOIR COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Craven County
LINCOLN COUNTY
(Sewer & Water, H,Hw) - See Statewide
MCDOWELL COUNTY
(Sewer & Water, H,Hw) - See Statewide
MACON COUNTY
(Sewer & Water, H,Hw) - See Statewide
MADISON COUNTY
(Sewer & Water, H,Hw) - See Statewide
MARTIN COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Bertie County
MECKLENBURG COUNTY
Decision #AP-161 (B)
38 FR 5753 - 3/2/73
Mod. #1 - 38 FR 7166 - 3/16/73
Mod. #2 - 38 FR 31770 - 11/16/73
(Sewer & Water, H,Hw) - See Statewide
MITCHELL COUNTY
(Sewer & Water, H,Hw) - See Statewide
MONTGOMERY COUNTY
(Sewer & Water, H,Hw) - See Statewide
MOORE COUNTY
(Sewer & Water, H,Hw) - See Statewide
NASH COUNTY
(Sewer & Water, H,Hw) - See Statewide

NORTH CAROLINA (Cont'd)

NEW HANOVER COUNTY
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
NORTHAMPTON COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Bertie County
ONSLOW COUNTY
(Sewer & Water, H,Hw) - See Statewide
ORANGE COUNTY
(Sewer & Water, H,Hw) - See Statewide
PAMLICO COUNTY
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
(R) - See Craven County
PASQUOTANK COUNTY
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
PENDER COUNTY
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
PERQUIMANS COUNTY
(D) - See Beaufort County
PERSONS COUNTY
(Sewer & Water, H,Hw) - See Statewide
PORT COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Bertie County
POLK COUNTY
(Sewer & Water, H,Hw) - See Statewide
RANDOLPH COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Alamance County
RICHMOND COUNTY
(Sewer & Water, H,Hw) - See Statewide
ROBESON COUNTY
(Sewer & Water, H,Hw) - See Statewide
ROCKINGHAM COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Alamance County
ROWAN COUNTY
(Sewer & Water, H,Hw) - See Statewide
RUTHERFORD COUNTY
(Sewer & Water, H,Hw) - See Statewide
SAMPSON COUNTY
(Sewer & Water, H,Hw) - See Statewide
SCOTLAND COUNTY
(Sewer & Water, H,Hw) - See Statewide
STANLY COUNTY
(Sewer & Water, H,Hw) - See Statewide

NORTH CAROLINA (Cont'd)

STOKES COUNTY
(Sewer & Water, H,Hw) - See Statewide
SURRY COUNTY
(Sewer & Water, H,Hw) - See Statewide
SWAIN COUNTY
(Sewer & Water, H,Hw) - See Statewide
TRANSYLVANIA COUNTY
(Sewer & Water, H,Hw) - See Statewide
TYRRELL COUNTY
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
UNION COUNTY
(Sewer & Water, H,Hw) - See Statewide
VANCE COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Bertie County
WAKE COUNTY
Decision #AQ-4032 (B)
38 FR 31093 - 11/9/73
Mod. #1 - 39 FR 5066 - 2/8/74
(Sewer & Water, H,Hw) - See Statewide
WARREN COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Bertie County
WASHINGTON COUNTY
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
WATAUGA COUNTY
(Sewer & Water, H,Hw) - See Statewide
WAYNE COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Craven County
WILKES COUNTY
(Sewer & Water, H,Hw) - See Statewide
WILSON COUNTY
(Sewer & Water, H,Hw) - See Statewide
(R) - See Bertie County
YADKIN COUNTY
(Sewer & Water, H,Hw) - See Statewide
YANCEY COUNTY
(Sewer & Water, H,Hw) - See Statewide

NORTH DAKOTA

STATEWIDE
Decision #AQ-1000 (Hw)
38 FR 18849 - 7/13/73
Mod. #1 - 38 FR 33800 - 12/7/73
ADAMS COUNTY
(Hw) - See Statewide
BARNES COUNTY
(Hw) - See Statewide
BENSON COUNTY
(Hw) - See Statewide
BILLINGS COUNTY
(Hw) - See Statewide
BOTTINEAU COUNTY
(Hw) - See Statewide
BOWMAN COUNTY
(Hw) - See Statewide
BURKE COUNTY
(Hw) - See Statewide
BURLEIGH COUNTY
(Hw) - See Statewide
Decision AQ-1066 (B)
38 FR 33899 - 12/7/73
CASS COUNTY
(Hw) - See Statewide
(B) - See Burleigh County
CAVALIER COUNTY
(Hw) - See Statewide
DICKEY COUNTY
(Hw) - See Statewide
DIVIDE COUNTY
(Hw) - See Statewide
DUNN COUNTY
(Hw) - See Statewide
EDDY COUNTY
(Hw) - See Statewide
EMMONS COUNTY
(Hw) - See Statewide
FOSTER COUNTY
(Hw) - See Statewide
GOLDEN VALLEY COUNTY
(Hw) - See Statewide

NORTH DAKOTA (Cont'd)

GRAND FORKS COUNTY
(Hw) - See Statewide
(B) - See Burleigh County
GRANT COUNTY
(Hw) - See Statewide
GRIGGS COUNTY
(Hw) - See Statewide
HETTINGER COUNTY
(Hw) - See Statewide
KIDDER COUNTY
(Hw) - See Statewide
LAMOURE COUNTY
(Hw) - See Statewide
LOGAN COUNTY
(Hw) - See Statewide
McHENRY COUNTY
(Hw) - See Statewide
McINTOSH COUNTY
(Hw) - See Statewide
McKENZIE COUNTY
(Hw) - See Statewide
McLEAN COUNTY
(Hw) - See Statewide
MERCER COUNTY
(Hw) - See Statewide
MORTON COUNTY
(Hw) - See Statewide
(B) - See Burleigh County
MOUNTTRAIL COUNTY
(Hw) - See Statewide
NELSON COUNTY
(Hw) - See Statewide
OLIVER COUNTY
(Hw) - See Statewide
PEMBINA COUNTY
(Hw) - See Statewide

NORTH DAKOTA (Cont'd)

RANSOM COUNTY
(Hw) - See Statewide
RENVILLE COUNTY
(Hw) - See Statewide
RICHLAND COUNTY
(Hw) - See Statewide
(B) - See Burleigh County
ROLETTE COUNTY
(Hw) - See Statewide
SARGENT COUNTY
(Hw) - See Statewide
SHERIDAN COUNTY
(Hw) - See Statewide
SIOUX COUNTY
(Hw) - See Statewide
SLOPE COUNTY
(Hw) - See Statewide
STARK COUNTY
(Hw) - See Statewide
STEELE COUNTY
(Hw) - See Statewide
(B) - See Burleigh County
STUTSMAN COUNTY
(Hw) - See Statewide
TOWNER COUNTY
(Hw) - See Statewide
TRAILL COUNTY
(Hw) - See Statewide
WALSH COUNTY
(Hw) - See Statewide
(B) - See Burleigh County
WARD COUNTY
(Hw) - See Statewide
(B) - See Burleigh County
WELLS COUNTY
(Hw) - See Statewide
WILLIAMS COUNTY
(Hw) - See Statewide

OHIO

ADAMS COUNTY
Decision #AQ-3094 (D)
39 FR 5070 - 2/8/74
ALLEN COUNTY
None
ASHLAND COUNTY
None
ASHTABULA COUNTY
Decision #AQ-3095 (D)
39 FR 5982 - 2/15/74
ATHENS COUNTY
(D) - See Adams County
AUGLAIZE COUNTY
None
BELMONT COUNTY
None
BROWN COUNTY
(D) - See Adams County
BUTLER COUNTY
Decision #AP-669 (B)(H,Hw)
38 FR 13991 - 5/25/73
Mod. #1 - 38 FR 14535 - 6/1/73
Mod. #2 - 38 FR 22316 - 8/17/73
Mod. #3 - 38 FR 27712 - 10/5/73
Mod. #4 - 38 FR 29741 - 10/26/73
Mod. #5 - 38 FR 30334 - 11/2/73
Mod. #6 - 38 FR 31100 - 11/9/73
Decision #AP-683 (R)
38 FR 14049 - 5/25/73
CARROLL COUNTY
None
CHAMPAIGN COUNTY
None
CLARK COUNTY
Decision #AP-670 (B,H,Hw)
38 FR 13996 - 5/25/73
Mod. #1 - 38 FR 14535 - 6/1/73
Mod. #2 - 38 FR 22316 - 8/17/73
Mod. #3 - 38 FR 27712 - 10/5/73
Mod. #4 - 38 FR 29741 - 10/26/73
Mod. #5 - 38 FR 30334 - 11/2/73
Mod. #6 - 38 FR 31100 - 11/9/73
Decision #AP-684 (R)
38 FR 14049 - 5/25/73
CLERMONT COUNTY
Decision #AM-685 (R)
38 FR 14050 - 5/25/73
(D) - See Adams County
CLINTON COUNTY
None
COLUMBIANA COUNTY
None
COSHOCTON COUNTY
None
CRAWFORD COUNTY
None
CUYAHOGA COUNTY
Decision #AP-671 (B,H,Hw)
38 FR 14000 - 5/25/73
Mod. #1 - 38 FR 14535 - 6/1/73

OHIO (Cont'd)

CUYAHOGA COUNTY (Cont'd)
Decision #AP-671 (B,H,Hw)
38 FR 14000 - 5/25/73
Mod. #2 - 38 FR 22317 - 8/17/73
Mod. #3 - 38 FR 27713 - 10/5/73
Mod. #4 - 38 FR 29741 - 10/26/73
Mod. #5 - 38 FR 30335 - 11/2/73
Decision #AP-686 (R)
38 FR 14050 - 5/25/73
Mod. #1 - 38 FR 14537 - 6/1/73
Mod. #2 - 38 FR 22319 - 8/17/73
Mod. #3 - 38 FR 27716 - 10/5/73
Mod. #4 - 38 FR 31100 - 11/9/73
DARKE COUNTY
None
DEFIANCE COUNTY
None
DELAWARE COUNTY
Decision #AM-420 (R)
36 FR 15963 - 8/18/71
Mod. #1 - 38 FR 4630 - 2/16/73
ERIE COUNTY
(D) - See Ashtabula County
FAIRFIELD COUNTY
(R) - See Delaware County
FAYETTE COUNTY"
None
FRANKLIN COUNTY
Decision #AP-672 (B,H,Hw)
38 FR 14004 - 5/25/73
Mod. #1 - 38 FR 14535 - 6/1/73
Mod. #2 - 38 FR 22317 - 8/17/73
Mod. #3 - 38 FR 27713 - 10/5/73
Mod. #4 - 38 FR 29741 - 10/26/73
Mod. #5 - 38 FR 30335 - 11/2/73
(D) - See Delaware County
FULTON COUNTY
None
GALLIA COUNTY
(D) - See Adams County
GEAUGA COUNTY
None
GREENE COUNTY
Decision #AP-673 (B,H,Hw)
38 FR 14008 - 5/25/73
Mod. #1 - 38 FR 14535 - 6/1/73
Mod. #2 - 38 FR 22317 - 8/17/73
Mod. #3 - 38 FR 27713 - 10/5/73
Mod. #4 - 38 FR 29741 - 10/26/73
Mod. #5 - 38 FR 30036 - 11/2/73
Mod. #6 - 38 FR 31100 - 11/9/73
Decision #AM-422 (R)
36 FR 15965 - 8/18/71
Mod. #1 - 37 FR 8619 - 4/28/72
GUERNSEY COUNTY
None
HAMILTON COUNTY
Decision #AQ-3022 (B,H,Hw)
38 FR 27726 - 10/5/73
Mod. #1 - 38 FR 30340 - 11/2/73

OHIO (Cont'd)

HAMILTON COUNTY CONT'D.
Mod. #2 - 38 FR 31101 - 11/9/73
(D) - See Adams County
(R) - See Clermont County
HANCOCK COUNTY
None
HARDIN COUNTY
None
HARRISON COUNTY
None
HENRY COUNTY
None
HIGHLAND COUNTY
None
HOCKING COUNTY
None
HOLMES COUNTY
None
HURON COUNTY
None
JACKSON COUNTY
None
JEFFERSON COUNTY
None
KNOX COUNTY
None
LAKE COUNTY
(D) - See Ashtabula County
LAWRENCE COUNTY
(D) - See Adams County
LICKING COUNTY
Decision #AP-675 (B,Hw,H)
38 FR 14017 - 5/25/73
Mod. #1 - 38 FR 14536 - 6/1/73
Mod. #2 - 38 FR 22317 - 8/17/73
Mod. #3 - 38 FR 27713 - 10/5/73
Mod. #4 - 38 FR 30336 - 11/2/73
(R) - See Delaware County
LOGAN COUNTY
None
LORAIN COUNTY
(D) - See Ashtabula County
LUCAS COUNTY
Decision #AQ-3036 (B,H,Hw)
38 FR 31142 - 11/9/73
(D) - See Ashtabula County
MADISON COUNTY
(R) - See Delaware County
MAHONING COUNTY
Decision #AP-687 (R)
38 FR 13903 - 5/25/73
Mod. #1 - 38 FR 22319 - 8/17/73
Mod. #2 - 38 FR 27716 - 10/5/73
Mod. #3 - 38 FR 31100 - 11/9/73
Mod. #4 - 38 FR 35572 - 12/28/73
Decision #AP-677 (B,H,Hw)
38 FR 14026 - 5/25/73
Mod. #1 - 38 FR 15792 - 6/15/73
Mod. #2 - 38 FR 22318 - 8/17/73

OHIO (Cont'd)

MAHONING COUNTY (Cont'd)
Decision #AP-677 (B,H,Hw)
38 FR 14026 - 5/25/73
Mod. #3 - 38 FR 27714 - 10/5/73
Mod. #4 - 38 FR 30337 - 11/2/73
Mod. #5 - 38 FR 31100 - 11/9/73
Mod. #6 - 38 FR 35571 - 12/28/73
MARION COUNTY
None
MEDINA COUNTY
None
MEIGS COUNTY
(D) - See Adams County
MERCER COUNTY
None
MIAMI COUNTY
(R) - See Greene County
MONROE COUNTY
(D) - See ADams County
MONTGOMERY COUNTY
(B,H,Hw) - See Greene County
(R) - See Greene County
MORGAN COUNTY
None
MORROW COUNTY
None
MUSKINGUM COUNTY
Decision #AP-678 (B,H,Hw)
38 FR 14029 - 5/25/73
Mod. #1 - 38 FR 14536 - 6/1/73
Mod. #2 - 38 FR 22318 - 8/17/73
Mod. #3 - 38 FR 27714 - 10/5/73
Mod. #4 - 38 FR 30338 - 11/2/73
Mod. #5 - 38 FR 31100 - 11/9/73
NOBLE COUNTY
None
OTTAWA COUNTY
(D) - See Ashtabula County
PAULDING COUNTY
None
PERRY COUNTY
None
PICKAWAY COUNTY
(B,H,Hw) - See Franklin County
(R) - See Delaware County
PIKE COUNTY
None
PORTAGE COUNTY
Decision #AQ-3118 (B,H,Hw)
39 FR 7057 - 2/22/74
PREBLE COUNTY
(R) - See Greene County
PUTNAM COUNTY
None

OHIO (Cont'd)

RICHLAND COUNTY
None
ROSS COUNTY
None
SANDUSKY COUNTY
(D) - See Ashtabula County
SCIOTO COUNTY
(D) - See Adams County
SENECA COUNTY
NOne
SHELBY COUNTY
None
STARKE COUNTY
Decision #AQ-3037 (B,H,Hw)
38 FR 31147 - 11/9/73
SUMMIT COUNTY
Decision #AP-681 (B,H,Hw)
38 FR 14042 - 5/25/73
Mod. #1 - 38 FR 14536 - 6/1/73
Mod. #2 - 38 FR 22318 - 8/17/73
Mod. #3 - 38 FR 27715 - 10/5/73
Mod. #4 - 38 FR 29742 - 10/26/73
Mod. #5 - 38 FR 30339 - 11/2/73
Mod. #6 - 38 FR 31100 - 11/9/73
TRUMBULL COUNTY
Decision #AQ-3082 (R)
39 FR 4375 - 2/1/74
Decision #AQ-3081 (B,H,Hw)
39 FR 4372 - 2/1/74
TUSCARAWAS COUNTY
None
UNION COUNTY
None
VAN WERT COUNTY
None
VINTON COUNTY
None
WARREN COUNTY
(R) - See Butler County
WASHINGTON COUNTY
(D) - See Adams County
WAYNE COUNTY
None
WILLIAMS COUNTY
None
WOOD COUNTY
None
WYANDOT COUNTY
None

OKLAHOMA

ADAIR COUNTY
Decision #AM-3603 (Hw)
36 FR 16761 - 8/25/71
ALFALFA COUNTY
DEcision #AM-3608 (Hw)
36 FR 16766 - 8/25/71
ATOKA COUNTY
Decision #AM-3604 (Hw)
36 FR 16763 - 8/25/71
BEAVER COUNTY
(Hw) - See Alfalfa County
BECKHAM COUNTY
Decision #AM-3606 (Hw)
36 FR 16764 - 8/25/71
BLAINE COUNTY
(Hw) - See Beckham County
BRYAN COUNTY
(Hw) - See Atoka County
Decision #AP-341 (R)
37 FR 19870 - 9/22/72
CADDO COUNTY
Decision #AM-3609 (Hw)
36 FR 16767 - 8/25/71
CANADIAN COUNTY
Decision #AM-3607 (Hw)
36 FR 16765 - 8/25/71
(D) - See Oklahoma County
(R) - See Oklahoma County
CARTER COUNTY
(Hw) - See Caddo County
CHEROKEE COUNTY
(Hw) - See Adair County
CHOCTAW COUNTY
(Hw) - See Atoka County
CIMARRON COUNTY
(Hw) - See Alfalfa County
CLEVELAND COUNTY
Decision #AM-3605 (Hw)
36 FR 16762 - 8/25/71
(R) - See Oklahoma County
(D) - See Oklahoma County
COAL COUNTY
(Hw) - See Cleveland County
COMANCHE COUNTY
(Hw) - See Caddo County
Decision #AP-741 (R)
38 FR 18164 - 7/6/73
COTTON COUNTY
(Hw) - See Caddo County
CRAIG COUNTY
Decision #AM-3610 (Hw)
36 FR 16768 - 8/25/71
CREEK COUNTY
(Hw) - See Canadian County
CUSTER COUNTY
(Hw) - See Beckham County

OKLAHOMA (cont'd)

DELAWARE COUNTY
(Hw) - See Craig County
DEWEY COUNTY
(Hw) - See Beckham County
ELLIS COUNTY
(Hw) - See Alfalfa County
GARFIELD COUNTY
(Hw) - See Canadian County
GARVIN COUNTY
(Hw) - See Cleveland County
GRADY COUNTY
(Hw) - See Caddo County
GRANT COUNTY
(Hw) - See Canadian County
GREER COUNTY
(Hw) - See Beckham County
HARMON COUNTY
(Hw) - See Beckham County
HARPER COUNTY
(Hw) - See Alfalfa County
HASKELL COUNTY
(Hw) - See Adair County
HUGHES COUNTY
(Hw) - See Cleveland County
JACKSON COUNTY
(Hw) - See Beckham County
JEFFERSON COUNTY
(Hw) - See Caddo County
JOHNSTON COUNTY
(Hw) - See Cleveland County
KAY COUNTY
(Hw) - See Canadian County
KINGFISHER COUNTY
(Hw) - See Canadian County
KIOWA COUNTY
(Hw) - See Beckham County
LATIMER COUNTY
(Hw) - See Atoka County
LEFLORE COUNTY
(Hw) - See Atoka County
LINCOLN COUNTY
(Hw) - See Canadian County
(R) - See Oklahoma County
(D) - See Oklahoma County
LOGAN COUNTY
(Hw) - See Canadian County
LOVE COUNTY
(Hw) - See Caddo County
McCLAIN COUNTY
(Hw) - See Cleveland County
McCURTAIN COUNTY
(Hw) - See Atoka County

OKLAHOMA (cont'd)

MCINTOSH COUNTY
(Hw) - See Adair County
MAJOR COUNTY
(Hw) - See Alfalfa County
MARSHALL COUNTY
(Hw) - See Atoka County
MAYES COUNTY
(Hw) - See Craig County
MURRAY COUNTY
(Hw) - See Cleveland County
MUSKOGEE COUNTY
(Hw) - See Adair County
NOBLE COUNTY
(Hw) - See Canadian County
NOWATA COUNTY
(Hw) - See Craig County
OKFUSKEE COUNTY
(Hw) - See Cleveland County
OKLAHOMA COUNTY
Decision #AQ-22 (B)
38 FR 23735 - 8/31/73
Mod. #1 - 38 FR 277166 - 9/28/73
Mod. #2 - 38 FR 29150 - 10/19/73
Mod. #3 - 38 FR 33211 - 11/30/73
Mod. #4 - 38 FR 34575 - 12/14/73
Decision #AM-3,612 (Hw)
36 FR 16770 - 8/25/71
Mod. #1 - 37 FR 1435 - 1/28/72
Decision #AP-304 (R)
37 FR 15789 - 8/4/72
Mod. #1-37 FR 28799-12/29/72
Mod. #2-38 FR 4078-2/9/73
OKMULGEE COUNTY
(Hw) - See Adair County
OSAGE COUNTY
(Hw) - See Craig County
(R) - See Tulsa County
OTTAWA COUNTY
(Hw) - See Craig County
PAWNEE COUNTY
(Hw) - See Craig County
PAYNE COUNTY
(Hw) - See Canadian County
PITTSBURG COUNTY
(Hw) - See Adair County

OKLAHOMA (Cont'd)

PONTOTOC COUNTY
(Hw) - See Cleveland County
POTTAWATOMIE COUNTY
(Hw) - See Cleveland County
(R) - See Oklahoma County
(B) - See Oklahoma County
PUSHMATAHA COUNTY
(Hw) - See Atoka County
ROGER MILLS COUNTY
(Hw) - See Beckham County
ROGERS COUNTY
(Hw) - See Craig County
SEMINOLE COUNTY
(Hw) - See Cleveland County
SEQUOYAH COUNTY
(Hw) - See Adair County
STEPHENS COUNTY
(Hw) - See Caddo County
TEXAS COUNTY
(Hw) - See Alfalfa County
TILLMAN COUNTY
(Hw) - See Beckham County
TULSA COUNTY
Decision #AQ-64 (B)
38 FR 33904 - 12/7/73
Mod. #1 - 38 FR 35572 - 12/28/73
Decision #AM-3611 (Hw)
36 FR 16769 - 8/25/71
Mod. #1-37 FR 1435 - 1/28/72
Decision #AP-320 (R)
37 FR 17899 - 9/1/72
Mod. #1 - 38 FR 5099 - 2/23/73
WAGONER COUNTY
(Hw) - See Adair County
WASHINGTON COUNTY
(Hw) - See Craig County
WASHITA COUNTY
(Hw) - See Beckham County
WOODS COUNTY
(Hw) - See Alfalfa County
WOODWARD COUNTY
(Hw) - See Alfalfa County

OREGON

STATEWIDE
Decision #AQ-1079 (B,H,Hw,D)
39 FR 5152 - 2/8/74
BAKER COUNTY
(B,H,Hw,D) - See Statewide
BENTON COUNTY
(B,H,Hw,D) - See Statewide
CLACKAMAS COUNTY
(B,H,Hw,D) - See Statewide
CLATSOP COUNTY
(B,H,Hw,D) - See Statewide
COLUMBIA COUNTY
(B,H,Hw,D) - See Statewide
COOS COUNTY
(B,H,Hw,D) - See Statewide
CROOK COUNTY
(B,H,Hw,D) - See Statewide
CURRY COUNTY
(B,H,Hw,D) - See Statewide
DESCHUTES COUNTY
(B,H,Hw,D) - See Statewide
DOUGLAS COUNTY
(B,H,Hw,D) - See Statewide
GILLIAM COUNTY
(B,H,Hw,D) - See Statewide
GRANT COUNTY
(H,Hw,B,D) - See Statewide
HARNEY COUNTY
(B,H,Hw,D) - See Statewide
HOOD COUNTY
(Hw,H,B,D) - See Statewide
JACKSON COUNTY
(H,Hw,B,D) - See Statewide
JEFFERSON COUNTY
(B,H,Hw,D) - See Statewide
JOSEPHINE COUNTY
(B,H,Hw,D) - See Statewide
KLAMATH COUNTY
(B,H,Hw,D) - See Statewide
LAKE COUNTY
(B,H,Hw,D) - See Statewide
LANE COUNTY
(B,H,Hw,D) - See Statewide
LINCOLN COUNTY
(B,H,Hw,D) - See Statewide
LINN COUNTY
(B,H,Hw,D) - See Statewide

OREGON (Cont'd)

MALHEUR COUNTY
(B,H,Hw,D) - See Statewide
MARION COUNTY
(B,H,Hw,D) - See Statewide
MORROW COUNTY
(B,H,hw,D) - See Statewide
MULTNOMAH COUNTY
Decision #AQ-1053 (R)
38 FR 31152 - 11/9/73
Mod. #1 - 38 FR 32343 - 11/23/73
Mod. #2 - 39 FR 4281 - 2/1/74
(B,H,Hw,D) - See Statewide
POLK COUNTY
(B,H,Hw,D) - See Statewide
SHERMAN COUNTY
(B,H,Hw,D) - See Statewide
TILLAMOOK COUNTY
(B,H,Hw,D) - See Statewide
UMATILLA COUNTY
(B,H,Hw,D) - See Statewide
UNION COUNTY
(B,H,Hw,D) - See Statewide
WALLOWA COUNTY
(B,H,Hw,D) - See Statewide
WASCO COUNTY
(B,H,Hw,D) - See Statewide
WASHINGTON COUNTY
(B,H,Hw,D) - See Statewide
WHEELER COUNTY
(B,H,Hw,D) - See Statewide
YAMHILL COUNTY
(B,H,Hw,D) - See Statewide

PENNSYLVANIA

ADAMS COUNTY
Decision #AP-489 (H,Hw)
38 FR 6622 - 3/9/73
Mod. #1 - 38 FR 18826 - 7/13/73
Decision #AQ-2042 (B)
39 FR 5044 - 2/8/74
ALLEGHENY COUNTY
Decision #AQ-2065 (B,H,Hw)
39 FR 6022 - 2/15/74
Decision #AQ-2049 (R)
39 FR 5043 - 2/8/74
ARMSTRONG COUNTY
Decision #AP-831 (H,Hw)
38 FR 14055 - 5/25/73
Mod. #1 - 38 FR 15793 - 6/15/73
Mod. #2 - 38 FR 22856 - 8/24/73
BEAVER COUNTY
Decision #AQ-2059 (H,Hw)
39 FR 6004 - 2/15/74
Decision #AQ-2057 (B)
39 FR 5943 - 2/15/74
BEDFORD COUNTY
Decision #AP-832 (H,Hw)
38 FR 14058 - 5/25/73
Mod. #1 - 38 FR 22856 - 8/24/73
BERKS COUNTY
Decision #AQ-2025 (B)
38 FR 29184 - 10/19/73
Mod. #1 - 39 FR 1688 - 1/11/74
Mod. #2 - 39 FR 5067 - 2/8/74
(Hw) - See Adams County
BLAIR COUNTY
(H,Hw) - See Armstrong County
BRADFORD COUNTY
(H,Hw) - See Adams County
BUCKS COUNTY
Decision #AQ-2015 (R)
38 FR 22353 - 8/17/73
Mod. #1 - 38 FR 27167 - 9/28/73
Mod. #2 - 39 FR 5067 - 2/8/74
Decision #AQ-2011 (H,Hw)
38 FR 22341 - 8/17/73
BUTLER COUNTY
Decision #AQ-2062 (H,Hw)
39 FR 6011 - 2/15/74
CAMBRIA COUNTY
(H,Hw) - See Butler County
CAMERON COUNTY
(H,Hw) - See Bedford County
CARBON COUNTY
(H,Hw) - See Adams County
CENTRE COUNTY
Decision #AQ-2061 (H,Hw)
39 FR 6008 - 2/15/74
CHESTER COUNTY
(H,Hw) - See Bucks County
CLARION COUNTY
(H,Hw) - See Bedford County

PENNSYLVANIA (Cont'd)

CLEARFIELD COUNTY
(H,Hw) - See Centre County
CLINTON COUNTY
(H,Hw) - See Bedford County
COLUMBIA COUNTY
(H,Hw) - See Adams County
CRAWFORD COUNTY
(H,Hw) - See Armstrong County
CUMBERLAND COUNTY
Decision #AQ-2053 (B)
39 FR 5159 - 2/8/74
Mod. #1 - 39 FR 7018 - 2/22/74
(Hw) - See Adams County
DAUPHIN COUNTY
(Hw) - See Adams County
DELAWARE COUNTY
Decision #AQ-2014 (B,H,Hw)
38 FR 22350 - 8/17/73
Mod. #1 - 38 FR 27167 - 9/28/73
Mod. #2 - 38 FR 33800 - 12/7/73
Mod. #3 - 39 FR 5067 - 2/8/74
(R,H,Hw) - See Bucks County
ELK COUNTY
(H,Hw) - See Bedford County
ERIE COUNTY
Decision #AQ-2067 (H,Hw,B)
39 FR 6030 - 2/15/74
FAYETTE COUNTY
(H,Hw) - See Butler County
FOREST COUNTY
(H,Hw) - See Bedford County
FRANKLIN COUNTY
Decision #AP-843 (B,H,Hw)
38 FR 15352 - 6/8/73
Mod. #1 - 38 FR 22856 - 8/24/73
FULTON COUNTY
(H,Hw) - See Bedford County
GREENE COUNTY
(H,Hw) - See Centre County
HUNTINGDON COUNTY
(H,Hw) - See Bedford County
INDIANA COUNTY
Decision #AQ-2045 (B)
39 FR 5934 - 2/15/74
(H,Hw) - See Armstrong County
JEFFERSON COUNTY
(H,Hw) - See Centre County
JUNITA COUNTY
(H,Hw) - See Adams County
(B) - See Cumberland County

PENNSYLVANIA (Cont'd)

LACKAWANNA COUNTY
Decision #AP-488 (B)
38 FR 6620 - 3/9/73
Mod. #1 - 38 FR 18825 - 7/13/73
Mod. #2 - 38 FR 21032 - 8/3/73
Mod. #3 - 38 FR 22320 - 8/17/73
LANCASTER COUNTY
Decision #AQ-2055 (B)
39 FR 5940 - 2/15/74
(Hw) - See Adams County
LAWRENCE COUNTY
Decision #AQ-2068 (B,H,Hw)
39 FR 6034 - 2/15/74
LEBANON COUNTY
(Hw) - See Adams County
LEHIGH COUNTY
Decision #AP-835 (B)
38 FR 14066 - 5/25/73
Mod. #1 - 38 FR 18128 - 7/6/73
Mod. #2 - 38 FR 19611 - 7/20/73
Mod. #3 - 38 FR 22321 - 8/17/73
Mod. #4 - 38 FR 31101 - 11/9/73
Mod. #5 - 39 FR 4281 - 2/1/74
Mod. #6 - 39 FR 5067 - 2/8/74
(H,Hw) - See Adams County
LUZERNE COUNTY
Decision #AQ-2069 (B)
39 FR 6038 - 2/15/74
(H,Hw) - See Adams County
LYCOMING COUNTY
(Hw) - See Adams County
MC KEAN COUNTY
(Hw) - See Adams County
MERCER COUNTY
Decision #AQ-2066 (B,H,Hw)
39 FR 6026 - 2/15/74
MIFFLIN COUNTY
(H,Hw) - See Adams County
MONROE COUNTY
(Hw, H) - See Adams County
MONTGOMERY COUNTY
Decision #AQ-2013 - (B)
38 FR 22347 - 8/17/73
Mod. #1 - 38 FR 27166 - 9/28/73
Mod. #2 - 39 FR 5067 - 2/8/74
(H,Hw) - See Bucks County
MONTOUR COUNTY
(H,Hw) - See Adams County
NORTHAMPTON COUNTY
Decision #AQ-2016 (B)
38 FR 22356 - 8/17/73
Mod. #1 - 39 FR 4281 - 2/1/74
(H,Hw) - See Adams County

PENNSYLVANIA (Cont'd)

NORTHUMBERLAND COUNTY
Decision #AQ-2044 (B)
39 FR 7014 - 2/22/74
(H,Hw) - See Adams County
PERRY COUNTY
(Hw) - See Adams County
(B) - See Cumberland County
PHILADELPHIA COUNTY
Decision #AQ-2012 (B)
38 FR 22344 - 8/17/73
Mod. #1 - 38 FR 27166 - 9/28/73
Mod. #2 - 39 FR 5067 - 2/8/74
Decision #AP-803 (D)
38 FR 10580 - 4/27/72
(H,Hw) - See Bucks County
PIKE COUNTY
(H,Hw) - See Adams County
POTTER COUNTY
(H,Hw) - See Bedford County
SCHUYKILL COUNTY
Decision #AQ-2050 (B)
39 FR 5938 - 2/15/74
(H,Hw) - See Adams County
SNYDER COUNTY
(H,Hw) - See Adams County
SOMERSET COUNTY
(H,Hw) - See Butler County
SULLIVAN COUNTY
(H,Hw) - See Adams County
SUSQUEHANNA COUNTY
(H,Hw) - See Adams County
TIOGA COUNTY
(H,Hw) - See Adams County
UNION COUNTY
(H,Hw) - See Adams County
VENANGO COUNTY
Decision #AQ-2043 (B)
39 FR 7011 - 2/22/74
(H,Hw) - See Armstrong County
WARREN COUNTY
(H,Hw) - See Armstrong County
WASHINGTON COUNTY
Decision #AQ-2064 (B,H,Hw)
39 FR 6018 - 2/15/74
WAYNE COUNTY
(H,Hw) - See Adams County
WESTMORELAND COUNTY
Decision #AQ-2063 (B,H,Hw)
39 FR 6044 - 2/15/74
WYCOMING COUNTY
(H,Hw) - See Adams County
YORK COUNTY
(B,H,Hw) - See Adams County
(B)-See Cumberland County

PUERTO RICO

PUERTO RICO
Decision #AQ-2052 (B)
39 FR 5161 - 2/8/74
Decision #AQ-2019 (H,Hw)
38 FR 24847 - 9/14/73

RHODE ISLAND

STATEWIDE
Decision #AP-803 (D)
38 FR 10580 - 4/23/73
BRISTOL COUNTY
(D) - See Statewide
(B,H,Hw,R, & Marine) - See Providence Co.
KENT COUNTY
(B,H,Hw,R, & Marine) - See Providence Co.
(D) - See Statewide
NEWPORT COUNTY
Decision #AQ-3120 (B,H,Hw,R,&Marine)
39 FR 8133 - 3/1/74
(D) - See Statewide
PROVIDENCE COUNTY
Decision #AQ-3119 (B,H,Hw,R & Marine)
39 FR 8129 - 3/1/74
(D) - See Statewide
WASHINGTON COUNTY
Decision #AQ-3121 (B,H,Hw,R & Marine)
39 FR 8138 - 3/1/74
(D) - See Statewide

SOUTH CAROLINA

STATEWIDE
Decision #AQ-4065 (H,Hw)
39 FR 4381 - 2/1/74
Mod. #1 - 39 FR 7018 - 2/22/74
Decision #AP-157 (Sewer & Water)
38 FR 4619 - 2/16/73
ABBEVILLE COUNTY
(Sewer & Water, H,Hw) - See Statewide
AIKEN COUNTY
(Sewer & Water, H,Hw) - See Statewide
ALLENDALE COUNTY
(Sewer & Water, H,Hw) - See Statewide
ANDERSON COUNTY
(Sewer & Water, H,Hw) - See Statewide
BAMBERG COUNTY
(Sewer & Water, H,Hw) - See Statewide
BARNWELL COUNTY
(Sewer & Water, H,Hw) - See Statewide
BEAUFORT COUNTY
Decision #AQ-2039 (D)
39 FR 3395 - 1/25/74
(Sewer & Water, H,Hw) - See Statewide
BERKELEY COUNTY
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
Decision #AQ-4029 (R)
38 FR 31153 - 11/9/73
CALHOUN COUNTY
(Sewer & Water, H,Hw) - See Statewide
CHARLESTON COUNTY
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
(R) - See Berkeley County
CHEROKEE COUNTY
(Sewer & Water, H,Hw) - See Statewide
CHESTER COUNTY
(Sewer & Water, H,Hw) - See Statewide
CHESTERFIELD COUNTY
(Sewer & Water, H,Hw) - See Statewide
CLARENDON COUNTY
(Sewer & Water, H,Hw) - See Statewide
COLLETON COUNTY
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
DARLINGTON COUNTY
(Sewer & Water, H,Hw) - See Statewide
DILLON COUNTY
(Sewer & Water, H,Hw) - See Statewide
DORCHESTER COUNTY
(Sewer & Water, H,Hw) - See Statewide
EDGEFIELD COUNTY
(Sewer & Water, H,Hw) - See Statewide
FAIRFIELD COUNTY
(Sewer & Water, H,Hw) - See Statewide
FLORENCE COUNTY
(Sewer & Water, H,Hw) - See Statewide

SOUTH CAROLINA (Cont'd)

GEORGETOWN COUNTY
(D) - See Beaufort
(Sewer & Water, H,Hw) - See Statewide
GREENVILLE COUNTY
(Sewer & Water, H,Hw) - See Statewide
GREENWOOD COUNTY
(Sewer & Water, H,Hw) - See Statewide
HAMPTON COUNTY
(Sewer & Water, H,Hw) - See Statewide
HORRY COUNTY
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
JASPER COUNTY
(D) - See Beaufort County
(Sewer & Water, H,Hw) - See Statewide
KERSHAW COUNTY
(Sewer & Water, H,Hw) - See Statewide
LANCASTER COUNTY
(Sewer & Water, H,Hw) - See Statewide
LAURENS COUNTY
(Sewer & Water, H,Hw) - See Statewide
LEE COUNTY
(Sewer & Water, H,Hw) - See Statewide
LEXINGTON COUNTY
(Sewer & Water, H,Hw) - See Statewide
McCORMICK COUNTY
(Sewer & Water, H,Hw) - See Statewide
MARION COUNTY
(Sewer & Water, H,Hw) - See Statewide
MARLBORO COUNTY
(Sewer & Water, H,Hw) - See Statewide
NEWBERRY COUNTY
(Sewer & Water, H,Hw) - See Statewide
OCONEE COUNTY
(Sewer & Water, H,Hw) - See Statewide
ORANGEBURG COUNTY
(Sewer & Water, H,Hw) - See Statewide
PICKENS COUNTY
(Sewer & Water, H,Hw) - See Statewide
RICHLAND COUNTY
(Sewer & Water, H,Hw) - See Statewide
SALUDA COUNTY
(Sewer & Water, H,Hw) - See Statewide
SPARTANBURG COUNTY
(Sewer & Water, H,Hw) - See Statewide
SUMTER COUNTY
(Sewer & Water, H,Hw) - See Statewide
UNION COUNTY
(Sewer & Water, H,Hw) - See Statewide
WILLIAMSBURG COUNTY
(Sewer & Water, H,Hw) - See Statewide
YORK COUNTY
(Sewer & Water, H,Hw) - See Statewide

SOUTH DAKOTA

STATEWIDE
Decision #AP-908 (Hw)
38 FR 15807 - 6/15/73
AURORA COUNTY
(Hw) - See Statewide
BEADLE COUNTY
Decision #AQ-1084 (H)
39 FR 5162 - 2/8/74
(Hw) - See Statewide
BENNETT COUNTY
(H) - See Beadle County
(Hw) - See Statewide
BON HOMME COUNTY
(H) - See Beadle County
(Hw) - See Statewide
BROOKINGS COUNTY
(H) - See Beadle County
(Hw) - See Statewide
BROWN COUNTY
(H) - See Beadle County
(Hw) - See Statewide
BRULE COUNTY
(H) - See Beadle County
(Hw) - See Statewide
BUFFALO COUNTY
(H) - See Beadle County
(Hw) - See Statewide
BUTTE COUNTY
(H) - See Beadle County
(Hw) - See Statewide
CAMPBELL COUNTY
(Hw) - See Statewide
CHARLES COUNTY
(H) - See Beadle County
(Hw) - See Statewide
CLAY COUNTY
(H) - See Beadle County
(Hw) - See Statewide
CLARK COUNTY
(Hw) - See Statewide
CODINGTON COUNTY
(Hw) - See Statewide
(H) - See Beadle County
CORSON COUNTY
(H) - See Beadle County
(Hw) - See Statewide
CUSTER COUNTY
(H) - See Beadle County
(Hw) - See Statewide
DAVISON COUNTY
(H) - See Beadle County
(Hw) - See Statewide
DAY COUNTY
(Hw) - See Statewide
DEUEL COUNTY
(Hw) - See Statewide
DEWEY COUNTY
(H) - See Beadle County
(Hw) - See Statewide

SOUTH DAKOTA (Cont'd)

DOUGLAS COUNTY
(Hw) - See Statewide
EDMUNDS COUNTY
(H) - See Beadle County
(Hw) - See Statewide
FALL RIVER COUNTY
(H) - See Beadle County
(Hw) - See Statewide
FAULK COUNTY
(Hw) - See Statewide
GRANT COUNTY
(H) - See Beadle County
(Hw) - See Statewide
GREGORY COUNTY
(H) - See Beadle County
(Hw) - See Statewide
HAAKON COUNTY
(H) - See Beadle County
(Hw) - See Statewide
HAMLIN COUNTY
(Hw) - See Statewide
HAND COUNTY
(Hw) - See Statewide
HANSON COUNTY
(Hw) - See Statewide
HARDING COUNTY
(H) - See Beadle County
(Hw) - See Statewide
HUGHES COUNTY
(H) - See Beadle County
(Hw) - See Statewide
HUTCHINSON COUNTY
(H) - See Statewide
HYDE COUNTY
(Hw) - See Statewide
JACKSON COUNTY
(H) - See Beadle County
(Hw) - See Statewide
JERAULD COUNTY
(Hw) - See Statewide
JONES COUNTY
(H) - See Beadle County
(Hw) - See Statewide
KINGSBURY COUNTY
(H) - See Beadle County
(Hw) - Statewide
LAKE COUNTY
(H) - See Beadle County
(Hw) - See Statewide
LAWRENCE COUNTY
(H) - See Beadle County
(Hw) - See Statewide
LINCOLN COUNTY
(H) - See Beadle County
LYMAN COUNTY
(H) - See Beadle County
(Hw) - See Statewide

SOUTH DAKOTA (Cont'd)

Mc COOK COUNTY
(Hw) - See Statewide
Mc PHERSON COUNTY
(Hw) - See Statewide
MARSHALL COUNTY
(Hw) - See Statewide
MEADE COUNTY
Decision #AQ-1090 (B,H)
39 FR 8144 - 3/1/74
(Hw) - See Statewide
MELLETTE COUNTY
(H) - See Beadle County
MINER COUNTY
(Hw) - See Statewide
MINNEHAHA COUNTY
Decision #AQ-1091 (R)
39 FR 8146 - 3/1/74
Decision #AQ-1089 (B,H)
39 FR 8142 - 3/1/74
(Hw) - See Statewide
MOODY COUNTY
(H) - See Beadle County
(Hw) - See Statewide
PENNINGTON COUNTY
(B,H) - See Meade County
(Hw) - See Statewide
PERKINS COUNTY
(H) - See Beadle County
(Hw) - See Statewide
POTTER COUNTY
(H) - See Beadle County
(Hw) - See Statewide
ROBERTS COUNTY
(H) - See Beadle County
(Hw) - See Statewide
SANBORN COUNTY
(Hw)- See Statewide
SHANNON COUNTY
(H) - See Beadle County
(Hw) - See Statewide
SPINK COUNTY
(H) - See Beadle County
(Hw) - See Statewide
STANLEY COUNTY
(H) - See Beadle County
(Hw) - See Statewide
SULLY COUNTY
(H) - See Beadle County
(Hw) - See Statewide

SOUTH DAKOTA (Cont'd)

TODD COUNTY
(H) - See Beadle County
(Hw) - See Statewide
TRIPP COUNTY
(H) - See Beadle County
(Hw) - See Statewide
TURNER COUNTY
(Hw) - See Statewide
UNION COUNTY
(H) - See Beadle County
(Hw) - See Statewide
WALWORTH COUNTY
(H) - See Beadle County
(Hw) - See Statewide
WASHABOUGH COUNTY
(H) - See Beadle County
(Hw) - See Statewide
YANKTON COUNTY
(H) - See Beadle County
(H) - See Statewide
ZIEBACH COUNTY
(H) - See Beadle County
(Hw) - See Statewide

TENNESSEE

STATEWIDE
Decision #AP-1107 (F)
38 FR 17358 - 6/29/73
Decision #AQ-4049 (Hw)
39 FR 1712 - 1/11/74
Mod. #1 - 39 FR 3373 - 1/25/74

ANDERSON COUNTY
Decision #AQ-4011 (B)
38 FR 26589 - 9/21/73
Mod. #1 - 38 FR 34577 - 12/14/73
Mod. #2 - 39 FR 2326 - 1/18/74
(Hw) - See Statewide
(F) - See Statewide

BEDFORD COUNTY
(F) - See Statewide
(Hw) - See Statewide

BENTON COUNTY
(F) - See Statewide
(Hw) - See Statewide

BLEDSOE COUNTY
(F) - See Statewide
(Hw) - See Statewide

BLOUNT COUNTY
(F) - See Statewide
(Hw) - See Statewide

BRADLEY COUNTY
(F) - See Statewide
(Hw) - See Statewide

CAMPBELL COUNTY
(F) - See Statewide
(Hw) - See Statewide

CANNON COUNTY
(F) - See Statewide
(Hw) - See Statewide

CARROLL COUNTY
Decision #AQ-4002 (D)
38 FR 21037 - 8/3/73
Mod. #1 - 39 FR 4264 - 2/1/74
(F) - See Statewide
(Hw) - See Statewide

CARTER COUNTY
Decision #AP-104 (B)
37 FR 13915 - 7/14/72
(F) - See Statewide
(Hw) - See Statewide

CHEATHAM COUNTY
(F) - See Statewide
(Hw) - See Statewide

CHESTER COUNTY
(F) - See Statewide
(Hw) - See Statewide

CLAIBORNE COUNTY
(F) - See Statewide
(Hw) - See Statewide

CLAY COUNTY
(F) - See Statewide
(Hw) - See Statewide

TENNESSEE (Cont'd)

COCKE COUNTY
(F) - See Statewide
(Hw) - See Statewide

COFFEE COUNTY
(F) - See Statewide
(Hw) - See Statewide

CROCKETT COUNTY
(D) - See Carroll County
(F) - See Statewide
(Hw) - See Statewide

CUMBERLAND COUNTY
(F) - See Statewide
(Hw) - See Statewide

DAVIDSON COUNTY
Decision #AP-169 (B)
38 FR 7782 - 3/23/73
Decision #AQ-4061 (R)
39 FR 3426 - 1/25/74
(F) - See Statewide
(Hw) - See Statewide

DECATUR COUNTY
(F) - See Statewide
(Hw) - See Statewide

DEKALB COUNTY
(F) - See Statewide
(Hw) - See Statewide

DYER COUNTY
Decision #AQ-4073 (B)
39 FR 5947 - 2/15/74
(D) - See Carroll County
(F) - See Statewide
(Hw) - See Statewide

FAYETTE COUNTY
(D) - See Carroll County
(F) - See Statewide
(Hw) - See Statewide

FRANKLIN COUNTY
(F) - See Statewide

GIBSON COUNTY
(D) - See Carroll County
(F) - See Statewide
(Hw) - See Statewide
(B) - See Dyer County

GILES COUNTY
(F) - See Statewide
(Hw) - See Statewide

GRAINGER COUNTY
(F) - See Statewide
(Hw) - See Statewide

TENNESSEE (Cont'd)

GREENE COUNTY
(F) - See Statewide
(Hw) - See Statewide

GRUNDY COUNTY
(F) - See Statewide
(Hw) - See Statewide

HAMBLEN COUNTY
(F) - See Statewide
(Hw) - See Statewide

HAMILTON COUNTY
Decision #AQ-4015 (B,H)
38 FR 27734 - 10/5/73
Mod. #1 - 38 FR 34578 - 12/14/73
Mod. #2 - 39 FR 2326 - 1/18/74
(F) - See Statewide
(Hw) - See Statewide

HANCOCK COUNTY
(F) - See Statewide
(Hw) - See Statewide

HARDEMAN COUNTY
(D) - See Carroll County
(Hw) - See Statewide
(F) - See Statewide

HARDIN COUNTY
(F) - See Statewide
(Hw) - See Statewide

HAWKINS COUNTY
(F) - See Statewide
(Hw) - See Statewide

HAYWOOD COUNTY
(D) - See Carroll County
(F) - See Statewide
(Hw) - See Statewide

HENDERSON COUNTY
(F) - See Statewide
(Hw) - See Statewide

HENRY COUNTY
(D) - See Carroll County
(F) - See Statewide
(Hw) - See Statewide

HICKMAN COUNTY
(F) - See Statewide
(Hw) - See Statewide

HOUSTON COUNTY
(F) - See Statewide
(Hw) - See Statewide

HUMPHREYS COUNTY
(F) - See Statewide
(Hw) - See Statewide

JACKSON COUNTY
(F) - See Statewide
(Hw) - See Statewide

KICKSON COUNTY
(F) - See Statewide
(Hw) - See Statewide
(R) - See Davidson County

TENNESSEE (CONT'D)

JEFFERSON COUNTY
(F) - See Statewide
(Hw) - See Statewide

JOHNSON COUNTY
(F) - See Statewide
(Hw) - See Statewide

KNOX COUNTY
Decision #AQ-4014 (B)
38 FR 27731 - 10/5/73
Mod. #1 - 38 FR 34577 - 12/14/73
Mod. #2 - 39 FR 2326 - 1/18/74
Decision #AQ-4051 (R)
39 FR 2321 - 1/18/74
(F) - See Statewide
(Hw) - See Statewide

LAKE COUNTY
Decision #AQ-4074 (R)
39 FR 5947 - 2/15/74
(F) - See Statewide
(Hw) - See Statewide

LAUDERDALE COUNTY
(D) - See Carroll County
(F) - See Statewise
(Hw) - See Statewide

LAWRENCE COUNTY
(F) - See Statewide
(Hw) - See Statewide
(R) - See Davidson County

LEWIS COUNTY
(F) - See Statewide
(Hw) - See Statewide

LINCOLN COUNTY
(F) - See Statewide
(Hw) - See Statewide

LOUDON COUNTY
(F) - See Statewide
(Hw) - See Statewide

MC MINN COUNTY
(F) - See Statewide
(Hw) - See Statewide

MC NAIRY COUNTY
(F) - See Statewide
(Hw) - See Statewide

MACON COUNTY
(F) - See Statewide
(Hw) - See Statewide

MADISON COUNTY
(D) - See Carroll County
(F) - See Statewide
(Hw) - See Statewide

MARION COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw) - See Statewide

MARSHALL COUNTY
(F) - See Statewide
(Hw) - See Statewide
(R) - See Davidson County

TENNESSEE (cont'd)

MAURY COUNTY
(F) - See Statewide
(Hw) - See Statewide
(R) - See Davidson County
MEIGS COUNTY
(F) - See Statewide
(Hw) - See Statewide
MONROE COUNTY
(F) - See Statewide
(Hw) - See Statewide
MONTGOMERY COUNTY
(F) - See Statewide
(Hw) - See Statewide
MOORE COUNTY
(F) - See Statewide
(Hw) - See Statewide
MORGAN COUNTY
(F) - See Statewide
(Hw) - See Statewide
OBION COUNTY
(D) - See Carroll County
(F) - See Statewide
(Hw) - See Statewide
OVERTON COUNTY
(F) - See Statewide
(Hw) - See Statewide
PENTRESS COUNTY
(F) - See Statewide
(Hw) - See Statewide
PERRY COUNTY
(F) - See Statewide
(Hw) - See Statewide
PICKETT COUNTY
(F) - See Statewide
(Hw) - See Statewide
POLK COUNTY
(F) - See Statewide
(Hw) - See Statewide
PUTNAM COUNTY
(F) - See Statewide
(Hw) - See Statewide
RHEA COUNTY
(F) - See Statewide
(Hw) - See Statewide
ROANE COUNTY
(B) - See Anderson County
(F) - See Statewide
(Hw) - See Statewide

TENNESSEE (Cont'd)

ROBERTSON COUNTY
(F) - See Statewide
(Hw) - See Statewide
(R) - See Davidson County
RUTHERFORD COUNTY
(F) - See Statewide
(Hw) - See Statewide
(R) - See Davidson County
SCOTT COUNTY
(F) - See Statewide
(Hw) - See Statewide
SEQUATCHIE COUNTY
(F) - See Statewide
(Hw) - See Statewide
SEVIER COUNTY
(F) - See Statewide
(Hw) - See Statewide
SHELBY COUNTY
Decision #AQ-4016 (B,H,Utility)
38 FR 27737 - 10/5/73
Mod. #1 - 38 FR 34578 - 12/14/73
Mod. #2 - 39 FR 4282 - 2/1/74
Decision #AP-152 (R)
38 FR 4176 - 2/9/73
(D) - See Carroll County
(Hw) - See Statewide
SMITH COUNTY
(F) - See Statewide
(Hw) - See Statewide
STEWART COUNTY
(F) - See Statewide
(Hw) - See Statewide
SULLIVAN COUNTY
Decision #AM-8623 (B)
37 FR 12013 - 6/16/72
Mod. #1 - 37 FR 23065 - 10/27/72
Decision #AQ-4062 (R)
39 FR 3427 - 1/25/74
(F) - See Statewide
(Hw) - See Statewide
SUMNER COUNTY
(F) - See Statewide
(Hw) - See Statewide
(R) - See Davidson County

TENNESSEE (cont'd)

TIPTON COUNTY
(D) - See Carroll County
(F) - See Statewide
(Hw) - See Statewide
TROUSDALE COUNTY
(F) - See Statewide
(Hw) - See Statewide
(R) - See Davidson County
UNICOI COUNTY
(F) - See Statewide
(Hw) - See Statewide
UNION COUNTY
(F) - See Statewide
(Hw) - See Statewide
VAN BUREN COUNTY
(F) - See Statewide
(Hw) - See Statewide
WARREN COUNTY
(F) - See Statewide
(Hw) - See Statewide
WASHINGTON COUNTY
Decision #AP-100 (B)
37 FR 13419 - 7/7/72
Mod. #1 - 37 FR 17316 - 8/25/72
Mod. #2 - 37 FR 22708 - 10/20/72
Decision #AQ-4059 (R)
39 FR 3426 - 1/25/74
(F) - See Statewide
(Hw) - See Statewide
WAYNE COUNTY
(F) - See Statewide
(Hw) - See Statewide
WEAKLEY COUNTY
(D) - See Carroll County
(F) - See Statewide
WHITE COUNTY
(F) - See Statewide
(Hw) - See Statewide
(R) - See Davidson County
WILLIAMSON COUNTY
(F) - See Statewide
(Hw) - See Statewide
(R) - See Davidson County

TEXAS

ANDERSON COUNTY
Decision #AQ-58 (Streets, Highways, Runways & Water & Sewer Lines)
38 FR 32412 - 11/23/73
ANDREWS COUNTY
Decision #AQ-48 (Streets, Highways, Runways & Water & Sewer Lines)
38 FR 32402 - 11/23/73
ANGELINA COUNTY
(S,Hw,R,W&S) - See Anderson County
ARANSAS COUNTY
Decision #AQ-52 (Streets, Highways, Runways & Water & Sewer Lines)
38 FR 32406 - 11/23/73
Decision #AQ-4002 (D)
38 FR 21037 - 8/3/73
Mod. #1 - 39 FR 4264 - 2/1/74
ARCHER COUNTY
Decision #AQ-46 (Streets, Highways Runways & Water & Sewer Lines)
38 FR 32400 - 11/23/73
ARMSTRONG COUNTY
Decision #AQ-75 (B)
39 FR 4384 - 2/1/74
Mod. #1 - 39 FR 7018 - 2/22/74
(S,Hw,R,W & S) - See Archer County
Decision #AP-346 (R)
37 FR 20497 - 9/29/72
Mod. #1 - 38 FR 4080 - 2/9/73
Mod. #2 - 38 FR 17354 - 6/29/73
Mod. #3 - 38 FR 18129 - 7/6/73
Mod. #4 - 38 FR 19612 - 7/20/73
Mod. #5 - 38 FR 31101 - 11/9/73
ATASCOSA COUNTY
Decision #AQ-50 (Streets, Highways, Runways & Water & Sewer Lines)
38 FR 32404 - 11/23/73
AUSTIN COUNTY
Decision #AQ-53 (Streets, Highways Runways, & Water & Sewer Lines)
38 FR 32407 - 11/23/73
BAILEY COUNTY
Decision #AQ-47 (Streets, Highways Runways, & Water & Sewer Lines)
38 FR 32401 - 11/23/73
Decision #AP-352 (R)
37 FR 21786 - 10/13/72
BANDERA COUNTY
(S,Hw,R,W,S) - See Atascosa County
BASTROP COUNTY
(S,Hw,R,W,S) - See Austin County
Decision #AM-7705 (R)
36 FR 22117 - 11/19/71

TEXAS (Cont'd)

BAYLOR COUNTY
(S,Hw,R,W S) - See Archer County
BEE COUNTY
(S,Hw,R,W&S) - See Aransas County
BELL COUNTY
Decision #AQ-54 (Streets, Highways. Runways, & Water & Sewer Lines)
38 FR 32408 - 11/23/73
BEXAR COUNTY
Decision #AQ-74 (B)
39 FR 4382 - 2/1/74
(S,Hw,R,W & S) - See Atascosa County
Decision #AQ-84 (R)
39 FR 7062 - 2/22/74
BLANCO COUNTY
(S,Hw,R,W & S) - See Austin County
(R) - See Bastrop County
BORDEN COUNTY
(S,Hw,R,W & S) - See Bailey County
BOSQUE COUNTY
(S,Hw,R,W & S) - See Bell County
BOWIE COUNTY
Decision #AQ-57 (Streets, Highways, Runways, & Water & Sewer Lines)
38 FR 32411 - 11/23/73
BRAZORIA COUNTY
Decision #AQ-60 (Streets, Highways, Runways, & Water & Sewer Lines)
38 FR 32414 - 11/23/73
Decision #AM-7488 (R)
36 FR 21737 - 11/12/71
Mod. #1 - 37 FR 10695 - 5/26/72
(D) - See Aransas County
BRAZOS COUNTY
Decision #AQ-59 (Streets, Highways, Runways, & Water & Sewer Lines)
38 FR 32413 - 11/23/73
BREWSTER COUNTY
Decision #AQ-49 (Streets, Highways, Runways, & Water & Sewer Lines)
38 FR 32403 - 11/23/73
BRISCOE COUNTY
(S,Hw,R,W & S) - See Archer County
BROOKS COUNTY
Decision #AQ-51 (Streets, Highways, Runways, & Water & Sewer Lines)
38 FR 32405 - 11/23/73
BROWN COUNTY
(S,Hw,R,W & S) - See Andrews County

TEXAS (Cont'd)

BURLESON COUNTY
(S,Hw,R,W & S) - See Brazos County
BURNETT COUNTY
(S,Hw,R,W & S) - See Austin County
CALDWELL COUNTY
(S,Hw,R,W,&S) - See Austin County
(R) - See Bastrop County
CALHOUN COUNTY
(S,Hw,R,W&S) - See Aransas County
(D) - See Aransas County
CALLAHAN COUNTY
(S,Hw,R,W & S) - See Andrews County
CAMERON COUNTY
Decision #AQ-68 (B)
38 FR 35580 - 12/28/73
Mod. #1 - 39 FR 4282 - 2/1/74
(D) - See Aransas County
(S,Hw,R,W & S) - See Brooks County
Decision #AQ-72 (R)
39 FR 1719 - 1/11/74
Mod. #1 - 39 FR 4283 - 2/1/74
CAMP COUNTY
(S,Hw,R,W & S) - See Bowie County
CARSON COUNTY
(B) - See Armstrong County
(S,Hw,R,W & S) - See Archer County
(R) - See Armstrong County
CASS COUNTY
(S,Hw,R,W & S) - See Bowie County
CASTRO COUNTY
(B) - See Armstrong County
(S,Hw,R,W & S) - See Archer County
(R) - See Armstrong County
CHAMBERS COUNTY
Decision #AQ-61 (Streets, Highways, Runways)
38 FR 32415 - 11/23/73
(D) - See Aransas County
CHEROKEE COUNTY
(S,Hw,R,W & S) - See Anderson County
CHILDRESS COUNTY
(B) - See Armstrong County
(S,Hw,R,W & S) - See Archer County
(R) - See Armstrong County
CLAY COUNTY
(S,Hw,R,W & S) - See Archer County
COCHRAN COUNTY
(S,Hw,R,W & S) - See Bailey County
(R) - See Bailey County

TEXAS (Cont'd)

COKE COUNTY
(S,Hw,R,W&S) - See Andrews County
COLEMAN COUNTY
(S,Hw,R,W&S) - See Andrews County
COLLIN COUNTY
Decision #AQ-73 (B-excluding Dallas-Fort Worth Regional Airport)
39 FR 1720 - 1/11/74
Mod. #1 - 39 FR 4283 - 2/1/74
Decision #AQ-56 (Streets, Highways, Runways, Water & Sewer Lines) (excl. work performed on the site of water or sewage treatment facilities & also excl. Dallas-Fort Worth Regional Airport)
38 FR 32410 - 11/23/73
Decision #AM-7,487 (R)
36 FR 21736 - 11/12/71
COLLINGSWORTH COUNTY
(B) - See Armstrong County
(S,Hw,R,W & S) - See Archer County
(R) - See Armstrong County
COLORADO COUNTY
(S,Hw,R,W & S) - See Austin County
COMAL COUNTY
(S,Hw,R,W & S) - See Atascosa County
COMANCHE COUNTY
(S, Hw,R,W & S) - See Andrews County
CONCHO COUNTY
(S,Hw,R,W & S) - See Andrews County
COOKE COUNTY
Decision #AQ-55 (Streets, Highways, Runways, Water & Sewer Lines (excl. work performed on the site of water or sewage treatment facilities, also excl. Dallas-Fort Wort Regional Airport)
38 FR 32409 - 11/23/73
CORYELL COUNTY
(S,Hw,R,W & S) - See Bell County
COTTLE COUNTY
(S,Hw,R, W & S) - See Bailey County
CRANE COUNTY
(S,Hw,R,W & S) - See Andrews County
Decision #AP-347 (R)
37 FR 20499 - 9/29/72
CROCKETT COUNTY
(S,Hw,R,W & S) - See Andrews County

TEXAS (Cont'd)

CROSBY COUNTY
(R) (S,Hw,R,W & S)-See Bailey County
CULBERSON COUNTY
(S,Hw,R,W & S) - See Brewster County
DALLAM COUNTY
(R) (B)-See Armstrong County
(S,Hw,R,W & S) - See Archer County
DALLAS COUNTY
(R&B) - See Collin County
(S,Hw,R,W & S) - See Collin County
DAWSON COUNTY
(S,Hw,R,W & S) - See Bailey County
DEAF SMITH COUNTY
(R) (B) - See Armstrong County
(S,Hw,R,W & S) - See Archer County
DELTA COUNTY
(S,Hw,R,W & S)-See Bowie County
DENTON COUNTY
(R) (B) - See Collin County
(S,Hw,R,W & S) - See Cooke County
DE WITT COUNTY
(S,Hw,R,W & S) - See Aransas County
DICKENS COUNTY
(S,Hw,R,W & S)-See Bailey County
DIMMIT COUNTY
(S,Hw,R,W & S) - See Atascosa Co.
DONLEY COUNTY
(R&B) - See Armstrong County
(S,Hw,R,W & S) - See Archer County
DUVAL COUNTY
(S,Hw,R,W&S) - See Brooks County
EASTLAND COUNTY
(S,Hw,R,W&S) - See Andrews County
ECTOR COUNTY
(S,Hw,R,W&S) - See Andrews County
(R) - See Crane County

TEXAS (cont'd)

EDWARDS COUNTY
(S,Hw,R,W&S) - See Atascosa County
ELLIS COUNTY
(B&R) (S,Hw,R,W&S) - See Collin County
EL PASO COUNTY
Decision #AQ-71 (B)
39 FR 1716 - 1/11/74
(S,Hw,R,W&S) - See Brewster County
ERATH COUNTY
(S,Hw,R,W&S) - See Andrews County
FALLS COUNTY
(S,Hw,R,W&S) - See Bell County
FANNIN COUNTY
(S,Hw,R,W&S) - See Bowie County
FAYETTE COUNTY
(S,Hw,R,W&S) - See Austin County
(R) - See Bastrop County
FISHER COUNTY
(S,Hw,R,W&S) - See Bailey County
FLOYD COUNTY
(R)(S,Hw,R,W&S) - See Bailey County
FOARD COUNTY
(S,Hw,R,W&S) - See Bailey County
FORT BEND COUNTY
(R)(S,Hw,R,W&S) - See Brazoria County
FRANKLIN COUNTY
(S,Hw,R,W&S) - See Bowie County
FREESTONE COUNTY
(S,Hw,R,W&S) - See Bell County
FRIO COUNTY
(S,Hw,R,W&S) - See Atascosa County
GAINES COUNTY
(S,Hw,R,W&S) - See Bailey County

TEXAS (Cont'd)

GALVESTON COUNTY
Decision #AQ-66 (B)
38 FR 35574 - 12/28/73
Mod. #1 - 39 FR 4282 - 2/1/74
(S,Hw,R,W&S) - See Brazoria County
Decision #AP-348 (R)
37 FR 20501 - 9/29/72
(D) - See Aransas County
GARZA COUNTY
(R)(S,Hw,R,W&S) - See Bailey County
GILLESPIE COUNTY
(S,Hw,R,W&S) - See Austin County
GLASSOCK COUNTY
(S,Hw,R,W&S) - See Andrews County
GOLIAD COUNTY
(S,Hw,R,W&S) - See Aransas County
GONZALES COUNTY
(S,Hw,R,W&S) - See Austin County
GRAY COUNTY
(R)(B) - See Armstrong County
(S,Hw,R,W&S) - See Archer County
GRAYSON COUNTY
(B)(S,Hw,R,W&S)-See Collin County
GREGG COUNTY
(S,Hw,R,W&S) - See Bowie County
GRIMES COUNTY
(S,Hw.R,W&S) - See Brazos County
GUADALUPE COUNTY
(S,Hw,R,W&S) - See Atascosa County
HALE COUNTY
(R)(S,Hw,R,W&S) - See Bailey County
HALL COUNTY
(S,Hw,R,W&S) - See Archer County
HAMILTON COUNTY
(S,Hw,R,W&S) - See Bell County
HANSFORD COUNTY
(R)(B) - See Armstrong County
(S,Hw,R,W&S) - See Archer County

TEXAS (Cont'd)

HARDEMAN COUNTY
(S,Hw,R,W&S) - See Archer County
HARDIN COUNTY
(S,Hw,R) - See Chambers County
HARRIS COUNTY
Decision #AQ-67 (B)
38 FR 35577 - 12/28/73
Mod. #1 - 39 FR 4282 - 2/1/74
Mod. #2 - 39 FR 7018 - 2/22/74
(R)(S,Hw,R,W&S)-See Brazoria County
(D) - See Aransas County
HARRISON COUNTY
(S,Hw,R,W&S) - See Bowie County
HARTLEY COUNTY
(R)(B) - See Armstrong County
(S,Hw,R,W&S) - See Archer County
HASKELL COUNTY
(S,Hw,R,W&S) - See Bailey County
HAYS COUNTY
(S,Hw,R,W&S) - See Austin County
(R) - See Bastrop County
HEMPHILL COUNTY
(R) (B) - See Armstrong County
(S,Hw,R,W&S) - See Archer County
HENDERSON COUNTY
(S,Hw,R,W&S) - See Anderson County
HIDALGO COUNTY
(R)(B) - See Cameron County
(S,Hw,R,W&S) - See Brooks County
HILL COUNTY
(S,Hw,R,W&S) - See Bell County
HOCKLEY COUNTY
(R)(S,Hw,R,W&S) - See Bailey County
HOOD COUNTY
(B) - See Collin County
(S,Hw,R,W&S) - See Cooke County
Decision #AP-301 (R)
37 FR 15232 - 7/28/72
Mod. #1-37 FR 20395 - 9/29/72

TEXAS (Cont'd)

HOPKINS COUNTY
(S,Hw,R,W&S) - See Bowie County
HOUSTON COUNTY
(S,Hw,R,W&S) - See Anderson County
HOWARD COUNTY
(S,Hw,R,W&S) - See Andrews County
HUDSPETH COUNTY
(S,Hw,R,W&S) - See Brewster County
HUNT COUNTY
(R)(B) - See Collin County
(S,Hw,R,W&S) - See Bowie County
HUTCHINSON COUNTY
(R)(B) - See Armstrong County
(S,Hw,R,W&S) - See Archer County
IRION COUNTY
(S,Hw,R,W&S) - See Andrews County
JACK COUNTY
(S,Hw,R,W&S) - See Cooke County
JACKSON COUNTY
(D)(S,Hw,R,W&S)-See Aransas County
JASPER COUNTY
(S,Hw,R,W&S) - See Anderson County
JEFF DAVIS COUNTY
(S,Hw,R,W&S) - See Brewster County
JEFFERSON COUNTY
Decision #AQ-41 (B)
38 FR 29786 - 10/26/73
Mod. #1 - 38 FR 31102 - 11/9/73
Mod. #2 - 38 FR 31771 - 11/16/73
Mod. #3 - 38 FR 34578 - 12/14/73
Mod. #4 - 39 FR 4282 - 2/1/74
(S,Hw,R) - See Chambers County
Decision #AQ-40 (R)
38 FR 29784 - 10/26/73
Mod. #1 - 38 FR 31102 - 11/9/73
Mod. #2 - 38 FR 31771 - 11/16/73
Mod. #3 - 38 FR 34578 - 12/14/73
Mod. #4 - 39 FR 4282 - 2/1/74
(D) - See Aransas County
JIM HOGG COUNTY
(S,Hw, R,W&S) - See Brooks County
JIM WELLS COUNTY
(S,Hw,R,W&S) - See Aransas County
JOHNSON COUNTY
(B) - See Collin County
(S,Hw,R,W&S) - See Cooke County
(R) - See Hood County

TEXAS (Cont'd)

JONES COUNTY
(S,Hw,R,W&S) - See Bailey County
KARNES COUNTY
(S,Hw,R,W&S) - See Aransas County
KAUFMAN COUNTY
(R)(B) - See Collin County
(S,Hw,R,W&S) - See Bowie County
KENDALL COUNTY
(S,Hw,R,W&S) - See Atascosa County
KENEDY COUNTY
(S,Hw,R,W&S) - See Brooks County
(D) - See Aransas County
KENT COUNTY
(S,Hw,R,W&S) - See Bailey County
KERR COUNTY
(S,Hw,R,W&S) - See Atascosa County
KIMBLE COUNTY
(S,Hw,R,W&S) - See Andrews County
KING COUNTY
(S,Hw,R,W&S) - See Bailey County
KINNEY COUNTY
(S,Hw,R,W&S) - See Atascosa County
KLEBERG COUNTY
(D)(S,Hw,R,W&S) - See Aransas County
KNOX COUNTY
(S,Hw,R,W&S) - See Bailey County
LAMAR COUNTY
(S,Hw,R,W&S) - See Bowie County
LAMB COUNTY
(R)(S,Hw,R,W&S) - See Bailey
LAMPASAS COUNTY
(S,Hw,R,W&S) - See Bell County
LA SALLE COUNTY
(S,Hw,R,W&S) - See Atascosa County
LAVACA COUNTY
(S,Hw,R,W&S) - See Aransas County

TEXAS (Cont'd)

LEE COUNTY
(S,Hw,R,W&S) - See Austin County
(R) - See Bastrop County
LEON COUNTY
(S,Hw,R,W&S) - See Brazos County
LIBERTY COUNTY
(S,Hw,R) - See Chambers County
LIMESTONE COUNTY
(S,Hw,R,W&S) - See Bell County
LIPSCOMB COUNTY
(S,Hw,R,W&S) - See Archer County
(B)(R) - See Armstrong County
LIVE OAK COUNTY
(S,Hw,R,W&S) - See Aransas County
LLANO COUNTY
(S,Hw,R,W&S) - See Austin County
LOVING COUNTY
(S,Hw,R,W&S) - See Andrews County
(R) - See Crane County
LUBBOCK COUNTY
Decision #AQ-69 (B)
38 FR 35582 - 12/28/73
Mod. #1 - 39 FR 7018 - 2/22/74
(R)(S,Hw,R,W&S) - See Bailey County
LYNN COUNTY
(R)(S,Hw,R,W&S) - See Bailey County
MCCULLOCH COUNTY
(S,Hw,R,W&S) - See Andrews County
MCLENNAN COUNTY
(S,Hw,R,W&S) - See Bell County
MCMULLEN COUNTY
(S,Hw,R,W&S) - See Atascosa County
MADISON COUNTY
(S,Hw,R,W&S) - See Brazos County
MARION COUNTY
(S,Hw,R,W&S) - See Bowie County
MARTIN COUNTY
(S,Hw,R,W&S) - See Andrews County

TEXAS (Cont'd)

MASON COUNTY
(S,Hw,R,W&S) - See Austin County
MATAGORDA COUNTY
(R)(S,Hw,R,W&S) - See Brazoria County
(D) - See Aransas County
MAVERICK COUNTY
(S,Hw,R,W&S) - See Atascosa County
MEDINA COUNTY
(S,Hw,R,W&S) - See Atascosa County
MENARD COUNTY
(S,hw,R,W&S) - See Andrews County
MIDLAND COUNTY
(S,Hw,R,W&S) - See Andrews County
(R) - See Crane County
MILAM COUNTY
(S,Hw,R,W&S) - See Brazos County
MILLS COUNTY
(S,Hw,R,W&S) - See Andrews County
MITCHELL COUNTY
(S,Hw,R,W&S) - See Andrews County
MONTAGUE COUNTY
(S,Hw,R,W&S) - See Archer County
MONTGOMERY COUNTY
(R)(S,Hw,R,W&S) - See Brazoria County
MOORE COUNTY
(R)(B) - See Armstrong County
(S,Hw,R,W&S) - See Archer County
MORRIS COUNTY
(S,Hw,R,W&S) - See Bowie County
MOTLEY COUNTY
(S,Hw,R,W&S) - See Bailey County
NACOGDOCHES COUNTY
(S,Hw,R,W&S) - See Anderson County
NAVARRO COUNTY
(S,Hw,R,W&S) - See Bell County
NEWTON COUNTY
(S,Hw,R,W&S) - See Anderson County
NOLAN COUNTY
(S,Hw,R,W&S) - See Andrews County

TEXAS (Cont'd)

NUECES COUNTY
Decision #AQ-78 (B)
39 FR 4388 - 2/1/74
(D)(S,Hw,R,W&S) - See Aransas County
OCHILTREE COUNTY
(R) (B) - See Armstrong County
(S,Hw,R,W&S) - See Archer County
OLDHAM COUNTY
(R)(B) - See Armstrong County
(S,Hw,R,W&S) - See Archer County
ORANGE COUNTY
(R)(B) - See Jefferson County
(S,Hw,R) - See Chambers County
(D) - See Aransas County
PALO PINTO COUNTY
(B) - See Collin County
(S,Hw,R,W&S) - See Cooke County
(R) - See Hood County
PANOLA COUNTY
(S,Hw,R,W&S) - See Anderson County
PARKER COUNTY
(B) - See Collin County
(S,Hw,R,W&S) - See Cooke County
(R) - See Hood County
PARMER COUNTY
(S,Hw,R,W&S) - See Archer County
PECOS COUNTY
(S,Hw,R,W&S) - See Brewster County
(R) - See Crane County
POLK COUNTY
(S,Hw,R,W&S) - See ANDERSON County
POTTER COUNTY
(S,Hw,R,W&S) - See Archer County
(B) (R) - See Armstrong County

TEXAS (Cont'd)

PRESIDIO COUNTY
(S,Hw,R,W&S) - See Brewster County
RAINS COUNTY
(S,Hw,R,W&S) - See Bowie County
RANDALL COUNTY
(S,Hw,R,W&S) - See Archer County
(B) (R) - See Armstrong County
REAGAN COUNTY
(S,Hw,R,W&S) - See Andrews County
REAL COUNTY
(S,Hw,R,W&S) - See Atascosa County
RED RIVER COUNTY
(S,Hw,R,W&S) - See Bowie County
REEVES COUNTY
(S,Hw,R,W&S) - See Brewster County
(R) - See Crane County
REFUGIO COUNTY
(D)(S,Hw,R,W&S) - See Aransas County
ROBERTS COUNTY
(S,Hw,R,W&S) - See Archer County
(B) (R) - See Armstrong County
ROBERTSON COUNTY
(S,Hw,R,W&S) - See Brazos County
ROCKWALL COUNTY
(R)(B)(S,Hw,R,W&S) - See Collin County
RUNNELS COUNTY
(S,Hw,R,W&S) - See Andrews County
RUSK COUNTY
(S,Hw,R,W&S) - See Bowie County
SABINE COUNTY
(S,Hw,R,W&S) - See Anderson County
SAN AUGUSTINE COUNTY
(S,Hw,R,W&S) - See Anderson County
SAN JACINTO COUNTY
(S,Hw,R,W&S) - See Anderson County
SAN PATRICIO COUNTY
(S,Hw,R,W&S) (D) - See Aransas County
SAN SABA COUNTY
(S,Hw,R,W&S) - See Andrews County
SCHLEICHER COUNTY
(S,Hw,R,W&S) - See Andrews County

TEXAS (Cont'd)

SCURRY COUNTY
(S,Hw,R,W&S) - See Bailey County
SHACKELFORD COUNTY
(S,Hw,R,W&S) - See Bailey County
SHELBY COUNTY
(S,Hw,R,W&S) - See Anderson County
SHERMAN COUNTY
(S,Hw,R,W&S) - See Archer County
(B)(R) - See Armstrong County
SMITH COUNTY
(S,Hw,R,W&S) - See Bowie County
SOMERVELL COUNTY
(S,Hw,R,W&S) - See Cooke County
STARR COUNTY
(S,Hw,R,W&S) - See Brooks County
(B) (R) - See Cameron County
STEPHENS COUNTY
(S,Hw,R,W&S) - See Bailey County
STERLING COUNTY
(S,Hw,R,W&S) - See Andrews County
STONEWALL COUNTY
(S,Hw,R,W&S) - See Bailey County
SUTTON COUNTY
(S,Hw,R,W&S) - See Andrews County
SWISHER COUNTY
(S,Hw,R,W&S) - See Archer County
(B)(R) - See Armstrong County
TARRANT COUNTY
(B) - See Collin County
(S,Hw,R,W&S) - See Cooke County
Decision #AM-11423 (R)
37 FR 11617 - 6/9/72
Mod. #1 - 37 FR 20394 - 9/29/72
TAYLOR COUNTY
(S,Hw,R,W&S) - See Andrews County
TERRELL COUNTY
(S,Hw,R,W&S) - See Brewster County
TERRY COUNTY
(S,Hw,R,W&S) - See Bailey County
(R) - See Bailey County
THROCKMORTON COUNTY
(S,Hw,R,W&S) - See Bailey County
TITUS COUNTY
(S,Hw,R,W&S) - See Bowie County
TOM GREEN COUNTY
(S,Hw,R,W&S) - See Andrews County

TEXAS (Cont'd)

TRAVIS COUNTY
Decision #AQ-70 (B)
39 FR 1713 - 1/11/74
Mod. #1 - 39 FR 4283 - 2/1/74
(R) - See Bastrop County
(S,Hw,R,W&S) - See Austin County
TRINITY COUNTY
(S,Hw,R,W&S) - See Anderson County
TYLER COUNTY
(S,Hw,R,W&S) - See Anderson County
UPSHUR COUNTY
(S,Hw,R,W&S) - See Bowie County
UPTON COUNTY
(S,Hw,R,W&S) - See Andrews County
(R) - See Crane County
UVALDE COUNTY
(S,Hw,R,W&S) - See Atascosa County
VAL VERDE COUNTY
(S,Hw,R,W&S) - See Atascosa County
VAN ZANDT COUNTY
(S,Hw,R,W&S) - See Bowie County
VICTORIA COUNTY
(S,Hw,R,W&S) - See Aransas County
(D) - See Aransas County
WALKER COUNTY
(S,Hw,R,W&S) - See Brazos County
(R) - See Brazoria County
WALLER COUNTY
(S,Hw,R,W&S) - See Brazoria County
WARD COUNTY
(S,Hw,R,W&S) - See Andrews County
(R) - See Crane County
WASHINGTON COUNTY
(S,Hw,R,W&S) - See Brazos County
WEBB COUNTY
(S,Hw,R,W&S) - See Brooks County
WHARTON COUNTY
(S,Hw,R,W&S) - See Brazoria County

TEXAS (Cont'd)

WHEELER COUNTY
(R)(B) - See Armstrong County
(S,Hw,R,W&S) - See Archer County
WICHITA COUNTY
(S,Hw,R,W&S) - See Archer County
WILBARGER COUNTY
(S,Hw,R,W&S) - See Archer County
WILLACY COUNTY
(R)(B) - See Cameron County
(S,Hw,R,W&S) - See Brooks County
(D) - See Aransas County
WILLIAMSON COUNTY
(S,Hw,R,W&S) - See Austin County
(R) - See Bastrop County
WILSON COUNTY
(S,Hw,R,W&S) - See Atascosa County
WINKLER COUNTY
(S,Hw,R,W&S) - See Andrews County
(R) - See Crane County
WISE COUNTY
(B) - See Collin County
(S,Hw,R,W&S) - See Cooke County
(R) - See Hood County
WOOD COUNTY
(S,Hw,R,W&S) - See Bowie County
YOAKUM COUNTY
(R)(S,Hw,R,W&S)-See Bailey County
YOUNG COUNTY
(S,Hw,R,W&S) - See Bailey County
ZAPATA COUNTY
(S,Hw,R,W&S) - See Brooks County
ZAVALA COUNTY
(S,Hw,R,W&S) - See Atascosa County

UTAH

STATEWIDE
Decision #AQ-1069 (B,H,Hw)
39 FR 1725 - 1/11/74
Mod. #1 - 39 FR 5068 - 2/8/74
BEAVER COUNTY
(B,H,Hw) - See Statewide
BOX ELDER COUNTY
(B,H,Hw) - See Statewide
CACHE COUNTY
(B,H,Hw) - See Statewide
CARBON COUNTY
(B,H,Hw) - See Statewide
DAGGETT COUNTY
(B,H,Hw) - See Statewide
DAVIS COUNTY
(B,H,Hw) - See Statewide
DUCHESNE COUNTY
(B,H,Hw) - See Statewide
EMERY COUNTY
(B,H,Hw) - See Statewide
GARFIELD COUNTY
(B,H,Hw) - See Statewide
GRAND COUNTY
(B,H,Hw) - See Statewide
IRON COUNTY
(B,H,Hw) - See Statewide
JUAB COUNTY
(B,H,Hw) - See Statewide
KANE COUNTY
(B,H,Hw) - See Statewide
MILLARD COUNTY
(B,H,Hw) - See Statewide
MORGAN COUNTY
(B,H,Hw) - See Statewide
PIUTE COUNTY
(B,H,Hw) - See Statewide
RICH COUNTY
(B,H,Hw) - See Statewide
SALT LAKE OCUNTY
(B,H,Hw) - See Statewide
SAN JUAN COUNTY
(B,H,Hw) - See Statewide
SANPETE COUNTY
(B,H,Hw) - See Statewide
SEVIER COUNTY
(B,H,Hw) - See Statewide
SUMMIT COUNTY
(B,H,Hw) - See Statewide
TOOELE COUNTY
(B,H,Hw) - See Statewide
UNITAH COUNTY
(B,H,Hw) - See Statewide
UTAH COUNTY
(B,H,Hw) - See Statewide
WASATCH COUNTY
(B,H,Hw) - See Statewide

WASHINGTON COUNTY
(B,H,Hw) - See Statewide

UTAH (Cont'd)

WAYNE COUNTY
(B,H,Hw) - See Statewide
WEBER COUNTY
(B,H,Hw) - See Statewide

VERMONT

Statewide (Except Rutland County)
Decision #AQ-3085 (Hw)
39 FR 4391 - 2/1/74
Mod. #1 - 39 FR 7019 - 2/22/74
ADDISON COUNTY
(Hw) - See Statewide
BENNINGTON COUNTY
(Hw) - See Statewide
CALEDONIA COUNTY
(Hw) - See Statewide
CHITTENDEN COUNTY
(Hw) - See Statewide
ESSEX COUNTY
(Hw) - See Statewide
FRANKLIN COUNTY
(Hw) - See Statewide
GRAND ISLE COUNTY
(Hw) - See Statewide
LAMOILLE COUNTY
(Hw) - See Statewide
ORANGE COUNTY
(Hw) - See Statewide
ORLEANS COUNTY
(Hw) - See Statewide
RUTLAND COUNTY
None
WASHINGTON COUNTY
(Hw) - See Statewide
WINDHAM COUNTY
(Hw) - See Statewide
WINDSOR COUNTY
(Hw) - See Statewide

VIRGINIA

ACCOMACK COUNTY
Decision #AP-805 (Hw)
38 FR 11279 - 5/4/73
Mod. #1 - 38 FR 13127 - 5/18/73
Decision #AQ-2039 (D)
39 FR 3395 - 1/25/74
ALBERMARLE COUNTY
Decision #AM-1874 (Hw)
36 FR 16342 - 8/20/71
ALEXANDRIA CITY
Decision #AQ-2036 (B)
38 FR 35143 - 12/21/73
Mod. #1 - 39 FR 2327 - 1/18/74
Mod. #2 - 39 FR 7019 - 2/22/74
Decision #AP-450 (R)
37 FR 25117 - 11/25/72
ALLEGHENY COUNTY
Decision #AM-1875 (Hw)
36 FR 16343 - 8/20/71
Mod. #1 - 37 FR 5169 - 3/10/72
AMELIA COUNTY
Decision #AM-1871 (Hw)
36 FR 16339 - 8/20/71
AMHERST COUNTY
Decision #AQ-2032 (Hw)
38 FR 32259 - 11/30/73
APPOMATTOX COUNTY
(Hw) - See Amherst County
ARLINGTON COUNTY
(B) - See Alexandria City
(R) - See Alexandria City
(D) - See Accomack County
AGUSTA COUNTY
Decision #AM-9320 (R)
37 FR 10267 - 5/19/72
(Hw) - See Allegheny County
BATH COUNTY
(Hw) - See Allegheny County
BEDFORD CITY
(Hw) - See Bedford County
BEDFORD COUNTY
Decision #AQ-2021 (Hw)
38 FR 27744 - 10/5/73
BLAND COUNTY
Decision #AQ-2020 (Hw)
38 FR 27744 - 10/5/73

VIRGINIA (Cont'd)

BOTECOURT COUNTY
(Hw) - See Bedford County
BRISTOL CITY
(Hw) - See Bland County
BRUNSWICK COUNTY
(Hw) - See Amelia County
BUCHANAN COUNTY
(Hw) - See Bland County
BUCKINGHAM COUNTY
(Hw) - See Amherst County
BUENA VISTA COUNTY
(Hw) - See Allegheny County
CAMPBELL COUNTY
(Hw) - See Amherst County
CAROLINE COUNTY
Decision #AQ-2031 (Hw)
38 FR 33258 - 11/30/73
CARROLL COUNTY
(Hw) - See Bedford County
CHARLES CITY COUNTY
(Hw) - See Amelia County
CHARLOTTE COUNTY
(Hw) - See Amherst County
CHARLOTTSVILLE CITY
(Hw) - See Albermarle County
CHESAPEAKE CITY
Decision #AQ-2038 (B)
38 FR 35585 - 12/28/73
Decision #AP-494 (Hw)
38 FR 7693 - 3/23/73
(D) - See Accomack County
CHESTERFIELD COUNTY
(Hw) - See Amelia County
CLARKE COUNTY
Decision #AP-406 (R)
37 FR 15234 - 7/28/72
(Hw) - See Allegheny County
CLIFTON FORGE CITY
(Hw) - See Allegheny County
COLONIAL HEIGHTS CITY
(Hw) - See Amelia County
COVINGTON CITY
(Hw) - See Allegheny County
CRAIG COUNTY
(Hw) - See Bedford County

VIRGINIA (Cont'd)

CULPEPER COUNTY
(Hw) - See Albermarle County
CUMBERLAND COUNTY
(Hw) - See Amherst County
DANVILLE CITY
(Hw) - See Amherst County
DICKENSON COUNTY
(Hw) - See Bland County
DINWIDDIE COUNTY
(Hw) - See Amelia County
EMPORIA CITY
(Hw) - See Accomack County
ESSEX COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
FAIRFAX COUNTY
(B) - See Alexandria City
(R) - See Alexandria City
(D) - See Accomack County
FAIRFAX CITY
(B) - See Alexandria City
(R) - See Alexandria City
FALLS CHURCH CITY
(B) - See Alexandria City
(R) - See Alexandria City
FAUQUIER COUNTY
(Hw) - See Albermarle County
FLOYD COUNTY
(Hw) - See Bedford County
FLUVANNA COUNTY
(Hw) - See Albermarle County
FORT MONROE CITY
(Hw) - See Accomack County
FRANKLIN CITY
(Hw) - See Accomack County
FRANKLIN COUNTY
(Hw) - See Bedford County

VIRGINIA (Cont'd)

FREDERICK COUNTY
(R) - See Clarke County
(Hw) - See Allegheny County
FREDERICKSBURG CITY
(hw) - See Caroline County
GALAX CITY
(Hw) - See Bland County
GILES COUNTY
(Hw) - See Bedford County
GLOUCESTER COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
GOOCHLAND COUNTY
(Hw) - See Amelia County
GRAYSON COUNTY
(Hw) - See Bland County
GREENE COUNTY
(Hw) - See Albermarle County
GREENSVILLE COUNTY
(Hw) - See Accomack County
HALIFAX COUNTY
(Hw) - See Amherst County
HAMPTON CITY
(Hw) - See Chesapeake City
(D) - See Accomack County
HANOVER COUNTY
(Hw) - See Amelia County
HARRISONBURG CITY
(Hw) - See Allegheny County
HENRICO COUNTY
Decision #AQ-2024 (B)
38 FR 29195 - 10/19/73
Mod. #1 - 38 FR 35143 - 12/21/73
Mod. #2 - 38 FR 35572 - 12/28/73
Mod. #3 - 39 FR 3373 - 1/25/74
(Hw) - See Amelia County

VIRGINIA (Cont'd)

HENRY COUNTY
(Hw) - See Bedford County
HIGHLAND COUNTY
(Hw) - See Allegheny County
HOPEWELL CITY
(Hw) - See Amelia County
ISLE OF WIGHT COUNTY
(Hw) - See Accomack County
(D) - See Accomack County
JAMES CITY COUNTY
Decision #AP-407 (R)
37 FR 15235 - 7/28/72
(Hw) - See Accomack County
(D) - See Accomack County
KING AND QUEEN COUNTY
(Hw) - See Caroline County
KING GEORGE COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
KING WILLIAM COUNTY
(Hw) - See Caroline County
LANCASTER COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
LEE COUNTY
(Hw) - See Bland County
LOUDOUN COUNTY
(Hw) - See Albemarle County
LOUISA COUNTY
(Hw) - See Albemarle County
LUNENBURG COUNTY
(Hw) - See Amelia County
LYNCHBURG CITY
(Hw) - See Amherst County

VIRGINIA (Cont'd)

MADISON COUNTY
(Hw) - See Albemarle County
MARTINSVILLE CITY
(Hw) - See Bedford County
MATHEWS COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
MECKLENBURG COUNTY
(Hw) - See Amelia County
MIDDLESEX COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
MONTGOMERY COUNTY
(Hw) - See Bedford County
NANSEMOND COUNTY
(Hw) - See Accomack County
(D) - See Accomack County
NELSON COUNTY
(Hw) - See Amherst County
NEW KENT COUNTY
(Hw) - See Amelia County
NEWPORT NEWS CITY
(Hw) - See Chesapeake City
(D) - See Accomack County
NORFOLK CITY
(Hw,B) - See Chesapeake City
(D) - See Accomack County
NORTHAMPTON COUNTY
(Hw) - See Accomack County
(D) - See Accomack County
NORTON CITY
(Hw) - See Bland County

VIRGINIA (Cont'd)

NORTHUMBERLAND COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
NOTTOWAY COUNTY
(Hw) - See Amelia County
ORANGE COUNTY
(Hw) - See Albemarle County
PAGE COUNTY
(Hw) - See Allegheny County
PATRICK COUNTY
(Hw) - See Bedford County
PETERSBURG CITY
(Hw) - See Amelia County
PITTSYLVANIA COUNTY
(Hw) - See Amherst County
PORTSMOUTH CITY
(Hw,B) - See Chesapeake City
(D) - See Accomack County
POWHATAN COUNTY
(Hw) - See Amelia County
PRINCE EDWARD COUNTY
(Hw) - See Amherst County
PRINCE GEORGE COUNTY
(Hw) - See Amelia County
PRINCE WILLIAM COUNTY
(Hw) - See Albermarle County
(D) - See Accomack County
PULASKI COUNTY
(Hw) - See Bedford County
RADFORD CITY
(Hw) - See Bedford County
RAPAHANNOCK COUNTY
(Hw) - See Albermarle County
RICHMOND CITY
(B) - See Henrico County
(Hw) - See Amelia County
RICHMOND COUNTY
(Hw) - See Caroline County
ROANOKE CITY
(Hw) - See Bedford County
ROANOKE COUNTY
(Hw) - See Bedford County
ROCKBRIDGE COUNTY
(Hw) - See Allegheny County

VIRGINIA (Cont'd)

ROCKINGHAM COUNTY
(R) - See Clarke County
(Hw) - See Allegheny County
RUSSELL COUNTY
(Hw) - See Bland County
SALEM CITY
(Hw) - See Bedford County
SCOTT COUNTY
(Hw) - See Bland County
SHENANDOAH COUNTY
(Hw) - See Allegheny County
(R) - See Clarke County
SMYTH COUNTY
(Hw) - See Bland County
SOUTHAMPTON COUNTY
(Hw) - See Accomack County
SOUTH BOSTON CITY
(Hw) - See Amherst County
SPOTSYLVANIA COUNTY
(Hw) - See Caroline County
STAUNTON CITY
(Hw) - See Allegheny County
STAFFORD COUNTY
(Hw) - See Caroline County
(D) - See Accomack County
SUFFOLK CITY
(Hw) - See Accomack County
SURRY COUNTY
(Hw) - See Accomack County
(D) - See Accomack County
SUSSEX COUNTY
(Hw) - See Accomack County
TAZEWELL COUNTY
(Hw) - See Bland County
VIRGINIA BEACH CITY
Decision #AM-9321 (R)
37 FR 10266 - 5/19/72
(Hw,B) - See Chesapeake City
(D) - See Accomack County
WARREN COUNTY
(R) - See Clarke County
(Hw) - See Allegheny County
WASHINGTON COUNTY
(Hw) - See Bland County
WAYNESBORO CITY
(Hw) - See Allegheny County
WESTMORELAND COUNTY
(Hw) - See Caroline County
(D) - See Accomack County

VIRGINIA (Cont'd)

WILLIAMSBURG CITY
(Hw) - See Accomack County
WINCHESTER CITY
(Hw) - See Alleghany County
WISE COUNTY
(Hw) - See Bland County
WYTHE COUNTY
(Hw) - See Bland County
YORK COUNTY
(R) - See James County
(Hw) - See Accomack County
(D) - See Accomack County

WASHINGTON

STATEWIDE
Decision #AO-1067 (B,H,Hw,D)
38 FR 35194 - 12/21/73
Mod. #1 - 39 FR 2327 - 1/18/74
Mod. #2 - 39 FR 4284 - 2/1/74
ADAMS COUNTY
(B,H,Hw,D) - See Statewide
ASOTIN COUNTY
(B,H,Hw,D) - See Statewide
BENTON COUNTY
(B,H,Hw,D) - See Statewide
CHELAN COUNTY
(B,H,Hw,D) - See Statewide
CLALLAM COUNTY
Decision #AQ-1077 (R)
39 FR 4393 - 2/1/74
(B,H,Hw,D) - See Statewide
CLARK COUNTY
(B,H,Hw,D) - See Statewide
COLUMBIA COUNTY
(B,H,Hw,D) - See Statewide
COWLITZ COUNTY
(B,H,Hw,D) - See Statewide
DOUGLAS COUNTY
(B,H,Hw,D) - See Statewide
FERRY COUNTY
(B,H,Hw,D) - See Statewide
FRANKLIN COUNTY
(B,H,Hw,D) - See Statewide
GARFIELD COUNTY
(B,H,Hw,D) - See Statewide
GRANT COUNTY
(B,H,Hw,D) - See Statewide
GRAYS HARBOR COUNTY
(B,H,Hw,D) - See Statewide
(R) - See Clallam County
ISLAND COUNTY
(B,H,Hw,D) - See Statewide
(R) - See Clallam County
JEFFERSON COUNTY
(B,H,Hw,D) - See Statewide
(R) - See Clallam County

WASHINGTON (Cont'd)

KING COUNTY
(R) - See Clallam County
(B,H,Hw,D)-See Statewide
KITSAP COUNTY
(B,H,Hw,D)-See Statewide
(R) - See Clallam County
KITTITAS COUNTY
(B,H,Hw,D)-See Statewide
KLICKITAT COUNTY
(B,H,Hw,D)-See Statewide
LEWIS COUNTY
(B,H,Hw,D)-See Statewide
LINCOLN COUNTY
(B,H,Hw,D)-See Statewide
MASON COUNTY
(B,H,Hw,D)-See Statewide
OKANOGAN COUNTY
(B,H,Hw,D)-See Statewide
PACIFIC COUNTY
(B,H,Hw,D)-See Statewide
PEND OREILLE COUNTY
(B,H,Hw,D)-See Statewide
PIERCE COUNTY
(R) - See Clallam County
(B,H,Hw,D)-See Statewide
SAN JUAN COUNTY
(B,H,Hw,D)-See Statewide
SKAGIT COUTNY
(B,H,Hw,D)-See Statewide
(R) - See Clallam County
SKAMANIA COUNTY
(B,H,Hw,D)-See Statewide
SNOHOMISH COUNTY
(R) - See Clallam County
(B,H,Hw,D)-See Statewide
SPOKANE COUNTY
(B,H,Hw,D)-See Statewide
STEVENS COUNTY
(B,H,Hw,D)-See Statewide
THURSTON COUNTY
(B,H,Hw,D)-See Statewide
WAHKIAKUM COUNTY
(B,H,Hw,D)-See Statewide
WALLA WALLA COUNTY
(B,H,Hw,D)-See Statewide
WHATCOM COUNTY
(B,H,Hw,D)-See Statewide
(R) - See Clallam County
WHITMAN COUNTY
(B,H,Hw,D)-See Statewide
YAKIMA COUNTY
(B,H,Hw,D)-See Statewide

WASHINGTON, D. C.

WASHINGTON, D. C.
Decision #AO-2035 (B,Hw,Sewer & Water)
38 FR 35218 - 12/21/73
Mod. #1 - 39 FR 2327 - 1/18/74
Mod. #2 - 39 FR 4286 - 2/1/74
Mod. #3 - 39 FR 7020 - 2/22/74
Decision #AP-450 (R)
37 FR 25117 - 11/25/72
Decision #AO-2039 (D)
39 FR 3395 - 1/25/74

WEST VIRGINIA

STATEWIDE
Decision #AP-801 (H,Hw)
38 FR 9415 - 4/13/73
BARBOUR COUNTY
(H,Hw) - See Statewide
BERKELEY COUNTY
(H,Hw) - See Statewide
BOONE COUNTY
(H,Hw) - See Statewide
BRAXTON COUNTY
(H,Hw) - See Statewide
BROOKE COUNTY
(H,Hw) - See Statewide
CABELL COUNTY
Decision #AP-403 (B)
37 FR 14661 - 7/21/72
Mod. #1-37 FR 16722 - 8/18/72
Mod. #2-37 FR 21720 - 10/13/72
Mod. #3 - 38 FR 15226 - 6/8/73
Mod. #4 - 38 FR 26564 - 9/21/73
Mod. #5 - 38 FR 28474 - 10/12/73
Mod. #6 - 39 FR 5951 - 2/15/74
Decision #AQ-3094 (D)
39 FR 5070 - 2/8/74
(H,Hw) - See Statewide
CALHOUN COUNTY
(H,Hw) - See Statewide
CLAY COUNTY
(H,Hw) - See Statewide
DODDRIDGE COUNTY
(H,Hw) - See Statewide
FAYETTE COUNTY
(H,Hw) - See Statewide
GILMER COUNTY
(H,Hw) - See Statewide
GRANT COUNTY
(H,Hw) - See Statewide
GREENBRIER COUNTY
(H,Hw) - See Statewide

WEST VIRGINIA (Cont'd)

HAMPSHIRE COUNTY
(H,Hw) - See Statewide
HANCOCK COUNTY
(H,Hw) - See Statewide
HARDY COUNTY
(H,Hw) - See Statewide
HARRISON COUNTY
(H,Hw) - See Statewide
JACKSON COUNTY
(D) - See Cabell County
(H,Hw) - See Statewide
JEFFERSON COUNTY
(H,Hw) - See Statewide
KANAWHA COUNTY
Decision #AP-402 (B)
37 FR 14659 - 7/21/72
Mod. #1 - 37 FR 20401 - 9/29/72
Mod. #2 - 37 FR 21720 - 10/13/72
Mod. #3 - 38 FR 4082 - 2/9/73
Mod. #4 - 38 FR 15226 - 6/8/73
Mod. #5 - 38 FR 28474 - 10/12/73
Mod. #6 - 39 FR 5951 - 2/15/74
(H,Hw) - See Statewide
Decision #AP-405 (R)
37 FR 15236 - 7/28/72
Mod. #1 - 37 FR 20401 - 9/29/72
Mod. #2 - 37 FR 21720 - 10/13/72
Mod. #3 - 38 FR 4082 - 2/9/73
Mod. #4 - 38 FR 15226 - 6/8/73
Mod. #5 - 38 FR 28474 - 10/12/73
Mod. #6 - 39 FR 5951 - 2/15/74
(H,Hw) - See Statewide
LEWIS COUNTY
(H,Hw) - See Statewide
LINCOLN COUNTY
(H,Hw) - See Statewide
LOGAN COUNTY
(H,Hw) - See Statewide
MC DOWELL COUNTY
(H,Hw) - See Statewide
MARION COUNTY
(H,Hw) - See Statewide
MARSHALL COUNTY
(H,Hw) - See Statewide
MASON COUNTY
(D) - See Cabell County
(H,Hw) - See Statewide
MERCER COUNTY
(H,Hw) - See Statewide
MINERAL COUNTY
(H,Hw) - See Statewide
MINGO COUNTY
(H,Hw) - See Statewide
MONOGALIA COUNTY
(H,Hw) - See Statewide

WEST VIRGINIA (Cont'd)

MONROE COUNTY
(H,Hw) - See Statewide
MORGAN COUNTY
(H,Hw) - See Statewide
NICHOLAS COUNTY
(H,Hw) - See Statewide
OHIO COUNTY
(H,Hw) - See Statewide
PENDLETON COUNTY
(H,Hw) - See Statewide
PLEASANT COUNTY
(D) - See Cabell County
(H,Hw) - See Statewide
PRESTON COUNTY
(H,Hw) - See Statewide
PUTNAM COUNTY
(H,Hw) - See Statewide
RALEIGH COUNTY
(H,Hw) - See Statewide
RANDOLPH COUNTY
(H,Hw) - See Statewide
RITCHIE COUNTY
(H,Hw) - See Statewide
ROANE COUNTY
(H,Hw) - See Statewide
SUMMERS COUNTY
(H,Hw) - See Statewide
TAYLOR COUNTY
(H,Hw) - See Statewide
TUCKER COUNTY
(H,Hw) - See Statewide
TYLER COUNTY
(H,Hw) - See Statewide
UPSHUR COUNTY
(H,Hw) - See Statewide
WAYNE COUNTY
(H,Hw) - See Statewide
WEBSTER COUNTY
(H,Hw) - See Statewide
WETZEL COUNTY
(D) - See Cabell County
(H,Hw) - See Statewide
WIRT COUNTY
(H,Hw) - See Statewide
WOOD COUNTY
(D) - See Cabell County
(H,Hw) - See Statewide
WYOMING COUNTY
(H,Hw) - See Statewide

WISCONSIN

ADAMS COUNTY
Decision #AP-72 (Hw)
37 FR 26273 - 12/8/72
Mod. #1-38 FR 2019 - 1/9/73
Mod. #2-38 FR 12524 - 5/11/73
ASHLAND COUNTY
Decision #AQ-3095 (D)
39 FR 5982 - 2/15/74
Decision #AP-70 (Hw)
37 FR 26269 - 12/8/72
Mod. #1-38 FR 2018 - 1/19/73
Mod. #2-38 FR 12523 - 5/11/73
BARRON COUNTY
Decision #AP-71 (Hw)
37 FR 26271 - 12/8/72
Mod. #1-38 FR 2018-1/19/73
Mod. #2-38 FR 12524 - 5/11/73
BAYFIELD COUNTY
(D) - See Ashland County
(Hw) - See Ashland County
BROWN COUNTY
Decision #AQ-3106 (B,H,Hw)
39 FR 7064 - 2/22/74
(D) - See Ashland County
BUFFALO COUNTY
(Hw) - See Barron County
BURNETT COUNTY
(Hw) - See Ashland County
CALUMET COUNTY
Decision #AP-74 (Hw)
37 FR 26277 - 12/8/72
Mod. #1-38 FR 2019-1/19/73
Mod. #2-38 FR 12524 - 5/11/73
CHIPPEWA COUNTY
(Hw) - See Barron County
CLARK COUNTY
(Hw) - See Barron County
COLUMBIA COUNTY
Decision #AP-73 (Hw)
37 FR 26275 - 12/8/72
Mod. #1-38 FR 2019-1/19/73
Mod. #2-38 FR 12524 - 5/11/73
CRAWFORD COUNTY
(Hw) - See Columbia County
DANE COUNTY
Decision #AQ-3107 (B,H,Hw,R)
39 FR 7069 - 2/22/74
DODGE COUNTY
(Hw) - See Columbia County
DOOR COUNTY
(D) - See Ashland County
(Hw) - See Calumet County

WISCONSIN (Cont'd)

DOUGLAS COUNTY
(D) - See Ashland County
(Hw) - See Ashland County
DUNN COUNTY
(Hw) - See Barron County
EAU CLAIRE COUNTY
Decision #AQ-3108 (B,H,Hw)
39 FR 7073 - 2/22/74
FLORENCE COUNTY
(Hw) - See Calumet County
FOND DU LAC COUNTY
Decision #AP-75 (Hw)
37 FR 26279 - 12/8/72
Mod. #1-38 FR 2019-1/19/73
Mod. #2-38 FR 12524 - 5/11/73
FOREST COUNTY
(Hw) - See Ashland County
GRANT COUNTY
(Hw) - See Columbia County
GREEN COUNTY
(Hw) - See Columbia County
GREEN LAKE COUNTY
(Hw) - See Adams County
IOWA COUNTY
(Hw) - See Columbia County
IRON COUNTY
(D) - See Ashland County
(Hw) - See Ashland County
JACKSON COUNTY
(Hw) - See Columbia County
JEFFERSON COUNTY
(Hw) - See Columbia County
JUNEAU COUNTY
Decision #AQ-3109 (B,H,Hw)
39 FR 7077 - 2/22/74
KENOSHA COUNTY
Decision #AQ-3110 (B,H,Hw)
39 FR 7082 - 2/22/74
KEWAUNEE COUNTY
(D) - See Ashland County
(Hw) - See Calumet County
LA CROSSE COUNTY
Decision #AQ-3107 (B,H,Hw,R)
39 FR 7086 - 2/22/74
LAFAYETTE COUNTY
(Hw) - See Columbia County
LANGLADE COUNTY
(Hw) - See Adams County
LINCOLN COUNTY
(Hw) - See Ashland County
MANITOWOC COUNTY
(D) - See Ashland County
(Hw) - See Calumet County

WISCONSIN (Cont'd)

MARATHON COUNTY
Decision #AQ-3112 (B,H,Hw)
39 FR 7091 - 2/22/74
MARINETTE COUNTY
(D) - See Ashland County
(Hw) - See Calumet County
MARQUETTE COUNTY
(Hw) - See Adams County
MENOMINEE COUNTY
(Hw) - See Adams County
MILWAUKEE COUNTY
Decision #AQ-3113 (B,H,Hw,R)
39 FR 7095 - 2/22/74
(D) - See Ashland County
MONROE COUNTY
(Hw) - See Columbia County
OCONTO COUNTY
(D) - See Ashland County
(Hw) - See Calumet County
ONEIDA COUNTY
(Hw) - See Ashland County
OUTAGAMIE COUNTY
(Hw) - See Calumet County
OZAUKEE COUNTY
(B,H,Hw) - See Milwaukee County
(D) - See Ashland County
(Hw) - See Fond du Lac County
(R) - See Milwaukee County
PEPIN COUNTY
(Hw) - See Barron County
PIERCE COUNTY
(Hw) - See Barron County
POLK COUNTY
Decision #AQ-3114 (B,H,Hw)
39 FR 7100 - 2/22/74
PORTAGE COUNTY
(Hw) - See Adams County
PRICE COUNTY
(hw) - See Ashland County
RACINE COUNTY
Decision #AQ-3115 (B,H,Hw)
39 FR 7104 - 2/22/74
(D) - See Ashland County
RICHLAND COUNTY
(Hw) - See Columbia County
ROCK COUNTY
Decision #AQ-3116 (B,H,Hw)
39 FR 7108 - 2/22/74
RUSK COUNTY
(Hw) - See AShland County
SAINT CROIX COUNTY
(Hw) - See Barron County
SAUK COUNTY
(Hw) - See Columbia County
SAWYER COUNTY
(Hw) - See Ashland County

WISCONSIN (Cont'd)

SHAWANO COUNTY
(Hw) - See Adams County
SHEBOYGAN COUNTY
(D) - See Ashland County
(Hw) - See Fond du Lac County
TAYLOR COUNTY
(Hw) - See Ashland County
TREMPEALEAU COUNTY
(Hw) - See Barron County
VERNON COUNTY
(Hw) - See Columbia County
VILAS COUNTY
(Hw) - See Ashland County
WALWORTH COUNTY
(Hw) - See Fond du Lac County
WASHBURN COUNTY
(Hw) - See Ashland County
WASHINGTON COUNTY
(B,H,Hw) - See Milwaukee County
(Hw) - See Fond du Lac County
(R) - See Milwaukee County
WAUKESHA COUNTY
(B,H,Hw) - See Milwaukee County
(R) - See Milwaukee County
WAUPACA COUNTY
(Hw) - See Adams County
WAUSHARA COUNTY
(Hw) - See Adams County
WINNEBAGO COUNTY
Decision #AQ-3117 (B,H,Hw)
39 FR 7112 - 2/22/74
WOOD COUNTY
(Hw) - See Adams County

WYOMING

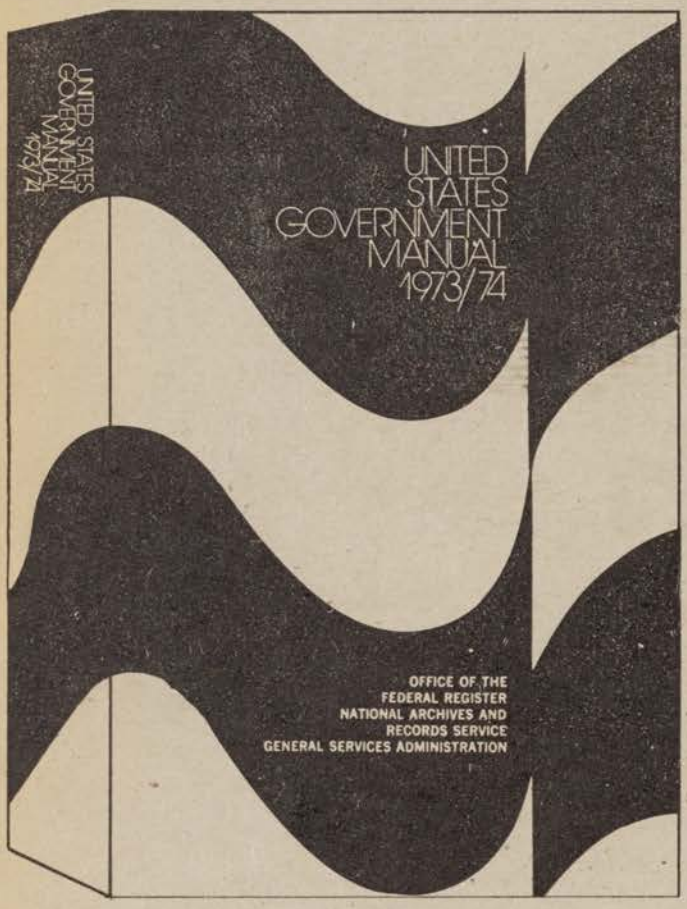
STATEWIDE
Decision #AQ-1078 (Hw)
39 FR 5163 - 2/8/74
ALBANY COUNTY
(Hw) - See Statewide
BIG HORN COUNTY
(Hw) - See Statewide
CAMPBELL COUNTY
(Hw) - See Statewide
CARBON COUNTY
(Hw) - See Statewide
CONVERSE COUNTY
Decision #AQ-1043 (B,H)
39 FR 27745 - 10/5/73
(Hw) - See Statewide
CROOK COUNTY
(Hw) - See Statewide
FREMONT COUNTY
(Hw) - See Statewide
GOSHEN COUNTY
(B,H) - See Converse County
(Hw) - See Statewide
HOT SPRINGS COUNTY
(Hw) - See Statewide
JOHNSON COUNTY
(Hw) - See Statewide
LARAMIE COUNTY
(B,H) - See Converse County
LINCOLN COUNTY
(Hw) - See Statewide
NATRONA COUNTY
(B,H) - See Converse County
(Hw) - See Statewide
NIOBRARA COUNTY
(B,H) - See Converse County
(Hw) - See Statewide
PARK COUNTY
(Hw) - See Statewide
PLATTE COUNTY
(B,H) - See Converse County
(Hw) - See Statewide
SHERIDAN COUNTY
(Hw) - See Statewide
SUBLETTE COUNTY
(Hw) - See Statewide
SWEETWATER COUNTY
(Hw) - See Statewide
TETON COUNTY
(Hw) - See Statewide
UINTA COUNTY
(Hw) - See Statewide
WASHAKIE COUNTY
(Hw) - See Statewide
WESTON COUNTY
(Hw) - See Statewide
YELLOWSTONE NATIONAL PARK COUNTY
(Hw) - See Statewide

[FR Doc.74-7648 Filed 4-4-74;8:45 am]

United States Government Manual

1973/74 Edition

"Bureaucrat's Bible" or
"Guerrilla Handbook"?



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