AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

federal register

FRIDAY, APRIL 12, 1974

WASHINGTON, D.C.

Volume 39 ■ Number 72

Pages 13251–13512

PART I



HIGHLIGHTS OF THIS ISSUE

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

FORMS REVIEW PROGRAM—IRS invites comments and suggestions for improving tax forms, instructions and related schedules; recommendations by 5–27–74 13289

EMERGENCY SCHOOL AID—
HEW rule on special reading and educational television projects; effective 5–13–74 13268
HEW notice of criteria funding and reservation of funds .. 13298
HEW extends closing date for receipt of applications 13297

SPECIAL COMMUNITY SERVICE/CONTINUING EDUCATION PROJECTS—HEW notice of criteria funding and closing date for receipt of applications (2 documents) 13300

ETHNIC HERITAGE PROGRAMS—
HEW standards and funding criteria for fiscal year 1974; effective 5–13–74 13298
HEW announces closing date for receipt of applications for grants 13297

BLACK LUNG BENEFITS PROGRAM—Labor Department amendments pertaining to duration of beneficiary's eligibility and time limits for filing claim; effective 4–12–74 13265

PART II:

SOAP AND DETERGENT MANUFACTURING—
EPA effluent limitations guidelines and standards of performance; effective 6–11–74 13370
EPA proposal on application of effluent limitations guidelines for existing sources to pretreatment standards for incompatible pollutants; comments by 5–13–74 13394

PART III:

MINIMUM WAGES—Labor Department determination decisions for Federal and Federally assisted construction 13399

PART IV:

SAVINGS NOTES—Treasury Department announces increase in investment yields; effective 12–1–73 13507

(Continued inside)

April 12, 1974—Pages 13251–13512

REMINDERS

(The items in this list were editorially compiled as an aid to FEDERAL REGISTER users. Inclusion or exclusion from this list has no legal significance. Since this list is intended as a reminder, it does not include effective dates that occur within 14 days of publication.)

Rules Going Into Effect Today

This list includes only rules that were published in the FEDERAL REGISTER after October 1, 1972.

page no. and date

FCC—Cable television systems; record keeping requirements 9442; 3–11–74

HEW/FDA—Over-the-counter (OTC) drugs for human use; procedures regarding public comments on Review Panel reports 9659; 3–13–74

—New and antibiotic drugs; hearing procedures 9750; 3–13–74

federal register

Area Code 202 Phone 523–5240

Published daily, Monday through Friday (no publication on Saturdays, Sundays, or on official Federal holidays), by the Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408, under the Federal Register Act (49 Stat. 500, as amended; 44 U.S.C., Ch. 15) and the regulations of the Administrative Committee of the Federal Register (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER provides a uniform system for making available to the public regulations and legal notices issued by Federal agencies. These include Presidential proclamations and Executive orders and Federal agency documents having general applicability and legal effect, documents required to be published by Act of Congress and other Federal agency documents of public interest.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $5.00 per month or $45 per year, payable in advance. The charge for individual copies is 75 cents for each issue, or 75 cents for each group of pages as actually bound. Remit check or money order, made payable to the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

COLOR ADDITIVES—FDA approves safe use of D&C Violet 2 on certain surgical sutures; effective 6–11–74 13266

PESTICIDES—
EPA establishes tolerances for aldicarb, profluralin and tricyclohexltin hydroxide (3 documents); effective 4–12–74 ..... 13259, 13260
EPA announces receipt of registration applications 13313

LOW-POWERED MOTORCYCLES—NHTSA proposed safety standards; comments by 5–13–74 13287

CORROSIVE MATERIALS—Coast Guard revises certain rules on packaging and classification; effective 5–5–74 13276

FOOD ADDITIVES—
FDA approves use of antimicrobial agent to control slime in process water in manufacture of paper and paperboard; effective 4–12–74 13267
FDA establishes tolerance for combined residues of insecticide tricyclohexyltin hydroxide; effective 4–12–74 13267
FDA proposes status for articles used in the household, food service establishments or food dispensing equipment; comments by 6–11–74 13285

COMMODITY EXCHANGE AUTHORITY—USDA proposal on definitions, registration, minimum financial standards and recordkeeping requirements; comments by 5–31–74 13281

FIXED-PRICE AND COST REIMBURSEMENT—VA revises certain contract clauses; effective 4–12–74 13262

STOCKYARDS—USDA updates listing to handle interstate shipments of cattle 13290

MEETINGS—
Commission on Civil Rights: New Mexico State Advisory Committee, 4–18–74 13305
Texas State Advisory Committee, 4–16–74 13306
CSC: Federal Prevailing Rate Advisory Committee, 4–24–74 13307
Interior Department: Oil Shale Environmental Advisory Panel, 4–15–74 13289
HEW: Health Insurance Benefits Advisory Council, 5–9 and 5–10–74 13301
National Professional Standards Review Council, 4–22–74 (3 documents) 13301
Treasury Department: Comptroller of the Currency's Regional Advisory Committee on Banking Policies and Practices, 5–3–74 (2 documents) 13289
DOD: Advisory Group on Electron Devices, Working Group on Lasers, 4–30 and 5–1–74 13289
Defense Industry Advisory Group, Europe, 4–18–74 13289
NASA: Lunar Planning Committee, 4–25 to 4–27–74 13322
Physical Sciences Committee, 4–18 and 4–19–74 13322
Research and Technology Advisory Council, 4–23 to 4–25–74 13323
NHTSA: National Highway Safety Advisory Committee's Executive Subcommittee, 5–3–74 13301
National Highway Safety Advisory Committee's Subcommittee on Research and Program Development, 4–18 and 4–19–74 13302
FDA: Advisory Committees, April meetings 13296
FPC: Coordinating Committee, 4–17–74 13317
OSHA: National Advisory Committee on Occupational Safety and Health, 4–24 and 4–25–74 13324
AEC: General Advisory Committee, 1–5 to 5–3–74 13305

Contents

AGRICULTURAL MARKETING SERVICE

Rules and Regulations

Lemons grown in California and Arizona; limitation of handling 13257

Proposed Rules

Milk in the Indiana marketing area; hearing 13280

AGRICULTURE DEPARTMENT

See also Agricultural Marketing Service; Animal and Plant Health Inspection Service; Commodity Exchange Authority; Rural Electrification Administration.

Rules and Regulations

Delegations of authority by the Secretary of Agriculture and general officers of the department 13257

ALCOHOL, TOBACCO, AND FIREARMS BUREAU

Rules and Regulations

Carbon dioxide in non-domestic still wines; imports from Virgin Islands; correction 13272

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

Notices

Stockyards and slaughtering establishments; specific approval 13290

ATOMIC ENERGY COMMISSION

Rules and Regulations

Procedures for facility licenses and authorizations; correction 13258

Notices

Consumers Power Co.; receipt of application; availability of environmental report, time for submission of views 13302
General Advisory Committee; meeting 13305
Gulf States Utilities Co.; second prehearing conference 13303
Northern States Power Co.; facility operating license 13303
Public Service Co. of New Hampshire; availability of draft environmental statement 13305
Regulatory Guides; issuance and availability (2 documents) 13304

CIVIL RIGHTS COMMISSION

Notices

Meetings of State advisory committees:
New Mexico 13305
Texas 13306

CIVIL SERVICE COMMISSION

Notices

Agriculture Department; title change in noncareer executive assignment (3 documents) 13306
Federal Prevailing Rate Advisory Committee; meeting 13307
Grant of authority to make noncareer executive assignment:
Agriculture Department 13306
Defense Department 13306
Housing and Urban Development Department (2 documents) 13306
Justice Department 13307
Treasury Department 13307
Revocation of authority to make noncareer executive assignment:
Defense Department 13306
Housing and Urban Development 13307
Justice Department (2 documents) 13307

COAST GUARD

Rules and Regulations

Corrosive materials and dangerous cargoes; miscellaneous amendments 13276

COMMERCE DEPARTMENT

See Domestic and International Business Administration.

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Notices

Textiles; arrangement on international trade 13307

(Continued on next page)

COMMODITY EXCHANGE AUTHORITY

Proposed Rules

Definitions; minimum financial standards and related reporting and recordkeeping requirements ---- 13281

COMPTROLLER OF THE CURRENCY

Notices

Meetings of Regional Advisory Committees on Banking Policies and Practices:
Fourteenth National Bank Region ---- 13289
Sixth National Bank Region ---- 13289

COST OF LIVING COUNCIL

Rules and Regulations

Revenues from waste paper sales as an offset to the cost of printing and book manufacturing ---- 13276

DEFENSE DEPARTMENT

Notices

Meetings:
Advisory Group on Electron Devices, Working Group on Lasers ---- 13289
Defense Industry Advisory Group—Europe (DIAGE) ---- 13289

DOMESTIC AND INTERNATIONAL BUSINESS ADMINISTRATION

Notices

Duty-free entrance of scientific articles:
Cornell University ---- 13292
Hamilton College ---- 13292
Pennsylvania State University ---- 13293
University of Florida et al (2 documents) ---- 13293
University of Washington ---- 13294
Veterans Administration et al ---- 13296

EDUCATION OFFICE

Rules and Regulations

Emergency school aid; miscellaneous amendments ---- 13268

Notices

Closing dates for receipt of applications:
Emergency School Aid Act—Television ---- 13297
Ethnic Heritage Studies Program ---- 13297
Special community service and continuing education projects ---- 13300
Standards and funding criteria for fiscal year 1974:
Emergency school aid ---- 13298
Ethnic Heritage Program ---- 13298
Special community service and continuing education projects ---- 13300

EMPLOYMENT STANDARDS ADMINISTRATION

Rules and Regulations

Black Lung Benefits Program; duration of beneficiary's eligibility and time limits for filing claim ---- 13265

Notices

Minimum wages for Federal and Federally assisted construction; general wage determination decisions ---- 13399

ENVIRONMENTAL PROTECTION AGENCY

Rules and Regulations

Aldicarb, profluralin, tricyclohexyltin hydroxide; establishment of tolerances (3 documents) ---- 13259, 13260
Soap and detergent manufacturing; effluent limitations guidelines and standards of performance ---- 13370

Proposed Rules

Soap and detergent manufacturpoint source category; effluent limitations guidelines and standards of performance ---- 13394

Notices

Evergreen Helicopters, Inc.; denial of registration of pesticide ---- 13314
Extension of temporary tolerances:
Diamon Shamrock Chemical Co ---- 13313
Velsicol Chemical Corp ---- 13313
Receipt of applications for pesticide registration ---- 13313

FEDERAL AVIATION ADMINISTRATION

Rules and Regulations

Lockheed L–1011 airplanes; airworthiness directive ---- 13258
Restricted area establishment; alteration of Federal airway ---- 13258

FEDERAL CONTRACT COMPLIANCE OFFICE

Rules and Regulations

Deferral of effective date:
Affirmative action plans ---- 13264
Evaluation procedures for contractors for supplies and services ---- 13264

FEDERAL ENERGY OFFICE

Rules and Regulations

Mandatory petroleum price regulations; correction ---- 13258

FEDERAL POWER COMMISSION

Notices

Hearings, etc.:
B. Hudson Milner ---- 13314
Boston Edison Co ---- 13315
Central Vermont Public Service Corp ---- 13315
CRA International, Inc ---- 13315
Georgia Power Co ---- 13316
James M. Forgotson ---- 13316
Kansas City Power and Light Co ---- 13316
KWB Oil Property Management, Inc ---- 13316
National Power Survey ---- 13317
Natural Gas Pipeline Co. of America ---- 13317
NEPOOL Power Pool ---- 13317
Petroleum Corp. of Delaware ---- 13317
Seattle ---- 13316
South Carolina Electric and Gas Co ---- 13317
Southeastern Power Administration ---- 13318
Southern Natural Gas Co ---- 13321
Southwest Gas Corp ---- 13319
Sun Oil Co ---- 13319
Trunkline Gas Co ---- 13320
W. W. Hancock, Jr ---- 13320
William H. Dickhoner ---- 13321

FISCAL SERVICE

Rules and Regulations

Savings notes; increase in investment yields ---- 13508

FOOD AND DRUG ADMINISTRATION

Rules and Regulations

Color additives; use of D&C Violet No. 2 on certain surgical sutures approved ---- 13266
Food additives:
Insecticide tricyclohexyltin hydroxide; establishment of tolerance ---- 13267
Slimicides; use of antimicrobial agent to control slime in process water approved ---- 13267

Proposed Rules

Food additive status of certain substances in food-contact articles in the household; food service establishments; and food dispensing equipment ---- 13285

Notices

Advisory committees; meetings ---- 13296

GENERAL SERVICES ADMINISTRATION

Rules and Regulations

Video and audio services; major changes and new installations ---- 13264

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

See also Education Office; Food and Drug Administration; Social Security Administration.

Rules and Regulations

Opening of bids and award of contract; internal administrative procedures ---- 13261

Notices

National Professional Standards Review Council; meetings (3 documents) ---- 13301

INTERIOR DEPARTMENT

Rules and Regulations

Nomenclature changes ---- 13263

Notices

Oil Shale Environmental Advisory Panel; meeting ---- 13289

INTERNAL REVENUE SERVICE

Notices

Tax Forms Coordinating Committee; request for forms suggestions ---- 13289

INTERSTATE COMMERCE COMMISSION

Rules and Regulations

Kansas City Southern Railway Co.; authorized to operate over certain tracks ---- 13264

Notices

Assignment of hearings ---- 13325
Motor carrier applications and certain other proceedings ---- 13325
Motor Carrier Board transfer proceedings (2 documents) ---- 13325
Motor carrier temporary authority applications ---- 13326

LABOR DEPARTMENT

See Employment Standards Administration; Federal Contract Compliance Office; Occupational Safety and Health Administration; Wage and Hour Division.

MANAGEMENT AND BUDGET OFFICE

Notices

Clearance of reports; list of requests ---------- 13324

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Notices

Meetings:
NASA Lunar Planning Committee ---------- 13322
NASA Physical Sciences Committee ---------- 13322
NASA Research and Technology Advisory Council; Committee on Aeronautical Operating Systems ---------- 13323

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

Proposed Rules

Motor-driven cycles; modification of requirements ---------- 13287

Notices

National Highway Safety Advisory Committee; meetings (2 documents) ----------13301, 13302

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

Notices

National Advisory Committee on Occupational Safety and Health; meeting ---------- 13324

PANAMA CANAL COMPANY

Proposed Rules

Tolls for use of Panama Canal; conclusion of public hearing ---- 13288

RURAL ELECTRIFICATION ADMINISTRATION

Notices

Draft environmental impact statements:
Basin Electric Power Cooperative ---------- 13291
Dairyland Power Cooperative ---- 13292

SECURITIES AND EXCHANGE COMMISSION

Proposed Rules

Disciplinary proceedings involving professionals practicing before the Commission ---------- 13288

SOCIAL SECURITY ADMINISTRATION

Notices

Health Insurance Benefits Advisory Council; meeting ---------- 13301

TARIFF COMMISSION

Notices

Capitol Footwear Corp.; workers' petition for determination; investigation ---------- 13324

TRANSPORTATION DEPARTMENT

See Coast Guard; Federal Aviation Administration; National Highway Traffic Safety Administration.

TREASURY DEPARTMENT

See Alcohol, Tobacco, and Firearms Bureau; Comptroller of Currency; Fiscal Service; Internal Revenue Service.

VETERANS ADMINISTRATION

Rules and Regulations

Fixed-price construction contracts and cost reimbursement type contracts; revised regulations ---------- 13262

WAGE AND HOUR DIVISION

Rules and Regulations

Wage orders; nonrubber, rubber and plastics footwear in Puerto Rico ---------- 13270

Proposed Rules

Industry committees for various Puerto Rican industries; postponement of meetings and dissolution of certain committees 13284

List of CFR Parts Affected

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date, appears following the Notices section of each issue beginning with the second issue of the month. In the last issue of the month the cumulative list will appear at the end of the issue.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1974, and specifies how they are affected.

6 CFR

Ruling 13276

7 CFR

2 13257
910 13257

PROPOSED RULES:

1049 13280

10 CFR

50 13258
115 13258
212 13258

14 CFR

39 13258
71 13258
73 13258

17 CFR

PROPOSED RULES:

1 13281
201 13288

20 CFR

715 13265
725 13265

21 CFR

8 13266
9 13266
121 (2 documents) 13267

PROPOSED RULES:

121 13285

26 CFR

170 13273
250 13274
251 13275

29 CFR

601 13271
690 13271
720 13271
730 13271

PROPOSED RULES:

601 13284
613 13284
657 13284
673 13284
675 13284
678 13284
720 13284
728 13284
729 13284

31 CFR

342 13508

35 CFR

PROPOSED RULES:

133 13288

40 CFR

180 (3 documents) 13259, 13260
417 13370

PROPOSED RULES:

417 13394

41 CFR

Ch. 14 13263
3–2 13261
8–7 13262
60–2 13264
60–60 13264
101–35 13264

45 CFR

185 13268

46 CFR

146 13276

49 CFR

1033 13264

PROPOSED RULES:

571 13287

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 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

Delegations of Authority

Part 2, Subtitle A, Title 7, Code of Federal Regulations is amended to provide delegations of authority to the Deputy Assistant Secretary for Conservation, Research, and Education, and the Deputy Assistant Secretary for Rural Development, as follows:

A new § 2.56 is added to read as follows:

§ 2.56 Deputy Assistant Secretary for Conservation, Research, and Education.

(a) *Delegations.* Pursuant to § 2.19, subject to reservations in § 2.20, and subject to policy guidance and direction by the Assistant Secretary, the following delegation of authority is made by the Assistant Secretary for Conservation, Research, and Education to the Deputy Assistant Secretary for Conservation, Research, and Education, to be exercised only during the absence or unavailability of the Assistant Secretary:

(1) Perform all the duties and exercise all the powers which are now or which may hereafter be delegated to the Assistant Secretary for Conservation, Research, and Education.

(b) *Reservations.* The following authority is reserved to the Assistant Secretary for Conservation, Research, and Education:

(1) Approval or concurrence required by section 1(c) of Executive Order 10355 of May 26, 1952 (17 FR 4831), relating to withdrawal or reservation of lands of the United States.

A new § 2.69 is added to read as follows:

§ 2.69 Deputy Assistant Secretary for Rural Development.

(a) Pursuant to § 2.23, subject to reservations in § 2.24, and subject to policy guidance and direction by the Assistant Secretary, the following delegation of authority is made by the Assistant Secretary for Rural Development to the Deputy Assistant Secretary for Rural Development, to be exercised only during the absence or unavailability of the Assistant Secretary:

(1) Perform all the duties and exercise all the powers which are now or which may hereafter be delegated to the Assistant Secretary for Rural Development.

Effective date: April 12, 1974.

Dated: April 4, 1974.

For Subpart G.

ROBERT W. LONG,
Assistant Secretary for Conservation, Research, and Education.

Dated: April 8, 1974.

For Subpart I.

WILLIAM ERWIN,
Assistant Secretary for Rural Development.

[FR Doc.74-8469 Filed 4-11-74;8:45 am]

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

[Lemon Reg. 634]

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 14–20, 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.

§ 910.934 Lemon Regulation 634.

(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 improved as the week progressed, mainly because of more favorable weather. Average f.o.b. price was $5.58 per carton the week ended April 6, 1974 compared to $5.77 per carton the previous week. Track and rolling supplies at 160 cars were down 12 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 rule-making procedure, and postpone the effective date of this regulation until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effecuate 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 9, 1974.

(b) *Order.* (1) The quantity of lemons grown in California and Arizona which may be handled during the period April 14, 1974, through April 20, 1974, is hereby fixed at 220,000 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 10, 1974.

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

[FR Doc.74–8623 Filed 4–11–74;8:45 am]

Title 10—Energy

CHAPTER I—ATOMIC ENERGY COMMISSION

PART 50—LICENSING OF PRODUCTION AND UTILIZATION FACILITIES

PART 115—PROCEDURES FOR REVIEW OF CERTAIN NUCLEAR REACTORS EXEMPTED FROM LICENSING REQUIREMENTS

Amendments and Change Procedures for Facility Licenses and Authorizations; Correction

In FR Doc. 74–6550, published March 21, 1974, at 39 FR 10554, paragraph 3 is corrected to read as follows:

3. Section 50.91 is revised to read as follows:

§ 50.91 Issuance of amendment.

In determining whether an amendment to a license or construction permit will be issued to the applicant the Commission will be guided by the considerations which govern the issuance of initial licenses or construction permits to the extent applicable and appropriate. If the application involves the material alteration of a licensed facility, a construction permit will be issued prior to the issuance of the amendment to the license. If the amendment involves a significant hazards consideration, the Commission will give notice of its proposed action pursuant to § 2.105 of this chapter before acting thereon. The notice will be issued as soon as practicable after the application has been docketed.

(Sec. 161, Pub. L. 83–703, 68 Stat. 948 (42 USC 2201))

Dated at Germantown, Maryland, this 8th day of April, 1974.

For the Atomic Energy Commission.

PAUL C. BENDER,
Secretary of the Commission.

[FR Doc.74–8436 Filed 4–11–74;8:45 am]

CHAPTER II—FEDERAL ENERGY OFFICE

PART 212—MANDATORY PETROLEUM PRICE REGULATIONS

Correction

The revision of § 212.31 of Chapter II of Title 10, Code of Federal Regulations, published in the FEDERAL REGISTER on April 5, 1974 at 39 FR 12354, is corrected by changing the chemical formula in the definition of "Propane" from "C_3H_s" to "C_3H_8".

Issued in Washington, D.C., April 11, 1974.

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

[FR Doc.74–8685 Filed 4–11–74;12:11 pm]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Airworthiness Docket No. 74–WE–13–AD; Amdt. 39–1814]

PART 39—AIRWORTHINESS DIRECTIVES

Lockheed L–1011 Airplanes

Pursuant to the authority delegated to me by the Administrator (31 FR 13697), an airworthiness directive was adopted March 28, 1974, and made effective immediately by a telegram dated March 28, 1974, to all known United States operators or owners of Lockheed L–1011 airplanes. The airworthiness directive requires the deactivation of the automatic ground speed brake (AGSB) system and installation of placards prior to further flight. Equivalent procedures and placards, and system modification may be approved by the Chief, Aircraft Engineering Division, FAA Western Region. Approved methods of compliance are also contained in the manufacturer's service document.

Since it was found that immediate corrective action was required, notice and public procedure thereon was impracticable and contrary to the public interest and good cause existed for making the airworthiness directive effective immediately to all known operators or owners of Lockheed L–1011 airplanes. These conditions still exist and the airworthiness directive is hereby published in the FEDERAL REGISTER as an amendment to § 39.13 of Part 39 of the Federal Aviation Regulations to make it effective as to all persons:

Pursuant to the authority of the Federal Aviation Act of 1958, delegated to me by the Administrator, the following airworthiness directive applicable to all operators of Lockheed L–1011 airplanes certificated in all categories is effective immediately upon receipt of this telegram because laboratory testing has defined a single failure in the flight control electronic system (FCES) computer negative 12 volt power supply which will cause full spoiler deployment in any airplane configuration, if DLC/AUTO–SPLR switches are on.

Compliance required as indicated, unless already accomplished:

(1) Prior to further flight, de-activate the automatic ground speed brake (AGSB) system and install placards, per (a) or (b) below.

(a) Remove both DLC/AUTO–SPLR engage switch light mechanism in flight station overhead FCES control panel or accomplish Lockheed Alert Service Bulletin 093–22–A066. Install a placard on Captain's and F/O instrument panels directly below vertical speed indicators stating: "DLC/AUTO SPOILERS INOPERATIVE. REFER TO AFM OR EQUIVALANT."

(b) Equivalent de-activation of AGSB system procedures and placards and equivalent system modifications may be approved by the Chief, Aircraft Engineering Division, FAA Western Region.

(c) Aircraft may be flown to a base where maintenance required by this AD may be performed, per FARs 21.197 and 21.199.

This amendment is effective April 15, 1974, for all persons except those to whom it was made effective immediately by telegram dated March 28, 1974.

This amendment is made under the authority of sections 313(a), 601 and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423) and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Los Angeles, California on April 2, 1974.

ARVIN O. BASNIGHT,
Director, FAA Western Region.

[FR Doc.74–8418 Filed 4–11–74;8:45 am]

[Airspace Docket No. 73–GL–48]

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

PART 73—SPECIAL USE AIRSPACE

Establishment of Restricted Area and Alteration of Federal Airway

On January 29, 1974, a notice of proposed rule making (NPRM) was published in the FEDERAL REGISTER (39 FR 3687) stating that the Federal Aviation Administration (FAA) was considering amendments to Parts 71 and 73 of the Federal Aviation Regulations that would redesignate Restricted Area R–3401 Atterbury Reserve Forces Training Area, Ind., as R–3401A and designate a new Restricted Area (R–3401B) to the North, South, and West of R–3401A with a des-

ignated altitude from 1,200 feet AGL to and including 14,000 feet MSL.

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

In consideration of the foregoing, Parts 71 and 73 of the Federal Aviation Regulations are amended, effective 0901 GMT, June 20, 1974, as hereinafter set forth.

Section 71.123 (39 FR 307 and 7780) is amended as follows:

In V-53 "The airspace within R-3401B is excluded" is added.

Section 71.151 (39 FR 343) is amended as follows:

"R-3401 Atterbury Reserve Forces Training Area, Ind." is deleted and "R-3401A Atterbury Reserve Forces Training Area, Ind." is substituted therefor.

Section 73.34 (39 FR 666) is amended as follows:

"R-3401 Atterbury Reserve Forces Training Area, In." is deleted and "R-3401A Atterbury Reserve Forces Training Area, Ind." is substituted therefor.

R-3401B—ATTERBURY RESERVE FORCES TRAINING AREA, IND.

Boundaries. Beginning at Lat. 39°22'00" N., Long. 86°06'40" W.; to Lat. 39°22'00" N., Long. 85°59'30" W.; to Lat. 39°21'30" N., Long. 85°59'30" W.; to Lat. 39°21'30" N., Long. 86°06'00" W.; to Lat. 39°13'00" N., Long. 86°06'00" W., to Lat. 39°13'00" N., Long. 85°59'30" W.; to Lat. 39°12'30" N., Long. 85°59'30" W.; to Lat. 39°12'30" N., Long. 86°90'50" W.; to Lat. 39°19'00" N., Long. 86°11'20" W.; to point of beginning.

Designated altitude. 1200 feet AGL to and including 14,000 feet MSL.

Time of designation. Continuous.

Controlling agency. Federal Aviation Administration, Indianapolis ARTC Center.

Using agency. Adjutant General, State of Indiana, Indianapolis, Ind.

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

Issued in Washington, D.C., on April 8, 1974.

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

[FR Doc.74-8419 Filed 4-11-74;8:45 am]

Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

SUBCHAPTER E—PESTICIDE PROGRAMS

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

Aldicarb

A petition (PP 3F1414) was filed by Union Carbide Corp., 1730 Pennsylvania Avenue, NW., Washington, D.C. 20006, in accordance with provisions of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a), proposing establishment of tolerances for combined residues of the insecticide and nematocide aldicarb (2-methyl-2-(methylthio) propionaldehyde *O*-(methylcarbamoyl) oxime) and its cholinesterase-inhibiting metabolites aldicarb sulfoxide and aldicarb sulfone in or on the raw agricultural commodities potatoes at 1 part per million, peanut hulls at 0.5 part per million, and peanuts at 0.1 part per million.

Subsequently, the petitioner amended the petition by reducing the proposed tolerances for residues in or on peanuts from 0.1 to 0.05 part per million and by proposing a tolerance of 0.01 part per million (negligible residue) for residues in the meat, fat, and meat byproducts of horses.

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

1. Aldicarb is useful for the purposes for which the tolerances are being established.

2. The established tolerances are adequate to cover residues in the meat, fat, and meat byproducts of cattle, goats, hogs, and sheep and in milk resulting from the proposed and established uses; and the proposed tolerance is adequate to cover residues in meat, fat, and meat byproducts of horses, and § 180.6(a)(2) applies.

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

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

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512 (21 U.S.C. 346a(d)(2))), the authority transferred to the Administrator of the Environmental Protection Agency (35 FR 15623), and the authority delegated by the Administrator to the Deputy Assistant Administrator for Pesticide Programs (36 FR 9038), § 180.269 is amended by revising the paragraphs "1 part per million * * *," "0.05 part per million * * *," and "0.01 part per million * * *," and by inserting the new paragraph "0.5 part per million * * *" after the paragraph "1 part per million * * *" as follows:

§ 180.269 Aldicarb; tolerances for residues.

* * * * *

1 part per million in or on potatoes and sugar beet tops.

0.5 part per million in or on peanut hulls.

* * * * *

0.05 part per million in or on peanuts and sugar beets.

* * * * *

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

* * * * *

Any person who will be adversely affected by the foregoing order may at any time on or before May 13, 1974, file with the Hearing Clark, Environmental Protection Agency, Room 1019E, 4th and M Streets SW., Waterside Mall, Washington, D.C. 20460, written objections thereto in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on April 12, 1974.

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

Dated: April 8, 1974.

EDWIN L. JOHNSON,
Acting Deputy Assistant Administrator for Pesticide Programs.

[FR Doc.74-8459 Filed 4-11-74;8:45 am]

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

Profluralin

Two petitions (PP 3F1294 and PP 3F1342) were filed by CIBA-GEIGY Corp., Greensboro, NC 27409, in accordance with provisions of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a), proposing establishment of tolerances for negligible residues of the herbicide profluralin (*N*-(cyclopropylmethyl)-α,α,α-trifluoro-2,6-dinitro-*N*-propyl-*p*-toluidine) in or on soybeans and soybean forage (PP 3F1342) and cottonseed (PP 3F1294) at 0.1 part per million.

Subsequently, the petitioner amended the petitions by proposing tolerances for negligible residues of the herbicide in eggs, milk, and the meat, fat, and meat byproducts of cattle, goats, hogs, horses, poultry, and sheep at 0.02 part per million (PP 3F1294 and PP 3F1342) and in or on soybean hay at 0.3 part per million (PP 3F1342).

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

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

2. The proposed tolerances are adequate to cover residues in eggs, meat, milk, and poultry and § 180.6(a)(2) applies.

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

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

§ 180.348 Profluralin; tolerances for residues.

Tolerances are established for negligible residues of the herbicide profluralin (*N*-(cycloproplymethyl)-α,α,α-trifluoro-2, 6-dinitro-*N*-propyl-*p*-toluidine) in or on raw agricultural commodities as follows:

0.3 part per million in or on soybean hay.

0.1 part per million in or on cottonseed, soybeans, and soybean forage.

0.02 part per million in eggs, milk, and the meat, fat, and meat byproducts of cattle, goats, hogs, horses, poultry, and sheep.

Any person who will be adversely affected by the foregoing order may at any time on or before May 13, 1974, file with the Hearing Clerk, Environmental Protection Agency, Room 1019E, 4th & M Streets, SW., Waterside Mall, Washington, D.C. 20460, written objections thereto in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on April 12, 1974.

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

Dated: April 8, 1974.

EDWIN L. JOHNSON,
Acting Deputy Assistant Administrator for Pesticide Programs.

[FR Doc.74-8457 Filed 4-11-74;8:45 am]

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

Tricyclohexyltin Hydroxide

A petition (PP 3F1400) was filed jointly by Dow Chemical, U.S.A., Post Office Box 1706, Midland, MI 48640, and M&T Chemicals, Inc., Post Office Box 1104, Rahway, NJ 07065, in accordance with provisions of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a), proposing establishment of tolerances for combined residues of the insecticide tricyclohexyltin hydroxide and its organotin metabolites (calculated as tricyclohexyltin hydroxide) in or on the raw agricultural commodities almond hulls at 50 parts per million; peaches, apricots, and nectarines at 4 parts per million; strawberries at 3 parts per million; plums (fresh prunes) at 1 part per million; and almonds and walnuts at 0.3 part per million.

Subsequently, the petitioner amended the petition by (a) increasing the proposed tolerances for residues of the insecticide in or on almond hulls to 60 parts per million and in or on almonds and walnuts to 0.5 part per million, (b) deleting the proposed tolerance for residues in or on apricots, (c) proposing tolerances for residues in liver and kidney of cattle, goats, horses, hogs, and sheep at 0.5 part per million and in meat, fat, and meat byproducts (except liver and kidney) of goats, hogs, horses, and sheep at 0.2 part per million. (For a related document, see this issue of the FEDERAL REGISTER, page 13267.)

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

1. The insecticide is useful for the purposes for which the tolerances are being established.

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

3. Established tolerances for residues in meat, fat, meat byproducts (excluding liver and kidney) of cattle and in milk are adequate to cover residues resulting from the proposed and established uses, and § 180.6(a)(2) applies.

4. The proposed tolerances for residues in liver and kidney of cattle, goats, hogs, horses, and sheep at 0.5 part per million and in meat, fat and meat byproducts (except liver and kidney) of goats, hogs, horses and sheep at 0.2 part per million are adequate to cover residues transferring to livestock from the feeding of treated commodities in connection with the proposed uses and § 180.6(a)(2) applies.

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

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2)), the authority transferred to the Administrator of the Environmental Protection Agency (36 FR 15623), and the authority delegated by the Administrator to the Deputy Assistant Administrator for Pesticide Programs (36 FR 9038), § 180.144 is amended by (a) inserting the paragraphs "60 parts per million * * *," "4 parts per million * * *," and "3 parts per million * * *" before the paragraph "2 parts per million * * *"; (b) inserting the paragraphs "1 part per million * * *", "0.5 part per million in or on almonds * * *", and "0.5 parts per million in liver * * *" after the paragraph "2 parts per million * * *; and (c) revising the paragraph "0.2 part per million * * *", as follows;

§ 180.144 Tricyclohexyltin hydroxide; tolerances for residues.

* * * * *

60 parts per million in or on almond hulls.

4 parts per million in or on peaches and nectarines.

3 parts per million in or on strawberries.

* * * * *

1 part per million in or on plums (fresh prunes).

0.5 part per million in or on almonds and walnuts.

0.5 part per million in liver and kidney of cattle, goats, hogs, horses, and sheep.

0.2 part per million in meat, fat, and meat byproducts (excluding liver and kidney) of cattle, goats, hogs, horses, and sheep.

Any person who will be adversely affected by the foregoing order may at any time within on or before May 13, 1974, file with the Hearing Clerk, Environmental Protection Agency, Room 1019E, 4th & M Streets, SW., Waterside Mall, Washington, D.C. 20460, written objections thereto in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on April 12, 1974.

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

Dated: April 8, 1974.

EDWIN L. JOHNSON,
Acting Deputy Assistant Administrator for Pesticide Programs.

[FR Doc.74-8456 Filed 4-11-74;8:45 am]

Title 41—Public Contracts and Property Management

CHAPTER 3—DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 3-2—PROCUREMENT BY FORMAL ADVERTISING

Subpart 3-2.4—Opening of Bids and Award of Contract

Chapter 3, Title 41, Code of Federal Regulations, is amended as set forth below. The purpose of this amendment is to incorporate recommendations of the Commission on Government Procurement in regard to the protest processing procedure and to reflect current organizational designations within the Department.

It is the general policy of the Department of Health, Education, and welfare to allow time for interested parties to take part in the rule making process. However, the amendment herein primarily involves changes in internal administrative procedures. Therefore, the public rule making process is deemed unnecessary in this instance.

Subpart 3-2.4 is revised to read as follows:

§ 3-2.403 Recording of bids.

§ 3-2.403-50 Forms.

Forms HEW-538, Abstract of Bids, and HEW-538A, Continuation Sheet, shall be used for the recording of bids. The forms are available through normal distribution channels.

§ 3-2.406-3 Other mistakes disclosed before award.

(a) Circumstances permitting the correction or withdrawal of bids are set forth in § 1-2.406-3 of this title.

(b) Authority has been delegated to the Deputy Assistant Secretary for Grants and Procurement Management to make administrative determinations in connection with mistakes in bid alleged after opening of bids and before award. This authority may not be redelegated.

(c) Each such determination shall be approved by the Assistant General Counsel, Business and Administrative Law Division, Office of General Counsel, OS.

(d) Suspected or alleged mistakes shall be processed as follows:

(1) Whenever the contracting officer suspects that a mistake may have been made in a bid, he shall immediately request the bidder to verify the bid. Such request shall inform the bidder why the request for verification is made—that a mistake is suspected and the basis for such suspicion; e.g., that the bid is significantly out of line with the next low or other bids or with the Government's estimate. If the time for acceptance of bids is likely to expire before a decision can be made, the contracting officer shall request all bidders whose bids may become eligible for award to extend the time for acceptance of their bids. If the bidder whose bid is believed erroneous does not grant such extension of time and a decision cannot be reached before expiration of the time for acceptance, the bid shall be considered as originally submitted.

(2) If the bidder verifies his bid, the contracting officer shall consider it as originally submitted. If the bidder alleges a mistake, the contracting officer shall advise him to support his allegation by statements concerning the alleged mistake and by all pertinent evidence, such as the bidder's file copy of the bid, his original worksheets and other data used in preparing the bid, subcontractors' and suppliers' quotations, if any, published price lists, and any other evidence which will serve to establish the mistake, the manner in which it occurred, and the bid actually intended.

(3) The data required by § 1-2.406-3 (d)(3) of this title will be marked "IMMEDIATE ACTION—MISTAKE IN BID" and submitted, in duplicate, in the most expeditious manner through procurement channels to the Deputy Assistant Secretary for Grants and Procurement Management, OASAM, for evaluation and administrative determination. The file shall be assembled in an orderly manner including an index of enclosures.

(4) Since examination of evidence is necessary to determine the proper course of action to be taken, no action will be taken on cases referred by telephone or telegraph.

(5) Where the bidder fails or refuses to furnish evidence in support of a suspected or alleged mistake, the contracting officer shall consider the bid as submitted unless the amount of the bid is so far out of line with the amounts of other bids received or with the amount estimated by the procuring activity or determined by the contracting officer to be reasonable, or there are other indications of error so clear, as reasonably to justify the conclusion that acceptance of the bid would be unfair to the bidder or to other bona fide bidders, in which case it may be rejected. The attempts made to obtain the information required and the action taken with respect to the bid shall be fully documented.

(6) Where the evidence submitted by the bidder is incomplete or in need of clarification, the contracting officer shall document the file to indicate his efforts to obtain clear and convincing evidence to support the alleged mistake.

(e) Doubtful mistakes in bid shall not be submitted by contracting officers directly to the Comptroller General for advance decisions, but shall be submitted as outlined in paragraph (d)(3) of this section.

§ 3-2.406-4 Disclosure of mistakes after award.

(a) When a mistake in a contractor's bid is not discovered until after the award, the mistake may be corrected by contract amendment or supplemental agreement if correcting the mistake would make the contract more favorable to the Government without changing the essential requirements of the contract.

(b) In addition to the cases contemplated in § 1-2.406-4(a) of this title, the Deputy Assistant Secretary for Grants and Procurement Management is authorized, under the circumstances set forth in § 1-2.406-4(c) of this title, to make the administrative determinations described below in connection with mistakes in bids alleged or disclosed after award.

(1) A determination may be made to rescind a contract where the original contract price does not exceed $1,000.

(2) A determination may be made to reform a contract, irrespective of amount, (i) to delete the item involved in the mistake where such deletion does not reduce the contract price by more than $1,000, or (ii) to increase the price where such increase does not exceed $1,000 and if the contract price, as corrected, does not exceed that of the next lowest acceptable bid under the original invitation for bids.

(c) Determinations under § 1-2.406-4 (b) of this title may be made only on the basis of clear and convincing evidence that a mistake in bid was made, and either that the mistake was mutual or that the unilateral mistake made by the contractor was so apparent as to have charged the contracting officer with notice of the probability of the mistake. If the evidence does not warrant a determination under § 1-2.406-4 (b)(1) or (b)(2), of this title, a determination may be made that no change shall be made in the contract as awarded.

(d) Authority to make administrative determinations in connection with mistakes in bid disclosed after award has been delegated to the Deputy Assistant Secretary for Grants and Procurement Management, OASAM.

(e) Each determination shall be approved by the Assistant General Counsel, Business and Administrative Law Division, Office of General Counsel, OS.

§ 3-2.407 Award.

§ 3-2.407-8 Protests against award.

(a) *General.* (1) Contracting officers shall consider all protests or objections regarding the award of a contract whether submitted before or after award, provided such protests are filed in a timely manner. In order to be considered timely, protests based on alleged improprieties in any type of solicitation which are apparent before bid opening or the closing date for receipt of proposals shall be filed prior to bid opening or the closing date for receipt of proposals. In other cases, protests shall be filed not later than 5 working days after the basis for protest is known or should have been known, whichever is earlier. If a protest has been filed initially with the contacting officer, any subsequent protest to the Secretary, Department of Health, Education, and Welfare, or the General Accounting Office

filed within 5 days of notification of adverse action will be considered provided the initial protest to the contracting officer was timely. Written confirmation of all protests shall be requested from protestants. The protestant shall be notified in writing of the final decision on the protest, and the notification shall set forth the rationale upon which the decision is based.

(2) Reports concerning protests, whether before or after award, shall include the following documentation:

(i) A statement by the procuring activity's headquarters procurement staff office, containing its recommendation, with supporting reasons, as to the merits of the protest.

(ii) The contracting officer's statement of facts and circumstances including a discussion of the merits.

(iii) The contracting officer's conclusions and recommendations including documentary evidence on which they are based.

(iv) A copy of the IFB or RFP.

(v) A copy of the abstract of bids or proposals.

(vi) A copy of the bid or proposal of the successful offeror to whom award has been made or is proposed to be made.

(vii) A copy of the bid or proposal of the protestant, if any.

(viii) The current status of award. Where award has been made, this shall include whether performance has commenced, shipment or delivery has been made, or a stop work order has been issued.

(ix) A copy of any mutual agreement to suspend work on a no-cost basis when appropriate (see § 1–2.407–8(c) of this title).

(x) Copies of the notice of protest given offerors and other parties when such notice is appropriate (see § 1–2.407–8 (a)(3) of this title).

(xi) A copy of the technical evaluation report required by § 3–3.5104, of this chapter when applicable, and a copy of each evaluator's rating for all proposals.

(xii) A copy of the negotiation memorandum when applicable (see § 3–50.301 of this chapter).

(xiii) Any other documents which are relevant to the protest.

(xiv) The name and telephone number of the person in the procurement office who may be contacted for information relevant to the protest.

(xv) The file shall be assembled in an orderly manner and shall include an index of enclosures.

(3) Copies of the views of interested parties submitted pursuant to § 1–2.407–8 (a)(3) of this title shall be furnished to the Protest Control Officer, Office of Grants and Procurement Management–OASAM, whenever the protest is reviewed by that office (including protests lodged with GAO).

(4) Whenever the contracting officer deems it desirable to obtain the views of higher authority or when such submission is required by paragraph (b)(2) of this section, the file shall be forwarded, in duplicate, through the cognizant protest control officer to the Departmental Protest Control Officer, Office of Grants and Procurement Management-OASAM, by the most expeditious means. The file shall be marked "IMMEDIATE ACTION—PROTEST BEFORE AWARD."

(5) The Office of Grants and Procurement Management-OASAM, has been designated as the headquarters office which GAO should contact concerning protests. All reports on protests lodged with GAO shall be submitted to that office.

(6) Each procuring activity of the Department shall designate a protest control officer, to serve as an advisor to the contracting officer and monitor protests from the time of initial notification until the protest has been resolved. The protest control officer should be a senior procurement specialist of the headquarters procurement office staff. In addition, procuring activities should designate similar officials within their principal components to the extent practicable and feasible. A copy of each appointment and termination of appointment of protest control officers shall be forwarded to the Director of Procurement Policy and Regulations Development, OGPM-OASAM.

(b) *Protest before award.* (1) If award has not been made, the contracting officer shall require that written confirmation of an oral protest be filed within 5 working days of the oral notification. If the written protest is not received by the time specified, the oral protest may be disregarded and award made in the normal manner unless the contracting officer, upon investigation, finds that remedial action is required, in which event such action shall be taken. Contract files shall be documented to reflect the receipt of oral protests and the disposition thereof.

(2) In the following cases written protests received by the contracting officer shall be forwarded to the Protest Control Officer, Office of Grants and Procurement Management-OASAM: (i) The protestant requests referral to the Secretary of Health, Education, and Welfare; (ii) the protest is known to have been lodged with the Comptroller General, the Office of the Secretary, or the Small Business Administration; (iii) the protest is filed after award of contract; (iv) the contracting officer entertains some doubt as to the proper action regarding the protest or believes it to be in the best interest of the Government that the protest be considered by the Office of the Secretary or the Comptroller General.

Otherwise submission of protests to the Office of Grants and Procurement Management-OASAM, may be dispensed with by the contracting officer if he is satisfied that the protest is without any reasonable degree of foundation. Except as modified in § 1–2.407–8(b)(3) of this title and paragraph (b)(3) of this section, the contracting officer, with the concurrence of the procuring activity protest control officer, and either the Office of General Counsel, Business and Administrative Law Division, or cognizant Regional Attorney, may disallow the protest. Such action shall be followed by a written explanation to the Office of Grants and Procurement Management-OASAM, documented by copies of any pertinent correspondence.

(3) Where is it known that a protest against the making of an award has been lodged directly with GAO, a determination to make award under § 1–2.407–8 (b)(4) of this title must be approved by the Deputy Assistant Secretary for Grants and Procurement Management.

(4) If award is made pursuant to §1–2.407–8(b)(4) of this title, the contracting officer shall document the file to explain the need for immediate award and shall notify the protestant and, as appropriate, to others concerned except GAO. Notice will be given to GAO by the Office of Grants and Procurement Management-OASAM.

(c) *Protests after award.* All formal protests after award shall be forwarded to the Protest Control Officer, Office of Grants and Procurement Management-OASAM, and shall be documented in accordance with paragraph (a)(2) of this section. The file shall be submitted, in duplicate, by the most expeditious means and shall be marked "IMMEDIATE ACTION—PROTEST AFTER AWARD."

(5 U.S.C. 301; 40 U.S.C. 486(c))

Effective Date: This amendment shall be effective April 12, 1974.

Dated: April 4, 1974.

S. H. CLARKE,
Acting Assistant Secretary for Administration and Management.

[FR Doc.74–8447 Filed 4–11–74;8:45 am]

CHAPTER 8—VETERANS ADMINISTRATION

PART 8–7—CONTRACT CLAUSES

Fixed-Price Construction Contracts and Cost Reimbursement Type Contracts

On page 5327 of the FEDERAL REGISTER of February 12, 1974, there was published a notice of proposed regulatory development to amend §§ 8–7.650, 8–7.651 and 8–7.652 relating to fixed-price construction contracts and Subpart 8–7.51 relating to cost reimbursement type contracts for education and rehabilitation. It was proposed to revise certain contract clauses and to add new clauses to conform to the Federal Procurement Regulations. Interested persons were given 30 days in which to submit comments, suggestions, or objections regarding the proposed regulations.

No written comments have been received and the proposed regulations are hereby adopted without change and are set forth below.

Effective date. These VA Regulations are effective April 12, 1974.

By director of the Administrator.

Approved: April 8, 1974.

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

1. In Part 8–7, § 8–7.650–21 (e) and (f) is amended to read as follows:

§ 8–7.650–21 Contract changes.

Clause 3, Changes, and Clause 4, Differing Site Conditions, of General Provisions SF 23A, are supplemented as follows:

* * * * *

(e) The Prime Contractor's or upper-tier subcontractor's fee on work performed by lower-tier subcontractors will be based on the net increased cost to the Prime Contractor or upper-tier subcontractor, as applicable. Allowable fee on changes will not exceed the following: 10 percent fee on first $20,000; 7½ percent fee on next $30,000; and 5 percent fee on balance over $50,000.

(f) Not more than four percentages, none of which exceed the percentages shown above, will be allowed regardless of the number of tiers of subcontractors.

* * * * *

2. Section 8–7.651–4 is revised to read as follows:

§ 8–7.651–4 Reference to "Standards."

Insert the clause set forth in § 8–7.650–8. Modification of paragraph (b) of the clause is authorized to identify the office issuing the solicitation and at which specifications may be seen.

3. Section 8–7.651–6 is revised to read as follows:

§ 8–7.651–6 Safety requirements.

Insert the clause set forth in § 8–7.650–20.

4. Section 8–7.651–8 is revised to read as follows:

§ 8–7.651–8 Payrolls and basic records.

Insert the clause set forth in § 8–7.650–16.

5. Section 8–7.651–12 is added to read as follows:

§ 8–7.651–12 Bonds.

Insert the clause set forth in § 8–7.650–4.

6. Section 8–7.652–2 is revised to read as follows:

§ 8–7.652–2 Reference to "Standards."

Insert the clause set forth in § 8–7.650–8. Modification of paragraph (b) of the clause is authorized to identify the office issuing the solicitation and at which specifications may be seen.

7. Section 8–7.652–4 is revised to read as follows:

§ 8–7.652–4 Safety requirements.

Insert the clause set forth in § 8–7.650–20.

8. Section 8–7.652–5 is added to read as follows:

§ 8–7.652–5 Protection of property.

Insert the clause set forth in § 8–7.651–11.

9. The title of Subpart 8–7.51 is changed to read as follows:

Subpart 8–7.51—Cost Reimbursement Type Contracts for Education and Rehabilitation

10. In § 8–7.5100, paragraphs (a) and (d) are amended to read as follows:

§ 8–7.5100 Scope of subpart.

(a) This subpart sets forth contract clauses for use in cost reimbursement type contracts relating to education and rehabilitation.

* * * * *

(d) Clauses inconsistent with those listed in this subpart, but considered essential to the procurements of training and education may be used as provided in the deviation procedure set forth in § 8–1.109.

11. Section 8–7.5101 is revised to read as follows:

§ 8–7.5101 Clauses to be used when applicable.

The clauses contained in this section will be included in contracts relating to education and rehabilitation under the conditions set forth in connection with each clause.

12. Sections 8–7.5101–3 and 8–7.5101–4 are revised to read as follows:

§ 8–7.5101–3 Disputes.

Insert the clause set forth in FPR 1–7.102–12.

§ 8–7.5101–4 Notice and assistance regarding patent and copyright infringement.

Insert the clause set forth in FPR 1–7.103–4 if the contract is expected to exceed $10,000.

13. Section 8–7.5101–7 is revised to read as follows:

§ 8–7.5101–7 Contract Work Hours and Safety Standards Act—overtime compensation.

Insert the clause set forth in FPR 1–12.303 under the conditions contained in FPR 1–12.302.

14. Sections 8–7.5101–9 and 8–7.5101–10 are revised to read as follows:

§ 8–7.5101–9 Officials not to benefit.

Insert the clause set forth in FPR 1–7.102–17.

§ 8–7.5101–10 Inspection.

Insert the following clause in contracts entered into with educational institutions and training establishments for education and rehabilitation:

INSPECTION

The contractor will permit the duly authorized representative of the Veterans Administration to visit the place of instruction as may be necessary and examine the training facilities and work of the veterans in training under this contract.

15. Section 8–7.5101–11 is revised to read as follows:

§ 8–7.5101–11 Extension of contract period.

The following clause will be included in contracts where appropriate pertaining to services for education and rehabilitation:

EXTENSION OF CONTRACT PERIOD

This contract may be extended from year to year if agreeable to both parties provided the agreement for extension is consummated 30 days prior to the expiration date, and further provided that there is no change in the provisions, terms, conditions, or rate of payment. Any extension made hereunder is subject to the availability of funds during the period covered by the extension.

16. Sections 8–7.5101–12 and 8–7.5101–13 are added to read as follows:

§ 8–7.5101–12 Examination of records by Comptroller General.

Insert the clause set forth in FPR 1–7.103–3.

§ 8–7.5101–13 Listing of employment openings.

Insert the clause set forth in FPR 1–12.1102–2.

(Sec. 205(c), 72 Stat. 1114; 63 Stat. 390 (38 U.S.C. 210) (40 U.S.C. 486(c))

[FR Doc.74–8430 Filed 4–11–74;8:45 am]

CHAPTER 14—DEPARTMENT OF THE INTERIOR

Nomenclature Amendments

Pursuant to the authority of the Secretary of the Interior contained in 5 U.S.C. 301, Chapter 14 of Title 41 of the Code of Federal Regulations is hereby amended as follows:

1. Wherever the titles "Assistant Secretary for Administration" and "Assistant Secretary—Management and Budget" appear in the chapter, they are changed to read "Assistant Secretary—Management." This amendment supersedes the editorial amendment published at 36 FR 15116, August 13, 1971.

2. Wherever the name "Office of Survey and Review" appears in the chapter, it is changed to read "Office of Management Services."

3. Wherever the titles "Director of Survey and Review" and "Director, Office of Survey and Review" appear in the chapter, they are changed to read "Director of Management Services."

4. Wherever the titles "Assistant Director for Procurement Policy, Office of Survey and Review" and "Assistant Director for Procurement Policy and Review, Office of Survey and Review" appear in the chapter, they are changed to read "Assistant Director for Procurement, Office of Management Services."

It is the general policy of the Department of the Interior to allow time for interested parties to participate in the rulemaking process. However, the

amendments herein are entirely administrative in nature. Therefore, the rulemaking process is waived and the amendment will become effective on April 15, 1974.

RICHARD R. HITE,
Deputy Assistant Secretary of the Interior.

APRIL 5, 1974.

[FR Doc.74-8439 Filed 4-11-74;8:45 am]

CHAPTER 60—OFFICE OF FEDERAL CONTRACT COMPLIANCE EQUAL EMPLOYMENT OPPORTUNITY, DEPARTMENT OF LABOR

PART 60-2—AFFIRMATIVE ACTION PLANS

Deferral of Effective Date of Certain Provisions

This Order defers until May 15, 1974 the effective date of the miscellaneous amendments published in the FEDERAL REGISTER on February 14, 1974 (39 FR 5630) to conform 41 CFR Part 60-2 to the rules there adopted in 41 CFR Part 60-60. Deferral of the effective date is intended to ensure full review of the workforce analysis provisions contained in the above miscellaneous amendments and in 41 CFR Part 60-60, by the Office of Management and Budget under the Federal Reports Act.

Signed at Washington, D.C., this 10th day of April 1974.

PETER J. BRENNAN,
Secretary of Labor.

BERNARD E. DELURY,
Assistant Secretary for Employment Standards.

PHILIP J. DAVIS,
Director, Office of Federal Contract Compliance.

[FR Doc.74-8606 Filed 4-11-74;8:45 am]

PART 60-60—CONTRACTOR EVALUATION PROCEDURES FOR CONTRACTORS FOR SUPPLIES AND SERVICES

Deferral of Effective Date

This Order defers until May 15, 1974 the effective date of 41 CFR Part 60-60, known as Revised Order No. 14, published in the FEDERAL REGISTER on February 14, 1974 (39 FR 5630). This deferral of the effective date is intended to ensure full review of the workforce analysis provisions of these regulations by the Office of Management and Budget pursuant to the Federal Reports Act.

Signed at Washington, D.C. this 10th day of April 1974.

PETER J. BRENNAN,
Secretary of Labor.

BERNARD E. DELURY,
Assistant Secretary for Employment Standards.

PHILIP J. DAVIS,
Director, Office of Federal Contract Compliance.

[FR Doc.74-8605 Filed 4-11-74;8:45 am]

CHAPTER 101—FEDERAL PROPERTY MANAGEMENT REGULATIONS

SUBCHAPTER F—TELECOMMUNICATIONS AND PUBLIC UTILITIES

[FPMR Amendment F-18]

PART 101-35—TELECOMMUNICATIONS

Major Changes and New Installations Video and Audio Service

Section 101-35.203 has, since it was published in 1964, required agencies to submit information to GSA when requesting major changes to video and audio service. This amendment clarifies the criteria for major changes and the justification of major changes and new installations pertinent to video and audio service.

1. Section 101-35.202 is amended to read as follows:

§ 101-35.202 Definition of major changes.

* * * * *

(g) *Video and audio service.*

(1) Installation, change, or removal of all or any significant part of video and audio service or systems when the services (whether procured or leased) are to be between two or more separate buildings.

(2) Installation, change, or removal of video and audio service (whether procured or leased) within a single Government building. Video and audio service within a single building used for training, monitoring of technical processes, medical purposes, or for guard and protection purposes are exempted.

2. Section 101-35.203 is amended to read as follows:

§ 101-35.203 Justification of major changes and new installations.

* * * * *

(g) *Video and audio service.* The purpose for which the service is required including a brief description of the system, a listing of the major equipment items, a listing of the terminal locations of the system, the transmission mode (radio or cable), the hours of service, and the estimated cost of the system.

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

Effective date. This regulation is effective April 12, 1974.

Dated: April 8, 1974.

ARTHUR F. SAMPSON,
Administrator of General Services.

[FR Doc.74-8438 Filed 4-11-74;8:45 am]

Title 49—Transportation

CHAPTER X—INTERSTATE COMMERCE COMMISSION

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[Corrected S.O. No. 1176]

PART 1033—CAR SERVICE

Kansas City Southern Railway Co.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 8th day of March, 1974.

It appearing, that certain of The Kansas City Southern Railway Company (KCS) lines in Forth Smith, Arkansas, operate through city streets; that the operation of trains on such tracks creates hazards to pedestrian and vehicular traffic using such streets; that the St. Louis-San Francisco Railway Company (SLSF) has consented to the use of certain of its tracks in Fort Smith by the KCS in order to enable the KCS to discontinue operation of its trains through city streets; that operation by the KCS over the aforementioned tracks of the SLSF 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:

§ 1033.1176 Service Order No. 1176.

(a) (*The Kansas City Southern Railway Company authorized to operate over certain tracks of St. Louis-San Francisco Railway Company.*) The Kansas City Southern Railway Company (KCS) be, and it is hereby, authorized to operate over tracks of the St. Louis-San Francisco Railway Company (SLSF) between chaining station 21962 plus 11 and a point 356 feet south of chaining station 22019 plus 46, a distance of approximately 6,091 feet, all located at Fort Smith, Arkansas.

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

(c) *Rates applicable.* Inasmuch as this operation by the KCS over tracks of the SLSF is deemed to be due to carrier's disability, the rates applicable to traffic moved by the KCS over these tracks of the SLSF 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., March 11, 1974.

(e) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., August 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.74-8476 Filed 4-11-74;8:45 am]

Title 20—Employees' Benefits

CHAPTER VI—EMPLOYMENT STANDARDS ADMINISTRATION, DEPARTMENT OF LABOR

SUBCHAPTER B—FEDERAL COAL MINE HEALTH AND SAFETY ACT OF 1969, AS AMENDED

PART 715—BLACK LUNG BENEFITS PROGRAM UNDER TITLE IV OF THE FEDERAL COAL MINE HEALTH AND SAFETY ACT; GENERAL PROVISIONS

PART 725—CLAIMS FOR BLACK LUNG BENEFITS PAYABLE UNDER PART C OF TITLE IV OF THE FEDERAL COAL MINE HEALTH AND SAFETY ACT, AS AMENDED

Black Lung Benefits

On September 17, 1973, 20 CFR, Chapter VI, Part 725 (38 FR 26042-26068), was revised and repromulgated by the Assistant Secretary of Labor for Employment Standards for the purpose of establishing a comprehensive set of guidelines for the operation of the Department of Labor's Black Lung Benefits Program under Part C of Title IV of the Federal Coal Mine Health and Safety Act of 1969, as amended.

At the time of the above described promulgation notice was given in the FEDERAL REGISTER that any additional comments, recommendations, or objections concerning the provisions of the final Part 725 would be considered and acted upon where appropriate.

Since the September 17, 1973 publication date a number of comments have been received by the Department concerning certain of the duly promulgated provisions of Part 725. A number of these comments directed the attention of the Department of Labor to various provisions contained in Part 725 which did not clearly state the position of the Department with respect to the subject matter of the particular provisions in question. It has been determined, therefore, that certain clarifying and technical amendments are to be added to Part 725 at this time.

In addition, certain of the provisions pertaining to the duration of a beneficiary's eligibility contained in 20 CFR Part 715, which part was republished on June 27, 1973 (38 FR 16962-16965), require clarifying amendments at this time.

The most important of these clarifying amendments concern the presumption of operator liability contained in § 725.311 (c)(5) and the time limits applicable to the filing of a claim on or after January 1, 1974.

Because these amendments are technical in nature and do not represent any new interpretation or position it is not necessary to provide for notice, public participation, and delayed effective date in accordance with 5 U.S.C. 553. The amendments to 20 CFR Parts 715 and 725 contained in this document are, therefore, effective April 12, 1974, and are applicable, as appropriate, to all claims for black lung benefits which are filed, processed, or paid after December 31, 1973, under Part C of Title IV of the Federal Coal Mine Health and Safety Act of 1969, as amended.

1. Paragraph (b) of § 715.206 is revised to read as follows:

§ 715.206 Duration of entitlement; miner.

* * * * *

(b) The last month for which such individual is entitled to benefits is the month before the month during which either of the following events first occurs:

(1) The miner dies; or

(2) The miner's total disability ceases.

* * * * *

2. Paragraph (b) of § 715.208 is revised as follows:

§ 715.208 Duration of entitlement; widow or surviving divorced wife.

* * * * *

(b) The last month for which such individual is entitled to such benefit is the month before the month in which either of the following events first occurs:

(1) The widow or surviving divorced wife marries; or

(2) The widow or surviving divorced wife dies; or

(3) Where the individual qualifies as the widow of a miner under § 410.320(d) of this title, she ceases to qualify as provided therein.

3. Paragraph (b) of § 715.212 is revised as follows:

§ 715.212 Duration of entitlement; child.

* * * * *

(b) The last month for which such individual is entitled to such benefit is the month before the month in which any one of the following events first occurs:

(1) The child dies;

(2) The child marries;

(3) The child attains age 18, and

(i) Is not under a disability at that time, and

(ii) Is not a student (as defined in § 410.370 of this title) during any part of the month in which he attains age 18;

(4) If the child's entitlement is based on his status as a student, the earlier of:

(i) The first month during no part of which he is a student, or

(ii) The month in which he attains age 23 and is not under a disability at that time;

(5) If the child's entitlement is based on disability, the first month in no part of which such individual is under a disaiblity.

* * * * *

4. Paragraph (c) of § 715.216 is revised as follows:

§ 715.216 Duration of entitlement; parent, brother, or sister.

* * * * *

(c) The last month for which such sister is entitled to benefits is the month before the month in which any of the following events occurs:

(1) She dies;

(2) (i) She marries or remarries; or

(ii) If already married, she receives support in any amount from her spouse.

* * * * *

5. Section 725.124 is revised as follows:

§ 725.124 Time limits for filing claim.

(a) Except as provided in paragraph (b) of this section, every claim for benefits filed under this part must be filed within 3 years of the discovery of total disability due to pneumoconiosis or, in the case of death due to or while totally disabled by pneumoconiosis, within 3 years of the date of such death. For the purposes of this paragraph (a) no miner shall be deemed to have discovered that he is totally disabled due to pneumoconiosis until such time as such miner is informed by competent medical authority relying upon standards substantially similar to those contained in Subpart D of Part 410 of this title that such miner because of his exposure to dust in his coal mine employment is suffering from a respiratory or pulmonary impairment which prevents him from engaging in gainful employment requiring the skills and abilities comparable to those of any employment in a coal mine or mines in which such miner previously engaged with some regularity and over a substantial period of time.

(b) Each claim filed by the widow or surviving divorced wife of a miner shall be deemed a "protective filing" on behalf of all such miner's children (including those children of the miner not named on such widow's or surviving divorced wife's claim form). Accordingly, a deceased miner's surviving children who were ineligible to file a claim for basic benefits because of the prior eligibility of the miner's widow or surviving divorced wife shall not be time barred from filing a claim for basic benefits by the provisions of paragraph (a) of this section: *Provided,* That any claim filed by or on behalf of a child is filed within 3 years from the date of the miner's death or within 6 months from the date such child or such child's legal guardian is notified by the Office of the termination of eligibility of the higher priority beneficiary, whichever is the later.

(c) With respect to the proviso contained in paragraph (b) of this section, it shall be the responsibility of the Office to make a reasonable effort to notify each potential child beneficiary that because of the termination of eligibility of a higher priority beneficiary such child may now qualify for basic benefit payments provided that the appropriate claim forms are timely executed. In any event, the filing of a claim by any potential child beneficiary shall be considered

to protect the right to benefits, if any, of all other children of the miner upon whose death the first such child's claim is predicated, whether or not such additional children are named on the first child/claimant's claim form.

(d) Any claim for benefits in the case of a disabled miner filed under Part C of Title IV of the Act and this Part 725 on the basis of eligibility under section 411(c)(4) of Part B of Title IV of the Act, must be filed within 3 years from the date of last exposed employment in a coal mine. Any claim for benefits predicated upon the death of a miner from a respiratory or pulmonary impairment incurred as a result of employment in a coal mine, in which eligibility for benefits may be established under section 411 (c)(4), must be filed within 15 years from the date of last exposed employment in a coal mine.

(e) In the absence of clear evidence to the contrary there shall be a rebuttable presumption that every claim for benefits under this Part 725 is timely filed. However, the time limitations described in paragraphs (a), (b) and (c) of this section are mandatory and may not be waived or otherwise avoided for any reason.

6. Paragraph (f) of § 725.133 is revised as follows:

§ 725.133 Initial medical examination—miner.

* * * * *

(f) Proceedings and all evidentiary development shall be suspended and no benefits shall be payable for any period during which a claimant-miner may refuse to submit to medical examination under this section. Any miner against whom action may be taken pursuant to this paragraph shall, prior to the taking of such action, be given notice of the pending action to be taken and in addition, shall be given an opportunity to show cause in a formal hearing conducted pursuant to the provisions of Subpart E of this part why the development of his claim or the payment of benefits to him should not be suspended.

* * * * *

7. Section 725.311, paragraph (c)(5) is revised to read as follows:

§ 725.311 Criteria for identifying a responsible operator.

* * * * *

(c) * * *

(5) In the event that a coal mine operator is determined to be a "responsible operator" pursuant to the provisions of paragraph (c) (1), (2), or (3) of this section, there shall be a rebuttable presumption that the miner's work-related pneumoconiosis arose in whole or in part sufficiently to occasion liability, out of his employment with such operator during the period or periods when he was employed in a mine or mines operated by such operator. The responsible operator as so determined shall accordingly be liable for payment and securing of benefits awarded to the claimant on account of the disability or death of the miner who was so employed.

8. Section 725.488 is revised as follows:

§ 725.488 Modification of awards.

Upon his own initiative, or upon the application of any party in interest, on the ground of a change in conditions or because of a mistake in a determination of fact by the deputy commissioner, the deputy commissioner may, at any time prior to 1 year after the date of the last payment of benefits, or at any time prior to 1 year after the rejection of a claim, review a case in accordance with the procedure prescribed in respect of claims in this subpart and in accordance therewith issue a new final decision and order which may terminate, continue, or reinstate, increase, or decrease such benefits, or award benefits. Such new order shall not affect any benefits previously paid, except that an award increasing the benefits rate may be made effective from the date of the entitlement and if any part of the benefit due or to become due is unpaid, an award decreasing the benefit rate may be made effective from the date of entitlement, and any payment made prior thereto in excess of such decreased rate shall be deducted from any unpaid benefit pursuant to Subpart C of this part.

9. Paragraph (a) of § 725.503 is revised as follows:

§ 725.503 Date from which benefits shall be payable.

(a) Section 6(a) of the Longshoremen's Act as incorporated by section 422 of Part C of Title IV of the Act requires that in the case of total disability benefits shall be payable to eligible beneficiaries beginning with the month of the onset of such total disability and in the case of death, benefits shall be payable to eligible beneficiaries beginning with the month of such death. In no event shall benefit payments be required under this part for any period prior to January 1, 1974.

* * * * *

10. Section 725.510 is revised by adding thereto a new paragraph (f) as follows:

§ 725.510 Computation of benefits.

* * * * *

(f) *Eligibility based on the coal mine employment of more than one miner.* Where an individual, for any month, is entitled (and/or qualifies as a dependent for purposes of augmentation of benefits) based on the disability or death due to pneumoconiosis arising out of the coal mine employment of more than one miner, the benefit payable to or on behalf of such individual shall be at a rate equal to the highest rate of benefits for which entitlement is established by reason of eligibility as a beneficiary, or by reason of his or her qualification as a dependent for augmentation of benefit purposes.

11. Paragraph (a) of § 725.515 is revised as follows:

§ 725.515 Modification of benefit amounts—general.

* * * * *

(a) *Reduction*—A reduction from a beneficiary's monthly benefit may be required because of:

(1) Any compensation or benefits received under or pursuant to any State workmen's compensation law because of death or partial or total disability due to pneumoconiosis; or

(2) Any compensation or benefits received under or pursuant to any Federal law including Part B of Title IV of the Act because of death or partial or total disability due to pneumoconiosis; or

(3) In the case of benefits to a parent, brother, or sister the excess earnings from wages and from net earnings from self-employment (see § 410.530 of this title) of such parent, brother, or sister, respectively; or

(4) The fact that a claim for benefits from an additional beneficiary is filed, or that such claim is effective for a payment during the month of filing, or a dependent qualifies under Part 715 of this chapter for an augmentation portion of a benefit of a miner or widow for a period in which another dependent has previously qualified for an augmentation.

* * * * *

Signed at Washington, D.C. this 8th day of April, 1974.

BERNARD E. DELURY,
Assistant Secretary for Employment Standards.

[FR Doc.74-8425 Filed 4-11-74;8:45 am]

Title 21—Food and Drugs

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

SUBCHAPTER A—GENERAL

PART 8—COLOR ADDITIVES

PART 9—COLOR CERTIFICATION

D&C Violet No. 2

By publication in the FEDERAL REGISTER of June 26, 1973 (38 FR 16794), notice was given that a petition (CAP 3C0106) had been filed by Ethicon, Inc., Somerville, NJ 08876, proposing issuance of a color additive regulation (21 CFR Part 8) to provide for suitable and safe use of D&C Violet No. 2 as a color additive in or on polyglactin 910 synthetic absorbable surgical sutures.

The Commissioner of Food and Drugs, having evaluated the data in the petition and other relevant material, concludes that the color additive regulations should be amended to provide for the safe use of D&C Violet No. 2 in or on glycolic-lactic acid polyester (USAN polyglactin 910) synthetic absorbable sutures under the conditions prescribed in this order. The Commissioner further concludes that certification is necessary for the protection of the public health.

The order establishes specifications to be used in the certification of batches of D&C Violet No. 2 which are more restrictive than those currently prescribed

under § 9.270 (21 CFR 9.270). Additionally, the identity of the color has been revised to be consistent with current chemical nomenclature for the color additive. The Commissioner concludes that the revised identity nomenclature and the new specifications should apply to the color not only under the new listing for suture use but also under the provisional listing for other uses of the color as provided in § 8.501(b) (21 CFR 8.501 (b)). Accordingly, the order also revises the identity nomenclature and specifications for D&C Violet No. 2 in § 9.270 (incorporated by § 8.501(b)) so that the new identity nomenclature and specifications will be applicable uniformly to all uses of this color subject to regulation by the Food and Drug Administration.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 706(b), (c), and (d), 74 Stat. 399-403 as amended; 21 U.S.C. 376(b), (c), and (d)) and the transitional provisions accompanying the Color Additive Amendments of 1960 (sec. 203, 74 Stat. 404-407; 21 U.S.C. 376 note) and under authority delegated to the Commissioner (21 CFR 2.120), Parts 8 and 9 are amended as follows:

1. Part 8 is amended in Subpart E by adding thereto a new section to read as follows:

§ 8.4152 D&C Violet No. 2.

(a) *Identity.* The color additive D&C Violet No. 2 is principally 1-hydroxy-4-[(4 - methylphenyl) amino] - 9,10 - anthracenedione.

(b) *Specifications.* D&C Violet No. 2 shall conform to the following specifications and shall be free from impurities, other than those named, to the extent that such other impurities can be avoided by good manufacturing practice:

Volatile matter (at 135° C.), not more than 2.0 percent.

Matter insoluble in both carboon tetrachloride and water, not more than 0.5 percent.

p-Toluidine, not more than 0.2 percent.

1-Hydroxy-9,10-anthracenedione, not more than 0.5 percent.

1,4 - Dihydroxy-9,10-anthracenedione, not more than 0.5 percent.

Subsidiary colors, not more than 1.0 percent.

Lead (as Pb), not more than 20 parts per million.

Arsenic (as As), not more than 3 parts per million.

Total color, not less than 96.0 percent.

(c) *Uses and restrictions.* D&C Violet No. 2 may be safely used for coloring glycolic-lactic acid polyester (USAN polyglactin 910) synthetic absorbable sutures for use in general and ophthalmic surgery subject to the following restrictions:

(1) The quantity of the color additive does not exceed 0.2 percent by weight of the suture.

(2) If the suture is a new drug, an approved new drug application, pursuant to section 505 of the act, is in effect for it.

(d) *Labeling.* The label of the color additive shall conform to the requirements of § 8.32.

(e) *Certification.* All batches of D&C Violet No. 2 shall be certified in accordance with regulations in Subpart A of this part.

2. Part 9 is amended in Subpart C by revising § 9.270 to read as follows:

§ 9.270 D&C Violet No. 2.

The color additive D&C Violet No. 2 shall conform in identity and specifications to the requirements of § 8.4152 (a) and (b) of this chapter.

Any person who will be adversely affected by the foregoing order may at any time on or before May 13, 1974, file with the Hearing Clerk, Food and Drug Administration, Rm. 6-86, 5600 Fishers Lane, Rockville, MD 20852, written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order, specify with particularity the provisions of the order deemed objectionable, and state the grounds for the objections. If a hearing is requested, the objections shall state the issues for the hearing, shall be supported by grounds factually and legally sufficient to justify the relief sought, and shall include a detailed description and analysis of the factual information intended to be presented in support of the objections in the event that a hearing is held. Objections may be accompanied by a memorandum or brief in support thereof. Six copies of all documents shall be filed. Received objections may be seen in the above office during working hours, Monday through Friday.

Effective date. This order shall become effective June 11, 1974, except as to any provisions that may be stayed by the filing of proper objections. Notice of the filing of objections or lack thereof will be announced by publication in the FEDERAL REGISTER.

(Sec. 706(b), (c), and (d), 74 Stat. 399-403 as amended (21 U.S.C. 376(b), (c), and (d)) sec. 203, 74 Stat. 404-407 (21 U.S.C. 376 note))

Dated: April 9, 1974.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.74-8520 Filed 4-11-74;8:45 am]

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

Slimicides

The Commissioner of Food and Drugs, having evaluated the data in a petition (FAP 3H2905) filed by Buckman Laboratories, Inc., 1256 McLean Blvd., Memphis, TN 38106, and other relevant material, concludes that the food additive regulations (21 CFR Part 121) should be amended, as set forth below, to provide for the safe use of potassium N-hydroxymethyl-N-methyldithiocarbamate as an antimicrobial agent to control slime in the process water used in the production of paper and paperboard intended to contact food.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under authority delegated to the Commissioner (21 CFR 2.120), § 121.2505(c) is amended by alphabetically inserting a new item in the list of substances as follows:

§ 121.2505 Slimicides.

* * * * * *

(c) * * *

List of substances	*Limitations*
* * *	* * *
Potassium N-hydroxymethyl-N-methyldithiocarbamate -----	----------
* * *	* * *

* * * * * *

Any person who will be adversely affected by the foregoing order may at any time on or before May 13, 1974, file with the Hearing Clerk, Food and Drug Administration, Rm. 6-86, 5600 Fishers Lane, Rockville, MD 20852, written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order, specify with particularity the provisions of the order deemed objectionable, and state the grounds for the objections. If a hearing is requested, the objections shall state the issues for the hearing, shall be supported by grounds factually and legally sufficient to justify the relief sought, and shall include a detailed description and analysis of the factual information intended to be presented in support of the objections in the event that a hearing is held. Objections may be accompanied by a memorandum or brief in support thereof. Six copies of al documents shall be filed. Received objections may be seen in the above office during working hours, Monday through Friday.

Effective date. This order shall become effective April 12, 1974.

(Sec. 409(c)(1), 72 Stat. 1786 (21 U.S.C. 348(c)(1)))

Dated: April 5, 1974.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.74-8423 Filed 4-11-74;8:45 am]

PART 121—FOOD ADDITIVES

Tricyclohexyltin Hydroxide

A petition (FAP 3H5036) was filed jointly by Dow Chemical U.S.A., Post Office Box 1706, Midland, MI 48640, and M&T Chemicals, Inc., Post Office Box 1104, Rahway, NJ 07065 in accordance with provisions of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 348), proposing establishment of a food additive tolerance (21 CFR Part 121) for combined residues of the insecticide tricyclohexyltin hydroxide and its organotin metabolites (calculated as tricyclohexyltin hydroxide) in dried plums (prunes) resulting from application of

the insecticide to growing plums (fresh prunes) at 4 parts per million. (For a related document, see this issue of the FEDERAL REGISTER, page 13260.)

The reorganization plan No. 3 of 1970, published in the FEDERAL REGISTER of October 6, 1970 (35 FR 15623), transferred (effective December 2, 1970) to the Administrator of the Environmental Protection Agency, the functions vested in the Secretary of Health, Education, and Welfare for establishing tolerances for pesticide chemicals under sections 406, 408, and 409 of the Federal Food, Drug, and Cosmetic Act, as amended (21 U.S.C. 346, 346a, and 348). Pesticide and food additive tolerances for tricyclohexyltin hydroxide have previously been established.

Having evaluated the data in the petition and other relevant material it is concluded that the tolerance should be established and expressed as "4 parts per million in dried prunes."

Therefore, pursuant to provisions of the Act (sec. 409(c)(1), (4), 72 Stat. 1786; 21 U.S.C. 348(c)(1), (4)), the authority transferred to the Administrator of the Environmental Protection Agency (35 FR 15623), and the authority delegated by the Administrator to the Deputy Assistant Administrator for Pesticide Programs (36 FR 9038), Part 121 is amended by adding the following new section to Subpart D:

§ 121.1247 Tricyclohexyltin hydroxide.

A tolerance of 4 parts per million is established for combined residues of the insecticide tricyclohexyltin hydroxide and its organotin metabolites (calculated as tricyclohexyltin hydroxide) in dried prunes when present therein as a result of application of the insecticide to growing plums (fresh prunes).

Any person who will be adversely affected by the foregoing order may at any time on or before May 13, 1974, file with the Hearing Clerk, Environmental Protection Agency, Room 1019E, 4th & M Streets, SW., Waterside Mall, Washington, D.C. 20460, written objections thereto in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on April 12, 1974.

(Sec. 409(c)(1), (4), 72 Stat. 1786 (21 U.S.C. 348(c)(1), (4)))

Dated: April 8, 1974.

EDWIN L. JOHNSON,
Acting Deputy Assistant Administrator for Pesticide Program.

[FR Doc.74-8455 Filed 4-11-74;8:45 am]

Title 45—Public Welfare

CHAPTER I—OFFICE OF EDUCATION DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 185—EMERGENCY SCHOOL AID

Eligibility for Funds

Notice of proposed rule-making was published in the FEDERAL REGISTER on December 7, 1973, amending authorized activities for educational television programming (§ 185.72 (a) and (b)); amending criteria in making awards for such projects (§ 185.74(a)); redefining eligibility for special reading projects (§ 185.91(a)); amending application requirements for special reading projects (§ 185.92(b)(4)); and amending certain reservations of funds (§ 185.95(b) (1) and (3)).

No pertinent comments were submitted on these proposed changes. Three minor changes have been made upon further consideration of the proposed amendments.

1. The decision has been made to award contracts rather than grants for educational television programming. This change in the type of award will facilitate the resolution of problems which have occurred relating to technical (as distinguished from creative) performance. The unique and complex character of television programming does not easily lend itself to the grant award process.

Due to the imminent deadline for the receipt of applications and the constraints of the existing schedule for review and making of awards, it has been determined that award decisions will be made on the basis of grant applications submitted in accordance with the notice of receipt of applications published on November 20, 1973 (38 FR 31983) and such additional information as the Assistant Secretary may require. The only change of procedure is that the award document will be a contract rather than a grant.

2. Section 185.72(b)(1) has been amended to allow for no more than 5 contracts to be awarded for regional programming, rather than the limit of 3 originally proposed. This change is responsive to the level of interest shown by prospective proposers.

3. Section 185.75(a) has been amended to allow for post-award consultation with advisory committees on educational television projects to be required every 3 months, rather than monthly. This change recognizes the difficulty and expense of monthly consultations with advisory committees which reflect national rather than local constituencies.

Part 185 of Title 45 of the Code of Federal Regulations is hereby amended by revising all of Subpart H to reflect the change from grant to contracts and §§ 185.72 (a) and (b), 185.74(a), 185.75 (a), 185.91(a), 185.92(b), and 185.95(b) (1) and (3) as set forth below.

Effective Date: May 13, 1974.

(Catalog of Federal Domestic Assistance Program No. 13.530 Emergency School Aid—Educational Television and 13.532 Emergency School Aid—Special Projects)

Dated: March 1, 1974.

CHARLES B. SAUNDERS, Jr.,
Acting Assistant Secretary for Education.

Approved: April 9, 1974.

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

§ 185.71 Eligibility for funds.

(a) Any public or nonprofit private agency, institution, or organization with the capability of providing expertise in the development of television programming may apply for a contract from funds reserved pursuant to § 185.95(b) (3) to pay the cost of development and production of integrated children's television programs of cognitive and affective educational value. For purposes of this subpart, "programs of cognitive and affective educational value" are those which teach concrete academic skills and encourage interracial and interethnic understanding.

(20 USC 1610(a), (b)(1); Senate Rept. No. 92-61, p. 24)

(b) No more than nine contracts shall be awarded pursuant to this subpart during the fiscal year ending June 30, 1974.

(20 USC 1610(b)(1))

§ 185.72 Authorized activities.

(a) Funds made available under this subpart shall be used to pay the normal and necessary expenses of researching, planning, writing, editing, staging, directing, performing, producing, reproducing, and distributing integrated children's television programs where such activities would not otherwise be funded and are designed to carry out the purposes described in § 185.01. Such programs shall be a standard-length series addressing one of the following areas of concern:

(1) Improvement of written and oral expression at the secondary level;

(2) Enrichment in the understanding of children for the cultural attainments of their own and other racial or ethnic groups;

(3) Reduction of inter-racial and inter-ethnic conflict and tensions;

(4) Meeting the special needs of subgroups of minority groups as defined in § 185.02(f) which may be unique to a particular geographic region through a program series intended for less than nationwide utilization; and

(5) Initial reading attack experiences focused upon children entering the first grade level of elementary school.

(20 USC 1610(b)(1))

(b)(1) No more than one contract for a standard-length series shall be awarded for any one of the areas of concern described in paragraphs (a)(1), (2), (3), and (5) of this section in any fiscal year, and no more than five contracts shall be awarded for "regional" programming as described in paragraph (a)(4) of this

section in any fiscal year, unless the Assistant Secretary determines that the proposals pending before him for additional contracts for programming directed to the same area of concern are of exceptional merit or promise.

(2) No more than one contract shall be awarded for television programming directed to a particular racial or ethnic group in a particular geographical area in any fiscal year, unless the Assistant Secretary determines that the proposals pending before him for additional contracts for programming directed to the same group in the same area are of exceptional merit or promise.

(20 USC 1610(b) (1))

(3) Contracts awarded for "regional" programming as described in paragraph (g) (4) of this section shall not exceed $250,000 in amount.

(c) Television programs developed in whole or in part with funds made available under this subpart shall be made reasonably available for transmission, free of charge, and shall not be transmitted under commercial sponsorship. A proposal for funds under this subpart shall include an assurance that the procedures to be followed, and the standards or criteria to be applied, in making such programs freely available for transmission will be developed in conjunction with the Assistant Secretary upon completion of production of a designated portion of the proposed television programming. For purposes of this paragraph, where the costs of transmission are met by a commercial firm, a brief statement to that effect at the beginning or end of such transmission shall not be considered commercial sponsorship. No television program developed in whole or in part with funds made available under this subpart shall be used or transmitted in such a manner as to result in a financial benefit to any person or organization.

(20 USC 1610(b) (2); Senate Rept. No. 92-61, pp. 24-25)

(d) Funds made available under this subpart shall not be used for construction, repair, or remodeling of any building or facility, or for the purchase of any equipment which has an extended useful life and is not consumed in use.

(20 USC 1610(b) (1))

§ 185.73 Proposals.

(a) *General.* A proposer for funds under this subpart for any fiscal year shall submit to the Assistant Secretary a proposal therefor for that fiscal year, which proposal shall contain such information and set forth such policies and procedures as will assure that the proposer will use funds received under this subpart only for the activities described in § 185.72.

(20 USC 1610(b) (1))

(b) *Basic assurances.* Proposals for funds under this subpart shall comply with the requirements of § 185.13 (a), (b), (c), (d), (f), (h), (k)(1) (i) and (ii), (k) (2), and (m).

(20 U.S.C. 1609(a), 1610(b) (1))

(c) *Assurances by local educational agencies.* Proposals by local educational agencies for funds under this subpart shall comply with the requirements of § 185.13 (g), (i), (j), (k) (1) (iii), (k) (3), and (l), in addition to the requirements specified in paragraph (b) and (e) of this section. Such proposal, together with all correspondence and other written materials relating thereto, shall be made readily available to the public by the proposer and the Assistant Secretary.

(20 U.S.C. 1609(a), 1610(b) (1))

(d) *Assurances by other proposers.* Proposals by public or nonprofit private agencies, institutions, or organizations (other than local educational agencies) under this subpart shall comply with the requirements of §§ 185.63(b) (2), (5), and, where appropriate, § 185.63(b) (3), in addition to the requirements specified in paragraphs (b) and (e) of this section.

(20 U.S.C. 1610(b) (1))

(e) *Additional information and assurances.* Proposals for funds under this subpart shall contain the following information, in addition to the assurances and information required by the applicable paragraphs of this section:

(1) A detailed description of the integrated children's television programs to be developed and produced with funds made available under this subpart, together with an identification of the audience to be reached by such programs and a statement of the educational and other gains to be achieved;

(2) A statement of the name, address, position, duties, prior experience in educational television and school and community affairs and race of all persons permanently employed (or to be employed) in positions of responsibility by the proposer on its development, production, and administrative staffs;

(3) A detailed description of the formative evaluation procedures to be employed by the proposer in measuring and evaluating the educational and other change to be achieved by children viewing the television programs for which funds are sought;

(4) A statement of past activities engaged in by the proposer or its officers or employees indicating the relative capability of the proposer to provide expertise in the development of integrated children's television programming, and to develop and produce the proposed television programs; and

(5) Information as to the research and development techniques to be employed (or which have previously been employed), production standards to be observed, nonbroadcast materials to be utilized in support of the proposed television programming, and field activities and other measures to be undertaken in order to insure target audience participation in ongoing program development.

(20 USC 1610(b) (1) and (3))

(f) *Proposal procedure.* The Assistant Secretary may require the information described in this section to be submitted either in a single proposal or sequentially, and may require additional information and assurances of selected proposers.

(20 USC 1610(b) (1))

§ 185.74 Criteria for award.

In approving proposals for funds under this subpart, the Assistant Secretary shall apply the following criteria:

(a) *Needs assessment (10 points).* The extent to which the proposer has undertaken a comprehensive assessment, on the basis of test data, audience surveys, and other objective evidence, of the educational and other needs of the target population, and the magnitude of the needs so assessed.

(20 U.S.C. 1610(b) (1))

(b) *Statement of objectives (13 points).* The degree to which the proposer (1) sets forth specific, measurable objectives in relation to the needs identified; and

(2) Specifically describes, on the basis of modern research and development techniques, the issues and subject matter related to such needs which will be addressed by the proposed television programming.

(20 U.S.C. 1610(b) (1), 1610(b) (3) (B))

(c) *Activities (35-37 points)*—(1) *Program content and design (10 points).* The extent to which the proposed television programming promises to reach the expected or potential target audience and to encourage and sustain the participation, interest, and educational and other growth of such audience, by use of minority and nonminority group performers or characters and by other means;

(2) *Staffing (12 points).* (i) The extent to which the proposal (a) sets out an adequate staffing plan which includes provisions for making maximum use of present staff capabilities, and (b) provides for continuing training of staff in order to increase the effectiveness of the proposed television programming; and (ii) the extent to which minority group personnel are employed (or will be employed) in responsible positions on the development, production, and administrative staffs of the proposer;

(3) *Facilities capability (10 points).* The extent to which the proposal describes a level of production facilities capability sufficient to meet the requirements of the proposed television programming, including a description of adequate and conveniently available production facilities and equipment;

(4) *Supplementary materials (2 points).* In the case of proposals for standard-length series, the extent to

which such proposal sets forth a plan of activities, such as the creation, production, and dissemination of nonbroadcast materials, designed to intensify and amplify the effects of the proposed programming; and

(5) *Parent and community involvement (3 points)*. The extent to which the proposal (i) delineates specific opportunities for continuing community and advisory committee participation in the development and evaluation of the proposed television programming in addition to those required by § 185.75, and (ii) includes evidence that such participation has been encouraged and has in fact occurred.

20 U.S.C. 1610(b)(1), 1610(b)(3)(A))

(d) *Resource management (6 points)*. The extent to which the proposal contains evidence that (1) the amount of funds requested is of sufficient magnitude to give substantial promise of achieving the stated objectives;

(2) The costs of project components are reasonable in relation to the expected benefits; and

(3) Needed resources will be purchased or otherwise obtained in such a manner as to insure that project deadlines will be met.

(20 U.S.C. 1610(b)(1))

(e) *Evaluation (5 points)*. The extent to which the proposal sets out a detailed format, including specific study designs, for applying formative evaluation techniques prior to and during the initial phases of production of the proposed television programming, in order to determine the production and presentation techniques which offer the greatest promise of achieving the stated objectives.

(20 USC 1610(b)(1), 1610(b)(3)(C))

(f) *Funding criteria.* In determining amounts to be awarded to proposers for funds under this subpart, the Assistant Secretary shall consider the additional cost to such proposer (as such cost is defined in § 185.13(a)) of effectively developing and producing its proposed television programming, in relation to the amount of funds available under this subpart and the other proposals for such funding pending before him. The Assistant Secretary shall not be required to approve any proposal which does not meet the requirements of the Act or this part, or which sets forth proposed television programming of such insufficient promise for achieving the purposes of the Act that its approval is not warranted. In applying the criterion set out in this paragraph, the Assistant Secretary shall award funds to proposers (whose proposals meet such requirements and are of sufficient promise to warrant approval) in the order of their ranking on the basis of the criteria set out in this section until the sums available for the purposes of this subpart have been exhausted. Awards made pursuant to this subpart shall be subject to the provisions of 41 CFR Chapter 3.

(20 USC 1610(b)(1))

* * * * *

§ 185.75 Advisory committees.

(a) Public or nonprofit private agencies, institutions, or organizations (other than local educational agencies) submitting proposals for funds under this subpart, shall comply with the requirements as to advisory committee participation set forth in § 185.65, except for the second sentence of § 185.65(b)(2), and except that the post-award consultation described in § 185.65(d) shall be at least once every three months. For purposes of this paragraph, references in said section to a "plan or project described in § 185.11" or "program, project, or activity" shall be understood to refer to the proposed television programming for which funds are sought.

(b) Local educational agencies submitting proposals for funds under this subpart shall comply with the requirements as to advisory committee participation and public hearings set forth in § 185.41 (a) through (g). For purposes of this paragraph, references in said paragraphs to a "plan or project described in § 185.11" or "program, project, or activity" shall be understood to refer to the proposed television programming for which funds are sought.

(20 USC 1609(a)(2) and (3), 1609(b))

(c) Where the primary area to be served by the proposed television programming for which funds are sought under this subpart is larger than the school district of a single local educational agency, members of the advisory committees required by this section, and civic or community organizations designated to select such members, shall be selected so as to represent the larger area to be served.

(20 USC 1610(b)(1))

§ 185.76 Limitations on eligibility.

The limitations on eligibility set forth in § 185.43 shall apply to educational agencies submitting proposals for funds under this part. The provisions of § 185.44 as to waiver of ineligibility shall apply to local educational agencies submitting proposals for funds under this subpart.

(20 USC 1605(d), 1609 (a) and (b), 1610(b)(1))

* * * * *

§ 185.91 Eligibility for assistance.

(a) *Special reading projects.* (1) Any local educational agency which is implementing a plan described in § 185.11 (a) or (b) and which has substantially implemented a project for which assistance was awarded under this subpart prior to July 1, 1973, may apply for assistance by grant or contract from funds reserved pursuant to § 185.95(b)(1) for special reading projects to improve the reading performance of minority and nonminority group children in a school affected by such a plan in which the proportion of minority group children enrolled is greater than 20 percent and no more than 50 percent.

(2) No more than $2,500,000 from funds reserved pursuant to § 185.95(b)(1) shall be awarded for grants or contracts pursuant to this paragraph during the fiscal year ending June 30, 1974.

(3) For purposes of this paragraph, a project for which assistance was awarded prior to July 1, 1973, shall be considered substantially implemented if it has prior to December 1, 1973:

(i) Hired at least 75 percentum of the staff members proposed on the application for assistance;

(ii) Implemented the instructional program proposed in such application in at least 75 percentum of the classrooms proposed to participate by such application or in a lesser percentage of such classrooms containing 75 percentum of the children proposed to be involved by such application; and

(iii) Purchased or ordered all materials required for such projects for the first semester of the project year.

(20 USC 1607(a))

* * * * *

§ 185.92 Applications.

* * * * *

(b) * * *

(4) Evidence that the project for which assistance was awarded prior to July 1, 1973, has been substantially implemented as defined in § 185.91(a)(3).

(20 USC 1607(a))

* * * * *

§ 185.95 Reservation of funds.

* * * * *

(b) The Assistant Secretary hereby reserves:

(1) An amount no less than 4 percent nor more than 5 percent of the sums appropriated under the Act for any fiscal year for the purposes of special projects under subpart J of this part;

* * * * *

(3) An amount no less than 3 percent nor more than 4 percent of the sums so appropriated for the purposes of educational television projects under subpart H of this part; and

* * * * *

(20 USC 1603(b)(2), 1607(a) and (c), 1610, 1612)

[FR Doc.74-8454 Filed 4-11-74;8:45 am]

Title 29—Labor

CHAPTER V—WAGE AND HOUR DIVISION, DEPARTMENT OF LABOR

RUBBER AND PLASTICS FOOTWEAR INDUSTRY IN PUERTO RICO

Wage Orders

Pursuant to sections 5, 6 and 8 of the Fair Labor Standards Act of 1938 (52 Stat. 1062, 1064, as amended (29 U.S.C. 205, 206, 208)) and Reorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p.

1004), and by means of Administrative Order No. 629 (39 FR 5329) the Secretary of Labor appointed and convened Industry Committee No. 116–B for the Rubber and Plastics Footwear Industry in Puerto Rico, referred to the Committee the question of the minimum rate or rates of wages to be paid under section 6(c) of the Act to employees in the industry, and gave notice of a hearing to be held by the Committee.

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

Accordingly, as authorized and required by section 8 of the Fair Labor Standards Act of 1938, Reorganization Plan No. 6 of 1950, and 29 CFR 511.18, the recommendation of Industry Committee No. 116–B are hereby published, revising the headings and text of Parts 601, 690 and 720, Code of Federal Regulations, and transferring portions of the three industries to a new industry described in a new Part 730, to comprise the Rubber and Plastics Footwear Industry in Puerto Rico.

1. As revised, Part 601 reads as follows:

PART 601—NONRUBBER FOOTWEAR INDUSTRY IN PUERTO RICO

§ 601.1 Definition.

(a) The Nonrubber Footwear Industry in Puerto Rico is defined as the manufacture of footwear, except rubber and plastics footwear or footwear made by knitting and crocheting; and the manufacture of cut stock and findings for footwear, except that of rubber and plastics: *Provided, however,* That the industry shall not include any activity included in the rubber and plastics footwear industry or the rubber and miscellaneous plastics products industry.

(b) The industry encompasses, but is not limited to, shoes, slippers, moccasins, boots, boot tops, sandals, and athletic footwear, including footwear of leather, artificial leather and vinyl. The industry does not include footwear made by vulcanizing or molding soles to fabric uppers, plastics footwear molded to shape, or rubber and plastics protective footwear, sandals, and slippers. Also included are cut stock and findings for footwear from all materials except rubber and plastics; boot and shoe patterns; and ornaments and trimmings designed primarily for use on shoes.

2. As revised, Part 690 reads as follows:

PART 690—FABRICATED PLASTIC PRODUCTS INDUSTRY IN PUERTO RICO

§ 690.1 Definition.

The Fabricated Plastic Products Industry in Puerto Rico is defined as follows: The molding, extrusion, lamination, or other forming, and the fabrication of plastic products: *Provided, however,* That the industry shall not include the manufacture from plastic materials of footwear and cut stock and findings for footwear; the manufacture of apparel and apparel furnishings and accessories; and any activity included in the rubber and plastics footwear industry (29 CFR Part 730), the jewelry decorations, brushes and novelties industry (29 CFR Part 613), the leather, leather goods, and related products industry (29 CFR Part 602), the women's outerwear, needlework, and miscellaneous fabricated textile products industry (29 CFR Part 612), and the chemical, petroleum, and related products industry (29 CFR Part 670), as defined in the wage orders for those industries in Puerto Rico.

3. As revised, Part 720 reads as follows:

PART 720—RUBBER PRODUCTS INDUSTRY IN PUERTO RICO

§ 720.1 Definition.

The Rubber Products Industry in Puerto Rico, to which this part shall apply, is defined as follows: The manufacture of all products made chiefly of natural, synthetic, or reclaimed rubber or latex, including, among others: Industrial and mechanical rubber goods, rubber specialties and sundries, new, rebuilt and retreaded tires and tubes, rubber tile, and reclaimed rubber: *Provided, however,* That the industry shall not include any activity included in the rubber and plastics footwear industry, the chemical, petroleum, and related products industry, the children's dress and related products industry, the corsets, brassieres, and allied garments industry, the men's and boys' clothing and related products industry, the women's outerwear, needlework and miscellaneous fabricated textile products industry, and the textile mill products industry, as defined in the wage orders for those industries.

§ 720.2 Wage rates.

* * * * *

(a) Pre-1961 coverage classifications.

* * *

* * * * *

(4) [Reserved.]

* * * * *

§ 720.3 Notices.

Every employer subject to the provisions of § 720.3 shall post in a conspicuous place in each department of his establishment where employees subject to the provisions of § 720.2 are working such notices of this part as shall be prescribed from time to time by the Administrator of the Wage and Hour Division of the United States Department of Labor and shall give such other notice as the Administrator may prescribe.

4. As added, new Part 730 reads as follows:

PART 730—RUBBER AND PLASTICS FOOTWEAR INDUSTRY IN PUERTO RICO

Sec.
730.1 Definitions.
730.2 Wage rates.
730.3 Notices.

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

§ 730.1 Definition.

The Rubber and Plastics Footwear Industry in Puerto Rico is defined as the manufacture of footwear made by vulcanizing soles to fabric uppers, footwear made by molding plastic soles to fabric uppers, rubber and plastics protective footwear, plastics footwear molded to shape, and rubber and plastics sandals and slippers: *Provided, however,* That the industry shall not include any activity included in the nonrubber footwear industry or the rubber and miscellaneous plastics products industry.

§ 730.2 Wage rates.

Wages at rates not less than those prescribed in this section shall be paid under section 6(c) of the Fair Labor Standards Act of 1938 by every employer to each of his employees in the rubber and plastics footwear industry in Puerto Rico who in any workweek is engaged in commerce or in the production of goods for commerce or is employed in an enterprise engaged in commerce or in the production of goods for commerce, as these terms are defined in section 3 of the Act.

(a) *Pre-1961 coverage classification.* (1) The minimum wage for this classification is $1.45 an hour.

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

(b) *1961 coverage classifications.* The classifications for 1961 coverage apply to all activities in the industry to which section 6 of the Act applies solely by reason of the Fair Labor Standards Amendments of 1961.

(1) *Rubber footwear classification.* (i) The minimum wage for this classification is $1.45 an hour.

(ii) This classification is defined as the manufacture or partial manufacture of footwear made by vulcanizing the entire article or made by vulcanizing soles to fabric uppers.

(2) *Other products and activities classification.* (i) The minimum wage for this classification is $1.45 an hour.

(ii) This classification is defined as the manufacture of all products and all activities that are not specifically included in the other 1961 coverage classification of the industry.

(c) *1966 coverage classification.* (i) The minimum wage is $1.60 an hour.

(ii) This classification is defined as all activities in the industry to which section 6 of the Act applies solely by reason of the Fair Labor Standards Amendments of 1966.

§ 730.3 Notices.

Every employer subject to the provisions of § 730.3 shall post in a conspicuous place in each department of his establishment where employees subject to the provisions of § 730.2 are working such notices of this part as shall be

prescribed from time to time by the Administrator of the Wage and Hour Division of the United States Department of Labor and shall give such other notice as the Administrator may prescribe.

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

Effective date. These revisions shall become effective April 28, 1974.

Signed at Washington, D.C., this 9th day of April, 1974.

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

[FR Doc.74-8474 Filed 4-11-74;8:45 am]

Title 26—Internal Revenue

CHAPTER I—INTERNAL REVENUE SERVICE, DEPARTMENT OF THE TREASURY

SUBCHAPTER E—ALCOHOL, TOBACCO AND OTHER EXCISE TAXES

[T.D. AFT 10]

MISCELLANEOUS AMENDMENT; CORRECTION

NOTE: In FR Doc. 74- published in the issue of Monday, April 8, 1974, certain text was inadvertantly omitted. For the convenience of the reader we are republishing that document in full.

Background. Producers of still wine are permitted by law to add controlled amounts of carbon dioxide to their wine for preservative purposes. The law also provides for a tolerance, in an amount to be specified by regulation, to the statutory maximum amount of carbon dioxide permitted to be contained in still wine. This tolerance is intended to cover those situations where small discrepancies are due to mechanical variations which could not be completely controlled under good commercial practices. Such a tolerance is currently permitted by regulation to domestically produced still wine. However, imported still wine is not currently allowed this tolerance. The primary purpose of these amendments is to allow a tolerance with respect to imported still wine that is equal to the tolerance currently allowed domestically produced still wine. Other miscellaneous amendments are also being made at this time. All amendments are described in more detail below.

CARBON DIOXIDE TOLERANCE

In 26 CFR 240.533, a tolerance of 0.009 gram of carbon dioxide per 100 milliliters of wine is allowed, in the case of domestic producers of still wine, to the maximum statutory limitation on carbon dioxide in still wine (which is 0.277 gram of carbon dioxide per 100 milliliters of wine). Importers of foreign still wine have requested that this tolerance be extended to them as well. Since no jeopardy to the revenue is involved, this amendment would grant this request. However, as in the case of domestic wine, the tolerance will not be allowed where the maximum statutory limitation has been continuously or intentionally exceeded. [§§ 250.53 and 250.223 amended; and §§ 250.53a and 250.223a added]

SUMMARY OF CHANGES SUBSEQUENT TO NOTICE OF PROPOSED RULE MAKING

On October 7, 1972, a notice of proposed rule making to amend 26 CFR Parts 170, 250, and 251 was published in the FEDERAL REGISTER (37 FR 21330). In accordance with the notice, interested persons were afforded an opportunity to submit written comments or suggestions pertaining thereto. No comments or requests for a public hearing were received; therefore, the amendments to 26 CFR Parts 170, 250, and 251 are hereby adopted as published in the notice of proposed rule making, subject to the changes set forth below:

Provision for continuing Form 2609. In the notice of proposed rule making, we proposed to continue the requirement that Form 2609, Application for Transfer of Spirits and/or Denatured Spirits in Bond, be prepared for each transfer from customs custody to internal revenue bond of bulk distilled spirits from the Virgin Islands and foreign countries, and to reduce (from four to three) the number of copies of Form 2609 to be prepared. It has been determined that we should conform these regulations to those governing shipments of domestic bulk spirits, in which a single, continuing Form 2609 can cover all shipments as long as the receiving plant maintains sufficient bond coverage. In the case of imported spirits, the primary purpose of Form 2609 is to assure the customs officer that there is a sufficient bond at the receiving premises, so that he can safely release the spirits for shipment. For the convenience of those importers who make few shipments, provision for a single-transaction Form 2609 has been retained. [§§ 170.125 and 251.172 further amended; and §§ 170.127 and 251.173 amended]

Procurement of red strip stamps in Puerto Rico. Due to establishment of a separate Bureau of Alcohol, Tobacco and Firearms, proprietors in Puerto Rico will no longer order red strip stamps through the Internal Revenue Service, but will order them through an office of the Bureau. Proprietors are now doing this pursuant to individual letters. Also, provision is made for ordering stamps directly from the Bureau of Engraving and Printing. [§§ 250.141, 250.142, 250.143, and 250.185 amended]

Form 2260 procedure. Puerto Rican proprietors currently send completed Forms 2260, Record and Report of Red Strip Stamps, to an office of the Internal Revenue Service. With the establishment of the Bureau of Alcohol, Tobacco and Firearms, it will be necessary that these forms be filed with an office of the new Bureau. In addition, the deadline for filing these forms has been extended. [§ 250.146 amended]

Conforming changes. Certain official titles, definitions, and terms have been updated to reflect the status of the new Bureau of Alcohol, Tobacco and Firearms. [§§ 170.125 and 251.172 further amended; and §§ 170.127, 250.11, 250.141, 250.142, 250.143, 250.146, 250.185, 251.11, and 251.173 amended]

SPECIFIC CHANGES SUBSEQUENT TO NOTICE OF PROPOSED RULE MAKING

Paragraph 1. In order to indicate the additional amendments being made by this Treasury decision that were not contained in the notice of proposed rule making, the introduction to the document is changed to read as set forth below.

Par. 2. Because additional sections of 26 CFR Part 170 are being changed by this document, the introductory language to Paragraph A is changed to read: "Paragraph A. The regulations in 26 CFR Part 170 are amended as follows:"

Par. 3. The paragraph describing amendments to § 170.125 is redesignated as subparagraph A1, and § 170.125 is further amended by:

(a) Providing for use of a continuing Form 2609 (in addition to a single-transaction Form 2609);

(b) Striking the words "internal revenue" wherever they appear and inserting the words "alcohol, tobacco and firearms";

(c) Striking from the second sentence the words "assistant regional commissioner" and inserting instead the words "regional director."

As amended, subparagraph A1 reads as set forth below.

1. Section 170.125 is amended to require the submission of Form 2609 in triplicate rather than in quadruplicate, to permit the filing of a continuing Form 2609, and to update certain terms. As amended, § 170.125 reads as set forth below.

Par. 4. A new subparagraph A2 is added to read as set forth below.

2. Section 170.127 is amended to update terminology and to require that the customs officer have on file an approved Form 2609 before Virgin Islands spirits can be released from customs custody. As amended, § 170.127 reads as set forth below.

Par. 5. A new subparagraph B1 is inserted immediately following the introductory language to paragraph B, to describe a conforming change to § 250.11. As added, subparagraph B1 reads as set forth below.

1. Section 250.11 is amended to provide, in alphabetical order, a definition of "Chief, Puerto Rican Operations." As amended, § 250.11 reads as set forth below.

Par. 6. Subparagraphs B1 and B2 are redesignated as subparagraphs B2 and B3, respectively.

Par. 7. A new subparagraph B4 is added, immediately following redesignated subparagraph B3, to describe amendments to § 250.141.

As added, subparagraph B4 reads as set forth below.

4. Section 250.141 is amended to give a new address for the procurement of red strip stamps and to eliminate the requirement that the stamps be used within 90 days of requisition to supply existing orders and/or anticipated requirements. As amended, § 250.141 reads as set forth below.

Par. 8. A new subparagraph B5 is added, immediately following new subparagraph B4, to describe amendments to § 250.142. As added, subparagraph B5 reads as set forth below.

5. Section 250.142 is amended to eliminate the requirement that red strip stamps be used within 90 days of requisition to supply existing orders and/or anticipated requirements. As amended, § 250.142 reads as set forth below.

Par. 9. A new subparagraph B6 is added, immediately following new subparagraph B5, to describe amendments to § 250.143. As added, subparagraph B6 reads as set forth below.

6. Section 250.143 is amended to give a new address for the procurement of red strip stamps and to provide an optional procedure for the shipment of red strip stamps to the Puerto Rican insular revenue agent. As amended, § 250.143 reads as set forth below.

Par. 10. A new subparagraph B7 is added, immediately following new subparagraph B6, to describe amendments to § 250.146. As added, subparagraph B7 reads as set forth below.

7. Section 250.146 is amended to relax the deadline for filing Form 2260 from 10 days to 15 days following the close of each quarter and to provide for an additional copy of Form 2260 to be sent to the Chief, Puerto Rican Operations. As amended, § 250.146 reads as set forth below.

Par. 11. A new subparagraph B8 is added, immediately following new subparagraph B7, to describe amendments to § 250.185. As added, subparagraph B8 reads as set forth below.

8. Section 250.185 is amended to give a new address for the procurement of red strip stamps. As amended, § 250.185 reads as set forth below.

Par. 12. Subparagraphs B3 and B4 are redesignated as subparagraphs B9 and B10, respectively.

Par. 13. A new subparagraph C1 is inserted immediately following the introductory language to paragraph C, to describe a conforming change to § 251.11. As added, subparagraph C1 reads as set forth below.

1. Section 251.11 is amended to provide, in alphabetical order, a definition of "Alcohol, tobacco and firearms officer." As amended, § 251.11 reads as set forth below.

Par. 14. Subparagraphs C1 and C2 are redesignated as subparagraphs C2 and C3, respectively.

Par. 15. Redesignated subparagraph C3 is extensively revised to include the following new amendments to § 251.172:

a. Provision is made for use of a continuing Form 2609 (in addition to single-transaction Form 2609);

b. The words "internal revenue" are stricken wherever they appear, and in their place are inserted the words "alcohol, tobacco and firearms";

c. The words "assistant regional commissioner" are stricken from the second sentence, and in their place are inserted the words "regional director".

As amended, subparagraph C3 reads as set forth below.

3. Section 251.172 is amended to require the submission of Form 2609 in triplicate rather than quadruplicate, to permit the filing of a continuing Form 2609, and to update certain terms. As amended, § 251.172 reads as set forth below.

Par. 16. A new subparagraph C4 is added immediately following redesignated subparagraph C3, to describe amendments to § 251.173. As added, subparagraph C4 reads as set forth below.

4. Section 251.173 is amended to update terminology and to require that the customs officer have on file an approved Form 2609 before imported spirits can be released from customs custody. As amended, § 251.173 reads as set forth below.

This Treasury decision shall become effective on the first day of the first month beginning not less than 30 days following the date of publication in the FEDERAL REGISTER.

(68A Stat. 917 (26 U.S.C. 7805))

REX D. DAVIS,
Director, Bureau of Alcohol, Tobacco and Firearms.

Approved: March 29, 1974.

JAMES B. CLAWSON,
Acting Assistant Secretary of the Treasury.

In order to (1) provide for a tolerance to the maximum statutory limitation on carbon dioxide in nondomestic still wine, (2) reduce by one the number of Forms 2609 required to be submitted to the alcohol, tobacco and firearms officer prior to transfer of imported or Virgin Islands spirits in bulk containers from customs custody to internal revenue bond, (3) provide for a continuing Form 2609 in connection with transfers of imported or Virgin Islands spirits in bulk containers from customs custody to internal revenue bond, (4) give a new address for the procurement of red strip stamps in Puerto Rico and for the submission of Forms 2260, (5) provide an optional procedure for the shipment of red strip stamps directly to the Puerto Rican insular revenue agent from the Bureau of Engraving and Printing, and (6) relax the deadline for filing Forms 2260 from 10 days to 15 days following the close of each quarter, the regulations in 26 CFR Parts 170, 250, and 251 are amended as follows:

PART 170—MISCELLANEOUS REGULATIONS RELATING TO LIQUOR

PARAGRAPH A. The regulations in 26 CFR Part 170 are amended as follows:

1. Section 170.125 is amended to require the submission of Form 2609 in triplicate rather than in quadruplicate, to permit the filing of a continuing Form 2609, and to update certain terms. As amended, § 170.125 reads as follows:

§ 170.125 Application, Form 2609.

(a) *Application for continuing Form 2609.* The proprietor of a distilled spirits plant desiring to withdraw distilled spirits as authorized in § 170.124, shall submit an application on Form 2609, in triplicate, to the alcohol, tobacco and firearms officer. The application shall be modified by the applicant to cover the transfer of distilled spirits from customs custody, by naming the port of entry through which the spirits are to be withdrawn, and inserting the name and address of the regional director for the region in which is located the plant to which the spirits are to be transferred. If spirits are to be withdrawn through more than one port of entry, a separate continuing Form 2609 shall be filed for each port. The application will not be approved unless the applicant's bond on Form 2601 is in the maximum penal sum, or, if in less than the maximum penal sum, is sufficient to cover the tax on the spirits to be transferred in addition to all other liabilities chargeable against such bond, nor shall any application for withdrawal of spirits in bulk containers be approved unless the applicant has provided suitable facilities as provided in § 201.239 of this chapter. (See § 170.130 of this subpart with respect to need for consent of surety on bond, Form 2601.) When the alcohol, tobacco and firearms officer approves Form 2609, he shall retain one copy for his files and return the original and one copy to the applicant. The applicant shall retain the copy and forward the original of Form 2609 to the importer or other person responsible for the release of the spirits from customs custody, who shall submit the form to the customs officer at the port of entry from which the distilled spirits will be withdrawn. The customs officer shall retain the form in his records.

(b) *Application for single-transaction Form 2609.* If the Form 2609 is to cover a single transaction only, the procedure described in paragraph (a) of this section shall be followed, and in addition the application shall appropriately identify the spirits to be withdrawn.

(c) *Termination.* An applicant may terminate an approved continuing application, Form 2609, at any time by giving written notice to the customs officer where the original is on file, retrieving the original of Form 2609 filed with the customs officer, and returning this original with his own copy to the alcohol, tobacco and firearms officer for cancellation.

(68A Stat. 907, as amended, 72 Stat. 1322, 82 Stat. 1328, as amended; 26 U.S.C. 7652, 5007, 5232)

2. Section 170.127 is amended to update terminology and to require that the customs officer have on file an approved Form 2609 before Virgin Islands spirits can be released from customs custody. As amended, § 170.127 reads as follows:

§ 170.127 Customs inspection and release.

The customs officer will not release distilled spirits without payment of internal revenue tax until he has determined that he has on file an approved Form 2609 as prescribed in § 170.125 of this subpart, from the proprietor of the distilled spirits plant to which the spirits are to be transferred. Prior to release

from customs custody, the customs officer shall inspect the spirits, and, if it appears that losses in transit were sustained from any container, he shall gauge the spirits in such container. The customs officer shall then prepare Form 236 (in quadruplicate, when the spirits are to be removed in packages; in quintuplicate, when the spirits are to be removed by pipeline or by bulk conveyance) appropriately modified to show:

(a) Serial number and date of the Form 2609,

(b) Customs port of entry and entry number,

(c) The consignee,

(d) Kind of spirits,

(e) The name of the importer,

(f) The name of the producer, followed by "Virgin Islands",

(g) If in packages, the serial numbers thereof,

(h) The number and date of the pertinent Form 27–B Supplemental,

(i) The applicable rate of rectification tax (if any),

(j) Method of transfer,

(k) Elements of bulk gauge (if any),

(l) Quantity to be transferred,

(m) Customs seals used (if any),

(n) Date of release, and

(o) Signature and title of the customs officer in lieu of the proprietor.

When shipments are made in tanks, tank barges, sealand containers, or similar bulk containers (other than barrels, drums, or similar portable containers), the results of the inspection or the details of the gauge of each such bulk container shall be reported separately. In the case of barrels, drums, or similar portable containers, the results of the inspection shall be reported on the Form 236 and the details of the gauge, if any, shall be reported on Form 2630 in triplicate. On compliance with the requirements of customs regulations, and on completion of Form 236 (and Form 2630, if prepared), the customs officer shall release the spirits for transfer, retain one copy of Form 236 (and Form 2630, if any), forward one copy of Form 236 to the regional director at the address shown on Form 2609, and forward the original and remaining copy (or copies) of Form 236 (and Form 2630, if any) to the alcohol, tobacco and firearms officer at the distilled spirits plant.

(68A Stat. 907, as amended, 72 Stat. 1322, 82 Stat. 1328, as amended; 26 U.S.C. 7652, 5007, 5232)

PART 250—LIQUORS AND ARTICLES FROM PUERTO RICO

PAR. B. The regulations in 26 CFR Part 250 are amended as follows:

1. Section 250.11 is amended to provide, in alphabetical order, a definition of "Chief, Puerto Rican Operations." As amended, § 250.11 reads as follows:

§ 250.11 Meaning of terms.

* * * * *

Chief, Puerto Rican Operations. The primary representative in Puerto Rico of the Bureau of Alcohol, Tobacco and Firearms. His complete address is: Chief, Puerto Rican Operations, Bureau of Alcohol, Tobacco and Firearms, Post Office Box 111, Government Post Office, San Juan, Puerto Rico 00902.

* * * * *

2. A new sentence is added at the end of § 250.53 and clarifying changes are made. As amended, § 250.53 reads as follows:

§ 250.53 Description of process.

The statement of process must set out in sequence each step used in the manufacture of the finished product. A statement of process covering distilled spirits must also show whether there are to be blended together in the manufacture of the finished product, liquors of less than 190 degrees of proof (a) distilled (1) from different materials, (2) by different distillers, (3) at different distilleries, or (4) from different combinations of the same materials; or (b) of different ages; or (c) which differ in kind according to the standards of identity prescribed in 27 CFR Part 5. Likewise, the statement of process must show whether spirits stored in charred new oak containers are to be mingled with spirits stored in plain, reused, or metal cooperage, or whether spirits which have been quick-aged or treated with wood chips are to be mingled with spirits not so processed, or whether spirits that have been subjected to any treatment which changes their character are to be mixed with spirits not so treated. If the statement of process covers still wine and carbon dioxide is to be added to, or retained in, the wine, it must identify the method or process and the type of equipment to be used.

3. A new § 250.53a is added immediately following § 250.53. As added, new § 250.53a reads as follows:

§ 250.53a Still wines containing carbon dioxide.

Still wines may contain not more than 0.277 gram of carbon dioxide per 100 milliliters of wine; except that a tolerance to this maximum limitation, not to exceed 0.009 gram of carbon dioxide per 100 milliliters of wine, will be allowed where the amount of carbon dioxide in excess of 0.277 gram per 100 milliliters of wine was due to mechanical variations which could not be completely controlled under good commercial practices. Such tolerance will not be allowed where it is found that the limitation of 0.277 gram of carbon dioxide per 100 milliliters of wine is continuously or internationally exceeded, or where the variation results from the use of methods or equipment not in accord with good commercial practices. Where carbon dioxide is added to, or retained in, still wine, the proprietor shall so indicate on his Form 27–B Supplemental, identifying the method or process and the type of equipment to be used.

(72 Stat. 1331, as amended; 26 U.S.C. 5041)

4. Section 250.141 is amended to give a new address for the procurement of red strip stamps and to eliminate the requirement that the stamps be used within 90 days of requisition to supply existing orders and/or anticipated requirements. As amended, § 250.141 reads as follows:

§ 250.141 Requisition, Form 428.

The distiller, rectifier, or bottler, or his duly authorized agent, in Puerto Rico shall make requisition on ATF Form 428, in quadruplicate, addressed to the Chief, Puerto Rican Operations, for the procurement of red strip stamps for affixing to taxpaid distilled spirits and shall attach thereto a supporting statement. Such statement shall be signed by the applicant, and immediately above the signature there will appear the following statement: "I declare under the penalties of perjury that the stamps requested on the Form 428 are required, and will be used for taxpaid distilled spirits, which will be shipped to the United States."

(72 Stat. 1358; 26 U.S.C. 5205)

5. Section 250.142 is amended to eliminate the requirement that red strip stamps be used within 90 days of requisition to supply existing orders and/or anticipated requirements. As amended, § 250.142 reads as follows:

§ 250.142 Approval of requisition.

The distiller, rectifier, or bottler, or his duly authorized agent, shall submit all copies of Form 428, together with the supporting statement, to the insular revenue agent, who will approve Form 428 if he is satisfied that the stamps are required for taxpaid distilled spirits to be shipped to the United States. The insular revenue agent will retain one copy of Form 428 and the supporting statement for his files, and return the original and two copies of the approved form to the applicant.

(72 Stat. 1358; 26 U.S.C. 5205)

6. Section 250.143 is amended to give a new address for the procurement of red strip stamps and to provide an optional procedure for the shipment of red strip stamps to the Puerto Rican insular revenue agent. As amended, § 250.143 reads as follows:

§ 250.143 Procurement and custody of red strip stamps.

(a) *General.* The distiller, rectifier, or bottler, or his duly authorized agent, shall submit the original and two copies of the approved Form 428 to the Chief, Puerto Rican Operations, who will issue the number of stamps covered by the approved requisition, enter the serial numbers of the stamps issued, and stamp the date of issue on all copies of Form 428. The issuing office will retain the original for its files, send one copy with the strip stamps to the revenue agent at the bottling plant, and one copy to the Secretary. The revenue agent will issue stamps to the bottler for affixing to bottles of taxpaid distilled spirits as desired upon application from the proprietor.

(b) *Alternative method.* When the Chief, Puerto Rican Operations determines that the interests of the government will be best served thereby, the stamps may be shipped directly to the insular revenue agent at the plant from the Bureau of Engraving and Printing. In such case, orders for standard size red strip stamps shall be in multiples of 100,000 stamps, and orders for small-size (less than one-half pint) shall be in multiples of 50 stamps (one sheet). After approval by the revenue agent, the applicant shall send the original and two copies to the Chief, Puerto Rican Operations. The latter shall prepare Form 5003 and send the original and two copies thereof to the Bureau of Engraving and Printing; then he shall stamp the date of preparation of Form 5003 on all copies of Form 428 and send them to the revenue agent. When the stamps arrive, the revenue agent shall indicate the serial numbers (if any) of the stamps received and acknowledge receipt thereof, noting any discrepancies, on the original and two copies of Form 428 returned from the Chief, Puerto Rican Operations. The revenue agent shall retain one copy of the form and forward the original and one copy to the Chief, Puerto Rican Operations. The Chief, Puerto Rican Operations shall retain the original for his files and send the original to the Secretary.

(72 Stat. 1358; 26 U.S.C. 5205)

7. Section 250.146 is amended to relax the deadline for filing Form 2260 from 10 days to 15 days following the close of each quarter and to provide for an additional copy of Form 2260 to be sent to the chief, Puerto Rican Operations. As amended, § 250.146 reads as follows:

§ 250.146 Record and report of red strip stamps.

Revenue agents having custody of red strip stamps shall maintain for each day a transaction in red strip stamps occurs a daily record of such stamps by size (small or standard), showing the number received, used, lost, mutilated, destroyed or otherwise disposed of, and on hand at the beginning and at the end of the day. The record shall also show the number and size of bottles to which the stamps were affixed, except that bottles of less than ½-pint capacity shall be recorded as one item. No form is prescribed for the daily records but such records shall be retained to support the quarterly report. Within 15 days following the close of business March 31, June 30, September 30, and December 31, of each year, the revenue agent will prepare a report, in quadruplicate, of the strip stamps received and used during the period on Form 2260, properly modified. The agent will retain one copy and forward three copies to the Secretary; the Secretary will retain one copy and forward one copy to the regional director and one copy to the Chief, Puerto Rican Operations.

72 Stat. 1358; 26 U.S.C. 5205)

8. Section 250.185 is amended to give a new address for the procurement of red strip stamps. As amended, § 250.185 reads as follows:

§ 250.185 Stamps.

U.S. internal revenue red strip stamps which are to be affixed to containers of spirits intended for shipment to the United States shall be procured from the Chief, Puerto Rican Operations. Where the tax is to be paid in accordance with the provisions of this subpart, the stamps may be affixed to the containers prior to taxpayment. The provisions of §§ 250.135 through 250.143 and § 250.146 shall govern the procurement, affixing, reporting, etc., of red strip stamps procured and used under this subpart. Where taxpaid distilled spirits intended for shipment to the United States are in containers of more than 1 gallon, distilled spirits stamps shall be procured and affixed, and the containers released, as provided in §§ 250.88 through 250.91.

72 Stat. 1358; 26 U.S.C. 5205)

9. A new sentence is added at the end of § 250.223 and clarifying changes are made. As amended, § 250.223 reads as follows:

§ 250.223 Description of process.

The statement of process must set out in sequence each step used in the manufacture of the finished product. A statement of process covering distilled spirits must also show whether there are to be blended together in the manufacture of the finished product, liquors of less than 190 degrees of proof (a) distilled (1) from different materials, (2) by different distillers, (3) at different distilleries, or (4) from different combinations of the same materials; or (b) of different ages; or (c) which differ in kind according to the standards of identity prescribed in 27 CFR Part 5. Likewise, the statement of process must show whether spirits stored in charred new oak containers are to be mingled with spirits stored in plain, reused, or metal cooperage, or whether spirits which have been quick-aged or treated with wood chips are to be mingled with spirits not so processed, or whether spirits that have been subjected to any treatment which changes their character are to be mixed with spirits not so treated. If the statement of process covers still wine and carbon dioxide is to be added to, or retained in, the wine, it must identify the method or process and the type of equipment to be used.

10. A new § 250.223a is added immediately following § 250.223. As added, new § 250.223a reads as follows:

§ 250.223a Still wines containing carbon dioxide.

Still wines may contain not more than 0.277 gram of carbon dioxide per 100 milliliters of wine; except that a tolerance to this maximum limitation, not to exceed 0.009 gram of carbon dioxide per 100 milliliters of wine, will be allowed where the amount of carbon dioxide in excess of 0.277 gram per 100 milliliters of wine was due to mechanical variations which could not be completely controlled under good commercial practices. Such tolerance will not be allowed where it is found that the limitation of 0.277 gram of carbon dioxide per 100 milliliters of wine is continuously or intentionally exceeded, or where the variation results from the use of methods or equipment not in accord with good commercial practice. Where carbon dioxide is added to, or retained in, still wine, the proprietor shall so indicate on his Form 27–B Supplemental, identifying the method or process and the type of equipment to be used.

(72 Stat. 1331, as amended; 26 U.S.C. 5041)

PART 251—IMPORTATION OF DISTILLED SPIRITS, WINES, AND BEER

PAR. C. The regulations in 26 CFR Part 251 are amended as follows:

1. Section 251.11 is amended to provide, in alphabetical order, a definition of "Alcohol, tobacco and firearms officer." As amended, § 251.11 reads as follows:

§ 251.11 Meaning of Terms.

* * * * *

Alcohol, tobacco and firearms officer. An officer or employee of the Bureau of Alcohol, Tobacco and Firearms duly authorized to perform any function relating to the administration or enforcement of this part.

* * * * *

2. A new § 251.42a is added immediately following § 251.42. As added, new § 251.42a reads as follows:

§ 251.42a Still wines containing carbon dioxide.

Still wines may contain not more than 0.277 gram of carbon dioxide per 100 milliliters of wine; except that a tolerance to this maximum limitation, not to exceed 0.009 gram of carbon dioxide per 100 milliliters of wine, will be allowed where the amount of carbon dioxide in excess of 0.277 gram per 100 milliliters of wine was due to mechanical variations which could not be completely controlled under good commercial practices. Such tolerance will not be allowed where it is found that the limitation of 0.277 gram of carbon dioxide per 100 milliliters of wine is continuously or intentionally exceeded.

(72 Stat. 1331, as amended; 26 U.S.C. 5041)

3. Section 251.172 is amended to require the submission of Form 2609 in triplicate rather than quadruplicate, to permit the filing of a continuing Form 2609, and to update certain terms. As amended, § 251.172 reads as follows:

§ 251.172 Application, Form 2609.

(a) *Application for continuing Form 2609.* The proprietor of a distilled spirits plant desiring to withdraw distilled spirits as authorized in § 251.171, shall submit an application on Form 2609, in triplicate, to the alcohol, tobacco and firearms officer. The application shall be modified by the applicant to cover the transfer of distilled spirits from customs custody, by naming the port of entry through which the spirits are to be withdrawn. If spirits are to be withdrawn

through more than one port of entry, a separate continuing Form 2609 shall be filed for each port. The application will not be approved unless the applicant's bond on Form 2601 is in the maximum penal sum, or, if in less than the maximum penal sum, is sufficient to cover the tax on the spirits to be transferred in addition to all other liabilities chargeable against such bond, nor shall any application for withdrawal of spirits in bulk containers be approved unless the applicant has provided suitable facilities as provided in § 201.239 of this chapter. (See § 201.312 of this chapter with respect to need for consent of surety on bond, Form 2601.) When the alcohol, tobacco and firearms officer approves Form 2609, he shall retain one copy for his files and return the original and one copy to the applicant. The applicant shall retain one copy and forward the original of Form 2609 to the importer or other person responsible for the release of the spirits from customs custody, who shall submit the form to the customs officer at the port of entry from which the distilled spirits will be withdrawn. The customs officer shall retain the form in his records.

(b) *Application for single-transaction Form 2609.* If the Form 2609 is to cover a single transaction only, the procedure described in paragraph (a) of this section shall be followed, and in addition the application shall appropriately identify the spirits to be withdrawn.

(c) *Termination.* An applicant may terminate an approved continuing application, Form 2609, at any time by giving written notice to the customs officer where the original is on file, retrieving the original of Form 2609 filed with the customs officer, and returning this original with his own copy to the alcohol, tobacco and firearms officer for cancellation.

(72 Stat. 1314, as amended, 1322, 82 Stat. 1328, as amended; 26 U.S.C. 5001, 5007, 5232)

4. Section 251.173 is amended to update terminology and to require that the customs officer have on file an approved Form 2609 before imported spirits can be released from customs custody. As amended, § 251.173 reads as follows:

§ 251.173 Customs gauge and release.

The customs officer will not release distilled spirits without payment of internal revenue tax until he has determined that he has on file an approved Form 2609 from the proprietor of the distilled spirits plant to which the spirits are to be transferred. Prior to release from customs custody, the customs officer shall prepare Form 236 (in quadruplicate, when the spirits are to be removed in packages; in quintuplicate, when the spirits are to be removed by pipeline or by bulk conveyance) appropriately modified to show:

(a) Serial number and date of the Form 2609,

(b) Customs port of entry and entry number,

(c) The consignee,

(d) Kind of spirits,

(e) The name of the importer,

(f) Country of origin (manufacture or production),

(g) Method of transfer,

(h) Elements of bulk gauge (if any),

(i) Quantity to be transferred,

(j) Customs seals used (if any),

(k) Date of release, and

(l) Signature and title of the customs officer in lieu of the proprietor.

When shipments are made in tank cars or tank trucks, the details of the gauge of each tank car or tank truck shall be reported separately. In the case of barrels, drums, or similar portable containers, the details of the gauge shall be shown on Form 2630, in triplicate. In addition, the customs officer shall ascertain and enter on each copy of Form 236 the rate of customs duty paid on the distilled spirits and, if the distilled spirits are imported for nonbeverage purposes, the rate of customs duty which would have been applicable had such spirits been imported for beverage purposes. On compliance with the requirements of customs regulations (including determination of duties due), and on completion of Form 236 (and Form 2630, where required), the customs officer shall release the spirits for transfer, retain one copy of Form 236 (and Form 2630, if any), forward one copy of Form 236 to the regional director at the address shown on Form 2609, and forward the original and remaining copy (or copies) of Form 236 (and Form 2630, if any) to the alcohol, tobacco and firearms officer at the distilled spirits plant.

(72 Stat. 1314, as amended, 1322, 82 Stat. 1328, as amended; 26 U.S.C. 5001, 5007, 5232)

[FR Doc.74-7964 Filed 4-5-74;8:45 am]

Title 6—Economic Stabilization

CHAPTER I—COST OF LIVING COUNCIL

[Phase IV Price Ruling 1974-5]

REVENUES FROM WASTE PAPER SALES AS AN OFFSET TO THE COST OF PRINTING AND BOOK MANUFACTURING

Phase IV Price Ruling

Facts. Firm P is engaged in printing and manufacturing books. The printing and binding process results in the production of waste paper. This waste paper is either sold to exporters or to domestic mills that reprocess waste paper. In either case, the waste paper is traditionally sold at free market prices which vary according to demand. (Waste paper is a wood pulp substitute and its prices will reflect the cost of timber at any given time.)

In calculating its printing and book manufacturing costs, Firm P has traditionally taken the net revenues from waste paper sales and used them to offset its cost of production. A similar practice was permitted during Phase II under Price Commission Ruling 1972-23, applicable to millfeed as a by-product of flour milling, and reaffirmed by Cost of Living Council Ruling 1973-9, applicable to distiller's dried grain as a by-product of the distilling process. However, Cost of Living Council Ruling 1973-9 was expressly restricted to the fact pattern presented therein and it provided that other industries having problems with cost allocation with respect to by-products, co-products, etc., should seek rulings which apply to specific fact situations.

Issue. May Firm P continue to sell its waste paper in accordance with established free market pricing practices without prenotification or cost justification provided these revenues are consistently and appropriately applied to offset the cost of printing and book manufacturing?

Ruling. Yes. However, this ruling is restricted to the fact pattern here presented and may not be relied upon in Phase IV with respect to other industries and other by-products.

The prices charged for waste paper, the product covered by this ruling, were exempted from controls on March 8, 1974. However, this ruling is necessary to provide guidance for determining compliance with Phase IV regulations prior to decontrol.

ANDREW T. H. MUNROE,
General Counsel,
Cost of Living Council.

APRIL 10, 1974.

[FR Doc.74-8585 Filed 4-10-74;3:12 pm]

Title 46—Shipping

CHAPTER I—COAST GUARD, DEPARTMENT OF TRANSPORTATION

[CGD 73-173R]

PART 146—TRANSPORTATION OR STORAGE OF EXPLOSIVES OR OTHER DANGEROUS ARTICLES OR SUBSTANCES AND COMBUSTIBLE LIQUIDS ON BOARD CARGO VESSELS

Corrosive Materials; Dangerous Cargoes; Miscellaneous Amendments

The purpose of this amendment is to:

1. Revise the packaging for the articles crotonaldehyde, diethylamine and propylene oxide.

2. Change the classification of caustic soda and phosphoric acid to corrosive materials.

3. Add a "grandfather" clause to the definition of corrosive materials.

4. Revise the definition of corrosive materials.

5. Add inside plastic receptacles to the corrosive solids exemption.

6. Revise the packaging authorized for corrosive liquids N.O.S. and corrosive solid N.O.S.

7. Revise the packages for certain corrosive liquids to authorize tank car and tank trucks and a specification 2U liner for use with a DOT-37M and 6D Steel overpacks.

8. Revise the packaging authorized for flammable liquids, N.O.S. which are also oxidizing materials or corrosive liquids.

9. Exempt corrosive liquids, N.O.S., carried in tank cars or portable tanks, from corrosive definition when corrosive only to steel and aluminum.

On Wednesday, September 5, 1973, the Coast Guard published a notice of proposed rule making on this matter (38 FR 23959) and on Thursday, November 29,

1973, a correction to the notice was published (38 FR 32945). A hearing was held on September 25, 1973.

One person testified at the hearing and two written comments were received.

The comments received were identical to comments received by the Hazardous Materials Regulations Board and addressed in their documents on corrosive materials published on page 20837, of the Friday, August 3, 1973, and on page 28292, of the Friday, October 12, 1973, FEDERAL REGISTER.

In consideration of the foregoing Title 46 Code of Federal Regulations Part 146 is amended as follows by:

§ 146.21–100 [Amended]

1. Striking out in § 146.21–100 "Table D—Classification: Inflammable liquids" for the articles "Crotonaldehyde" and "propylene oxide" in column four the entries following the words "Outside Containers" and inserting in place thereof the following:

Carboys (DOT–1A) boxed, glass not over 5 gal. cap.
Carboys (DOT–1D or 1EX (STC) boxed, glass.
Wooden boxes, W1C (DOT–15A, 15B, 15C, 16A, 19A).
Fiberboard boxes, W1C (12B, 12P).
Metal barrels or drums (DOT–5, 5A, 5B, 5C, 5P, 17C (STC), 17E (STC)).
Steel barrels or drums (DOT–37P) NRC not over 5 gal. capacity.
Cylinders as prescribed for any compressed gas except acetylene.
Tank cars complying with DOT regulations (trainships only).
Tank trucks complying with DOT regulations (trainships and trailerships only).

2. Striking out in § 146.21–100 "Table D—Classification: Inflammable liquids" for the article "Diethylamine" the entries in columns 1, 2, and 3 and inserting in proper alphabetical sequence the following article in table D:

In column 1:

Diethylamine

In column 2:

Clear colorless liquid
Flashpoint below 0°F
Miscible with water

In column 3:

Red

In column 4:

Carboys (DOT–1A) boxed glass not over 5 gal. cap.
Carboys, (DOT–1D, 1EX (STC)) boxed, glass.
Wooden boxes, W1C (DOT–15A, 15B, 15C, 16A, 19A).
Fiberboard Boxes, W1C (12B, 12P).
Metal barrels or drums:
(DOT–5, 5A, 5B, 5C, 5P, 17C (STC), 17E (STC)).
(DOT–37P) NRC not over 5 gal. cap.
Cylinders as prescribed for any compressed gas except acetylene.
Tank cars complying with DOT regulations (trainships only).
Tank trucks complying with DOT regulations (Trainships and Trailerships only).

In columns 5, 6 and 7:

(Not permitted)

3. Striking out in § 146.21–100 "Table D—Classification: Inflammable liquids" for the article Inflammable liquids, N.O.S., in column four, paragraph (g) and inserting in place thereof the following:

(g) Flammable liquids which are also oxidizing materials or corrosive liquids as defined in §§ 146.22–1 and 146.23–1:

Steel barrels or drums:
(DOT–5, 5A, 5B, 5C, 5P, 17C) (STC) 17E (STC) not over 16 gal. cap.
(DOT–37P) W1L polyethylene, not over 5 gal. cap.
Fiberboard boxes:
(DOT–12B) W1C polyethylene not over 65 lbs. gr. wt.
(DOT–12P) W1C DOT–2U not over 65 lbs. gr. wt.
Wooden boxes:
(DOT–15A, 15B, 15C, 16A, 19A) W1C not over 1 gal. cap.
Cylinders as prescribed for any compressed gas except actylene.
Tank cars complying with DOT regulations (trainships only).
Tank trucks complying with DOT regulations (trainships and trailerships only).
(See note in columns 5, 6, and 7.)

§ 146.04–5 [Amended]

4. Striking out in § 146.04–5 "List of explosives and other dangerous articles and combustible liquids" the entries in all three columns for the articles "Caustic soda, solid", "Phosphoric acid" and "Sodium hydroxide" and inserting in proper alphabetical sequence the following articles:

Article	Classed as—	Label required
* * * * *		
Caustic soda, dry, solid, flake, bead, or granular.	Cor	Corrosive.
Phosphoric acid, liquid, or phosphoric acid solution.	Cor	Do.
Sodium hydroxide dry, solid, flake, bead or granular. See Caustic soda.		
* * * * *		

§ 146.27–100 [Amended]

5. Striking out in § 146.27–100 "Table K-Classification: Hazardous articles" the entries in column one for Caustic soda, solid and Sodium hydroxide and in all seven columns for the article Phosphoric acid.

§ 146.23–100 [Amended]

6. Adding to § 146.23–100 in proper alphabetical sequence the following articles:

Descriptive name of article	Characteristic properties caution marking required	Label required	Required conditions for transportation			
			Cargo vessel	Passenger vessels	Ferry vessels, passenger or vehicle	Railroad car ferry, passenger or vehicle
Caustic soda dry, solid, flake, bead or granular. Sodium hydroxide dry, solid, flake, bead, or granular.	A solid in the form of white flakes, powder lumps. Keep dry. In contact with moisture gives off corrosive pungent vapor and evolves heat. Caustic to skin. May destroy organic materials	Corrosive...	Stowage: "On deck under cover", "Tween decks", "Under deck". Outside containers. Metal, wooden, or fiberboard box or case. W1C. Metal drum. Fiber drum not exceeding 550 lb net weight or 55 gal. capacity must include a moisture barrier. Plastic drum or pail not over 80 lb net weight and not over 6 gal capacity. Bags complying with DOT regulations not over 110 lb net weight. Metal portable tank or closed bin not over 660 gal capacity and 7,000 lb gross weight. Fiberglass or rubber tank or closed bin not over 74 ft^3 capacity. Metal siftproof cargo tank or tankcar or hopper type or pneumatic vehicles.	Stowage: "On deck under cover" "Tween deck" "Under deck". Outside containers. Same containers as authorized for cargo vessels.	Ferry stowage: (AA). Outside containers. Same containers as authorized for cargo vessels.	Ferry stowage: (BB). Outside containers. Same containers as authorized for cargo vessels.
Phosphoric acid, liquid, or phosphoric acid solution.	Usually shipped in aqueous solutions varying from 50 percent to 88 percent. Odorless ordinarily, has no warning properties. May cause painful burns.	Corrosive...	Stowage: "On deck protected", "On deck under cover", "Tween deck", "Under deck away from heat." Outside containers: Carboys boxed glass, earthenware, clay, or stone (DOT–1A) not over 13 gal. capacity. Carboys, boxed, lead (DOT–1B) not over 13 gal. capacity. Carboys in kegs, glass, earthenware, clay, or stone (DOT–1C) not over 13 gal. capacity. Carboys, boxed, glass (DOT–1D) not over 6½ gal. capacity. Carboys in plywood drums, glass (DOT–1E) not over 7 gal. capacity. Carboys, boxed, glass, earthenware, clay, or stone (DOT–1X) STC, for export only, not over 6 gal. capacity. Carboys, lead, metal-jacketed (DOT–2S) not over 15 gal capacity. Steel barrels or drums (DOT–5A) not over 110 gal capacity. Steel barrels or drums (DOT–5C) not over 110 gal capacity. Monel drums (DOT–5M) not over 55 gal capacity. Metal barrels or drums: (DOT–17H, 37A, 37B) STC, lined, not over 5 gal capacity. (DOT–37P) NRC, not over 5 gal capacity. Metal drums, rubber-lined (DOT–5D) not over over 110 gal capacity. Metal drums, lead-lined (DOT–5H) not over 110 gal capacity. Metal drums (DOT–17C, 17E, 17F) STC, not over 55 gal capacity. Cylindrical steel overpack: (DOT–6D, 37M (NRC)), W1C DOT–2S, 2SL, or 2U, not over 55 gal capacity. Rubber drums (DOT–43A) not over 30 gal capacity. Wooden barrels or kegs: (DOT–16A) asphalt, paraffin, or wax lined not over 50 gal capacity. (DOT 11A, 11B) W1C, not over 200 lb net weight. Wooden boxes: (DOT–15A, 15B, 15C, 16A, 19A) W1C, not over 200 lb gross weight. (DOT–16A) W1C polyethylene 2U, not over 200 lb gross weight. (DOT–16D) W1C (DOT–2T, 2TL, 2S, 2SL) not over 15 gal capacity. Fiberboard boxes: (DOT–12A, 12B), W1C not over 65 lb gross weight. (DOT–12P) W1C (DOT–2U polyethylene) not over 5 gal capacity. Plywood or wooden box or drum (DOT–15P, 22C) W1C (DOT–2T) not over 15 gal capacity. Fiber drum (DOT–21P) W1C DOT–2S, 2SL, or 2U not over 30 gal capacity. Tank trucks complying with DOT regulations (trainships and trallerships only). Cylinder as prescribed for any compressed gas except acetylene. Tank cars complying with DOT regulations (trainships only).	Stowage: "On deck protected", "On deck under cover", "Tween decks", "Under deck away from heat". Outside containers: Same containers as authorized for cargo vessels.	Ferry Stowage: (AA). Outside containers: Same containers as authorized for cargo vessels.	Ferry Stowage: (BB). Outside containers: Same containers as authorized for cargo vessels.

7. Revising paragraph (a)(1) in the definition for corrosive materials (§ 146.-23-1) and adding notes to the definition to read as follows:

§ 146.23–1 Definition of corrosive material.[1] [2]

(a) * * *

(1) A material is considered to be destructive or to cause irreversible alteration in human skin tissue if when tested on the intact skin of the albino rabbit by the technique described in 21 CFR 191.11 the structure of the tissue at the site of contact is destroyed or changed irreversibly. For the purposes of these regulations the test is modified and described as follows:

(i) Corrosion to the human skin is evaluated by a patch test technique on the intact skin of healthy albino rabbits each weighing 2 to 3 kilograms. A minimum of six subjects must be used for this test. The back of each animal is clipped free of hair to provide at least two test sites, each being not less than 4 square inches in area.

(ii) Liquid test materials (0.5 milliliter) or solid or semisolid test materials (0.5 gram) are introduced under a 1.5 by 1.5 inch 12-ply gauze patch which is secured in place by two ½ x 4 inch strips of adhesive tape in the form of an X.

(iii) The animals are immobilized in stocks and the trunk of each animal is loosely wrapped with an impervious material, such as a rubberized cloth, for an exposure period of 4 hours. (The impervious wrap should be applied in such a manner that the palm of the analyst's hand can be easily placed between the wrap and the animal's back.)

(iv) After 4 hours of exposure, the patches are removed and the resulting reactions are evaluated.

(v) Following this initial reading, all test sites are washed with an appropriate solvent to prevent further exposure.

(vi) Readings are again made at 24 and 48 hours after the initial application.

* * * * *

8. Revising the exemptions for corrosive solids contained in paragraph (a)(2) of § 146.23–30 as follows:

§ 146.23–30 Exemptions for corrosive materials.

(a) * * *

(2) Corrosive solids in inside earthenware, glass, plastic, or paper receptacles of not more than 5 pounds capacity each or in inside metal, rigid fiber, or composition cans or cartons, or rigid plastic receptacles of not more than 10 pounds capacity each, over-packed in metal, wooden or fiberboard outside containers not exceeding 25 pounds net weight each, are, unless otherwise provided in this part, exempt from specification packaging, marking other than name of contents, and labeling requirements.

§ 146.23–100 [Amended]

9. Revise the entries in § 146.23–100 for the article corrosive liquids N.O.S. as follows:

a. By striking out in column 4, 6, and 7 the words "Cylindrical steel overpack: (DOT–6D, 37M (NRC)), W1C DOT 2S or 2SL, not over 55 gal cap" and insert in place thereof the words "Cylindrical steel overpack: (DOT–6D, 37M (NRC)), W1C, DOT 2S, 2SL or 2U not over 55 gal. cap."

b. By adding columns 4, 6, and 7 directly after the words "Outside Containers" the following:

Cylinders as prescribed for any compressed gas except acetylene.
Tank cars complying with DOT regulations (trainships only).
Tank trucks complying with DOT regulations (trailership and trainships only).

10. Striking out in § 146.23–100 for the article corrosive solids N.O.S. in columns 4, 5, 6, and 7 the entries following the words "Outside containers" and insert in place thereof the following:

Metal wood or fiberboard boxes or cases W1C.
Metal drums.
Fiber drums not exceeding 550 lbs net wt or 55 gal. cap. must include a moisture barrier.
Plastic drum or pail not over 80 lbs net wt and not over 6 gal. cap.
Bag complying with DOT regulations not over 110 lbs net wt.
Metal portable tank or closed bin of not over 660 gal cap. and 7000 lbs gr. wt.
Fiberglass or rubber tank or closed bin of not over 74 cubic ft. cap.
Metal sift proof cargo tank or tank car, or hopper-type or pneumatic bulk vehicles.

11. Revising § 146.23–100 as follows:

a. By striking out the entries for cylindrical steel overpacks in column 4 for the articles "Acids, liquids N.O.S." and "Antimony pentachloride solution" and by adding to column 4 for the same two articles the following entries:

Cylindrical steel overpack: (DOT–6D, 37M (NRC)), W1C DOT 2S, 2SL or 2U not over 55 gal. cap.
Cylinders as prescribed for any compressed gas except acetylene.
Tank cars complying with DOT regulations (trainships only).
Tank trucks complying with DOT regulations (trainships and trailerships only).

b. By striking out the entries for cylindrical steel overpacks in columns 4, 5, 6, and 7 for the articles Chromic acid solution; Compounds cleaning, liquid; Drugs, chemicals medicines or cosmetics N.O.S.; Formic acid and Hydriodic acid and by adding to columns 4, 5, 6, and 7 of the same 5 articles the following entries:

Cylindrical steel overpack: (DOT–6D, 37M (NRC)), W1C DOT–2S, 2SL or 2U not over 55 gal cap.
Cylinders as prescribed for any compressed gas except acetylene.
Tank cars complying with DOT regulations (trainships only).
Tank trucks complying with DOT regulations (trainships and trailerships only).

12. Revising § 146.23–100 for the article "Corrosive liquid, N.O.S." by adding the following NOTE to columns 5, 6, and 7:

NOTE: If a material classed as corrosive is corrosive to steel or aluminum according to § 146.23–1(a)(2) and is not corrosive to skin according to § 146.23–1(a)(1), it is not subject to any requirements of this subchapter when transported in a tank car tank or portable tank constructed entirely of materials that will not react dangerously with or be decomposed by the commodity being transported.

(R.S. 4472 as amended: R.S. 4417a, as amended; Sec. 1, 19 Stat. 252, 49 Stat. 1889, sec. 6(b)(1), 80 Stat. 937 (46 U.S.C. 170); 391a (49 U.S.C. 1655 (b)(1)); 49 CFR 1.46 (b))

Voluntary compliance is permitted before the effective date. This amendment becomes effective on May 5, 1974.

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

[FR Doc.74–8213 Filed 4–11–74;8:45 am]

---

[1] A corrosive material, not subject to the definition previously in effect in § 146.23–1 packaged before December 31, 1973, may be shipped and transported without being subject to any of the requirements in 46 CFR Part 146 until December 31, 1974. As of January 1, 1975, these materials may not be shipped or transported unless they are in compliance with 46 CFR Part 146.

[2] The corrosive materials definition, amended in 37 FR 25521, effective December 31, 1973, except for materials corrosive onlyto aluminum, is effective in its entirety on September 30, 1974. Immediate compliance is authorized.

Proposed Rules

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

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 1049]

[Docket No. AO 319–A23]

MILK IN THE INDIANA MARKETING AREA

Hearing on Proposed Amendments to Tentative Marketing Agreement and Order

Notice is hereby given of a public hearing to be held at the Hilton Inn, Weir Cook Airport, Indianapolis, Indiana, beginning at 9:30 a.m. on April 30, 1974, with respect to proposed amendments to the tentative marketing agreement and to the order, regulating the handling of milk in the Indiana marketing area.

The hearing is called pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900).

The purpose of the hearing is to receive evidence with respect to the economic and marketing conditions which relate to the proposed amendments, hereinafter set forth, and any appropriate modifications thereof, to the tentative marketing agreement and to the order.

Evidence also will be taken to determine whether emergency marketing conditions exist that would warrant omission of a recommended decision under the rules of practice and procedure (7 CFR 900.12(d)) with respect to proposal No. 1.

The proposal relative to a redefinition of the marketing area raises the issue whether the provisions of the present order would tend to effectuate the declared policy of the Act, if they are applied to the marketing area as proposed to be redefined and, if not, what modifications of the provisions of the order would be appropriate.

The proposed amendments, set forth below, have not received the approval of the Secretary of Agriculture.

Proposed by Associated Milk Producers, Inc.:

Proposal No. 1. Amend § 1049.9 by adding a new paragraph (c) as follows:

§ 1049.9 Handler.

* * * * *

(c) Any cooperative association with respect to milk it receives for its account from the farm of a producer in a tank truck owned and operated by, or under the control of, such association, for delivery to a pool plant operated by another person, unless both the cooperative association and the operator of the pool plant notify the market administrator that the plant operator will be responsible for payment for the milk and is purchasing the milk on the basis of weights determined from its measurement at the farm and butterfat tests determined from farm bulk tank samples. Milk for which the cooperative association is the handler pursuant to this paragraph shall be deemed to have been received at the location of the pool plant to which such milk is delivered.

Proposal No. 2. Amend § 1049.13(a) to read as follows:

§ 1049.13 Producer milk.

* * * * *

(a) Received during the month at one or more pool plants or by a handler pursuant to §1049.9(c) (milk may be diverted during the month by a handler from a pool distributing plant to another pool plant(s) for not more days of production of producer milk than is physically received at the diverting pool plant).

* * * * *

Proposal No. 3. Amend § 1049.40 as follows:

§ 1049.40 [Amended]

a. Add to (b)(6)(i): except that received from a handler pursuant to § 1049.9(c).

b. Add to (b)(6)(ii): and 1.5 percent of receipts from a cooperative association handler pursuant to § 1049.9(c), except that if the handler operating the pool plant files notice with the market administrator that he is accounting for such milk on the basis of farm weights as determined by the cooperative association, the applicable percentage shall be 2 percent; plus

c. Add a new paragraph (b)(8) as follows:

(8) In shrinkage of skim milk and butterfat, respectively, resulting from milk for which a cooperative association is the handler pursuant to § 1049.9(c) not being delivered to pool plants, but not in excess of one-half percent of the quantity received from producers, exclusive of receipts for which farm weights are used as the basis of receipt at the plant to which delivered.

Proposal No. 4. Amend § 1049.70 to read as follows:

§ 1049.70 Producer-settlement fund.

The market administrator shall maintain a separate fund known as the "producer-settlement fund" into which he shall deposit all payments received pursuant to §§ 1049.71, 1049.76, 1049.77 and 1049.78 and out of which he shall make all payments pursuant to §§ 1049.72 and 1049.77: *Provided,* That a payment due a handler shall be offset against payments due the market administrator from such handler pursuant to §§ 1049.71, 1049.76, 1049.77, 1049.78, 1049.85 and 1049.86.

Proposal No. 5. Amend § 1049.73(b)(1) and (c) to read as follows:

§ 1049.73 Payments to producers and to cooperative associations.

* * * * *

(b)(1) On or before two days prior to the last day of each month for producer milk received during the first 15 days of the month; and

* * * * *

(c) Each handler shall pay a cooperative association for milk received by the handler from the cooperative association as follows:

(1) In the case of milk received from a pool plant(s) operated by a cooperative association:

(i) For milk received during the first 15 days of the month, the handler shall pay the cooperative association on or before two days prior to the last day of each month during which the milk was received at a rate per hundredweight not less than the lowest class price under the order for milk of 3.5 percent butterfat for the preceding month; and

(ii) For milk received during the month the handler shall pay the cooperative association on or before the 16th day after the end of the month during which the milk was received at a rate per hundredweight not less than the minimum class prices pursuant to § 1049.50 subject to the applicable location and butterfat differentials and less any payment made pursuant to paragraph (c)(1)(i) of this section; and

(2) In the case of milk received from a cooperative association acting as a handler described under § 1049.9(c):

(i) For milk received during the first 15 days of the month, the handler shall pay a cooperative association on or before two days prior to the last day of the month during which the milk was received at a rate per hundredweight not less than the lowest class price under the order for milk of 3.5 percent butterfat for the preceding month; and

(ii) For milk received during the month, the handler shall pay the cooperative association on or before the 16th day after the end of the month during which the milk was received at a rate per hundredweight of not less than the uniform price computed as described

under § 1049.61, adjusted for the applicable location and butterfat differentials and less any payment made pursuant to paragraph (c) (2) (i) of this section.

* * * * *

Proposed by Milk Foundation of Indianapolis, Inc.:

§ 1049.78 [Amended]

Proposal No. 6. Amend § 1049.78 by deleting, "Sixth day" and substituting, "Eighth day".

§ 1049.61 [Amended]

Proposal No. 7. Delete from the computation of the uniform price paragraph (d) of § 1049.61, and amend the appropriate provisions of Order No. 49 so that the advertising and promotion set-aside will be handled as a deduction per hundredweight of milk from the amount due producers rather than as a reduction in the announced uniform price.

Proposed by Thompson's Dairy Co., Inc.:

Proposal No. 8. Add the following counties to the area included within the Indiana marketing area: Jennings County, Ripley County, Jefferson County, and Switzerland County, all in the State of Indiana.

Proposed by the Dairy Division, Agricultural Marketing Service:

Proposal No. 9. Make such changes as may be necessary to make the entire marketing agreement and the order conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing and the order may be procured from the Market Administrator, M. C. Jenkins, 5130 North Brouse Avenue, P.O. Box 55527, Indianapolis, Indiana 46205, or from the Hearing Clerk, Room 112–A, Administration Building, United States Department of Agriculture, Washington, D.C. 20250, or may be there inspected.

Signed at Washington, D.C., on April 8, 1974.

JOHN C. BLUM,
Associate Administrator.

[FR Doc.74–8427 Filed 4–11–74;8:45 am]

Commodity Exchange Authority

[17 CFR Part 1]

GENERAL REGULATIONS UNDER THE COMMODITY EXCHANGE ACT

Definitions; Minimum Financial Standards and Related Reporting Requirements; Recordkeeping Requirements

Notice is hereby given that the Secretary of Agriculture under the authority contained in sections 4f(2) and 8a(5) of the Commodity Exchange Act (7 U.S.C. 6f, 12a) is considering amending the general regulations under such Act to provide for a definition of proprietary account, to decline to require registration by certain merchants, and to strengthen and clarify minimum financial requirements, and related reporting and recordkeeping requirements. It is proposed that the general regulations under the Commodity Exchange Act be amended by issuing a new paragraph (y) of § 1.3, by revising §§ 1.7, 1.10 and 1.17, by issuing a new § 1.18, and by revising subparagraph (2) of paragraph (b) of § 1.35.

Proposed paragraph (y) of § 1.3 of the regulations would fulfill the need for a long sought after guideline as to the type account which cannot be considered as that of a customer under the Commodity Exchange Act. The proposed revision of § 1.7 would decline to require registration by futures commission merchants who trade solely for accounts which are classifiable as proprietary accounts under proposed § 1.3(y). To have such persons or firms register serves no useful purpose under the Act. Exemption of such persons from registration would automatically exempt them from the minimum financial standards and those reporting requirements which are related to such financial standards, contained in the regulations. Such persons would remain subject to all other provisions of the Act and the rules, regulations and orders thereunder. The owners or holders of their proprietary accounts would not be deemed to be "customers" within the meaning of section 4d of the Act, the regulations which implement section 4d of the Act, and section 1.35 of the regulations.

The proposed revision to § 1.35(b)(2) would involve only the substitution of the word "proprietary" for the word "house."

Modifications to § 1.10 are proposed to strengthen recordkeeping and reporting requirements having to do with the financial status of applicants for registration as futures commission merchants. In addition to filing a statement of his financial condition with his application for registration, an applicant would have to disclose the sources of his current assets, financial arrangements and estimated expenses for the first year of operation. This same regulation would also require that all financial information which applicants and registrants are obligated to submit periodically must be presented within 45 days from the date of such reports rather than three months after such date as is now required. It is also proposed that this regulation be modified by transferring from paragraph (f) § 1.10 to paragraph (c) of proposed new § 1.18, the requirement that futures commission merchants prepare monthly computations of net worth. New § 1.18 would be expanded to include a monthly requirement for a written computation of total subordinated borrowings and total long term liabilities of the applicant or registrant, to be summarized with his net worth figure. This particular regulation would also require the regular maintenance of journals, ledgers and trial balances on the part of registered futures commission merchants and applicants for such registration. Heretofore, there has been no specific requirement for applicants to maintain general business records.

The proposed revision of § 1.17 of the regulations under the Commodity Exchange Act consists mainly of the addition of clarifying language, the rearrangement of the sequential order of subsections to the regulation and the strengthening of certain parts of the regulation, the need for which was indicated quite often by the application of the present regulation on many occasions throughout the past five years. Among the principal changes in this regulation are: the specific exclusion from current assets of uncollectible and past due receivables; a definition of what shall be considered to be properly secured loans, advances and receivables; the inclusion of long-term loans among current liabilities if such loans are not evidenced by legally enforceable written instruments; a requirement that subordinated indebtedness must not exceed 75 percent of the total of capital and subordinated liabilities; and a new provision that denies exemption from safety factor calculations for futures positions which represent hedges against unfilled anticipated requirements. The definition of "proprietary account" would be transferred from this regulation to § 1.3(y) and extended as described earlier.

The proposed amendments would read as follows:

§ 1.3 Definitions.

* * * * *

(y) *Proprietary account.* This term shall mean a commodity futures trading account carried on the books and records of an individual, a partnership, corporation or other type association, (1) for one of the following persons, or (2) which is partially or jointly owned by one of the following persons:

(i) Such individual himself, or such partnership, corporation or association itself;

(ii) In the case of a partnership, a general partner in such partnership;

(iii) In the case of a limited partnership, a limited or special partner in such partnership whose duties include:

(*a*) The management of the partnership business or any part thereof;

(*b*) The handling of trades and/or funds of customers of such partnership;

(*c*) The keeping of records pertaining to trades and/or funds of customers of such partnership; or

(*d*) The signing or co-signing of checks or drafts on behalf of such partnership.

(iv) In the case of a corporation or association, an officer, director or owner of ten percent or more of the capital stock, of such organization;

(v) An employee of such individual, partnership, corporation or association whose duties include:

(*a*) The management of the business of such individual, partnership, corporation or association or any part thereof;

(*b*) The handling of trades and/or funds of customers of such individual, partnership, corporation or association;

(*c*) The keeping of records pertaining to trades and/or funds of customers of such individual, partnership, corporation or association; or

(d) The signing or co-signing of checks or drafts on behalf of such individual, partnership, corporation or association.

(vi) A spouse or minor dependent living in the same household of any of the foregoing persons;

(vii) A business affiliate that directly or indirectly controls such individual, partnership, corporation or association;

(viii) A business affiliate that, directly or indirectly, is controlled by or is under common control with, such individual, partnership, corporation or association.

Provided, however, That an account owned by any shareholder or member of a cooperative association of producers, within the meaning of sections 5(e) and 6a of the Act, which association is registered as a futures commission merchant and carries such account on its records, shall be deemed to be a customer's account and not a proprietary account of such association, unless the shareholder or member is an officer, director or manager of the association.

§ 1.7 Registration required of futures commission merchants.

No person shall engage as futures commission merchant in the solicitation or acceptance of orders for the purchase or sale of any commodity for future delivery, or involving any contracts of sale of any commodity for future delivery, on or subject to the rules of any contract market, unless the Secretary of Agriculture has registered such person as futures commission merchant under the Commodity Exchange Act and such registration has not expired and is not under suspension or revocation: *Provided, however,* that a person trading solely for proprietary accounts, within the meaning of § 1.3(y) of this part, shall not be required to register as a futures commission merchant and an owner or holder of such a proprietary account shall not be deemed to be a "customer" within the meaning of section 4d of the Act, the regulations which implement section 4d of the Act, and § 1.35 of this part; such a person trading solely for proprietary accounts as defined, shall otherwise be subject to all provisions of the Act and of the rules, regulations, and orders thereunder, and such an owner or a holder of such a proprietary account shall otherwise be deemed to be a "customer" within the meaning of the Act and the rules, regulations and orders thereunder.

§ 1.10 Application for registration and financial reports.

(a) Application for registration as futures commission merchant shall be made on Form 1–R. Application for registration as floor broker shall be made on Form 2–R. Each application shall be executed and filed in accordance with the instructions accompanying the prescribed form.

(b) Except as provided in paragraph (c) of this section, each person who files an application for registration as a futures commission merchant, and who is not so registered at the time of such filing, shall, concurrently with the filing of such application, file on Form 1–FR a report of his financial condition as of a date not more than 45 days prior to the date on which such report is filed. Each such person shall include with such financial report a statement describing the source of his current assets and representing that his capital has been contributed for the purpose of operating his business and will continue to be used for such purpose. He shall also submit with the financial report a statement for the first year of operations which shall include, (1) source of income, both current and anticipated, (2) arrangements made for obtaining the necessary funds to operate his business, and (3) the estimated total expenses of his business for the year.

(c) The provisions of paragraph (b) of this section shall not apply to any person succeeding to and continuing the business of another futures commission merchant. Each such person who files an application for registration as a futures commission merchant and who is not so registered at the time of such filing, shall file on Form 1–FR a report of his financial condition as of the first month-end following the date on which his registration is approved. Such report shall be filed with the Commodity Exchange Authority not more than one month after the date as of which it reports such person's financial condition.

(d) Except as provided in paragraph (e) of this section, each person registered as a futures commission merchant under the Act shall file on Form 1–FR a report of his financial condition as of each June 30 and each December 31, unless the registrant's fiscal year is other than a calendar year, in which case he shall file on Form 1–FR such financial reports as of the midpoint and the end of each fiscal year. Each such report shall be completed and filed not more than 45 days after the date as of which it reports the registrant's financial condition.

(e) The provisions of paragraph (d) of this section shall not apply to any person registered as a futures commission merchant who is a member of a contract market and conforms to minimum financial standards and related reporting requirements set by such contract market in its bylaws, rules, regulations or resolutions and approved by the Secretary of Agriculture as adequate to effectuate the purposes of section 4f(2) of the Act: *Provided, however,* That each such registrant shall promptly file with the Commodity Exchange Authority a true and exact copy of each financial report which he files with such contract market.

(f) Every report prepared on Form 1–FR shall be completed in accordance with the instructions accompanying the prescribed form and shall report financial condition as of the close of business on the date reported.

§ 1.17 Minimum financial requirements.

(a) Except as provided in paragraph (b) of this section, no person applying for registration as futures commission merchant shall be so registered unless he has adjusted working capital equal to or in excess of whichever of the following is greater: (1) $10,000 or (2) the sum of the safety factors hereinafter prescribed in this section with respect to both proprietary accounts and customers' accounts plus 5 percent of the applicant's aggregate indebtedness; and each person registered as a futures commission merchant shall at all times continue to meet such financial requirements.

(b) The requirements of paragraph (a) of this section shall not be applicable if the applicant for registration or registrant is a member of a contract market and conforms to minimum financial standards and related reporting requirements set by such contract market in its bylaws, rules, regulations or resolutions and approved by the Secretary of Agriculture as adequate to effectuate the purposes of paragraph (2) of section 4f of the Act.

(c) *Definitions.* For the purposes of this section:

(1) The term "working capital" means the amount by which current assets exceed current liabilities.

(2) The term "current assets" means cash and other assets or resources commonly identified as those which are reasonably expected to be realized in cash or sold during the next twelve months in the normal course of operation of the principal business of the applicant or registrant, and which are available for and intended for payment of current liabilities. The term "current assets" excludes:

(i) Any unsecured customer's regulated commodity futures account containing a ledger balance and open trades, the combination of which liquidates to a deficit or containing a debit ledger balance only and which account has been in such condition for more than 30 consecutive days;

(ii) Any unsecured customer's nonregulated commodity futures account containing a ledger balance and open trades, the combination of which liquidates to a deficit or containing a debit ledger balance only and which account has been in such condition for more than 30 consecutive days;

(iii) Any unsecured regulated commodity futures account, which is a "proprietary account" as defined in § 1.3(y) of this part, and which account contains a ledger balance and open trades, the combination of which liquidates to a deficit or contains a debit ledger balance only;

(iv) Any unsecured nonregulated commodity futures account which is a "proprietary account" as defined in § 1.3(y) of this part, and which account contains a ledger balance and open trades, the combination of which liquidates to a deficit or contains a debit ledger balance only;

(v) Any unsecured loan or advance on the part of applicant or registrant to any person whose account is classifiable as a proprietary account under these regulations;

(vi) Crop loans (loans made to farmers for the purpose of financing their crops or farm operations) which are not (1) due and collectable within nine months after the respective dates of the making of such loans, and (2) evidenced by legally enforceable written instruments in the possession of the applicant or registrant;

(vii) All other unsecured receivables that are not due within six months from the respective dates of their inception;

(viii) All unsecured receivables that are not collectable within six months from the respective dates of their inception;

(ix) All past due unsecured receivables;

(x) Exchange memberships, clearing house stocks and guaranty funds;

(xi) Unrealized commissions on open futures contracts;

(xii) Cash and claims to cash which are restricted as to withdrawal;

(xiii) Fixed assets, such as land, buildings, furniture and fixtures, improvements to real property;

(xiv) Prepaid expenses and deferred charges;

(xv) Securities without a ready market; and

(xvi) Everything excluded from such term in accord with generally accepted accounting principles.

(3) A loan or advance or any other form of receivable shall not be considered secured unless the following conditions exist:

(i) The receivable is secured by collateral which can be readily converted into cash equal to or in excess of that part of the receivable which is shown in the creditor's records as secured; and

(ii) The collateral is in the possession and control of the creditor; or

(iii) The creditor has a legally enforceable, written security agreement, signed by the debtor, and has a perfected security interest in the collateral within the meaning of the laws of the state in which the collateral is located.

(4) The term "current liabilities" means obligations that are due and payable or will become due and payable in the next 12 months, or the liquidation of which is reasonably expected to require the use of existing resources classifiable as current assets or the creation of other current liabilities. It would include any long-term loan which is not evidenced by a legally enforceable written instrument and any long-term liability that can be accelerated at the creditor's option to a term of a year or less. For the purpose of computing "working capital" within the meaning of this section, the following amounts may be excluded from current liabilities:

(i) The amount of indebtedness subordinated to the claims of all general creditors of the applicant or registrant pursuant to a satisfactory subordination agreement, as hereinafter defined; and

(ii) The amount of money, securities and property, due to commodity customers, which is held in segregated accounts in compliance with the requirements of section 4d(2) of the Act and the regulations thereunder: *Provided, however,* That such exclusion may be taken only if such money, securities and property held in segregated accounts has also been excluded from current assets in computing working capital.

(5) The term "satisfactory subordination agreement" means an agreement which satisfies all the following conditions:

(i) It is a written agreement duly executed by the applicant or registrant and the lender or creditor, which agreement is legally binding and enforceable in accordance with its terms upon the lender or creditor and his creditors, heirs, executors, administrators, assigns and successors in interest;

(ii) It effectively subordinates any right of the lender or creditor to demand or receive payment or return of the cash, securities or property loaned or otherwise owed, to the claims of all present and future creditors of the registrant or applicant: *Provided, however,* With the consent of the borrower, prior to the maturity of the agreement, the lender may substitute cash or other assets, with a ready market at an equal or greater value, for the assets initially loaned, if the agreement provides for such substitution and is modified so that the substitute cash or assets are subordinated in accordance with this regulation;

(iii) The agreement shall be in effect for a period of not less than one year;

(iv) It provides that the agreement shall not be subject to cancellation by either party, and that the loan shall not be repaid and the agreement shall not be terminated, rescinded or modified by mutual consent or otherwise if the effect thereof would be to make the agreement inconsistent with the conditions of this regulation or to reduce the adjusted working capital of the applicant or registrant below the amount required by this regulation;

(v) Sole possession and control of the subordinated assets must be maintained by the borrower for the term of the agreement;

(vi) It provides that no default in the payment of interest or in the performance of any covenant or condition by the registrant or applicant shall have the effect of accelerating the maturity of the indebtedness;

(vii) It provides that any notes or other written instruments evidencing the indebtedness shall bear on their face an appropriate legend stating that such notes or instruments are issued subject to the provisions of a subordination agreement which shall be adequately referred to and incorporated by reference;

(viii) It provides that any securities or other property loaned to the registrant or applicant pursuant to its provisions may be used and dealt with by the registrant or applicant as part of his capital and shall be subject to the risks of the business; and

(ix) Copies of each such agreement and of any notes or written instruments, evidencing the indebtedness are filed, within 10 days after each such agreement is entered into, with the regional office of the Commodity Exchange Authority for the region in which the registrant or applicant maintains his principal place of business, together with a statement of the full name and address of the lender or creditor and the business relationship of the lender or creditor to the registrant or applicant.

(6) The term "adjusted working capital" means working capital less:

(i) Five percent of all unsecured receivables used by the applicant or registrant in computing his working capital;

(ii) The amount by which any advances paid by the applicant or registrant on cash commodity contracts and used in computing his working capital, exceeds 90 percent of the market value of the commodities covered by such contracts;

(iii) In the case of cash commodity inventories that are hedged by bona fide hedging positions in the futures market as defined in section 4a(3) of the Act, the amount by which the value of such inventories used by the applicant or registrant in computing his working capital, exceeds 95 percent of the market value of such inventories;

(iv) In the case of all inventories which are included as current assets and which are not hedged in futures markets, the amount by which the value of such inventories used by the applicant or registrant in computing his working capital, exceeds 80 percent of the market value of such inventories: *Provided, however,* That with respect to those units of inventory that are committed to fixed price sales, there shall be no deduction from the value of such units of inventory used by the applicant or registrant in computing his working capital if the value so used does not exceed the committed sales price;

(v) The amount by which the value of securities and obligations used by the applicant or registrant in computing his working capital exceeds:

(*a*) In the case of preferred stocks, 80 percent of the market value thereof;

(*b*) In the case of common stocks, 70 percent of the market value thereof;

(*c*) In the case of commercial bonds and revenue bonds, 90 percent of the market value thereof;

(*d*) In the case of obligations of, or guaranteed by, the United States, and of general obligations of any State, or of any political subdivision thereof, 100 percent of the market value thereof;

(*e*) In the case of all other securities classifiable as current assets under this regulation, 70 percent of the market value thereof; and

(vi) That amount of subordinated borrowings and other forms of subordinated indebtedness which is in excess of 75 percent of the total of capital and subordinated liabilities.

(7) The term "aggregate indebtedness" means that portion of the total liabilities of an applicant or registrant which is not adequately collateralized, but excluding:

(i) Advances received by the applicant or registrant against bills of lading issued in connection with the shipment of commodities sold by the applicant or registrant;

(ii) Equities in partners' and officers' commodity futures accounts;

(iii) Equities in customers' commodity futures accounts segregated in accordance with the Act and regulations; and

(iv) The amount of indebtedness subordinated to the claims of all general creditors of the applicant or registrant pursuant to a satisfactory subordination agreement, as defined in this section.

(8) Liabilities shall be deemed to be "adequately collateralized" when, pursuant to a legally-enforceable written instrument, such liabilities are secured by identified assets that are otherwise unencumbered and the market value of which exceeds the amount of such liabilities by 10 percent or more.

(d) In the case of open futures contracts held in customers' accounts carried by the applicant or registrant, the safety factor shall be one-half of one percent of the market value of the greater of either the total long or total short futures contracts in each commodity (regulated, nonregulated and foreign) in all such accounts: *Provided, however,* (1) That such safety factor shall not apply to any spread or straddle held for the same account in the same commodity, on the same market, in the same crop year, and (2) that in the case of any intermarket or intercrop year spread or straddle, or any intermarket and inter-crop year spread or straddle, held for the same account in the same commodity, the safety factor shall be one-fourth of one percent of the market value of that side of each such spread or straddle having the greater market value.

(e) In the case of open futures contracts held in proprietary accounts carried by the applicant or registrant, the safety factor shall be 10 percent of the market value of the greater of either the total long or total short futures contracts in each commodity (regulated, nonregulated and foreign) in all such accounts: *Provided, however,* (1) That such safety factor shall not apply to any spread or straddle held for the same account in the same commodity, on the same market, in the same crop year, or to any contract representing a bona fide hedging transaction as defined in section 4a(3) (A) and (B) of the Act (however, such factor shall apply to contracts that represent hedges against unfilled anticipated requirements); nor shall it apply to any contract resulting from a "changer trade" made in accordance with the rules of a contract market which have been submitted to and not disapproved by the Secretary of Agriculture, and (2) that in the case of any intermarket or inter-crop year spread or straddle, or any intermarket and intercrop year spread or straddle, held for the same account in the same commodity, the safety factor shall be 5 percent of the market value of that side of each such spread or straddle having the greater market value.

§ 1.18 Records for and relating to financial reporting and monthly computation.

(a) No person shall be registered as a futures commission merchant under the Act unless, commencing on the date his application for such registration is filed, he prepares and keeps current, ledgers or other similar records which show or summarize with appropriate references to supporting documents, each transaction affecting his asset, liability, income, expense and capital accounts, and in which (except as otherwise permitted in writing by the Commodity Exchange Authority) all his asset, liability and capital accounts are classified into either the account classification subdivisions specified on Form 1–FR or categories that are in accord with generally accepted accounting principles. Each person so registered shall prepare and keep current such records.

(b) No person shall be registered as a futures commission merchant under the Act unless he prepares, from his ledgers or other records, a trial balance as of the end of each of his month-end closing business days, commencing with the first month-end closing date after he files his application for such registration. Such trial balances shall be prepared no later than 15 days after each such closing date. Each person so registered shall continue to prepare such month-end trial balances no later than 15 days after each month-end closing date.

(c) No person shall be registered as a futures commission merchant under the Act unless he prepares, as of the end of each month-end closing date subsequent to the date of filing his application for such registration, a written computation of the total of his subordinated borrowings, the total of his long term liabilities and the total of his net worth. Such computation must be prepared no later than 15 days after the applicant's month-end closing date; and the applicant must promptly thereafter inform the Commodity Exchange Authority of the sum of such totals. Each person registered as a futures commission merchant shall also prepare such written computation as of each month-end closing date, no later than 15 days after such day, and shall compare the sum of such totals with the sum total of the balances of such items as they appear in the report of financial condition most recently submitted to the Commodity Exchange Authority by such person in accord with paragraph (d) or (e) of § 1.10 of this part. Whenever such computation and comparison discloses that the sum total of subordinated borrowings, long term liabilities and net worth has declined 20% or more from the sum total of such items as they appear on such report of financial condition, or whenever such registrant knows or has reason to believe that he is not in compliance with the requirements prescribed in § 1.17, of this part, such registrant shall immediately notify the Commodity Exchange Authority thereof. For purposes of this paragraph, net worth shall mean total liabilities (including long-term debt and subordinated borrowings) deducted from total assets.

(d) All such records, trial balances, and computations shall be retained in accord with § 1.31 of this part.

§ 1.35 Records of cash commodity and futures transactions.

* * * * *

(b) Futures commission merchants and clearing members of contracts markets. * * *

(2) A record of transactions which will show separately for each account (including proprietary accounts) all commodity futures transactions executed for such account, including the date, price, quantity, market, commodity and future; and

* * * * *

If any interested person desires a hearing with reference to these proposed regulation amendments, he should make a request to that effect stating the reasons therefor, addressed to the Administrator, Commodity Exchange Authority, United States Department of Agriculture, Washington, D.C. 20250, on or before May 31, 1974.

Written statements with reference to the subject matter of these proposals may be submitted by any interested person. Such statements should be mailed to the Administrator of the Commodity Exchange Authority prior to May 31, 1974.

The transcript of the proceedings at any hearing which may be held and all written submissions made pursuant to this notice will be made available for public inspection in the Office of the Administrator, Commodity Exchange Authority, during regular business hours.

(Sec. 4f, as added by Sec. 5, 49 Stat. 1495, and amended by Sec. 7, 82 Stat. 28; Sec. 8a, as added by Sec. 10, 49 Stat. 1500, and amended, 69 Stat. 535, Sec. 18, 82 Stat. 31; 7 U.S.C. 6f, 12a; 37 FR 28464–5, 7 CFR 2.17(c), 37 FR 28477, 7 CFR 2.52)

The reporting and/or recordkeeping requirements contained in proposed § 1.18 have been approved by the Office of Management and Budget in accordance with the Federal Reports Act of 1942.

Issued: April 9, 1974.

ALEX C. CALDWELL,
Administrator,
Commodity Exchange Authority.

[FR Doc.74–8470 Filed 4–11–74;8:45 am]

DEPARTMENT OF LABOR

Wage and Hour Division

[29 CFR Parts 601, 613, 657, 673, 675, 678, 720, 728, 729]

[Administrative Order No. 630]

INDUSTRY COMMITTEES FOR VARIOUS INDUSTRIES IN PUERTO RICO

Postponement of Meetings and Dissolution of Certain Committees

Administrative Order No. 629, published on February 12, 1974, 39 FR 5329, provided for the appointment of industry committees for various defined industries

in Puerto Rico, including Industry Committees Nos. 118, 119–A, 119–B, 120–A, 120–B, 121–A, 121–B, and 121–C and gave notice of dates of investigations and hearings.

The purpose of the hearings was to review the wage rates in those industries which were below $1.60, the then highest minimum rate under the Fair Labor Standards Act, except in agriculture where minimum rates below $1.30 were to be considered. Under section 5(d) of the Act, the Secretary is obliged to furnish to such committees such data as he has available on the matters referred to the committees. Section 511.6, Title 29, Code of Federal Regulations prescribes the use of surveys. As the result of the enactment of the Fair Labor Standards Amendments of 1974, Pub. L. No. 93–259, April 8, 1974, the data obtained in surveys in industries are now inadequate; the criteria for use in recommending wage rates are changed substantially, and the hotel and restaurant industries wage rates have been increased to those in the various States.

Accordingly, pursuant to section 5 of the Fair Labor Standards Act of 1938 (29 U.S.C. 205) as amended, Reorganization Plan No. 6 of 1950 (3 CFR 1949–53 Comp. p. 1004), and 29 CFR Part 511, I postpone the meetings of Industry Committees Nos. 118, 119–A, 119–B, 120–A, 120–B, and 121–A. New dates for the convening of the postponed industry committees will be published in the FEDERAL REGISTER within the next few weeks. These industry committees will hold their meetings within the period between September 1, 1974 and December 15, 1974. Industry Committees Nos. 121–B and 121–C for the Hotels and Restaurant Industries are dissolved.

Signed at Washington, D.C., this 9th of April 1974.

PETER J. BRENNAN,
Secretary of Labor.

[FR Doc.74–8482 Filed 4–11–74;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 121]

SUBSTANCES IN FOOD-CONTACT ARTICLES IN THE HOUSEHOLD, FOOD SERVICE ESTABLISHMENTS, AND FOOD DISPENSING EQUIPMENT

Food Additive Status

Since enactment of the Food Additives Amendment of 1958 (September 6, 1958, Pub. L. 85–929, 72 Stat. 1784), letters and oral opinions have at times been issued by personnel of the Food and Drug Administration advising that ordinary houseware articles such as cutting boards, pots and pans, and eating utensils, as well as agents used to clean such housewares, are not subject to regulation under section 409 of the Federal Food, Drug, and Cosmetic Act (72 Stat. 1785; 21 U.S.C. 348). The FDA has also had a well-established regulatory policy that lead (or other heavy metals) in pottery dinnerware, in enamelware, or in pewter articles, which may migrate to food held in the dinnerware (or enamelware or pewter) and poison the consumer, is subject to regulation as a "food additive" within the meaning of section 201(s) of the act (21 U.S.C. 321). Food additive regulations have been promulgated governing numerous substances used in food-contact surfaces, and in sanitizing solutions for such food-contact surfaces, in 21 CFR Part 121, Subpart F.

Because of resulting confusion with regard to the applicability of the Federal Food, Drug, and Cosmetic Act to various houseware, food service, and food dispensing products, including cleaning agents, the Commissioner has determined that it is in the interest of efficient enforcement of the act to promulgate a regulation articulating the scope of the food additive provisions of the act with regard to such products.

The definition of a food additive is extremely broad and easily covers all substances which may reasonably be expected to migrate to food from food-contact articles. Section 201(s) provides that:

> The term "food additive" means any substance the intended use of which results or may reasonably be expected to result, directly or indirectly, in its becoming a component or otherwise affecting the characteristics of any food (including any substance intended for use in producing, manufacturing, packing, processing, preparing, treating, packaging, transporting, or holding food; * * *), if such substance is not generally recognized, among experts qualified by scientific training and experience to evaluate its safety, as having been adequately shown through scientific procedures * * * to be safe under the conditions of its intended use; * * *

This statutory language provides no basis for an exemption for any houseware, food service, or food dispensing article or cleaning agent, and shows clearly that Congress meant to regulate all substances not generally recognized by experts as having been shown to be safe which become or which may reasonably be expected to become, directly or indirectly, a component of any food unless specifically exempted by section 201(s). (Although color additives are specifically exempted from the definition of food additives by section 201(s)(3), they are regulated by sections 706 and 402(c) of the act (21 U.S.C. 376, 342) regardless of intended use. See 21 CFR 8.1(f).)

The legislative history of the Food Additives Amendment of 1958 also shows that Congress recognized and intended that all substances which may reasonably be expected to become a component of any food are "food additives" (unless specifically exempt under section 201(s) of the act). Both the House and Senate Reports on the Food Additives Amendment of 1958 contain the following text (House Report No. 2284, 85th Cong., 2d sess., p. 3, July 28, 1958; Senate Report No. 2422, 85th Cong., 2d sess., p. 5, August 18, 1958):

> The legislation covers substances which are added intentionally to food. These additives are generally referred to as "intentional additives."
>
> The legislation also covers substances which may reasonably be expected to become a component of any food or to affect the characteristics of any food. These substances are generally referred to as "incidental additives."
>
> The principal examples of both intentional and incidental additives are substances intended for use in producing, manufacturing, packing, processing, preparing, treating, packaging, transporting, or holding food.
>
> On the other hand, substances which may accidentally get into a food, as for example, paints or cleaning solutions used in food processing plants, are not covered by this legislation. These additives are generally referred to as "accidental additives," since these substances if properly used may not reasonably be expected to become a component of a food or otherwise to affect the characteristics of a food.

These statements make it clear that Congress intended to regulate all substances (except those generally recognized as safe or specifically exempted by section 201(s) of the act) which become or which may become a component of food by any means other than purely accidental contamination.

The House Select Committee to Investigate the Use of Chemicals in Foods and Cosmetics which originally recommended a food additives amendment showed a similar desire for providing the strongest possible consumer protection through comprehensive food additive legislation. The committee's report to the Congress (House Report No. 2356, 82d Cong., 2d sess.), recommended:

> * * * the [food additive] legislation should provide that evidence that the chemical is safe, and does not produce harmful chemical reactions in the end food product, should be submitted to the Food and Drug Administration for clearance before the chemical is utilized.

Several manufacturers of food packaging and wrapping materials testified at the hearings on the Food Additives Amendment of 1958 and, while some favored and others opposed the legislation, it was generally recognized that substances used to package and hold food would be subject to the new legislation where migration occurred. See, for example, the statement by Frederick S. Leinbach, representing the American Paper & Pulp Association, "the overall national association of the paper and pulp industry," speaking with regard to packaging materials:

> If there are extractables, if those materials could reasonably be expected to become a component of the packaged food, they then become additives, and we feel they should be treated as additives. [Hearings Before a Subcommittee of the Committee on Interstate and Foreign Commerce, House of Representatives, Eighty-fifth Congress, on Bills to Amend the Federal Food, Drug, and Cosmetic Act with Respect to Chemical Additives in Food.]

Congressman John Bell Williams, the chairman of the subcommittee which prepared the food additive legislation, reflected this understanding in the congressional debate on the bill:

> Since the food additive bill, H.R. 13254, passed the House, I have received an inquiry as to how this legislation affects the packaging industry. Of course, packaging

ordinarily is not intended or reasonably expected to become a part of food and therefore would not come under the bill. The term "otherwise affecting the characteristics of any food" refers to an effect not generally recognized as safe among experts qualified by scientific training and experience to evaluate the safety of food additives; but innocuous effects of packaging, such as protection from dirt, retarding moisture loss, preserving shape, providing convenience in use, handling, and storage, and the like, would not be covered. [Congressional Record of August 23, 1958, 85th Cong., 2d sess.]

Similarly, Congressman Williams also stated that ordinary housewares would not be subject to the new law:

This bill is not intended, for example, to give the Food and Drug Administration authority to regulate the use of components in dinnerware or ordinary eating utensils. [Congressional Record, 104:17418.]

Thus, ordinary inert articles from which no migration to food occurs are clearly not subject to the act, but there was no congressional intent to exempt all food-contact articles used in the household, food service establishments, and food dispensing equipment.

Other provisions of section 409 of the act also manifest a strong congressional desire to regulate all intended uses of food additives. Section 409(a) provides that:

A food additive shall, with respect to any particular use or intended use of such additives, be deemed to be unsafe * * * unless—

(1) it and its use or intended use conform to the terms of an exemption * * * pursuant to subsection (i) [for investigational use] * * *; or

(2) there is in effect, and it and its use or intended use are in conformity with, a regulation issued under this section prescribing the conditions under which such additive may be safely used.

Section 409(b) provides that:

(1) Any person may, with respect to any intended use of a food additive, file with the Secretary a petition proposing the issuance of a regulation prescribing the conditions under which such additive may be safely used.

(2) Such petition shall * * * contain—

* * * * *

(B) a statement of the conditions of the proposed use of such additive * * *

* * * * *

(D) a description of practicable methods for determining the quantity of such additive in or on food, and any substance formed in or on food, because of its use; * * *

These sections are clear. They give no indication that some intended uses are to be regulated while others are not. To the contrary, they show a definite Congressional concern for additives in or on food regardless of how they got there.

When Congress intended to exempt certain substances from the coverage of the act it had no difficulty making such intent readily apparent. Thus, in section 201(s) of the act it specifically provided that the term "food additive" does not include:

(1) a pesticide chemical in or on a raw agricultural commodity; or

(2) a pesticide chemical to the extent that it is intended for use or is used in the production, storage, or transportation of any raw agricultural commodity; or

(3) a color additive; or

(4) any substance used in accordance with a sanction or approval granted prior to * * * [September 6, 1958] pursuant to this Act, the Poultry Products Inspection Act * * * or the Meat Inspection Act * * *; or

(5) a new animal drug.

Had Congress meant to exempt specific articles such as dinnerware and cooking utensils from the coverage of the act, therefore, it would have been a simple matter for it to do so.

Finally, section 409(c)(5) of the act provides that:

In determining * * * whether a proposed use of a food additive is safe, the Secretary shall consider among other relevant factors—

* * * * *

(B) the cumulative effect of such additive in the diet of man * * *

It is not possible to make an accurate determination of the cumulative effect of an additive without taking into account all means by which that additive may reasonably be expected to enter man's diet. Any reports of adverse effects resulting from migration of unsafe chemical additives from articles such as dinnerware and eating utensils would require prompt regulatory action. Therefore, to exempt dinnerware, eating utensils and other houseware, food service, and food dispensing articles which may reasonably be expected to contribute significant amounts of harmful additives at the final and, arguably, most critical stage of food processing (i.e., immediately before being ingested by the consumer) at the very time when technological advancements have vastly improved methods of detection and evaluation of their effect in man, would be in direct conflict with the express mandate of section 409(c)(5)(B) of the act.

On January 17, 1974, Judge John Feikens of the United States District Court for the Eastern District of Michigan handed down an opinion in *United States* v. *Articles of food * * * pottery*, holding that pottery dinnerware is subject to the food additive and food requirements of the act:

The legislative history leading to the Food Additives Amendment of the Act shows a clear Congressional intent that substances which are subject to being ingested by human beings be cause of migration are "food additives" and thus "foods" within the meaning of the Act. * * * It is likewise clear that ordinary packaging or food holding devices from which there is no migration are not subject to the Act.

For these reasons, and in the interest of public health, the Commissioner of Food and Drugs has concluded that any prior statements by FDA which conflict with this notice are erroneous and contrary to the Congressional intent as plainly expressed in the act, and any such statements are hereby withdrawn.

The Commissioner recognizes that as a matter of fairness, transitional provisions to implement this proposed regulation are appropriate, since members of industry may presently be marketing certain products bearing migratory substances without an applicable food additive regulation, in reliance upon a prior statement from FDA that the act was not applicable to the product. The proposal therefore provides that by December 31, 1974, manufacturers must either be in compliance with existing regulations or have filed a food additive petition covering the use of a given substance or article. Of course, if there is no migration of a substance to food, or if the substance is generally recognized as safe at the level of migration under the conditions of use involved, the substance is not a food additive and no petition is required. An opinion with respect to migration or GRAS status may be obtained from the Food and Drug Administration upon request.

No transition period is justified, however, for migratory substances in pottery dinnerware, enamelware, or pewter. FDA has for several years conducted a widely publicized regulatory program against such products. Accordingly, the proposal explicitly states that there is no moratorium on food additive charges where migratory substances are found in pottery dinnerware, enamelware, or pewter.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 201(s), 409, 701(a), 72 Stat. 1784–1788, 52 Stat. 1055–1056; 21 U.S.C. 321(s), 348, 371(a)), and under authority delegated to him (21 CFR 2.120), the Commissioner proposes to amend 21 CFR Part 121 by adding a new § 121.14, as follows:

§ 121.14 Food additive status of food-contact articles intended for use in the household, food service establishments, and food dispensing equipment.

(a) Any substance the intended use of which results or may reasonably be expected to result, directly or indirectly, in its becoming a component or otherwise affecting the characteristics of any food is subject to the food provisions of the Federal Food, Drug, and Cosmetic Act and, if it is not generally recognized as safe or exempt under section 201(s)(1)–(4) of the act, to the food additive provisions of the act. This includes any substance in food-contact articles whether intended for use in the household, food service establishments, or food dispensing equipment.

(b) Except as provided in paragraphs (c) and (d) of this section, a food additive in a food-contact article intended for any of the uses referred to in paragraph (a) of this section shall, not later than December 31, 1974, be the subject of a food additive regulation or a food additive petition filed with the Food and Drug Administration covering such use. The filing of such a food additive petition shall stay the effective date of this section until the petition is granted or denied.

(c) The transitional provisions in paragraph (b) of this section shall not apply to:

(1) Migratory substances in pottery dinnerware, enamelware, or pewter;

(2) Any migrating substance which is a poisonous or deleterious substance under section 402(a)(1) of the act; or

(3) Food additives in food packaging and wrapping materials used to package, hold, or otherwise contain food prior to ultimate purchase by the consumer.

(d) Any oral or written opinions contrary to this section are hereby revoked and superseded.

Interested persons may, on or before June 11, 1974, file with the Hearing Clerk, Food and Drug Administration, Rm. 6–86, 5600 Fishers Lane, Rockville, MD 20852, written comments (preferably in quintuplicate) regarding this proposal. Comments may be accompanied by a memorandum or brief in support thereof. Received comments may be seen in the above office during working hours, Monday through Friday.

Dated: April 5, 1974.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.74–8424 Filed 4–11–74;8:45 am]

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[49 CFR Part 571]

[Docket No. 74–16; Notice 1]

MOTOR VEHICLE SAFETY STANDARDS

Proposed Modification of Requirements for Motor-Driven Cycles

This notice proposes amendments of 49 CFR 571.108, 571.122, and 571.123, Motor Vehicle Safety Standards Nos. 108, 122, and 123, that would modify current requirements applicable to motor-driven cycles.

The National Highway Traffic Safety Administration has been petitioned by Cycles Peugeot, Ateliers de la Motobecane, and S.I.N.F.A.C. for "(1) recognition of the power-assisted bicycle as a separate category of motor vehicle and (2) promulgation of safety standards for the bicycle appropriate to its low power and speed." Similar petitions have been filed by Bermuda Bikes, Inc. and Robert F. Smith, who are retail dealers of low-powered two-wheeled vehicles.

These vehicles are currently classified as "motor-driven cycles", a subcategory of "motorcycle" that is defined by 49 CFR 571.3(b) as "a motorcycle with a motor that produces 5-brake horsepower or less". As such they are required to meet Federal motor vehicle safety standards, most importantly the ones covering lights (No. 108), hydraulic brake systems (No. 122) and controls and displays (No. 123). Petitioners contend that vehicles which produce no more than 1.5 horsepower deserve a separate classification, and that existing standards applicable to motor-driven cycles are not reasonable, practicable, and appropriate for them.

This agency has decided not to establish a separate category of motor vehicle. The problems of conforming to the standards encountered by vehicles with 1.5 horsepower or less do not appear to be sufficiently different from those of vehicles between 1.5 and 5 horsepower to justify a separate category. However, this agency has reviewed the requirements applicable to motor-driven cycles in light of the petitions and the renewed public interest in this type of vehicle, and has found that certain minor modifications in the standards may ease the burden of compliance without jeopardizing basic safety performance.

With respect to Standard No. 108, this agency has tentatively determined that in view of the speed and weight characteristics of motor-driven cycles, the problems associated with hand signaling and the lack of turn signal lamps are not as significant as they are with the larger motorcycles. It is therefore proposed that the requirement for turn signals be deleted for motor-driven cycles with a top-speed capability of 30 mph or less. Also, it has been found that low-powered cycle motors may have some difficulty in providing the full required illumination. It is proposed that the required stop-lamp photometric output for low top-speed motor-driven cycles be reduced to one-half that for motorcycles generally. It should be noted that Standard 108 already contains reduced photometric output requirements for motor-driven cycle headlamps.

Because of the low speed of these vehicles, it appears that some modification of Standard No. 122, Motorcycle Braking, would be appropriate. Since fade recovery is not a safety-critical requirement for vehicles with low top speeds, it is proposed that a motorcycle be exempted from the fade requirements of S5.4 if the speed it attains in 1 mile is 30 mi/h or less. Further, since Table I provides no maximum stopping distances below 30 mi/h, values for stops from 25, 20, and 15 mi/h are proposed, maintaining the same deceleration values as required of higher speed stops. For example, a stop from 25 mi/h in the total system effectiveness test would have to be made in not more than 19 feet.

Finally, the NHTSA is proposing an amendment to the Motorcycle Controls and Displays standard, No. 123. Manufacturers of lightweight motor-driven cycles have petitioned that placement of the rear brake control on the left handlebar, rather than at the right foot, be allowed. This deviation from the standardized position for motorcycles would appear to have a minimal detrimental effect, and it is therefore proposed by this notice.

In consideration of the foregoing, it is proposed that 49 CFR Part 571 be amended as follows:

§ 571.108 [Amended]

1. In § 571.108 the following definition would be added to paragraph S3:

"Speed attainable in 1 mile" means the speed attainable by accelerating at maximum rate from a standing start for 1 mile on a level surface.

2. In § 571.108 the following two subparagraphs would be added to paragraph S4:

S4.1.1.__ A motor-driven cycle whose speed attainable in 1 mile is 30 mi/h or less need not be equipped with turn signal lamps.

S4.1.1.__ A motor-driven cycle whose speed attainable in 1 mile is 30 mi/h or less may be equipped with a stop lamp whose photometric output for the groups of test points specified in Figure 1 is at least one-half of the minimum values set forth in that figure.

§ 571.122 [Amended]

3. In § 571.122, the following sentence would be added to S5.4: "These requirements do not apply to a motorcycle whose speed attainable in 1 mile is 30 mi/h or less."

4. In § 571.122, Table I would be amended to add the following values:

Vehicle test speed miles per hour	Preburnish effectiveness total system (S5.2.1)	Preburnish effectiveness partial mechanical systems (S5.2.2)	Effectiveness total system (S5.4) (S5.7.1)	Effectiveness partial hydraulic systems (S5.7.2)
	I	II	III	IV
15	13	30	11	25
20	24	54	19	44
25	37	84	30	68

§ 571.123 [Amended]

5. In § 571.123, Table I would be amended by revising Item 11, Column 2, to read:

"Right foot control.[1] Left handlebar permissible for motor-driven cycles."

Interested persons are invited to submit comments on the proposal. Comments should refer to the docket number and be submitted to: Docket Section, National Highway Traffic Safety Administration, Room 5108, 400 Seventh Street, SW., Washington, D.C. 20590. It is requested but not required that 10 copies be submitted.

All comments received before the close of business on the comment closing date indicated below will be considered, and will be available for examination in the docket at the above address both before and after that date. To the extent possible, comments filed after the closing date will also be considered. However, the rulemaking action may proceed at any time after that date, and comments received after the closing date and too late for consideration in regard to the action will be treated as suggestions for future rulemaking. The NHTSA will continue to file relevant material as it becomes available in the docket after the closing date, and it is recommended that interested persons continue to examine the docket for new material.

Comment closing date: May 13, 1974.

Proposed effective date: 30 days after publication of final rule in FEDERAL REGISTER.

(Sec. 103, 119, Pub. L. 89–563, 80 Stat. 718, 15 U.S.C. 1392, 1407; delegations of authority at 49 CFR 1.51 and 49 CFR 501.8.)

Issued on April 9, 1974.

ROBERT L. CARTER,
Associate Administrator, Motor Vehicle Programs.

[FR Doc.74–8461 Filed 4–11–74;8:45 am]

PANAMA CANAL COMPANY

[35 CFR Part 133]

TOLLS FOR USE OF PANAMA CANAL

Notice of Conclusion of Public Hearing Phase of Proposed Rulemaking

The purpose of this notice is to announce that the Panama Canal Company is concluding the public hearing on a proposed change in the rates of tolls for the use of the Panama Canal.

On December 27, 1973, the Panama Canal Company published a notice of public hearing to be held on March 5, 1974, in Washington, D.C. to consider a proposal to change the rates of tolls for use of the Panama Canal (38 FR 35333). The hearing was convened on March 5, 1974, and later recessed on that date subject to call of the hearing panel, at which time the interested parties were notified that they could file additional written material with the Secretary of the Company on or before March 8, 1974.

Notice is hereby given that the said hearing will be reconvened at 10 a.m. Friday, April 19, 1974, in the Office of the Secretary of the Panama Canal Company, Suite 312, Pennsylvania Building, 425 13th Street NW., Washington, D.C. 20004, for the purpose of concluding the public hearing phase of the proposed rulemaking.

By direction of the Board of Directors, Panama Canal Company.

Dated: April 10, 1974.

THOMAS M. CONSTANT,
Secretary.

[FR Doc.74-8567 Filed 4-11-74;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR Part 201]

[Release Nos. 33-5477, 34-10721, 35-18364, 39-361, IC-8300, IA-407.]

RULES OF PRACTICE

Disciplinary Proceedings Involving Professionals Practicing Before the Commission

The Securities and Exchange Commission announced today the publication for comment of a proposed change in rule 2(e)(7) [17 CFR 201.2(e)(7)] of its rules of practice. As proposed, the revised rule would provide that proceedings pursuant to rule 2(e), including any hearings held in connection with such proceedings, would be public, unless the Commission, on its own motion or at the request of a party, should direct otherwise. This would constitute a reversal of the present provision which provides that such proceedings shall be non-public unless the Commission directs otherwise.

Charges under rule 2(e) against professionals practicing before the Commission are not made lightly; a proceeding is brought only after careful investigation and study by the staff and a review of the matter by the Commission. Under rule 2(e)(1) of the Commission's Rules of Practice, the Commission may deny the privilege of appearing or practicing before it to any person found by the Commission (1) not to possess the requisite qualifications to represent others, (2) to be lacking in character or integrity or to have engaged in unethical or improper professional conduct, or (3) to have willfully violated, or to have willfully aided and abetted any violation of the federal securities laws. A rule 2(e) proceeding is sometimes brought in cases where, for a variety of reasons, it may not be considered appropriate for the Commission to institute an injunctive action against the individual or firm involved.

The Commission has time and again pointed out that the task of enforcing the securities laws rests in large part on the shoulders of the professionals who appear and practice before the Commission. As all who are versed in the practicalities of securities law know, the Commission, with its small staff, limited resources, and heavy responsibilities is peculiarly dependent on the probity and diligence of the professionals who practice before it. These professionals prepare prospectuses, proxy statements, opinions of counsel, reports on financial statements and other documents on which the Commission, the financial community, and the investing public must rely. The unscrupulous or careless professional can inflict severe harm on those who rely on such disclosure documents. The Commission believes that there is considerable public interest in the standards required of professionals practicing before it and in the disciplinary proceedings in which they are enforced, since in many of their dealings involving securities and matters regulated by the Commission, the public is dependent to a high degree upon practicing professionals for information, advice and guidance. The proposed change in the Rule reflects the Commission's belief that when sufficient reason exists to institute such a proceeding, the public should be aware of this fact and should have available the evidence supporting and refuting the charges made. In general, the Commission believes public proceedings pursuant to rule 2(e) will promote awareness of the standards of ethical and professional conduct, and will be in the best interests of the public and of those who practice before the Commission. In an appropriate case where substantial reason exists, the Commission may order that a proceeding under rule 2(e) be non-public.

The Commission has previously amended rule 2(e) to provide for the automatic suspension from appearance or practice before the Commission of any person who has been suspended or disbarred from practice, or has had his license to practice suspended or revoked or who has been convicted of any felony or of a misdemeanor involving moral turpitude. See Securities Act Release No. 5088, September 24, 1970. Rule 2(e) was further amended to provide that anyone permanently enjoined from violation, or aiding and abetting the violation, of the securities laws by reason of misconduct in an action brought by the Commission, or found by a court to have violated or aided and abetted the violation of the securities laws, may be temporarily suspended from practicing or appearing before the Commission; the temporary suspension becomes permanent if no petition to lift the suspension is received within thirty days. See Securities Act Release No. 5147, July 1, 1971 [36 FR 8933]. The remaining proceedings brought under rule 2(e) are cases which arise from alleged conduct not already of public record in some other proceeding. The proposed change will conform the procedure applicable in rule 2(e) proceedings to that followed in other hearings ordered by the Commission. Rule 11(b) [17 CFR 201.11(b)] of the Rules of Practice provides that, except for hearings on applications for confidential treatment pursuant to statute, such hearings shall be public unless otherwise ordered by the Commission. In accordance with this rule, the vast majority of proceedings brought by the Commission in recent years have been public.

Commission action. Pursuant to authority in section 19(a) of the Securities Act of 1933, section 23(a) of the Securities Exchange Act of 1934, section 20 of the Public Utility Holding Company Act of 1935, section 319 of the Trust Indenture Act of 1939, section 38 of the Investment Company Act of 1940 and section 211 of the Investment Advisers Act of 1940, the Securities and Exchange Commission proposes to amend § 201.2(e)(7) of Chapter II of Title 17 of the Code of Federal Regulations to read as follows:

§ 201.2 Appearance and practice before the Commission.[1]

* * * * *

(e) *Suspension and disbarment.* * * *

(7) All proceedings pursuant to this paragraph (e) of this section, including any hearings held therein, shall be public unless the Commission on its own motion or at the request of a party otherwise directs.

* * * * *

(Sec. 19(a), 48 Stat. 85, sec. 209, 48 Stat. 908, 15 U.S.C. 77s; sec. 23(a), 48 Stat. 901, sec. 8, 49 Stat. 1379, 15 U.S.C. 78w; sec. 20, 49 Stat. 833, 15 U.S.C. 79t; sec. 319, 53 Stat. 1173, 15 U.S.C. 77sss; sec. 38, 54 Stat. 855, 15 U.S.C. 80a-37; sec. 211, 54 Stat. 855; sec. 14, 1974 Stat. 888, 15 U.S.C. 80b-11)

Interested persons are invited to submit their views and comments on whether the proposed change in the rule should be made. To be considered, written statements of views and comments should be submitted to the Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549 on or before May 20, 1974. All such communications will be available for public inspection at the Commission's offices.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

APRIL 5, 1974.

[FR Doc.74-8473 Filed 4-11-74;8:45 am]

Notices

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF THE TREASURY

Comptroller of the Currency

REGIONAL ADVISORY COMMITTEE ON BANKING POLICIES AND PRACTICES OF THE SIXTH NATIONAL BANK REGION

Notice of Closed Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given that a closed meeting of the Comptroller of the Currency's Regional Advisory Committee on Banking Policies and Practices of the Sixth National Bank Region will be held at 9 a.m., on Friday, May 3, 1974, at The Breakers Hotel, Palm Beach, Florida.

The purpose of this meeting is to assist the Regional Administrator and Comptroller of the Currency in a continuing review of bank regulations and policies. The meeting will also apprise agency officials of current conditions and problems banks are experiencing in the Sixth National Bank Region.

It is hereby determined pursuant to section 19(d) of Public Law 92-463 that the meeting is concerned with matters listed in section 552(b) of Title 5 of the United States Code and particularly with exceptions (3), (4), and (8) thereof, and is therefore exempt from the provisions of section 10 (a)(1) and (a)(3) of the Act (Public Law 92-463) relating to open meetings and public participation therein.

Dated: April 8, 1974.

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

[FR Doc.74-8441 Filed 4-11-74;8:45 am]

REGIONAL ADVISORY COMMITTEE ON BANKING POLICIES AND PRACTICES OF THE FOURTEENTH NATIONAL BANK REGION

Notice of Closed Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given that a closed meeting of the Comptroller of the Currency's Regional Advisory Committee on Banking Policies and Practices of the Fourteenth National Bank Region will be held in Rancho Santa Fe, California, on May 3, 1974 at 9 a.m.

The purpose of this meeting is to assist the Regional Administrator and Comptroller of the Currency in a continuing review of bank regulations and policies. The meeting will also apprise agency officials of current conditions and problems banks are experiencing in the Fourteenth National Bank Region.

It is hereby determined pursuant to section 19(d) of Public Law 92-463 that the meeting is concerned with matters listed in section 552(b) of Title 5 of the United States Code and particularly with exceptions (3), (4) and (8) thereof, and is therefore exempt from the provisions of section 10(a)(1) and (a)(3) of the Act (Public Law 92-463) relating to open meetings and public participation therein.

Dated: April 8, 1974.

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

[FR Doc.74-8442 Filed 4-11-74;8:45 am]

Internal Revenue Service

TAX FORMS COORDINATING COMMITTEE

Request for Forms Suggestions

The Internal Revenue Service will soon begin its 1974 Forms Review Program.

As part of its annual review process, the Service is interested in receiving comments and suggestions for improving its tax return forms, instructions and related schedules. The public, practitioner groups, and other interested parties or organizations are invited to participate.

In order to meet our work schedule and early printing deadlines, it is requested that recommendations be submitted on or before May 27, 1974.

Comments and suggestions should be sent to the Chairman, Tax Forms Coordinating Committee, Room 1515, Internal Revenue Building, 1111 Constitution Avenue NW., Washington, D.C. 20224.

Dated: March 29, 1974.

[SEAL] LAWRENCE B. GIBBS,
Assistant Commissioner (Technical).

[FR Doc.74-8440 Filed 4-11-74;8:45 am]

DEPARTMENT OF DEFENSE

Office of the Secretary

DEFENSE ADVISORY GROUP ON ELECTRON DEVICES

Notice of Meeting

The Department of Defense Advisory Group on Electron Devices, Working Group on Lasers, will meet in closed sessions at 201 Varick Street, New York, New York, on 30 April and 1 May 1974.

The purpose of the DoD Advisory Group on Electron Devices, and various working groups thereof, is to provide the Director of Defense Research and Engineering and the Military Departments with advice and recommendations on the conduct of economical and effective research and development programs in the field of electron devices, e.g., lasers, radar tubes, transistors, infrared sensors, etc. The group is also the vehicle for interservice coordination of planned R&D efforts.

In accordance with Pub. L. 92-463, section 10, paragraph (d), it is hereby determined that the AGED meetings concern matters listed in Section 552(b) of Title 50 of the United States Code, particularly subparagraph (1) thereof, and that the public interest requires such meetings be closed insofar as the requirements of Subsections (a)(1) and (a)(3) of Section 10, Pub. L. 92-463 are concerned.

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

APRIL 9, 1974.

[FR Doc.74-8396 Filed 4-11-74;8:45 am]

DEFENSE INDUSTRY ADVISORY GROUP—EUROPE (DIAGE)

Notice of Closed Meeting

The Defense Industry Advisory Group—Europe (DIAGE) will hold a closed meeting on April 18, 1974 in the United States Mission to the North Atlantic Treaty Organization, Brussels, Belgium. The agenda topics will include the Italian Defense Budget and Trends, status of NATO projects, and discussion of activities of U.S. defense industry firms in Europe.

Persons desiring information about the advisory group may telephone Brussels 41.44.00, extension 5729, or write to the Executive Secretary, Defense Industry Advisory Group—Europe (DIAGE), U.S. Mission to NATO, OTAN-Evere, 1110 Brussels, Belgium.

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

APRIL 9, 1974.

[FR Doc.74-8397 Filed 4-11-74;8:45 am]

DEPARTMENT OF THE INTERIOR

Office of the Secretary

OIL SHALE ENVIRONMENTAL ADVISORY PANEL

Notice of Meeting

Notice is hereby given that the Oil Shale Environmental Advisory Panel will hold its first meeting April 15, 1974,

at the Albany Hotel, 17th and Stout, Denver, Colorado. The agenda for the meeting will include consideration of Panel administrative procedures, presentations by Federal, State, and local government units, and planning for the work of the Panel. The meeting will begin at 2 p.m. and conclude at 5 p.m.

The meeting will be open to the public. Time will be available for a limited number of brief statements by members of the public. Those wishing to make an oral statement should inform the Advisory Panel Chairman prior to the meeting. Any interested person may file a written statement with the Panel for its consideration. The Advisory Panel Chairman is Mr. William L. Rogers. Written statements may be submitted at the meeting or mailed to Mr. William L. Rogers, Office of the Secretary, Department of the Interior, Room 688, Building 67, Denver Federal Center, Denver, Colorado 80225. Further information concerning this meeting may be obtained from Mr. Henry O. Ash, Department of the Interior, Denver Federal Center, Denver, Colorado at (303) 234-3275. Minutes of the meeting will be available for public inspection 30 days after the meeting at the Office of the Special Assistant to the Secretary, Department of the Interior, Room 688, Building 67, Denver Federal Center, Denver, Colorado.

BRAD E. HAINSWORTH,
Deputy Assistant Secretary of the Interior.

APRIL 8, 1974.

[FR Doc.74-8381 Filed 4-11-74;8:45 am]

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

SPECIFIC APPROVAL OF STOCKYARDS AND SLAUGHTERING ESTABLISHMENTS

Additions to List

This notice lists certain additional livestock markets and slaughtering establishments to the list of those heretofore approved under the regulations in 9 CFR Part 78. It has been determined that the inspection and handling of cattle at such livestock markets and slaughtering establishments are adequate to effectuate the purposes of the regulations. Certain livestock markets and slaughtering establishments have been removed from the list of those heretofore approved under said regulations, because it has been determined that such livestock markets and slaughtering establishments no longer qualify for approval under the regulations.

Pursuant to § 78.16 of the regulations in Part 78, as amended, Title 9, Code of Federal Regulations, containing restrictions on the movement of cattle because of brucellosis, under provisions of the Act of May 29, 1884, the Act of February 2, 1903, and the Act of March 3, 1905, and amendments thereof, and the Act of July 2, 1962 (secs. 4-7, 23 Stat. 32, as amended; secs. 1 and 2, 32 Stat. 791-792, as amended; sec. 3, 33 Stat. 1265, as amended; sec. 2, 65 Stat. 693; and secs. 3 and 11, 76 Stat. 130, 132 (21 U.S.C. 111-113, 114a-1, 115, 117, 120, 121, 125, 134b, 134f)) and delegations of authority thereunder (37 FR 28464, 28477; 38 FR 19141), notice is hereby given that the following stockyards and slaughtering establishments are specifically approved under said regulations as indicated below:

SPECIFICALLY APPROVED STOCKYARDS

The following stockyards preceded by an asterisk are specifically approved for the purposes of § 78.5, Title 9, Code of Federal Regulations, concerning brucellosis reactors and of paragraphs (b) and (c) of § 78.12 of said Title 9, concerning cattle not known to be affected with brucellosis. The following stockyards not preceded by an asterisk are specifically approved for the purposes of paragraphs (b) and (c) of § 78.12 only:

ILLINOIS	
Barnard Livestock Auction Market	Wayne City.
Bloomington Livestock Commission Company	Bloomington.
Breed's Livestock Sales	Elizabeth.
Carthage Livestock Auction	Carthage.
*Chicago-Joliet Marketing Center, Inc	Joliet.
Chicago Stockyards-Atkinson Market, Inc	Atkinson.
Dameron Livestock Auction	Vienna.
Gerald L. Parks and John E. Morrissey d/b/a Danville Livestock Commission Co.	Danville.
Decker's Livestock Incorporated	Milford.
DeWane's Livestock Exchange	Belvidere.
Greenville Livestock Auction Co	Greenville.
Heinold Cattle Company	El Paso.
Heinold Hog Market	Brookport.
Illinois Auction Commission Co	Paris.
Interstate Producers Livestock Association	Shelbyville.
Jennings Sale Company	Macomb.
Kankakee Livestock Company	Bourbonnais.
Kewanee Sale Barn	Kewanee.
Knoxville Community Sale Company, Inc	Knoxville.
Mercer County Livestock Auction	Viola.
Paris Livestock Sales Company	Paris.
*Peoria Union Stock Yards	Peoria.
Rock Island Auction Sales, Inc	Rock Island.
*St. Louis National Stockyards Co	National Stockyards.
Schrader Consignment Sale	Dakota.
Trainors Livestock Sales	Clinton.
Winslow Marketing Center	Winslow.
INDIANA	
*Evansville Livestock Sale Pavilion	Evansville.
IOWA	
Armstrong Locker	Armstrong.
Climbing Hill Stockyards	Climbing Hill.
Farmers Livestock Auction	Carroll.
Mapleton Livestock Sales Co	Mapleton.
Middletown Auction Sales, Inc	Middletown.
Thielen Cattle Co	Harlan.
Wayland Sales Co., Inc	Wayland.
KANSAS	
*Coffee County Livestock Market	Burlington.
*Council Grove Livestock Commission Co	Council Grove.
*Onaga Livestock Commission Co	Onaga.
KENTUCKY	
*Adair County Stockyards	Columbia.
*Brown Livestock Co	Clinton.
*Kentucky-Tennessee Livestock Market	Guthrie.
*Madison Sales Co., Inc	Richmond.
*Schneider and Colston Sale Barn	S. Walton.
*Winchester Stockyards	Winchester.
MINNESOTA	
*Spring Valley Sales Co., Inc	Spring Valley.
MISSISSIPPI	
*Glynn Robinson Stockyard	West Point.
*Liberty Stockyards	Liberty.
MISSOURI	
*Brunswick Sale Co. Inc	Brunswick.
*Chillicothe Livestock Auction	Chillicothe.
*City Scales	West Plains.
*Edina Auction Market Inc	Edina.

MISSOURI—continued

*El Dorado Sales Co	El Dorado.
Four State Livestock Auction Center	Diamond.
*Hinds Sale Co	Memphis.
*HRH Auction Co	Hamilton.
Interstate Producers Livestock Association	Deepwater.
*Joplin Stockyards, Inc	Joplin.
*Kahoka Sale Co., Inc	Kansas City.
*Kansas City Stockyards	Kahoka.
*Lincoln County Livestock Market	Troy.
*Lindsay Livestock Auction, Inc	Lebanon.
*Linn County Auction, Inc	Brookfield.
*Lolli Sales Pavilion	Macon.
*New Cambria Sale Barn	New Cambria.
*Noel Cox Livestock Auction	Ozark.
*North Missouri Sale Pavilion	Trenton.
*Pasley Auction Company	Osceola.
*Poplar Bluff Sales Co	Poplar Bluff.
*St. Clair Livestock Auction	St. Clair.
*Union Stockyards Co	Springfield.
NEW YORK	
Hillsdale Farmer's Auction, Inc	Hillsdale.
TENNESSEE	
*Algood Stockyard	Algood.
*Nashville Union Stockyard	Nashville.
*South Memphis Stock Yards Co	Memphis.
WEST VIRGINIA	
*United Livestock Sales, Co	Parkersburg.
WISCONSIN	
Benoit NFO Livestock Collection Point	Benoit.
WYOMING	
*Star Valley Livestock	Freedom.
*Stockman's Livestock Auction	Torrington.

The following livestock markets are deleted from the list specifically approved to handle interstate shipments of cattle.

IOWA	
Armstrong Locker	Armstrong.
Boone Sales Company	Boone.
New Sharon Sales Co., Inc	New Sharon.
Pierce Locker	Armstrong.
KENTUCKY	
*Brown and Whayne Livestock Co	Clinton.
*Lebanon Stockyard, Inc	Lebanon.
*New Walton Stockyard	S. Walton.
*Walton Sales Barn	Walton.
MISSISSIPPI	
*Bill Ivey's Stockyards, Inc	Liberty.
*West Point Stockyards, Inc	West Point.
MISSOURI	
Brunswick Sale Company	Brunswick.
Linn County Auction Company	Brookfield.
New Cambria Community Sale	New Cambria.
Noel Cox Auction Sale	Ozark.
St. Clair Auction	St. Clair.
NORTH CAROLINA	
Benthall's Stockyard	Rich Square.
OHIO	
*Rothchild Livestock Company	Stoney Ridge.
TENNESSEE	
Henderson Sales Company	Henderson.
WISCONSIN	
*Benoit Livestock Market	Mason.
*Central Wisconsin Livestock, Inc	Augusta.
WYOMING	
*Wyoming Cow Palace Auction	Torrington.

SPECIFICALLY APPROVED SLAUGHTERING ESTABLISHMENTS

The following slaughtering establishments preceded by an asterisk are specifically approved for the purposes of § 78.5 of Title 9, Code of Federal Regulations, concerning brucellosis reactors, and of § 78.12(b) of said Title 9, concerning cattle not known to be affected with brucellosis; and those not preceded by an asterisk are specifically approved for the purposes of § 78.12(b) only:

GEORGIA	
*R. R. Justice & Sons	Waycross.
ILLINOIS	
Young's Packing	Danville.
NEW YORK	
*Thomas M. Hallett, Inc	Adams.

The following slaughtering establishments are *deleted* from the list specifically approved to handle interstate shipments of cattle.

MICHIGAN	
Van Alstine Packing, Inc	East Lansing.

Effective date. The foregoing notice shall become effective on April 12, 1974.

This action imposes certain restrictions necessary to prevent the spread of brucellosis, relieves certain restrictions presently imposed, and makes certain changes which do not affect the substance of the restrictions set forth in 9 CFR Part 78. The action should be made effective promptly in order to accomplish its purpose in the public interest and to be of maximum benefit to persons subject to the restrictions which are relieved. Therefore, under the administrative procedure provisions of 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to this action are impracticable, unnecessary and contrary to the public interest, and good cause is found for making this action effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 9th day of April, 1974.

J. M. HEJL,
Acting Deputy Administrator, Veterinary Services, Animal and Plant Health Inspection Service.

[FR Doc.74-8471 Filed 4-11-74;8:45 am]

Rural Electrification Administration

BASIN ELECTRIC POWER COOPERATIVE

Draft Environmental Impact Statement

Notice is hereby given that the Rural Electrification Administration intends to prepare a draft environmental impact statement in accordance with section 102(2)(C) of the National Environmental Policy Act of 1969 in connection with an anticipated request to provide a combination of a loan guarantee and insured

loan funds for Basin Electric Power Cooperative, Suite 624, Provident Life Building, 316 North Fifth Street, Bismarck, North Dakota 58501, which will provide for Basin's share of a major new bulk generation and transmission power supply project. Basin is acting as the Project Manager in coordinating the planning activities for this project. Included in the joint planning effort are the Tri-State Generation and Transmission Association, Inc. of Denver, Colorado; the Missouri Basin Municipal Power Agency, Sioux Falls, South Dakota; the City of Lincoln, Nebraska and the Heartland Consumer Power District of Madison, South Dakota.

The proposed generating facilities are expected to consist of three 500 MW coal fired units. It is presently proposed that these units will be located in the vicinity of Wheatland, Wyoming.

Several long distance high voltage lines will be required to transmit the power from the plant to future load centers. At the present time the location, number, and voltage of these lines and of the related substations tapping these lines are undetermined and are being studied. No tentative facilities have as yet been selected.

Interested persons are invited to submit comments which may be helpful in preparing the Draft Environmental Impact Statement.

Comments should be forwarded to the Assistant Administrator—Electric, Rural Electrification Administration, U.S. Department of Agriculture, Washington, D.C. 20250, with a copy to the borrower whose address was given above. Additional information may be obtained at the borrower's office during regular business hours.

Dated at Washington, D.C., this 5th day of April, 1974.

GEORGE P. HERZOG,
Acting Administrator.

[FR Doc.74-8429 Filed 4-11-74;8:45 am]

DAIRYLAND POWER COOPERATIVE

Draft Environmental Impact Statement

Notice is hereby given that the Rural Electrification Administration intends to prepare a draft environmental impact statement in accordance with section 102(2)(C) of the National Environmental Policy Act of 1969 in connection with an anticipated request to provide a combination of a loan guarantee and insured loan funds for Dairyland Power Cooperative, 2615 East Avenue, South, LaCrosse, Wisconsin 54601, to provide for new generation facilities and related transmission facilities.

The proposed generating facilities are expected to consist of a single 350 MW coal fired unit. It is presently proposed that this unit will be located at the present Dairyland generating plant site at Alma, Wisconsin. It is expected that Northern States Power Company of Minneapolis, Minnesota, will finance about 33 percent of the plant.

Various transmission facilities are proposed to deliver the 350 MW output to Dairyland's system and to Northern States Power Company including a 72 mile—161 kV line from Alma, Wisconsin to West Faribault, Minnesota and a 33 mile—161 kV line from Alma to an area near Blair, Wisconsin. It is tentatively proposed that these lines will be located in parts of Rice, Goodhue, and Wabasha Counties in Minnesota and Buffalo and Trempealeau Counties in Wisconsin.

Interested persons are invited to submit comments which may be helpful in preparing the Draft Environmental Impact Statement.

Comments should be forwarded to the Assistant Administrator—Electric, Rural Electrification Administration, U.S. Department of Agriculture, Washington, D.C. 20250, with a copy to the borrower whose address was given above. Additional information may be obtained at the borrower's office during regular business hours.

Dated at Washington, D.C., this 5th day of April, 1974.

GEORGE P. HERZOG,
Acting Administrator.

[FR Doc.74-8428 Filed 4-11-74;8:45 am]

DEPARTMENT OF COMMERCE

Domestic and International Business Administration

CORNELL UNIVERSITY

Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 74-00194-91-73610. Applicant: Cornell University, N.Y.S. Agricultural Experiment Station, Department of Plant Pathology, Geneva, New York 14456. Article: Recording Volumetric Spore Trap. Manufacturer: Burkard Scientific Sales Ltd., United Kingdom. Intended use of article: The article is intended to be used in the investigation of live biological materials to determine the type and quantity of spores in the air in relation to weather conditions in order to develop better control of plant diseases caused by fungi.

Comments: No comments have been received with respect to this application.

Decision: application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article is designed to continuously sample airborne particles for periods up to 7 days and provide a record of the type and quantity of particles collected at a given time. The Department of Health, Education, and Welfare (HEW) advised in its memorandum dated February 15, 1974 that the ability to record such data for 7 days is pertinent to the applicant's research purposes. HEW further advised that it knows of no domestic instrument of equivalent scientific value to the foreign article for such purposes as the article is intended to be used. The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

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

A. H. STUART,
Director, Special Import Programs Division.

[FR Doc.74-8463 Filed 4-11-74;8:45 am]

HAMILTON COLLEGE

Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 74-00201-33-46040. Applicant: Hamilton College, Clinton, New York 13323. Article: Electron Microscope, Model EM 9S-2. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article is intended to be used for individual research programs in embryology, genetics, and microbiology. The Anatomy Dept. will use the article to study the fine structure of vertebrate germ cells and their interrelations with enveloping somatic cells during the entire life history of the animal. The article will also be used in the course, Biology 35. Cellular Ultrastructure to teach students rudiments of preparation of biological materials for transmission electron microscopy, primarily thin sections, and the operation of the instrument to obtain the best possible micrographs. Students will be provided with firsthand knowledge of the procedures of electron microscopy for subsequent studies in medical or biological school.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article for such purposes as this article is intended

to be used, was being manufactured in the United States at the time the article was ordered (January 31, 1973).

Reasons: The applicant requires an electron microscope which is suitable for instruction in the basic principles of electron microscopy. The foreign article is a relatively simple, medium resolution electron microscope designed for confident use by beginning students with a minimum of detailed programming. The most closely comparable domestic instrument available at the time the article was ordered was the Model EMU-4C electron microscope which was formerly manufactured by the Forgflo Corporation and which is currently supplied by Adam David Company. The Model EMU-4C electron microscope was a relatively complex instrument designed for research, which requires a skilled electron microscopist for its operation. We are advised by the Department of Health, Education, and Welfare in its memorandum dated February 15, 1974 that the relative simplicity of design and ease of operation of the foreign article is pertinent to the applicant's educational purposes.

We, therefore, find that the Model EMU-4C electron microscope is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used at the time the article was ordered.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States at the time the article was ordered.

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

A. H. STUART,
Director, Special Import Programs Division.

[FR Doc.74-8464 Filed 4-11-74;8:45 am]

PENNSYLVANIA STATE UNIVERSITY

Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 73-00328-01-86300. Applicant: The Pennsylvania State University, Department of Purchases, 219 Shields Building, University Park, Pa. 16802. Article: Model DDV II Rheovibron Dynamic Viscoelastometer. Manufacturer: Toyo Measuring Instruments Co. Ltd., Japan. Intended use of article: The article is intended to be used for studies of various types of polymers and polymer based composite materials. Experiments involved will include the determination of a relaxation spectra; detection of structural changes resulting from processing or specialized treatment; the determination of so-called sub-order transitions. The article will also be used in the following courses:

PLM SC 406	Introduction to the Materials Science of Polymers.
PLM SC 407	Technology and Applications of Polymeric Materials.
PLM SC 408	Polymeric Materials Laboratory.
PLM SC 409	Introduction to Properties of Polymeric Materials.
PLM SC 410	Polymer Based Composities.
PLM SC 502	Polymeric Materials Characterization Laboratory.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article provides a frequency range of 0.01 to 110 Hertz. The most closely comparable domestic instrument, the rheometrics mechanical spectrometer manufactured by Rheometric, Inc., provides an upper frequency limit of 20 Hertz. The National Bureau of Standards (NGS) advised in its memorandum dated February 26, 1974 that the widest frequency range available is pertinent to the applicant's intended use in determining the relationships between properties and structure in polymeric and composite materials. NBS also advised that it knows of no domestic instrument of equivalent scientific value to the foreign article for the applicant's intended use.

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

A. H. STUART,
Director, Special Import Programs Division.

[FR Doc.74-8465 Filed 4-11-74;8:45 am]

UNIVERSITY OF FLORIDA

Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended 37 FR 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 74-00119-33-46500. Applicant: University of Florida, Gainesville, Fla. 32601. Article: Ultramicrotome, Model LKB 8800A-NM. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used for serial ultrathin sectioning of flat embedded tissue culture cells. Studies will also be done involving sectioning of the same cell in two planes. In addition, the article will be used in training graduate students in all phases of electron microscopy, including specimen preparation and microscopy in the course entitled Botany 654: Techniques in Biological Electron Microscopy. Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article provides a wide range of cutting speeds [0.1 to 20 millimeters per second (mm/sec)] which facilitates sectioning in situations involving a large variety of specimens and embedding materials. The most closely comparable domestic instrument is the Model MT-2B ultramicrotome manufactured by Ivan Sorvall (Sorvall). The Department of Health, Education, and Welfare (HEW) advised in its memorandum dated December 7, 1973 that (1) the range of cutting speeds of the article is pertinent to the applicant's purposes and (2) this range is not matched by the domestic MT-2B.

For the foregoing reasons, we find that the Sorvall MT-2B is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

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

A. H. STUART,
Director, Special Import Programs Division.

[FR Doc.74-8466 Filed 4-11-74;8:45 am]

UNIVERSITY OF FLORIDA, ET AL.

Application for Duty-Free Entry of Scientific Articles; Correction

In the notice of application for duty-free entry of scientific articles appearing at page 2021 in the FEDERAL REGISTER of Wednesday, January 16, 1974, the following correction should be made.

Docket Number: 74-00244-33-46040 should be corrected to read:

Docket No.: 74-00244-33-46040. Applicant: Veterans Administration Hospital, Holland Avenue, Albany, N.Y. 12208. Article: Electron Microscope, Model EM 300. * * *

A. H. STUART,
Director, Special Import Programs Division.

[FR Doc.74-8467 Filed 4-11-74;8:45 am]

UNIVERSITY OF WASHINGTON, ET AL.

Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89–651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Special Import Programs Division, Office of Import Programs, Washington, D.C. 20230, on or before May 2, 1974.

Amended regulations issued under cited Act, as published in the February 24, 1972 issue of the FEDERAL REGISTER, prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Special Import Programs Division, Department of Commerce, Washington, D.C. 20230.

Docket Number: 74–00339–56–17500. Applicant: University of Washington, Department of Oceanography WB–10, Seattle, Washington 98195. Article: 4 Current Meters, Model RCM–4, Manufacturer: Ivar Aanderaa, Norway. Intended use of article: The article is intended to be used for studies of the vertical and horizontal water structure off the Washington coast, estuarine circulation in Puget Sound, and adjacent areas. In order to determine water structure and circulation, it is necessary to measure the water temperature, salinity (conductivity related), and pressure to calculate density differences and, finally, the horizontal pressure gradients at various levels above some arbitrary datum plane. The article will also be used in the course Ocean 360: Methods and Instruments in Oceanography to familiarize students with methods of measuring environmental parameters. Other objectives of the course are the scope and limitations of different instruments and deployment methods and calibrations and stability problems encountered and special environmental effects on instruments. Application received by Commissioner of Customs: February 15, 1974.

Docket Number: 74–00340–33–46500. Applicant: Veterans Administration Hospital, 4435 Beacon Avenue South, Seattle, Washington 98108. Article: Ultramicrotome, Model Om U3. Manufacturer: C. Reichert Optische Werke AG, Austria. Intended use of article: The article is intended to be used in the cutting of ultra thin sections of Epon 812 embedded tissues for electron microscopic evaluation. Studies will be performed to determine the relationship between enlargement of the pancreatic islets during the onset of obesity in the sand rat, *Psammomys obesus*, and cellular hypertrophy or hyperplasia, or both. The information will greatly enhance the present understanding of the correlated problems of obesity and diabetes in humans. Studies are also in progress to determine the fine structural changes which occur in human adipose tissue (fat cells) following clinical treatment of diabetes mellitus. Another study related to the phenomenon of wound healing attemps to visualize in fresh wound (tendon) the site where new fibrils of collagen are placed. The study is designed to distinguish whether the collagen fibrils abut, interdigitate, or otherwise link with the pre-existing connective tissue stroma. Application received by Commissioner of Customs: February 15, 1974.

Docket Number: 74–00342–33–46040. Applicant: Baylor College of Medicine, 1200 Moursund Avenue, Houston, Texas 77025. Article: Electron Microscope, Model JEM 100C. Manufacturer: JEOL Ltd., Japan. Intended use of article: The article is intended to be used for diagnostic evaluations of biopsies of patients under chemotherapy. A number of studies are concerned with the structural organization of ribosomes and polyribosomes with respect to RNA and proteins from normal and tumorous tissue. Electron microscopy will be used for the evaluation of the effectiveness of the various procedures employed by investigator in comparing messenger RNA molecules, its associated proteins and factors, from normal and tumor cells. The article will also be used for studies related to gene organization, frequence and distribution for such molecules of 45S, rRNA, 5.5S, 4.5_{I}, 4.5_{II}, 4.5_{III}, U_1, U_2, U_3 RNA, in normal and tumor tissues, utilizing various hybridization techniques. Application received by Commissioner of Customs: February 21, 1974.

Docket Number: 74–00343–33–46040. Applicant: Cold Spring Harbor Laboratory, P.O. Box #100, Cold Spring Harbor, L.I., N.Y. 11724. Article: Electron Microscope, Model EM 201. Manufacturer: Philips Electronic Instruments, The Netherlands. Intended use of article: The article is intended to be used for ultrastructural investigations of viral transformation, infection and interaction with nucleic acids to gain insight into the basis of viral induced carcenogenisis. Application received by Commissioner of Customs: February 21, 1974.

Docket Number: 74–00344–33–46040. Applicant: Leo Goodwin Institute for Cancer Research, 3301 College Avenue, Fort Lauderdale, Florida 33314. Article: Electron Microscope, Model EM 201. Manufacturer: Philips Electronic Instruments NVD, The Netherlands. Intended use of article: The article is to be used in a number of investigations on the nature of malignant disease including the study of viral and chemically induced tumors; the immune response in experimental cancers; the search for viruses in human and animal tumors; development of new chemotherapeutic drugs and the biochemical changes in malignant transformations. These projects employ viruses, cell segments, and similar materials of microscopic sizes. Other experiments involve the examination of tissues of germfree animals at intervals throughout their lifetime in an effort to detect agents which could account for the spontaneous tumors observed in such animals. Finally, the article will be used to conduct studies on the immune response of tumor-bearing animals. In addition, the article will be used in graduate courses leading to the Ph. D. in Microbiology with a speciality in experimental carcinogenesis and biochemistry. Pre-doctoral as well as domestic and internation post-doctoral students are trained in virology, immunology, biochemistry and cytology. This training includes instruction in basic principles of electron microscopy as well as related techniques in photography. Application received by Commissioner of Customs: February 20, 1974.

Docket Number: 74–00345–33–46500. Applicant: University of California—Los Angeles, The Regents of the University of California, 405 Hilgard Avenue, Los Angeles, California 90024. Article: Ultramicrotome, Model Om U3. Manufacturer: C. Reichert Optische Werke AG, Austria. Intended use of article: The foreign article is intended to be used in research to study the details of synaptic connections in the vertebrate retina. Specifically, the way the many nerve cells in retinal synapses may be intertwined and interconnected will be studied. Application received by Commissioner of Customs: February 20, 1974.

Docket Number: 74–00346–33–30950. Applicant: Vanderbilt University, Purchasing Department, 201 26th Avenue South, Nashville, Tenn. 37235. Article: High Vacuum Freeze Etch Unit BAF 300. Manufacturer: Balzers AG, Switzerland. Intended use of article: The article is intended to be used for studies of DNA, particularly in the condensed state where the molecules, or parts of molecules, are closely packed in a way that is thought to resemble the structure of chromosomes or to provide evidence on the physical relations relating to the structure of chromosomes. The article will also be used to individually instruct students in the use of the equipment in the following courses: Molecular Biology 298, Molecular Biology 390, Molecular Biology 369 and Molecular Biology Ph.D. Dissertation Research. Application received by Commissioner of Customs: February 6, 1974.

Docket Number: 74–00347–33–46040. Applicant: University of Pennsylvania, Department of Microbiology, School of Medicine G2, Philadelphia, Pa. 19174. Article: Electron Microscope, Model Elmiskop 101 and accessories. Manufacturer: Siemens AG, West Germany. Intended use of article: The article is intended to be used for microbiological research. Experiments will deal with problems relating to cellular and subcellular structure of bacteria viruses, and mammalian cells. Application received by Commissioner of Customs: February 26, 1974.

Docket Number: 74-00348-33-46040. Applicant: Sloan-Kettering Institute for Cancer Research, Walker Laboratory, 145 Boston Post Road, Rye, New York 10580. Article: Electron Microscope, Model JEM 100B. Manufacturer: JEOL Ltd., Japan. Intended use of Article: The article is intended to be used for ultrastructural applications in the following applications:

(1) Analysis of cell surface organizational changes associated with cell differentiation and malignant transformation.

(2) Determination of the role of viruses, and the mechanisms involved, in inducing malignancy and immuno-deficiency diseases in various mammalian species, including man.

(3) Ultrastructural characterization of immunologically-responsive cells.

Application received by Commissioner of Customs: February 26, 1974.

Docket Number: 74-00349-33-46040. Applicant: Baylor College of Medicine, 1200 Moursund Avenue, Houston, Texas 77025. Article: Electron Microscope, Model EM 201. Manufacturer: Philips Electronic Instruments NVD, The Netherlands. Intended use of article: The article is intended to be used to examine biological material in a broad based study of normal and diseased mammalian myocardium. Studies of normal fine structure of mammalian fetal, neonatal and adult heart as well as continuing investigation of animal models for myocardial disease will be performed. Basic information about cell components, particularly the Z disc, the T system, the sarcoplasmic reticulum and the nucleus, is sought. The ultrastructural changes in ischemic, anoxic and hypertrophic myocardium will be compared using a single system of preparation, fixation and tissue sampling. Application received by Commissioner of Customs: February 21, 1974.

Docket Number: 74-00350-33-41700. Applicant: Duke University Medical Center, Durham, North Carolina 27706. Article: Surgical Laser Medilase 791. Manufacturer: Laser Industries, Ltd., Israel. Intended use of article: The article is to be tested in terms of suitability for use in ophthalmic surgery, both intraocularly and externally. The following types of experiments are proposed: to test the possibility that the laser will permit corneal or scleral cuts within the soft eye (no pressure from cut) or with less bleeding than presently used techniques. Application received by Commissioner of Customs: February 21, 1974.

Docket Number: 74-00351-90-85800. Applicant: Wayne County Department of Health, Air Pollution Control Division 1311 East Jefferson Avenue, Detroit, Michigan 48207. Article: (1) Remote Tester Model 4933 Serial #1, (2) Wind Direction/wind speed monitor/simulator Model 4955 Serial #1. Manufacturer: Canadian Applied Technology, Canada. Intended use or article: The article is intended to be used to measure sulfur dioxide, carbon monoxide, ozone, suspended particulate matter, wind direction and wind velocity at 13 remote automated-telemetered air monitoring sampling sites on a real time basis. The objectives of this system are:

(a) To determine whether air quality for these contaminants meet National and State of Michigan air quality standards and to take appropriate abatement actions to bring them below the national and state standards.

(b) To determine if and when emergency episode levels for the air contaminants herein described have been reached and put into operation the emergency abatement reduction plans required to bring the concentrations of air contaminants below the episode levels.

(c) To assist in locating sources of air contaminants utilizing real time wind direction, wind velocity and air quality measurements from the 13 telemetered air monitoring stations.

(d) To examine air quality measurements and determine what correlations there are with morbidity and mortality statistics in Wayne County, Michigan as well as in the 45 cities, villages, and townships in Wayne County, Michigan including the City of Detroit. Application received by Commissioner of Customs: February 21, 1974.

Docket Number: 74-00352-33-46040. Applicant: The University of Michigan Medical School, Department of Anatomy, Ann Arbor, Michigan 48104. Article: Electron Microscope, Model EM 201. Manufacturer: Philips Electronic Instruments NVD, The Netherlands. Intended use of article: The article is intended to be used in research dealing specifically with the hypothalamic-pituitary control of gonadal function. The materials to be studied are tissues and cells obtained from animals, chiefly rats and sheep. The two general categories of experiments includes homogenization of cells and separation of subcellular structure into fractions for subsequent biochemical study of such structures and (2) Electron microscopy of fixed tissue including localization of the cellular and intracellular sites for synthesis of GnRH, visualization of the mode of transport for GnRH, and elucidation of the mechanism for secretion of GnRH by the hypothalamus: identification of the site(s) of origin in the ovary of receptor protein's for luteinizing hormone following isolation; analysis of the ultrastructural changes that accompany regression of the ovarian corpus luteum; and delineation of the ultrastructural response of cells in the corpus luteum to hormones during pregnancy and pseudopregnancy. The article will also be used to train graduate students in the methods of research, evaluation of data and preparation of scientific papers. Application received by Commissioner of Customs: February 11, 1974.

Docket Number: 74-00354-33-46040. Applicant: University of Iowa, Department of Anatomy, Iowa City, Iowa 52242. Article: Electron Microscope, Model EM 201. Manufacturer: Philips Electronic Instruments NVD, The Netherlands. Intended use of article: The article will be used for research in (1) collateral nerve sprouting (2) fine structure of interneurons and synapses (3) electron-microscopic and EM radio autographic studies of the synthesis and release of hormones produced in the hypothalmus and (4) ultrastructural study of electron-dense particles on the cholinergic synaptic vesicles. The article will also be used in teaching courses in electron microscopy to graduate students and faculty members. Application received by Commissioner of Customs: February 21, 1974.

Docket Number: 74-00355-34-43780. Applicant: New York University Post-Graduate Medical School, Department of Prosthetics and Orthotics, 317 East 34th Street, New York, New York 10016. Article: Component Elbow for upper limb prosthesis. Manufacturer: Variety Village Electro Limb Production Centre, Canada. Intended use of article: The article is intended to be used for comparison of currently available conventional elbows, to ascertain the best prosthetic device for the child amputee. Application received by Commissioner of Customs: February 26, 1974.

Docket Number: 74-00356-00-43780. Applicant: New York University Post-Graduate Medical School, Department of Prosthetics and Orthotics, 317 East 34th Street, New York 10016. Article: Component parts, for prosthetic devices, 42-00 Single Switch. Manufacturer: Variety Village Electro Limb Production Centre, Canada. Intended use of article: The article is intended to be used to activate an electrically-driven upper extremity prostheses under evaluation by the University. Application received by Commissioner of Customs: February 2, 1974.

Docket Number: 74-00357-33-46040. Applicant: Mount Sinai School of Medicine of City University of New York, Otolaryngology Dept., Fifth Avenue and 100th St. New York, New York 10029. Article: Electron Microscope, Model EM 9S-2. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article is intended to be used for instruction of resident ENT physicians in ultrastructural topics. The article will also be used continuing ultrastructural studies on the development of mammalian hearing and on problems of carcinogenesis. Another project is also in progress on the effect of various chemical agents and x-ray on the ultrastructure of an erthroblastic leukemia model. Application received by Commissioner of Customs: March 1, 1974.

Docket Number: 74-00358-82-61000. Applicant: Western Michigan University, Department of Paper Science & Engr. Kalamazoo, Michigan 49007. Article: Pulmac Zero Span Tester. Manufacturer: Pulmac Industries, Ltd., Canada. Intended use of article: The article is intended to be used to investigate the properties of paper and the fibers from which the paper is made. The article will also be used by graduate and undergraduate students to study structure in connection with various research problems on which the students will be working. These projects will be useful in developing

paper with greater strength and durability. Application received by Commissioner of Customs: February 21, 1974.

Docket Number: 74-00359-00-46040. Applicant: University of Wisconsin, Department of Anatomy, 1255 Linden Drive, Madison, Wisconsin 53706. Article: Nikon Model CFMA Automatic Cinemicrographic Apparatus. Manufacturer: Nippon Kogaku, Japan. Intended use of article: The article is intended to be used for studies of tissue cultures of normal and cancerous cells derived from both human and avian sources. Cell cultures will be plated on specially prepared substrates (e.g., collagen, fibrin) and the effect of these substrates on cell activity will be analyzed with time lapse cinematography. In addition, cultures will be treated with transforming drugs, such as bromodeoxyuridine. Alterations in the motile properties of the affected cells will be recorded using the time lapse apparatus. Application received by Commissioner of Customs: February 27, 1974.

Docket Number: 74-00360-33-46000. Applicant: Veterans Administration Hospital, 2500 Overlook Terrace, Madison, Wisconsin 53705. Article: Opthalmological Operation Microscope. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article is intended to be used to provide Ophthalmology residents with sound instruction and experience in the techniques and methods of eye surgery. It will be utilized in training residents to perform eye surgery that previously was unable to be performed at the Hospital. Application received by Commissioner of Customs: February 28, 1974.

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

A. H. STUART,
Director, Special Import Programs Division.

[FR Doc.74-8462 Filed 4-11-74;8:45 am]

VETERANS ADMINISTRATION, ET AL.

Application for Duty-Free Entry of Scientific Articles; Correction

In the notice of application for duty-free entry of scientific articles appearing at page 9175 in the FEDERAL REGISTER of Wednesday, April 11, 1973, the following correction should be made.

Docket Number 73-00425-55-54100 should be corrected to read: Docket Number: 73-00425-55-54100. Applicant: University of Washington, Oceanography Department, CU Project 14, Seattle, Washington 98195. Article: Batfish Model 3000 Guildline CTD System, Model 8103. Manufacturer: Hermes Electronics Ltd., Canada. * * *

A. H. STUART,
Director, Special Import Programs Division.

[FR Doc.74-8468 Filed 4-11-74;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

ADVISORY COMMITTEES

Notice of Meetings

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92-463, 86 Stat. 770-776; 5 U.S.C. App.), the Food and Drug Administration announces the following public advisory committee meetings and other required information in accordance with provisions set forth in section 10(a) (1) and (2) of the act:

Committee name	Date, time, place	Type of meeting and contact person
1. Panel on Review of Anesthesiology Devices.	April 19, 9 a.m., Fairmont Roosevelt Hotel (Mayors Chamber) New Orleans, La.	Open 9 a.m. to 10 a.m., closed after 10 a.m., E. P. Mueller, (HFM-120), 5600 Fishers Lane, Rockville, Md. 20852, 301-443-3550.

Purpose. Reviews and evaluates available information concerning the safety, effectiveness, and reliability of anesthesiology devices currently in use in order to determine the nature of the regulatory category most appropriate for the adequate control of these devices.

Agenda. Open session: Comments and presentations by interested persons; discussion of presently published article on accuracy of electronic spirometers. Closed session: Discussion of device classification including presentation of confidential information by FDA; identification of specific device hazards and possible regulatory matters; continuing review and classification of anesthesiology devices.

Committee name	Date, time, place	Type of meeting and contact person
2. Thioridazine Task Force (Neuropharmacology Advisory Committee).	April 20, 9:30 a.m., Room 1409, FB-8, 200 C St., SW., Washington, D.C.	Open 9:30 a.m. to 10:30 a.m., closed after 10:30 a.m. Barrett Scoville, M.D., Room 10B-39, 5600 Fishers Lane, Rockville, Md. 20852, 301-443-3870.

Purpose. Advises the Commissioner of Food and Drugs regarding safety and efficacy of drugs employed in neuropharmacology.

Agenda. Open session: Comments and presentations by interested persons. Closed session: Discussion of additional material on Thioridazine as submitted by manufacturer.

Committee name	Date, time, place	Type of meeting and contact person
3. Ad Hoc Panel of the Neuropharmacology Advisory Committee.	April 23, 9 a.m., Biological Sciences Research Center, University of North Carolina, Chapel Hill, N.C.	Open 9 a.m. to 10 a.m., closed after 10 a.m. Thomas A. Hayes, M.D., (HFD-120), 5600 Fishers Lane, Rockville, Md. 20852, 301-443-4020.

Purpose. Advises the Commissioner of Food and Drugs regarding safety and efficacy of drugs employed in neuropharmacology.

Agenda. Open session: Comments and presentations by interested persons. Closed session: Discussion and preparation of report of NDA 16-832.

Committee name	Date, time, place	Type of meeting and contact person
4. Controlled Substances Advisory Committee.	April 25 and 26, 9 a.m., Conference Room L, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md.	Open April 25, closed April 26. J. Stephen Kennedy, Ph. D. (HFD-120), 5600 Fishers Lane, Rockville, Md. 20852, 301-443-3504.

Purpose. Advise the Commissioner on scientific and medical aspects of control of abusable substances.

Agenda. Open session: Discussion of charter and operational procedures; explanation of the Controlled Substances Act (Public Law 91-513); and preliminary discussion of chlordiazepoxide, diazepam, oxazepam, chlorazepate, flurazepam, dextropropoxyphene, pentazocine, and pholcodeine. Closed session: Deliberation on priorities and recommendations on librium, valium, and other drugs to extent that time is available.

Committee name	Date, time, place	Type of meeting and contact person
5. Panel on Review of Cardiovascular Devices.	April 29, 9:30 a.m., Room 1409, FB-8, 200 C St., SW., Washington, D.C.	Open—Glenn A. Rahmoeller, (HFM-120), 5600 Fishers Lane, Rockville, Md. 20852, 301-443-2376.

Purpose. Reviews and evaluates available data concerning safety, effectiveness, and reliability of cardiovascular devices currently in use.

Agenda. To give industry and the public an opportunity to discuss medical device classification and the Cardiovascular Panel's Classification Report.

Agenda items are subject to change as priorities dictate.

During the open sessions shown above, interested persons may present relevant information or views orally to any committee for its consideration. Information or views submitted to any committee in writing before or during a meeting shall also be considered by the committee.

A list of committee members and summary minutes of meetings may be obtained from the contact person for the committee both for meetings open to the public and those meetings closed to the public in accordance with section 10(d) of the Federal Advisory Committee Act.

Most Food and Drug Administration advisory committees are created to advise the Commissioner of Food and Drugs on pending regulatory matters. Recommendations made by the committees on these matters are intended to result in action under the Federal Food, Drug, and Cosmetic Act, and these committees thus necessarily participate with the Commissioner in exercising his law enforcement responsibilities.

The Freedom of Information Act recognized that the premature disclosure of regulatory plans, or indeed internal discussions of alternative regulatory approaches to a specific problem, could have adverse effects upon both public and private interests. Congress recognized that such plans, even when finalized, may not be made fully available in advance of the effective date without damage to such interests, and therefore provided for this type of discussion to remain confidential. Thus, law enforcement activities have long been recognized as a legitimate subject for confidential consideration.

These committees often must consider trade secrets and other confidential information submitted by particular manufacturers which the Food and Drug Administration by law may not disclose, and which Congress has included within the exemptions from the Freedom of Information Act. Such information includes safety and effectiveness information, product formulation, and manufacturing methods and procedures, all of which are of substantial competitive importance.

In addition, to operate most effectively, the evaluation of specific drug or device products requires that members of committees considering such regulatory matters be free to engage in full and frank discussion. Members of committees have frequently agreed to serve and to provide their most candid advice on the understanding that the discussion would be private in nature. Many experts would be unwilling to engage in candid public discussion advocating regulatory action against a specific product. If the committees were not to engage in the deliberative portions of their work on a confidential basis, the consequent loss of frank and full discussion among committee members would severely hamper the value of these committees.

The Food and Drug Administration is relying heavily on the use of outside experts to assist in regulatory decisions. The Agency's regulatory actions uniquely affect the health and safety of every citizen, and it is imperative that the best advice be made available to it on a continuing basis in order that it may most effectively carry out its mission.

A determination to close part of an advisory committee meeting does not mean that the public should not have ready access to these advisory committees considering regulatory issues. A determination to close the meeting is subject to the following conditions: First, any interested person may submit written data or information to any committee, for its consideration. This information will be accepted and will be considered by the committee. Second, a portion of every committee meeting will be open to the public, so that interested persons may present any relevant information or views orally to the committee. The period for open discussion will be designated in any announcement of a committee meeting. Third, only the deliberative portion of a committee meeting, and the portion dealing with trade secret and confidential information, will be closed to the public. The portion of any meeting during which nonconfidential information is made available to the committee will be open for public participation. Fourth, after the committee makes its recommendations and the Commissioner either accepts or rejects them, the public and the individuals affected by the regulatory decision involved will have an opportunity to express their views on the decision. If the decision results in promulgation of a regulation, for example, the proposed regulation will be published for public comment. Closing a committee meeting for deliberations on regulatory matters will therefore in no way preclude public access to the committee itself or full public comment with respect to the decisions made based upon the committee's recommendation.

The Commissioner has been delegated the authority under section 10(d) of the Federal Advisory Committee Act to issue a determination in writing, containing the reasons therefor, that any advisory committee meeting is concerned with matters listed in 5 U.S.C. 552(b), which contains the exemptions from the public disclosure requirements of the Freedom of Information Act. Pursuant to this authority, the Commissioner hereby determines, for the reasons set out above, that the portions of the advisory committee meetings designated in this notice as closed to the public involve discussion of existing documents falling within one of the exemptions set forth in 5 U.S.C. 552(b), or matters that, if in writing, would fall within 5 U.S.C. 552(b), and that it is essential to close such portions of such meetings to protect the free exchange of internal views and to avoid undue interference with Agency and committee operations. This determination shall apply only to the designated portions of such meetings which relate to trade secrets and confidential information or to committee deliberations.

Dated: April 9, 1974.

A. M. SCHMIDT,
Commissioner of Food and Drugs.

[FR Doc.74-8517 Filed 4-11-74;8:45 am]

Office of Education

ETHNIC HERITAGE STUDIES PROGRAM

Notice of Closing Date for Receipt of Applications

Notice is hereby given that pursuant to the authority contained in Title IX of the Elementary and Secondary Education Act of 1965, added by section 504 of the Education Amendments of 1972, Pub. L. 92-318 (20 U.S.C. 900a to 900a-5), applications are being accepted from public and nonprofit private educational agencies, institutions, and organizations for grants for Ethnic Heritage Studies Program (Title IX, ESEA, 20 U.S.C. 900a to 900a-5).

Applications must be received by the U.S. Office of Education Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. 20202 (mailing address: U.S. Office of Education, Application Control Center, 400 Maryland Avenue SW., Washington, D.C. 20202, Attention: Ethnic Heritage Studies Program), on or before May 17, 1974.

An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than the fifth calendar day prior to the closing date (or if such fifth calendar day is a Saturday, Sunday, or Federal holiday, not later than the next following business day), as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare, or the U.S. Office of Education mail rooms in Washington, D.C. (In establishing the date of receipt, the Commissioner will rely on the time-date stamp of such mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.)

Information and application forms may be obtained from the Ethnic Heritage Studies Branch, U.S. Office of Education, Room 3051, 7th and D Streets SW., Washington, D.C. 20202.

(Catalog of Federal Domestic Assistance Program: 13.549 Ethnic Heritage Studies)

Dated: March 14, 1974.

JOHN OTTINA,
U.S. Commissioner of Education.

[FR Doc.74-8446 Filed 4-11-74;8:45 am]

EMERGENCY SCHOOL AID ACT—TELEVISION

Extension of Closing Date for Receipt of Applications

On November 20, 1973, there was published in the FEDERAL REGISTER a notice of acceptance of applications with a closing date of February 15, 1974, for receipt of applications for assistance

under section 711 of the Emergency School Aid Act relating to educational television projects (38 FR 31984). Applications for such assistance were to be submitted under the regulations under the ESAA–TV program (45 CFR 185.71–.76), as proposed to be amended by the document published in the FEDERAL REGISTER on December 7, 1973 (38 FR 33874). In particular, the regulation, when published in final form, will require that integrated children's television programs to be assisted fall into one of four categories or "areas of concern." The second of these areas of concern (45 CFR 185.72(a)(2)) relates to "enrichment in the understanding of children for the cultural attainments of their own and other racial or ethnic groups." It appears that questions have arisen as to whether programs submitted under this category must relate to a particular set of grade levels. The proposed amendment to the regulation and the final regulation (to be published shortly), which are identical with respect to 45 CFR 185.72(a)(2), provide for no such limitation. Applicants are advised that in the evaluation of applications under the cultural program category no special consideration will be given to the particular grade levels addressed by the integrated children's television program for which assistance is sought. In order to afford applicants and prospective applicants an additional period of time in which to apply or to revise applications in the light of this clarification, the closing date for receipt of applications in this category is being extended by this notice. Applications for integrated children's television programs in the cultural program series (45 CFR 185.72(a)(2)) will be accepted from public or private nonprofit agencies, institutions, or organizations. Applications in this category already received will be considered in their present form unless revised and received by the closing date set forth below.

New or revised applications must be received by the U.S. Office of Education Application Control Center on or before April 29, 1974.

A. *Applications sent by mail.* An application sent by mail should be addressed as follows: U.S. Office of Education, Application Control Center, 400 Maryland Avenue, SW., Washington, D.C. 20202, Attention: 13.530. An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than the fifth calendar day prior to the closing date (or if such fifth calendar day is a Saturday, Sunday, or Federal holiday, not later than the next following business day), as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare, or the U.S. Office of Education mail rooms in Washington, D.C. (In establishing the date of receipt, the Commissioner will rely on the time-date stamp of such mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.)

B. *Hand delivered applications.* An application to be hand delivered must be delivered to the U.S. Office of Education Application Control Center, Room 5673, Regional Office Building Three, 7th & D Streets, SW., Washington, D.C. Hand delivered applications will not be accepted by the Application Control Center after 4 p.m. Washington, D.C. time, on the closing date.

C. *Program information and forms.* Information and application forms may be obtained from ESAA–TV, Special Projects Branch, U.S. Office of Education, Room 2017, FOB 6, 400 Maryland Avenue, SW., Washington, D.C. 20202.

(20 U.S.C. 1610)

(Catalog of Federal Domestic Assistance Number 13.530—Emergency School Aid—Educational Television)

Dated: April 10, 1974.

DUANE J. MATTHEIS,
Acting Commissioner of Education.

[FR Doc.74–8489 Filed 4–11–74;8:45 am]

EMERGENCY SCHOOL AID

Funding Criteria and Reservation of Funds

The Commissioner of Education hereby gives notice that in accordance with section 705(b)(3) and 710(c)(4) of the Act and 45 CFR 185.14(c)(2), an application for assistance for a basic grant under section 706(a) of the Act (20 U.S.C. 1605(a)) shall be considered to set forth a project of such insufficient promise for achieving the purpose of the Act that approval of such application is not warranted if such application has been awarded less than 40 points on the basis of the criteria set forth in 45 CFR 185.14(a) and (b) or less than 28 points on the basis of the criteria set forth in 45 CFR 185.14(b). In accordance with section 710(d)(2) of the Act, an application which is thus determined to have insufficient promise of achieving the purpose of the Act shall be returned to the applicant with the reasons for such determination and such applicant shall be given an opportunity to modify its application.

In accordance with sections 705(b)(3) and 710(c)(4) of the Act and 45 CFR 185.14(c)(2) and 185.24(c), an application for assistance for a pilot project under section 706(b) of the Act (20 U.S.C. 1605(b)) shall be considered to set forth a project of such insufficient promise for achieving the purpose of the Act that approval of such application is not warranted if such application has been awarded less than 45 points on the basis of the criteria set forth in 45 CFR 185.24(a) and (b) or less than 33 points on the basis of criteria set forth in 45 CFR 185.24(b). In accordance with section 710(d)(2) of the Act, an application which is thus determined not to warrant approval shall be returned to the applicant with the reasons for such determination and the applicant shall be given an opportunity to modify its application.

In accordance with section 705(b)(3) of the Act and 45 CFR 185.64(c)(2), an application for assistance from a public or nonprofit organization under section 708(b) of the Act (20 U.S.C. 1607(b)) shall be considered to set forth a project of such insufficient promise for achieving the purpose of the Act that approval of such application is not warranted if such application has been awarded less than 40 points on the basis of the criteria set forth in 45 CFR 185.64 (a) and (b) or less than 28 points on the basis of the criteria set forth in 45 CFR 185.64(b). In accordance with section 710(d)(2) of the Act, an application which is thus determined not to warrant approval shall be returned to the applicant with the reasons for such determination and the application shall be given an opportunity to modify its application.

One-third of the funds available pursuant to section 705(a) of the Act for purposes of sections 706(a), 706(b), and 708(c) shall be reserved until such time as those applicants whose applications are determined, in the manner described above, to be of insufficient promise for achieving the purposes of the Act have been given an opportunity to modify their applications and have resubmitted such applications. Funds will not be reserved beyond June 30, 1974.

(20 U.S.C. 1604(b)(3), 1609(c)(4), 1609(d)(2))

Effective date: This notice shall be effective May 13, 1974.

(Catalog of Federal Education Assistance Programs Nos. 13.525 Emergency School Aid—Basic Grants, 13.526 Emergency School Aid—Pilot Projects, 13.529 Emergency School Aid—Nonprofit Organizations)

Dated: March 18, 1974.

DUANE J. MATTHEIS,
Acting Commissioner of Education.

Approved: April 9, 1974.

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

[FR Doc.74–8453 Filed 4–11–74;8:45 am]

ETHNIC HERITAGE PROGRAM

Standards and Funding Criteria for Fiscal Year 1974

a. *General.* (1) Pursuant to the authority contained in Title IX of the Elementary and Secondary Education Act of 1965, added by section 504 of the Education Amendments of 1972, Pub. L. 92–318 (20 U.S.C. 900 to 900a–5), notice is hereby given that the Commissioner of Education, with the approval of the Secretary of Health, Education, and Welfare, has adopted the requirements

and criteria set forth below to govern the award of assistance during fiscal year 1974 to ethnic heritage studies programs pursuant to such title.

(20 U.S.C. 900 to 900a–5)

(2) It is the general policy of the Department to provide opportunity for interested parties to take part in its rule-making process. However, in view of the time remaining in the fiscal year needed for preparation of applications by applicants and for the review and funding of such applications by the Department, it is determined that with respect to the standards and criteria contained in this notice, affording such opportunity would be impracticable.

(5 U.S.C. 553(b)(3)(B))

b. *Purpose.* The purpose of the Act is to provide assistance designed to afford students opportunities to learn about the nature of their own cultural heritage and to study the contributions of the cultural heritages of other ethnic groups of the Nation.

(20 U.S.C. 900)

c. *Definition.* As used in this notice, "Act" means Title IX of the Elementary and Secondary Education Act of 1965, as added by § 504 of the Education Amendments of 1972 (P.L. 92–318), 20 U.S.C. 900–900a–5.

(20 U.S.C. 900 to 900a–5)

d. *Ethnic heritage studies programs.* (1) For fiscal year 1974, the Commissioner will make grants to public and nonprofit private educational agencies, institutions, and organizations (including local educational agencies, State educational agencies, and institutions of higher education) as defined in section 801 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 881) to assist them in planning, developing, establishing, and operating ethnic heritage studies programs meeting the requirements of the Act, applicable regulations, and the standards contained in this notice.

(2) Such grants will be subject to the provisions of part 100a of the Office of Education general provisions regulation, notwithstanding the fact that grants under the Act are not listed in the scope section of the general provisions regulation, § 100a10(a) of this title. (45 CFR Part 100a) (38 FR 30654, November 6, 1973).

(3) An applicant for assistance other than a local educational agency, State educational agency, or institution of higher education shall furnish a copy of its charter or other organic document which demonstrates its status as an educational institution, agency, or organization.

(4) Funds will be made available under grants made pursuant to the Act to cover all or part of the cost of establishing and carrying out ethnic heritage studies programs, including the cost of research materials and resources, academic consultants, and related training of staff. (For fiscal year 1974, funds will be made available to provide stipends to individuals receiving such training only in exceptional circumstances.)

(20 U.S.C. 900a, 900a–3(b))

(5) The Commissioner is prohibited from making any payment under the Act for religious worship or instruction.

(20 U.S.C. 885)

e. *Required activities.* (1) Any ethnic heritage studies program assisted under the Act, in accordance with section 903 of the Act, must:

(i) Develop curriculum materials for use in elementary and secondary schools and institutions of higher education relating to the history, geography, society, economy, literature, art, music, drama, language, and general culture of the group or groups with which the program is concerned, and the contributions of that ethnic group or groups to the American heritage;

(ii) Disseminate curriculum materials to permit their use in elementary and secondary schools and institutions of higher education throughout the Nation;

(iii) Provide training for persons using, or preparing to use, curriculum materials developed under the Act; and

(iv) Cooperate with persons and organizations with a special interest in the ethnic group or groups with which the program is concerned to assist them in promoting, encouraging, developing, or producing programs or other activities which relate to the history, culture, or traditions of that ethnic group or groups.

(2) An application which does not make adequate provision for the carrying out by the applicant of the activities described in this paragraph will not be approved.

(20 U.S.C. 900a–1; 900a–2(a)(2))

f. *Advisory council.* (1) section 904(a)(3) of the Act requires that an ethnic heritage studies program assisted under the Act must be planned and carried out in consultation with an advisory council which is representative of the ethnic group or groups with which the program is concerned. (20 U.S.C. 900a–(a)(3)) Consultation with an advisory council appointed by the applicant in accordance with the following standards will be deemed to meet the requirements of the Act:

(i) Each of the ethnic groups with which the program is concerned is represented on the council;

(ii) More than one-half of the membership of the council consists of representatives of the ethnic group or groups with which the program is concerned;

(iii) In the selection of members of the council, the applicant has consulted with those groups in the area to be served which are representative of the ethnic group or groups with which the program is concerned and with other groups such as foundations, civic groups, and fraternal organizations which have experience which might further the goals of the program;

(iv) The council is broadly representative of academic and other disciplines relevant to the program, and at least one member of the council is affiliated with an institution of higher education which has had experience relevant to the activities listed in paragraph e;

(v) Where practicable, educational personnel in elementary and secondary schools and institutions of higher education in the area to be served who have had experience relevant to the carrying out of an ethnic heritage studies program have been invited to serve on the council; and

(vi) The members of the council are not employed by or otherwise associated with the applicant.

(2) In the carrying out of a program assisted under the Act, the applicant shall:

(i) Consult periodically (and in no event less frequently than once a month) with the advisory council appointed pursuant to this paragraph;

(ii) Provide such council with advance copies of all reports required by the Commissioner with respect to the program and all materials prepared or distributed pursuant to it;

(iii) Invite the council to participate in periodic evaluations of the program and its effect; and

(iv) Otherwise involve the council in its advisory capacity in the operation of the program.

(3) An application for assistance under the Act shall contain information indicating the manner in which the requirements of this paragraph have been and/or will be implemented.

(20 U.S.C. 900a–2(a)(3))

g. *Coordination of efforts.* In approving applications, the Commissioner will seek to insure that there is cooperation and coordination of efforts among the programs assisted under the Act, including exchange of materials and information. An application for assistance under the Act must make provision for the role of the applicant in achieving such cooperation and coordination.

(20 U.S.C. 900a–2(b))

h. *Criteria for funding.* Applications for assistance pursuant to this notice which qualify for consideration will be evaluated in accordance with the following criteria:

(1) *General criteria.* (i) General criteria set forth in § 100a.26(b) of the general provisions regulation (45 CFR 100a.26(b)); and

(ii) The overall quality of the program, with respect to the activities described in section 903 of the Act, in helping students to learn about their own cultural heritage and to study the cultural heritages of other ethnic groups.

(2) *Specific criteria.* The extent to which:

(i) There is evidence of commitment by the applicant and other interested groups to the project and to its continuation upon the expiration of Federal assistance;

(ii) The project shows promise of effectively incorporating into curriculum materials which it will develop the subjects described in paragraph e(1)(i);

(iii) Approval of the application would promote an appropriate distribution of ethnic heritage programs throughout the Nation;

(iv) The program is concerned with a number of ethnic groups ("multi-ethnic programs");

(v) The curriculum materials to be developed are designed for widespread use in elementary and secondary schools and institutions of higher education and are not designed for use only by the applicant or by the group with which the program is concerned;

(vi) Provision is made for active and substantial cooperation with persons and organizations with a special interest in the ethnic group or groups with which the program is concerned, as provided in § 903(4) of the Act;

(vii) Provision is made for cooperation and coordination of efforts, including exchange of information and materials and joint activities, with any other program assisted pursuant to this notice;

(viii) The application shows promise that the resources described in section 905(a) of the Act will be utilized in a manner which will improve the quality of the program: (*a*) The research facilities and personnel of institutions of higher education; (*b*) the special knowledge of ethnic groups in local communities and of foreign students pursuing their education in this country; (*c*) the expertise of teachers in elementary and secondary schools and institutions of higher education; and (*d*) the talents and experience of any other groups such as foundations, civic groups, and fraternal organizations which would further the goals of the programs.

(ix) Curriculum materials developed by the project will be designed for widescale use by students in regular school and community programs; and

(x) Curriculum materials developed by the project will be field-tested before dissemination to determine their effectiveness.

(20 U.S.C. 900a–1 to 900a–5)

Effective date. This notice shall become effective May 13, 1974.

(Catalog of Federal Domestic Assistance Program: 13.549 Ethnic Heritage Studies)

Dated: March 18, 1974.

DUANE J. MATTHEIS,
Acting Commissioner of Education.

Approved: April 8, 1974.

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

[FR Doc.74–8445 Filed 4–11–74;8:45 am]

SPECIAL COMMUNITY SERVICE AND CONTINUING EDUCATION PROJECTS

Closing Date for Receipt of Applications

Notice is hereby given that pursuant to the authority contained in section 106 of Title I of the Higher Education Act of 1965 (20 U.S.C. 1005a), applications are being accepted from institutions of higher education for special community service and continuing education project grants.

Applications must be received by the U.S. Office of Education Application Control Center on or before May 17, 1974.

A. *Applications sent by mail.* An application sent by mail should be addressed as follows: U.S. Office of Education, Application Control Center, 400 Maryland Avenue, SW., Washington, D.C. 20202, Attention: 13.491. An application sent by mail will be considered to be received on time by the Application Control Center if:

1. The application was sent by registered or certified mail not later than the fifth calendar day prior to the closing date (or if such fifth calendar day is a Saturday, Sunday, or Federal holiday, not later than the next following business day), as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

2. The application is received on or before the closing date by either the Department of Health, Education, and Welfare, or the U.S. Office of Education mail rooms in Washington, D.C. (In establishing the date of receipt, the Commissioner will rely on the time-date stamp of such mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.)

B. *Hand delivered applications.* An application to be hand delivered must be delivered to the U.S. Office of Education Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. Hand delivered applications will not be accepted by the Application Control Center after 4 p.m. Washington, D.C. time, on the closing date.

C. *Program information and forms.* Information and application forms may be obtained from the Division of Training and Facilities, Bureau of Postsecondary Education, Office of Education, Washington, D.C. 20202.

(20 U.S.C. 1005a)

(Catalog of Federal Domestic Assistance Number 13.491; Higher Education—University Community Service)

Dated: April 5, 1974.

JOHN OTTINA,
Commissioner of Education.

[FR Doc.74–8452 Filed 4–11–74;8:45 am]

SPECIAL COMMUNITY SERVICE AND CONTINUING EDUCATION PROJECTS

Criteria for Funding of Applications for Fiscal Year 1974

1. *General.* (a) Pursuant to the authority contained in section 106 of the Higher Education Act, as amended (20 U.S.C. 1005a), notice is hereby given that the Commissioner of Education, with the approval of the Secretary of Health, Education, and Welfare, has adopted the funding priorities set forth below to govern the award of assistance during fiscal year 1974 for special community service and continuing education projects.

(b) It is the general policy of the Department to provide opportunity for interested parties to take part in its rulemaking process. However, in view of the time remaining in the fiscal year needed for preparation of applications by applicants and for the review and funding of such applications by the Department, it is determined that with respect to the criteria contained in this notice, affording such opportunity would be impracticable.

(5 U.S.C. 553(b)).

2. *Purpose.* The purpose of section 106 of the Act is to authorize the Commissioner of Education to make awards to institutions of higher education for special programs and projects which are designed to seek solutions to national and regional problems relating to technological and social changes and environmental pollution.

3. *Criteria for funding.* Applications for assistance pursuant to this notice which qualify for consideration will be evaluated in accordance with the following criteria:

(a) *General criteria.* (1) General criterial set forth in 45 CFR 100a.26 (38 FR 30654; November 6, 1973); and

(2) The extent to which the project

(i) Is responsive to such regional or national priorities for Community Service and Continuing Education as the Commissioner may establish. (Such priorities for fiscal year 1974 are set forth in 4 below);

(ii) Has unusual promise in establishing or improving programs of community service and continuing education in institutions of higher education;

(iii) Employs or will result in new approaches, methods, and materials which will be of value in increasing the effectiveness of continuing education programs for adults;

(iv) Is coordinated with Federal, State or institutional programs in order to promote a comprehensive approach to community problems through the continuing education of adults.

(20 U.S.C. 1005a)

4. *Fiscal 1974 priorities.* For Fiscal Year 1974, each project proposed for funding under section 106 of the Act should be directed at one or more of the following concerns:

(a) Experimentation with and refinement of the process of special-interest involvement in community problem solving related to consumer affairs, drug abuse or environmental pollution, including effectiveness testing of multimedia instructional programs on selected target groups.

(b) Development of organizational models for community service and continuing education for groups which need improved access to higher education resources, such as women, inmates, or elderly citizens, to enable them to participate more fully in the life of their communities.

(c) Demonstration of effective inter-institutional and interstate programs of continuing education for employers, employees and organized labor in relation to the problem of technological unemployment.

(d) Development of experimental models of city hall-university cooperation in urban research and the training of local government officials.

(e) Demonstrations and evaluations of continuing education and/or training programs for adults that employ innovative techniques and methods in educating adults for more responsible participation in community affairs.

(20 U.S.C 1005a)

5. *Effective date.* These criteria shall become effective, May 13, 1974.

(Catalog of Federal Domestic Assistance Program Number 13.491 University Community Service)

Dated: March 18, 1974.

DUANE J. MATTHEIS,
Commission of Education.

Approved: April 8, 1974.

CASPER W. WEINBERGER,
Secretary of Health, Education, and Welfare.

[FR Doc.74-8451 Filed 4-11-74;8:45 am]

Office of the Secretary

NATIONAL PROFESSIONAL STANDARDS REVIEW COUNCIL

Notice of Meeting

The seventh meeting of the National Professional Standards Review Council, which was established to advise the Secretary of the Department of Health, Education, and Welfare on the administration of Professional Standards Review (Title XI, Part B, Social Security Act), will be held Monday, April 22, 1974, 9 a.m. to 2:15 p.m. in Room 5051, HEW North Building, 330 Independence Avenue, SW., Washington, D.C. Professional standards review is the procedure to assure that the services for which payment may be made under the Social Security Act are medically necessary and conform to appropriate professional standards for the provision of quality health care. The Council's agenda will include discussion of a variety of issues relevant to the implementation of the PSRO program. The meeting is open to the public.

Dated April 8, 1974.

HENRY E. SIMMONS,
Executive Secretary, National Professional Standards Review Council.

[FR Doc.74-8450 Filed 4-11-74;8:45 am]

NATIONAL PROFESSIONAL STANDARDS REVIEW COUNCIL SUBCOMMITTEE ON POLICY DEVELOPMENT

Notice of Meeting

The National Professional Standards Review Council Subcommittee on Policy Development will meet Monday, April 22, 1974, 2:30 p.m. to 5:30 p.m. This Subcommittee was formed to review policy isssues of importance in the implementation of Title XI, Part B, Social Security Act. The meeting will be held in Room 5169, HEW North Building, 330 Independence Avenue SW., Washington, D.C. Professional standards review is the procedure to assure that the services for which payment may be made under the Social Security Act are medically necessary and conform to appropriate professional standards for the provision of quality care. The Subcommittee's agenda will include timely policy issues. The meeting is open to the public.

Dated: April 8, 1974.

HENRY E. SIMMONS,
Executive Secretary, National Professional Standards Review Council.

[FR Doc.74-8448 Filed 4-11-74;8:45 am]

NATIONAL PROFESSIONAL STANDARDS REVIEW COUNCIL, SUBCOMMITTEE ON EVALUATION AND SUBCOMMITTEE ON DATA AND NORMS

Notice of Meeting

A joint meeting of the National Professional Standards Review Council Subcommittee on Evaluation and Subcommittee on Data and Norms will be held Monday, April 22, 1974, 2:30 p.m. to 5:30 p.m. These Subcommittees were formed to review issues of importance in the implementation of Title XI, Part B, Social Security Act with respect to program evaluation of PSROs and PSRO data and norms of care. The meeting will be held in Room 5051, HEW North Building, 330 Independence Avenue SW., Washington, D.C. Professional standards review is the procedure to assure that the services for which payment may be made under the Social Security Act are medically necessary and conform to appropriate professional standards for the provision of quality care. The agenda will consist of issues relating to these efforts. The meeting is open to the public.

Dated: April 8, 1974.

HENRY E. SIMMONS,
Executive Secretary, National Professional Standards Review Council.

[FR Doc.74-8449 Filed 4-11-74;8:45 am]

Social Security Administration

HEALTH INSURANCE BENEFITS ADVISORY COUNCIL

Notice of Public Meetings

Notice is hereby given, pursuant to Pub. L. 92-463, that the Health Insurance Benefits Advisory Council (HIBAC), established pursuant to section 1867 of the Social Security Act, as amended, which advises the Secretary of Health, Education, and Welfare on Medicare and Medicaid matters, will meet on Friday, May 10, 1974, at 9 a.m., in Room 5169 of the Department of Health, Education, and Welfare's North Building, Third and C Streets, SW., Washington, D.C. The Council will consider matters relating to the Medicare and Medicaid programs.

The Mental Health Committee of HIBAC, which is studying the possible extension of mental health coverage under Medicare, will meet on Thursday, May 9, 1974, at 9:30 a.m., in Room 4173 of the Department of Health, Education, and Welfare's North Building.

The Nurse Anesthetist Committee of HIBAC, which is studying the potential role of nurse anesthetists as recognized providers of services under Medicare, will meet on Thursday, May 9, 1974, at 9:30 a.m., in Room 4137 of the Department of Health, Education, and Welfare's North Building.

The Economics Committee of HIBAC which is comparing the costs and benefits of the proposed Comprehensive Health Insurance Plan with those of the Medicare and Medicaid programs, may meet on Thursday, May 9, 1974, at 1 p.m., in Room 4137 of the Department of Health, Education, and Welfare's North Building.

The Home Health Care Committee of HIBAC, which is studying the possibility of broadening the coverage of home health services under Medicare, will meet on Thursday, May 9, 1974, at 1 p.m., in Room 4131 of the Department of Health, Education, and Welfare's North Building.

All of these meetings are open to the public.

Further information on the Council and the Committees may be obtained from Mr. Max Perlman, Executive Secretary, Health Insurance Benefits Advisory Council, Room 585, East Building, Social Security Administration, 6401 Security Boulevard, Baltimore, Maryland 21235, telephone 301-594-9134. Members of the public planning to attend any of these meetings are asked to notify the Executive Secretary to ensure adequate seating.

(Catalog of Federal Domestic Assistance Program Numbers: 13.800, Health Insurance for the Aged-Hospital Insurance; 13.801, Health Insurance for the Aged-Supplementary Medical Insurance; 13.714, Medical Assistance Program.)

Dated: April 9, 1974.

MAX PERLMAN,
Executive Secretary, Health Insurance Benefits Advisory Council.

[FR Doc.74-8444 Filed 4-11-74;8:45 am]

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

NATIONAL HIGHWAY SAFETY ADVISORY COMMITTEE, EXECUTIVE SUBCOMMITTEE

Notice of Public Meeting

On May 3, 1974, the National Highway Safety Advisory Committee's Executive

Subcommittee will hold an open meeting at the Department of Transportation headquarters building, 400 Seventh Street, SW., Washington, D.C.

The National Highway Safety Advisory Committee is composed of 35 members appointed by the President in accordance with the Highway Safety Act of 1966 (23 U.S.C. 401 et seq.). The Committee consists of representatives of State and local governments, State legislatures, public and private interests contributing to, affected by, or concerned with highway safety, other public interest in highway safety, and research scientists and other experts in highway safety.

The advisory Committee advises, consults with, and makes recommendations to the Secretary of Transportation on matters relating to the activities of the Department in the field of highway safety. The Committee is specifically authorized (1) to review research projects or programs, and (2) to review, prior to issuance, standards proposed to be issued by the Secretary under the national highway safety program.

The Executive Subcommittee will meet from 9 a.m. to 1 p.m. in room 3332 with the following agenda, subject to approval by the Secretary:

Formulation of agenda for full committee meeting.
Briefing on problem driver research program.
New business.

Further information may be obtained from the Executive Secretariat, National Highway Traffic Safety Administration, Department of Transportation, 400 Seventh Street, SW., Washington, D.C. 20590, telephone 202–426–2872.

This notice is given pursuant to section 10(a)(2) of Pub. L. 92–463, Federal Advisory Committee Act (FACA, effective January 5, 1973.

Issued: April 9, 1974.

CALVIN BURKHART,
Executive Secretary.

[FR Doc.74–8435 Filed 4–11–74;8:45 am]

NATIONAL HIGHWAY SAFETY ADVISORY COMMITTEE, RESEARCH AND PROGRAM DEVELOPMENT SUBCOMMITTEE

Notice of Public Meeting

On April 18–19, 1974, the National Highway Safety Advisory Committee's Subcommittee on Research and Program Development will hold an open meeting at the DOT Headquarters Building, 400 Seventh Street, SW., Washington, D.C.

The National Highway Safety Advisory Committee is composed of 35 members appointed by the President in accordance with the Highway Safety Act of 1966 (23 U.S.C. 401 et seq.). The Committee consists of representatives of State and local governments, State legislatures, public and private interests contributing to, affected by, or concerned with highway safety, other public and private agencies, organizations, and groups demonstrating an active interest in highway safety, and research scientists and other experts in highway safety.

The Advisory Committee advises, consults with, and makes recommendations to the Secretary of Transportation on matters relating to the activities of the Department in the field of highway safety. The Committee is specifically authorized (1) to review research projects or programs, and (2) to review prior to issuance, standards proposed to be issued by the Secretary under the national highway safety program.

The following meeting will be held, subject to approval by the Secretary of Transportation:

The Subcommittee on Research and Program Development will meet in Room 3200, DOT Headquarters Building on Thursday, April 18, and Friday, April 19, from 9 a.m. to 4:30 p.m. with the following agenda:

Review and discussion of growing highway safety problem resulting from increased bicycle usage.

Further information may be obtained from the Executive Secretariat, National Highway Traffic Safety Administration, Department of Transportation, 400 Seventh Street, SW., Washington, D.C. 20590, telephone 202–426–2872.

This notice is given pursuant to section 10(a)(2) of Pub. L. 92–463, Federal Advisory Committee Act (FACA), effective January 5, 1973.

Issued: April 8, 1974.

CALVIN BURKHART,
Executive Secretary.

[FR Doc.74–8434 Filed 4–11–74;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. 50-458, 50-459]

GULF STATES UTILITIES CO.

Notice and Order for Second Prehearing Conference

In the matter of Gulf States Utilities Company (River Bend Station, Units 1 & 2).

Take notice that, pursuant to the Commission's "Notice of Hearing on Application for Construction Permits", dated October 17, 1973, (38 FR 29243, October 23, 1973), and the Commission's rules of practice, in particular 10 CFR 2.752, the Atomic Safety and Licensing Board (Board) will hold a Prehearing Conference on May 7, 1974, at 9:30 a.m., local time, at the 20th Judicial District Courthouse, (Second Floor), Ferdinand Street, St. Francisville, Louisiana.

This Prehearing Conference is preliminary to an evidentiary hearing to be held before an Atomic Safety and Licensing Board to consider the application of the Gulf States Utilities Company for construction permits to build two boiling water nuclear reactors in the West Feliciana Parish on the east bank of the Mississippi River, about 24 miles north-northwest of Baton Rouge, Louisiana.

On December 27, 1973, a Special Prehearing Conference was held in Baton Rouge, after which the Board ruled on the joint Petitions to Intervene of William H. Pozzi and Ray Lefebvre, admitting their petition and granting intervention status to Mr. Pozzi and Mr. Lefebvre. The parties intervenor have since retained counsel.

The purpose of the forthcoming prehearing conference is to effect:

(1) Simplification, clarification and specification of the issues,

(2) The necessity or desirability of amending the pleadings,

(3) The obtaining of stipulations and admissions of fact and of the contents and authenticity of documents to avoid unnecessary proof,

(4) Preliminary identification of witnesses and a limitation on the number of expert witnesses, and other steps to expedite the presentation of evidence,

(5) A schedule for the completion of discovery,

(6) The setting of a tentative hearing schedule, and

(7) Such other matters as may aid in the orderly disposition of the proceeding.

Counsel for all parties are directed to confer in advance of the scheduled prehearing conference for the purpose of diligently working out a substantial narrowing, refining, simplifying and clarifying of the present very general contentions. The parties' attention is directed to page 7 of this Board's January 3, 1974, Special Prehearing Conference Order, for the Board's observations in this regard. Although the Board granted full Party Intervenor status to Mr. Pozzi and Mr. Lefebvre in that January 3 Order, the Board expressly avoided ruling on each individual contention in its then-present form, noting only that there were three contentions that, as a threshold matter, appeared to be prima facie admissible. The Board anticipated a substantial re-wording of contentions as a result of a then-planned January 10 meeting between the Intervenors and the Regulatory Staff. Further discovery by Intervenors since that time, and more, if necessary, between now and the scheduled prehearing conference should provide an adequate basis for re-working the contentions into truly "specific" contentions.

After working on the contentions at the attorneys' conference, the parties are directed to prepare a brief status report on the results of said conference. Such status report is to be delivered to the Board no later than C.O.B. May 3, 1974, four days before the scheduled prehearing conference. The Board will hear oral argument on any contentions wherein agreement cannot be reached regarding permissible scope or need for further narrowing, refining or simplification.

It is so ordered.

For the Atomic Safety and Licensing Board.

Issued at Bethesda, Maryland this 8th day of April, 1974.

THOMAS W. REILLY, Esq.,
Chairman.

[FR Doc.74-8422 Filed 4-11-74;8:45 am]

[Docket No. 50-282]

PRAIRIE ISLAND NUCLEAR GENERATING PLANT, UNIT 1

Availability of Initial Decision and Issuance of Amendment to Facility Operating License

Pursuant to the National Environmental Policy Act of 1969 and the United States Atomic Energy Commission's regulations in Appendix D, Section A.9 and A.11, to 10 CFR Part 50, notice is hereby given that an Initial Decision dated April 2, 1974, by the Atomic Safety and Licensing Board in the above captioned proceeding authorizing issuance of an amended license to Northern States Power Company, for operation of the Prairie Island Nuclear Generating Plant, Unit 1, located in Goodhue County, Minnesota, is available for inspection by the public in the Commission's Public Document Room at 1717 H Street, NW., Washington, D.C., and in the Environmental Library of Minnesota, 1222 S.E. 4th Street, Minneapolis, Minnesota 55414.

The Initial Decision is also being made available at the Intergovernmental Planning, State Planning Agency, 802 Capitol Square Building, St. Paul, Minnesota 55101.

Based upon the record developed in the public hearing in the above captioned matter, the Initial Decision modified in certain respects the contents of the Final Environmental Statement relating to the licensing for operation of the Prairie Island Nuclear Generating Plant, Unit 1, prepared by the Commission's Directorate of Licensing. Pursuant to the provisions of 10 CFR Part 50, Appendix D, Section A.11, the Final Environmental Statement is deemed modified to the extent that the findings and conclusions relating to environmental matters contained in the Initial Decision are different from those contained in the Final Environmental Statement. As required by Section A.11 of Appendix D, a copy of the Initial Decision, which modifies the Final Environmental Statement, has been transmitted to the Council on Environmental Quality and made available to the public as noted herein.

Pursuant to the above mentioned Initial Decision, the Atomic Energy Commission (the Commission) has issued Amendment No. 2 to Facility Operating License DPR-42 to Northern States Power Company for operation of a pressurized water nuclear reactor known as the Prairie Island Nuclear Generating Plant, Unit 1, at steady state reactor core power levels not in excess of 1650 megawatts thermal, in accordance with the provisions of the amended license and the Technical Specifications.

The Commission has made appropriate findings as required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations in 10 CFR Chapter 1, which are set forth in the amended license. The application for the license complies with the standards and requirements of the Act and the Commission's rules and regulations.

The amended license is effective as of its date of issuance and shall expire on June 25, 2008.

In addition to the Initial Decision, copies of (1) Amendment No. 2 to Facility Operating License DPR-42; (2) the Report of the Advisory Committee on Reactor Safeguards dated April 18, 1973; (3) the Directorate of Licensing's Safety Evaluation dated September 28, 1972, and Supplements 1, 2, and 3 thereto, dated March 21, 1973, April 30, 1973, and May 31, 1973, respectively; (4) the Final Facility Description and Safety Analysis Report and amendments thereto; (5) the applicant's Environmental Report dated May 1971, and supplements thereto; (6) the Draft Environmental Statement dated January 1973; and (7) the Final Environmental Statement dated May 1973, are also available for public inspection at the above designated locations in Washington, D.C., and Minnesota. Single copies of the Initial Decision by the Atomic Safety and Licensing Board, the amended license, the Final Environmental Statement, and the Safety Evaluation may be obtained upon request addressed to the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Deputy Director for Reactor Projects, Directorate of Licensing, Regulation.

Dated at Bethesda, Maryland, this 5th day of April, 1974.

For the Atomic Energy Commission.

KARL KNIEL,
Chief, Light Water Reactors Branch 2-2, Directorate of Licensing.

[FR Doc.74-8421 Filed 4-11-74;8:45 am]

REGULATORY GUIDES

Issuance and Availability

The Atomic Energy Commission has issued a revised guide in its Regulatory Guide series. This series has been developed to describe and make available to the public methods acceptable to the AEC Regulatory staff of implementing specific parts of the Commission's regulations and, in some cases, to delineate techniques used by the staff in evaluating specific problems or postulated accidents and to provide guidance to applicants concerning certain of the information needed by the staff in its review of applications for permits and licenses.

The revised guide is in Division 1, "Power Reactor Guides." Revision 1 to Regulatory Guide 1.27, "Ultimate Heat Sink For Nuclear Power Plants," provides guidance as to acceptable conservative methods of analysis to assure that a thirty-day heat sink water supply is available and that design basis temperatures of safety related equipment are not exceeded following a postulated accident.

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

Other Division 1 Regulatory Guides currently being developed include the following.

Availability of Electric Power Sources.
Requirements for Instrumentation to Assess Nuclear Power Plant Conditions During and Following an Accident for Water-Cooled Reactors.
Shared Emergency and Shutdown Power Systems at Multi-Unit Sites.
Isolation of Low Pressure Systems Connected to the Reactor Coolant Pressure Boundary.
Assumptions for Evaluating a Control Rod Ejection Accident for Pressurized Water Reactors.
Requirements for Collection, Storage, and Maintenance of Nuclear Power Plant Quality Assurance Records.
Requirements for Assessing Ability of Material Underneath Nuclear Power Plant Foundations to Withstand Safe Shutdown Earthquake.
Fire Protection Criteria for Nuclear Power Plants.
Protective Coatings for Light Water Nuclear Reactor Containment Facilities.
Inservice Surveillance of Grouted Prestressing Tendons.
Seismic Input Motion to Uncoupled Structural Model.
Primary Reactor Containment (Concrete) Design and Analysis.
Quality Assurance Requirements for Installation, Inspection, and Testing of Mechanical Equipment and Systems.
Quality Assurance Requirements for Installation, Inspection and Testing of Structural Concrete and Structural Steel.
Fracture Toughness Requirements for Vessels Under Overstress Conditions.
Material Limitations for Component Supports.
Protection Against Postulated Events and Accidents Outside of Containment.
Design Basis Tornado for Nuclear Power Plants.
Requirements for Auditing of Quality Assurance Programs for Nuclear Power Plants.
Assumptions Used for Evaluating the Potential Radiological Consequences of a Gas Holdup Tank Failure in a Boiling Water Reactor.
Quality Assurance Requirements for Procurement of Equipment, Materials, and Services.
Quality Assurance Requirements for Lifting Equipment.
Maintenance and Testing of Batteries.
Qualification of Class I Electrical Equipment.
Type Tests for Class IE Cables, Connnections, and Field Splices for Nuclear Power Plants.
Seismic Qualification of Class I Electric Equipment.
Fracture Toughness Requirements for Materials for Class 2 and 3 Components.
Maintenance of Water Purity in PWR Secondary Systems.
Main Steam Line Sealing System Design Guidelines for Boiling Water Reactors.
Criteria for Heat-up and Cool-down Procedures.
Effects of Residual Elements on Predicted Radiation Damage.
Inservice Inspection and Testing of Steam Generators Tubing.
Component Design Criteria for Elevated Temperature Reactors.
Preoperational Testing of Emergency Core Cooling Systems for Pressurized Water Reactors.
Fuel Oil Supplies for Standby Diesel-Generators.
Assumptions Used for Evaluating the Habitability of a Nuclear Power Plant Control Room During a Postulated Toxic Chemical Release.
Assumptions Used for Evaluating the Potential Radiological Consequences of a Liquid Radioactive Waste System Accident.
Code Case Acceptability for ASME Section III Materials.
Sumps for Emergency Core Cooling and Containment Spray Systems.
Surveillance and Examination and Testing of Irradiated Fuel Rods.
Elevated Temperature Inservice Surveillance Tests for HTGR Plants.
Design Load Combinations for Component Supports.
Termination of Nuclear Reactor Operating Licenses.
Preoperational Testing of Instrument Air Systems.
Tornado Design Classification.
Requirements for Containment Isolation.
Probable Maximum Storm Surge Flooding on Lakes and Sea Shores.
Requirements for Concrete Reactor Vessels and Containments (ASME Section III Division 2).
Instrument Span and Trip Setting.
Failed Fuel Detection System for Nuclear Power Plants.
Code Case Acceptability—ASME Section III Design and Fabrication.
Code Case Acceptability—ASME Section III Nonmetallic Materials.
Design, Qualification Test and Installation Requirements for Class 2 and 3 Safety-Related Pumps.
Seismic Response Combination of Modes and Spatial Components.
Analysis of Seismic Recorded Data.
Protection of Nuclear Power Plant Control Room Operators Against an Onsite Chlorine Release.
Self-Operated and Power Operated Safety-Related Valves Functional Specification.

(5 U.S.C. 522(a))

Dated at Bethesda, Maryland this 2nd day of April 1974.

For the Atomic Energy Commission.

LESTER ROGERS,
Director of Regulatory Standards.

[FR Doc.74-8420 Filed 4-11-74;8:45 am]

REGULATORY GUIDE

Notice of Issuance and Availability

The Atomic Energy Commission has reissued Regulatory Guide 1.42 (Revision 1), "Interim Licensing Policy on As Low As Practicable for Gaseous Radioiodine Releases from Light-Water-Cooled Nuclear Power Reactors," in Division 1, "Power Reactor Guides," of the Regulatory Guide series.

Regulatory Guide 1.42 was issued in June 1973 (see FEDERAL REGISTER 17757, July 3, 1973 notice). On Feburary 20, 1974, the Regulatory staff issued its "Concluding Statement of Position" based on the record of the rulemaking hearing that was concluded in December 1973. The Concluding Statement included Regulatory staff recommendations on a modified 10 CFR Part 50 Appendix I and five draft regulatory guides which indicate how the revised Appendix I would be implemented. Regulatory Guide 1.42 has been revised to reflect this guidance.

In the interim, pending conclusion of the proposed 10 CFR Part 50 Appendix I rulemaking proceedings and the Commission's decision on an effective rule, the revised Regulatory Guide 1.42 will provide licensing guidance in implementing §§ 20.1(c), 50.34a and 50.36a of the Commission's regulations with respect to keeping radioactive iodine releases in gaseous effluents from light-water-cooled nuclear power reactors as low as practicable. When Appendix I becomes an effective rule, revised Regulatory Guide 1.42 will be withdrawn.

Regulatory Guides are available for inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. 20545. Comments and suggestions in connection with improvements in the guides are encouraged and should be sent to the Secretary of the Commission, U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Chief, Public Proceedings Staff. Requests for single copies of issued guides (which may be reproduced) or for placement on an automatic distribution list for single copies of future guides should be made in writing to the Director of

Regulatory Standards, U.S. Atomic Energy Commission, Washington, D.C. 20545. Telephone requests cannot be accommodated.

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

Dated at Bethesda, Maryland, this 4th day of April, 1974.

For the Atomic Energy Commission.

LESTER ROGERS,
Director of Regulatory Standards.

[FR Doc.74-8437 Filed 4-11-74;8:45 am]

[Docket Nos. 50-443 and 50-444]

PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE

Availability of AEC Draft Environmental Statement for the Seabrook Units 1 and 2

Pursuant to the National Environmental Policy Act of 1969 and the United States Atomic Energy Commission's regulations in Appendix D to 10 CFR Part 50, notice is hereby given that a Draft Environmental Statement prepared by the Commission's Directorate of Licensing related to the proposed Seabrook Units 1 and 2, to be constructed by Public Service Company of New Hampshire in the town of Seabrook, Rockingham County, New Hampshire is available for inspection by the public in the Commission's Public Document Room at 1717 H Street, NW., Washington, D.C. and in the Exeter Public Library, Front Street, Exeter, New Hampshire 03833. The Draft Statement is also being made available at the Office of Comprehensive Planning, State House Annex, Concord, New Hampshire 03301. Copies of the Commission's Draft Environmental Statement may be obtained by request addressed to the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Deputy Director for Reactor Projects, Directorate of Licensing.

The Applicant's Environmental Report, as supplemented, submitted by Public Service Company of New Hampshire is also available for public inspection at the above-designated locations. Notice of availability of the Applicant's Environmental Report was published in the FEDERAL REGISTER on August 9, 1973, 38 FR 21522.

Pursuant to 10 CFR Part 50, Appendix D, interested persons may submit comments on the Applicant's Environmental Report, as supplemented, and the Draft Environmental Statement for the Commission's consideration. Federal and State agencies are being provided with copies of the Applicant's Environmental Report and the Draft Environmental Statement (local agencies may obtain these documents upon request). Comments are due by June 3, 1974.

Comments by Federal, State, and local officials, or other persons received by the Commission will be made available for public inspection at the Commission's Public Document Room in Washington, D.C. and the Exeter Public Library, Front Street, Exeter, New Hampshire 03833. 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.

Comments on the Draft Environmental Statement from interested members of the public should be addressed to the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Deputy Director for Reactor Projects Directorate of Licensing.

Dated at Bethesda, Maryland, this 8th day of April 1974.

For the Atomic Energy Commisison.

GEORGE W. KNIGHTON,
Chief, Environmental Projects Branch No. 1, Directorate of Licensing.

[FR Doc.74-8578 Filed 4-11-74;8:45 am]

GENERAL ADVISORY COMMITTEE

Notice of Meeting

In accordance with the purposes of section 26 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2036), the General Advisory Committee will hold a meeting on May 1, 2, and 3, 1974, in Washington, D.C.

The following constitutes that portion of the Committee's agenda for the above meeting which will be open to the public, from 9:30 a.m. to 12:30 p.m. on Thursday, May 2nd, in Room 1115 of the Atomic Energy Commission Offices located at 1717 H Street, N.W.

9:00 a.m.—Controlled Thermonuclear Research Program . . . Robert L. Hirsch, Director, Division of CTR

10:30-12:30 p.m.—Liquid Metal Fast Breeder Reactor Program . . . Thomas A. Nemzek, Director of Division of Reactor R&D

In addition to the above agenda items, the Committee will meet with members of AEC Headquarters Offices to discuss the Laser Fusion Program, Nuclear Materials Security Program, and the Reactor Safety Study and hold executive sessions not open to the public, under the authority of section 10(d) of Pub. L. 92-463 (Federal Advisory Committee Act) to exchange opinions and formulate recommendations on the above topics and other agenda matters. I have determined that it is necessary to close these portions of the meeting to discuss certain information that is: classified and falls within exemptions (1) and (3) of 5 U.S.C. 552(b); is privileged and falls within exemption (4) of 5 U.S.C. 552(b); and to exchange opinions and formulate recommendations, the discussion of which, if written, would fall within exemption (5) of 5 U.S.C. 552(b). It is essential to close such portions of the meeting to protect such classified or privileged business information and to protect the free interchange of internal views and avoid undue interference with Commission and Committee operation.

Practical considerations may dictate alterations in the above agenda or schedule.

The Chairman is empowered to conduct the meeting in a manner that in his judgment will facilitate the orderly conduct of business.

With respect to public participation in the above agenda items, the following requirements shall apply:

(a) Persons wishing to submit written statements on the agenda items noted above may do so by mailing 12 copies thereof, postmarked no later than April 24, 1974, to the Secretary, General Advisory Committee, U.S. Atomic Energy Commission, Washington, D.C. 20545. Such comments shall be based upon the above agenda items.

(b) Information as to whether the meeting has been rescheduled or relocated can be obtained by a prepaid telephone call on April 30 to the Office of the Secretary of the Committee (telephone: 301-973-5637) between 8:30 a.m. and 5:00 p.m., eastern daylight time.

(c) Questions may be propounded only by members of the Committee.

(d) Seating for the public will be available on a first-come, first-served basis.

(e) The use of cameras, the physical installation and presence of which will not interfere with the course of the meeting, will be permitted both before and after the meeting and during any recess. The use of such equipment will not, however, be allowed while the meeting is in session.

(f) Copies of minutes of the public session will be made available for copying, in accordance with the Federal Advisory Committee Act, on or after May 31, 1974 at the Atomic Energy Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., upon payment of all charges required by law.

JOHN C. RYAN,
Advisory Committee Management Officer.

[FR Doc.47-8635 Filed 4-11-74;10:04 am]

COMMISSION ON CIVIL RIGHTS

NEW MEXICO STATE ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the New Mexico State Advisory Committee (SAC) to this Commission will convene at 7:30 p.m. on April 18, 1974, at the Airport Marina, 2910 Yale Boulevard, Albuquerque, New Mexico 87107.

Persons wishing to attend this meeting should contact the Committee Chairman, or the Southwestern Regional Office of the Commission, Room 231, New Moore Building, 106 Broadway, San Antonio, Texas 78205.

The purpose of this meeting shall be to begin plans to meet with New Mexico State officials to discuss employment opportunities for Native Americans in the State.

This meeting will be conducted pursuant to the Rules and Regulations of the Commission.

Dated at Washington, D.C., April 8, 1974.

ISAIAH T. CRESWELL, JR.,
Advisory Committee Management Officer.

[FR Doc.74-8380 Filed 4-11-74;8:45 am]

TEXAS STATE ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Texas State Advisory Committee (SAC) to this Commission will convene at 10 a.m. on April 16, 1974, at the La Quinta Motor Inn, 333 NE Loop 410, San Antonio, Texas 78216.

Persons wishing to attend this meeting should contact the Committee Chairman, or the Southwestern Regional Office of the Commission, Room 231, New Moore Building, 106 Broadway, San Antonio, Texas 78205.

The purpose of this meeting shall be to begin preparations for a factfinding meeting concerning civil rights of inmates in the Fort Worth Federal Correctional Institution.

This meeting will be conducted pursuant to the Rules and Regulations of the Commission.

Dated at Washington, D.C., April 8, 1974.

ISAIAH T. CRESWELL, JR.,
Advisory Committee Management Officer.

[FR Doc.74-8379 Filed 4-11-74;8:45 am]

CIVIL SERVICE COMMISSION

DEPARTMENT OF AGRICULTURE

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Agriculture to fill by noncareer executive assignment in the excepted service the position of Associate Administrator, Agricultural Marketing Service.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.74-8387 Filed 4-11-74;8:45 am]

DEPARTMENT OF AGRICULTURE

Notice of Title Change in Noncareer Executive Assignment

By notice of October 30, 1969, FR Doc 69-12935 the Civil Service Commission authorized the Department of Agriculture to fill by noncareer executive assignment the position of Assistant Deputy Administrator, State and County Operations, Agricultural Stabilization and Conservation Service. This is notice that the title of this position is now being changed to Assistant Deputy Administrator, Programs, Agricultural Stabilization and Conservation Service.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.74-8394 Filed 4-11-74;8:45 am]

DEPARTMENT OF AGRICULTURE

Notice of Title Change in Noncareer Executive Assignment

By notice of November 17, 1967, FR Doc. 67-13608, the Civil Service Commission authorized the departments and agencies to fill by noncareer executive assignment, certain positions removed from Schedule C of Civil Service Rule VI by 5 CFR 213.3301a on November 17, 1967. This is notice that the title of one such position so authorized to be filled by noncareer executive assignment has been changed from Deputy Administrator, State and County Operations to Deputy Administrator, Programs, Agricultural Stabilization and Conservation Service.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.74-8393 Filed 4-11-74;8:45 am]

DEPARTMENT OF AGRICULTURE

Notice of Title Change in Noncareer Executive Assignment

By notice of October 10, 1973, FR Doc. 73-21483, the Civil Service Commission authorized the Department of Agriculture to fill by noncareer executive assignment the position of Assistant Deputy Administrator, State and County Operations, Agricultural Stabilization and Conservation Service. This is notice that the title of this position is now being changed to Assistant Deputy Administrator, Programs, Agricultural Stabilization and Conservation Service.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.74-8395 Filed 4-11-74;8:45 am]

DEPARTMENT OF DEFENSE

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Defense to fill by noncareer executive assignment in the excepted service the position of Deputy Assistant Secretary (International Economic Affairs), Office of the Assistant Secretary of Defense (International Security Affairs), Office of the Secretary of Defense.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.74-8390 Filed 4-11-74;8:45 am]

DEPARTMENT OF DEFENSE

Notice of Revocation of Authority To Make Noncareer Executive Assignments

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of Defense to fill by noncareer executive assignment in the excepted service the position of Assistant For POW/MIA and Economic Affairs, Office of the Assistant Secretary of Defense (International Security Affairs), Office of the Secretary of Defense.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.74-8385 Filed 4-11-74;8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Housing and Urban Development to fill by noncareer executive assignment in the excepted service the position of Special Assistant to the Secretary (International Liaison), Office of the Secretary.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.74-8392 Filed 4-11-74;8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Housing and Urban Development to fill by noncareer executive assignment in the excepted service the position of Executive Assistant, Immediate Office, Office of the Assistant Secretary for Community Planning and Development.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.74-8388 Filed 4-11-74;8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Notice of Revocation of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of Housing and Urban Development to fill by noncareer executive assignment in the excepted service the position of Director, Division of International Affairs, Office of the Secretary.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.74-8386 Filed 4-11-74;8:45 am]

DEPARTMENT OF JUSTICE

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Justice to fill by noncareer executive assignment in the excepted service the position of Deputy Commissioner (Chief of Staff), Office of Deputy Commissioner, Immigration and Naturalization Service.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.74-8389 Filed 4-11-74;8:45 am]

DEPARTMENT OF JUSTICE

Notice of Revocation of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of Justice to fill by noncareer executive assignment in the excepted service the position of General Counsel, Office of General Counsel, Immigration and Naturalization Service.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commisioners.

[FR Doc.74-8383 Filed 4-11-74;8:45 am]

DEPARTMENT OF JUSTICE

Notice of Revocation of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of Justice to fill by noncareer executive assignment in the excepted service the position of Associate Commissioner, Operations, Office of the Commissioner, Immigration and Naturalization Service.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.74-8384 Filed 4-11-74;8:45 am]

DEPARTMENT OF THE TREASURY

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of the Treasury to fill by noncareer executive assignment in the excepted service the position of Deputy Chief Counsel, Office of the Chief Counsel, Internal Revenue Service.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.74-8391 Filed 4-11-74;8:45 am]

FEDERAL PREVAILING RATE ADVISORY COMMITTEE

Notice of Rescheduled Meeting

The Federal Prevailing Rate Advisory Committee will not meet on Thursday, April 25, 1974, as previously announced.

The Committee will meet at 10 a.m., Wednesday, April 24, 1974, in Room 5A06A, Civil Service Commission Building, 1900 E Street, NW., Washington, D.C.

The meeting will be closed to the public.

DAVID T. ROADLEY,
Chairman, Federal Prevailing Rate Advisory Committee.

APRIL 8, 1974.

[FR Doc.74-8382 Filed 4-11-74;8:45 am]

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

TEXTILES

International Trade

APRIL 10, 1974.

Following two years of study and negotiation within the General Agreement on Tariffs and Trade (GATT), representatives of governments participating in the All Fiber Textile Negotiating Group established by the GATT Council reached agreement on a multifiber Arrangement Regarding International Trade in Textiles (hereinafter referred to as the Arrangement). The United States is party to the Arrangement, which entered into force on January 1, 1974. The Arrangement generally establishes standards and a framework for quantitative restraints on textile trade, both those negotiated on a bilateral basis and those effected unilaterally. (The complete text of the Arrangement is set forth in Appendix 1.)

The purpose of this notice is to establish a procedure which will provide an opportunity for the government to receive the views of the public with regard to actions under the Arrangement.

Bilateral Agreements. The United States is presently party to 36 bilateral agreements covering trade in cotton, wool, and man-made fiber textiles and apparel. (These agreements are listed with TIAS numbers in Appendix 2.) Under the Arrangement all such bilateral agreements must be terminated, justified, or brought into conformity with the requirements of the Arrangement by March 31, 1975. Accordingly, during the period until March 31, 1975, the United States intends to hold bilateral discussions with those countries with which there are bilateral textile agreements to fulfill the requirements of the Arrangement. Also, during the period of the Arrangement the United States may, from time to time, undertake the renewal or renegotiation of existing agreements and/or the negotiation of new agreements as provided for in the Arrangement.

Any party wishing to express views or to provide data or information with regard to the treatment of any products under these agreements or any other aspect of them is invited to submit such to Mr. Seth M. Bodner at the address noted below. In addition, whenever consistent with the sound implementation of the Arrangement and the foreign affairs interests of the United States, notice will be published in the FEDERAL REGISTER soliciting views, data, or other information relevant to the treatment of any textile product under these agreements.

Market Disruption. Under Article 3 of the Arrangement, when a country has determined that its market is being disrupted by imports from a participating country of a certain textile product, it may request consultations of the exporting country to solve the problem. The importing country's request must be accompanied by a detailed statement of the reasons for the request, including the latest data concerning elements of market disruption, and the specific level at which it considers shipments of the product should be restrained. If at the end of 60 days, no agreement has been reached on the level of shipments, the importing country may decline to accept these disruptive imports as provided for in Annex B of the Arrangement. Article 8 of the Arrangement envisages similar action toward disruptive imports from non-participating countries.

The Committee for the Implementation of Textile Agreements, insofar as practicable consistent with the requirements of consultations with foreign governments, intends to publish in the FEDERAL REGISTER before or at the time the request for consultations is made, notices of requests for consultations under Article 3 and Article 8, along with the evidence of market disruption which has caused the United States to request consultations. To the extent practicable, a

30-day period from the date of notice will be set aside for public comment before final decision or action is taken on the matter in question.

Article 3 of the Arrangement provides that in highly unusual and critical circumstances action can be taken before the end of the 60-day period. In such a case, it may not always be possible to provide a period of time for submission of comments before taking action. However, in such cases, notice of the action and the market disruption statement will be published in the FEDERAL REGISTER promptly.

Procedure for Submission of Views, Data and Information. To the extent permitted by scheduling and other variable factors, agreements and other activities referred to in this notice will be discussed as appropriate at relevant meetings of the Management-Labor Textile Advisory Committee and the Importers' Textile Advisory Committee, both industry advisory committees conducted pursuant to the Federal Advisory Committee Act, Public Law. 92-463. Meetings of these Committees are announced in the FEDERAL REGISTER at least ten days prior to the date of meeting.

In addition, any party wishing to express views, provide data or information with regard to the treatment of any product under bilateral textile agreements or action under Article 3 and Article 8 of the Arrangement referred to in this notice, is invited to submit 10 copies of such views, data or information to Seth M. Bodner, Chairman of the Committee for the Implementation of Textile Agreements and Deputy Assistant Secretary for Resources and Trade Assistance, U.S. Department of Commerce, 14th and Constitution Avenue, NW., Room 3826, Washington, D.C. 20230.

Views, data or information submitted under this procedure will be available for public inspection at the Central Reference and Records Inspection Facility, U.S. Department of Commerce, Room 7043, 14th and Constitution Avenue, NW., Washington, D.C. 20230 and may be obtained upon written request therefrom pursuant to the Freedom of Information Act (5 USC § 552) and the regulations of the Department of Commerce (15 CFR Part 4). Whenever practicable, public comment may be invited concerning views, comments or information received from the public which the Committee for the Implementation of Textile Agreements considers appropriate for further consideration.

The solicitation of comments on any negotiation, consultation, market disruption or any other matter pursuant to this notice is not a waiver in any respect of the exemption contained in 5 USC sec. 553(a)(1) and 554(a)(4) of the Administrative Procedure Act, relating to matters which constitute "a foreign affairs function of the United States."

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

APPENDIX I

GENERAL AGREEMENT ON TARIFFS AND TRADE

Arrangement Regarding International Trade in Textiles

Recognizing the great importance of production and trade in textile products of wool, man-made fibres and cotton for the economies of many countries, and their particular importance for the economic and social development of developing countries and for the expansion and diversification of their export earnings, and conscious also of the special importance of trade in textile products of cotton for many developing countries;

Recognizing further the tendency for an unsatisfactory situation to exist in world trade in textile products and that this situation, if not satisfactorily dealt with, could work to the detriment of countries participating in trade in textile products, whether as importers or exporters, or both, adversely affect prospects for international co-operation in the trade field, and have unfortunate repercussions on trade relations generally;

Noting that this unsatisfactory situation is characterized by the proliferation of restrictive measures, including discriminatory measures, that are inconsistent with the principles of the General Agreement on Tariffs and Trade and also that, in some importing countries, situations have arisen which, in the view of these countries, cause or threaten to cause disruption of their domestic markets;

Desiring to take co-operative and constructive action, within a multilateral framework, so as to deal with the situation in such a way as to promote on a sound basis the development of production and expansion of trade in textile products and progressively to achieve the reduction of trade barriers and the liberalization of world trade in these products;

Recognizing that, in pursuit of such action, the volatile and continually evolving nature of production and trade in textile products should be constantly borne in mind and the fullest account taken of such serious economic and social problems as exist in this field in both importing and exporting countries, and particularly in the developing countries;

Recognizing further that such action should be designed to facilitate economic expansion and to promote the development of developing countries possessing the necessary resources, such as materials and technical skills, by providing larger opportunities for such countries, including countries that are, or that may shortly become, new entrants in the field of textile exports to increase their exchange earnings from the sale in world markets of products which they can efficiently produce;

Recognizing that future harmonious development of trade in textiles particularly having regard to the needs of developing countries, also depends importantly upon matters outside the scope of this Arrangement, and that such factors in this respect include progress leading both to the reduction of tariffs and to the maintenance and improvement of schemes of generalized preferences, in accordance with the Tokyo Declaration;

Determined to have full regard to the principles and objectives of the General Agreement on Tariffs and Trade (hereinafter referred to as the GATT) and, in carrying out the aims of this Arrangement, effectively to implement the principles and objectives agreed upon in the Tokyo Declaration of Ministers dated 14 September 1973 concerning the Multilateral Trade Nogotiations;

The parties to this arrangement have agreed as follows:

ARTICLE 1

1. It may be desirable during the next few years for special practical measures of international co-operation to be applied by the participating countries [1] in the field of textiles with the aim of eliminating the difficulties that exist in this field.

2. The basic objectives shall be to achieve the expansion of trade, the reduction of barriers to such trade and the progressive liberalization of world trade in textile products, while at the same time ensuring the orderly and equitable development of this trade and avoidance of disruptive effects in individual markets and on individual lines of production in both importing and exporting countries. In the case of those countries having small markets, an exceptionally high level of imports and a correspondingly low level of domestic production, account should be taken of the avoidance of damage to those countries' minimum viable production of textiles.

3. A principal aim in the implementation of this Arrangement shall be to further the economic and social development of developing countries and secure a substantial increase in their export earnings from textile products and to provide scope for a greater share for them in world trade in these products.

4. Actions taken under this Arrangement shall not interrupt or discourage the autonomous industrial adjustment processes of participating countries. Furthermore, actions taken under this Arrangement should be accompanied by the pursuit of appropriate economic and social policies, in a manner consistent with national laws and systems, required by changes in the pattern of trade in textiles and in the comparative advantage of participating countries, which policies would encourage businesses which are less competitive internationally to move progressively into more viable lines of production or into other sectors of the economy and provide increased access to their markets for textile products from developing countries.

5. The application of safeguard measures under this Arrangement, subject to recognized conditions and criteria and under the surveillance of an international body set up for that purpose, and in conformity with the principles and objectives of this Arrangement, may in exceptional circumstances become necessary in the field of trade in textile products, and should assist any process of adjustment which would be required by the changes in the pattern of world trade in textile products. The parties to this Arrangement undertake not to apply such measures except in accordance with the provisions of this Arrangement with full regard to the impact of such measures on other parties.

6. The provisions of this Arrangement shall not affect the rights and obligations of the participating countries under the GATT.

7. The participating countries recognize that, since measures taken under this Arrangement are intended to deal with the special problems of textile products, such measures should be considered as exceptional, and not lending themselves to application in other fields.

ARTICLE 2

1. All existing unilateral quantitative restrictions, bilateral agreements and any other quantitative measures in force which have a restrictive effect shall be notified in

[1] The expressions "participating country", "participating exporting country" and "participating importing country", wherever they appear in this Arrangement, shall be deemed to include the European Economic Community.

detail by the restraining participating country, upon acceptance of or accession to this Arrangement, to the Textiles Surveillance Body, which shall circulate the notifications to the other participating countries for their information. Measures or agreements which are not notified by a participating country within sixty days of its acceptance of, or accession to, this Arrangement shall be considered to be contrary to this Arrangement and shall be terminated forthwith.

2. Unless they are justified under the provisions of the GATT (including its Annexes and Protocols), all unilateral quantitative restrictions and any other quantitative measures which have a restrictive effect and which are notified in accordance with paragraph 1 above shall be terminated within one year of the entry into force of this Arrangement, unless they are the subject of one of the following procedures to bring them into conformity with the provisions of this Arrangement:

(i) Inclusion in a programme, which should be adopted and notified to the Textiles Surveillance Body within one year from the date of coming into force of this Arrangement, designed to eliminate existing restrictions in stages within a maximum period of three years from the entry into force of this Arrangement and taking account of any bilateral agreement either concluded or in course of being negotiated as provided for in (ii) below; it being understood that a major effort will be made in the first year, covering both a substantial elimination of restrictions and a substantial increase in the remaining quotas;

(ii) Inclusion, within a period of one year from the entry into force of this Arrangement, in bilateral agreements negotiated, or in course of negotiation, pursuant to the provisions of Article 4; if, for exceptional reasons, any such bilateral agreement is not concluded within the period of one year, this period, following consultations by the participating countries concerned and with the concurrence of the Textiles Surveillance Body, may be extended by not more than one year;

(iii) Inclusion in agreements negotiated or measures adopted pursuant to the provisions of Article 3.

3. Unless justified under the provisions of the GATT (including its Annexes and Protocols), all existing bilateral agreements notified in accordance with paragraph 1 of this Article shall, within one year of the entry into force of this Arrangement, either be terminated or justified under the provisions of this Arrangement or modified to conform therewith.

4. For the purposes of paragraphs 2 and 3 above the participating countries shall afford full opportunity for bilateral consultation and negotiation aimed at arriving at mutually acceptable solutions in accordance with Articles 3 and 4 of this Arrangement and permitting from the first year of the acceptance of this Arrangement the elimination as complete as possible of the existing restrictions. They shall report specifically to the Textiles Surveillance Body within one year of the entry into force of this Arrangement on the status of any such actions taken or negotiations undertaken pursuant to this Article.

5. The Textiles Surveillance Body shall complete its review of such reports within ninety days of their receipt. In its review it shall consider whether all the actions taken are in conformity with this Arrangement. It may make appropriate recommendations to the participating countries directly concerned so as to facilitate the implementation of this Article.

ARTICLE 3

1. Unless they are justified under the provisions of the GATT (including its Annexes and Protocols) no new restrictions on trade in textile products shall be introduced by participating countries nor shall existing restrictions be intensified unless such action is justified under the provisions of this Article.

2. The participating countries agree that this Article should only be resorted to sparingly and its application shall be limited to the precise products and to countries whose exports of such products are causing market disruption as defined in Annex A taking full acount of the agreed principles and objectives set out in this Arrangement and having full regard to the interests of both importing and exporting countries. Participating countries shall take into account imports from all countries and shall seek to preserve a proper measure of equity. They shall endeavor to avoid discriminatory measures where market disruption is caused by imports from more than one participating country and when resort to the application of this Article is unavoidable, bearing in mind the provisions of Article 6.

3. If, in the opinion of any participating importing country, its market in terms of the definition of market disruption in Annex A is being disrupted by imports of a certain textile product not already subject to restraint, it shall seek consultations with the participating exporting country or countries concerned with a view to removing such disruption. In its request the importing country may indicate the specific level at which it considers that exports of such products should be restrained, a level which shall not be lower than the general level indicated in Annex B. The exporting country or countries concerned shall respond promptly to such request for consultations. The importing country's request for consultations shall be accompanied by a detailed factual statement of the reasons and justification for th request, including the latest data concerning elements of market disruption, this information being communicated at the same time by the requesting country to the Chairman of the Textiles Surveillance Body.

4. If, in the consultation, there is mutual understanding that the situation calls for restrictions on trade in the textile product concerned, the level of restriction shall be fixed at a level not lower than the level indicated in Annex B. Details of the agreement reached shall be comunicated to the Textiles Surveillance Body which shall determine whether the agreement is justified in accordance with the provisions of this Arrangement.

5. (i) If, however, after a period of sixty days from the date on which the request has been received by the participating exporting country or countries, there has been no agreement either on the request for export restraint or on any alternative solution, the requesting participating country may decline to accept imports for retention from the participating country or countries referred to in paragraph 3 above of the textiles and textile products causing market disruption (as defined in Annex A) at a level for the twelve-month period beginning on the day when the request was received by the participating exporting country or countries not less than the level provided for in Annex B. Such level may be adjusted upwards to avoid undue hardship to the commercial participants in the trade involved to the extent possible consistent with the purposes of this Article. At the same time the matter shall be brought for immediate attention to the Textiles Surveillance Body.

(ii) However, it shall be open for either party to refer the matter to the Textiles Surveillance Body before the expiry of the period of sixty days.

(iii) In either case the Textiles Surveillance Body shall promptly conduct the examination of the matter and make appropriate recommendations to the parties directly concerned within thirty days from the date on which the matter is referred to it. Such recommendations shall also be forwarded to the Textiles Committee and to the GATT Council for their information. Upon receipt of such recommendations the participating countries concerned should review the measures taken or contemplated with regard to their institution, continuation, modification or discontinuation.

6. In highly unusual and critical circumstances, where imports of a textile product or products during the period of sixty days referred to in paragraph 5 above would cause serious market disruption giving rise to damage difficult to repair, the importing country shall request the exporting country concerned to co-operate immediately on a bilateral emergency basis to avoid such damage, and shall, at the same time, immediately communicate to the Textiles Surveillance Body the full details of the situation. The countries concerned may make any mutually acceptable interim arrangement they deem necessary to deal with the situation without prejudice to consultations regarding the matter under paragraph 3 of this Article. In the event that such interim arrangement is not reached, temporary restraint measures may be applied at a level higher than that indicated in Annex B with a view, in particular, to avoiding undue hardship to the commercial participants in the trade involved. The importing country shall give, except where possibility exists of quick delivery which would undermine the purpose of such measure, at least one week's prior notification of such action to the participating exporting country or countries and enter into, or continue, consultations under paragraph 3 of this Article. When a measure is taken under this paragraph either party may refer the matter to the Textiles Surveillance Body. The Textiles Surveillance Body shall conduct its work in the manner provided for in paragraph 5 above. Upon receipt of recommendations from the Textiles Surveillance Body the participating importing country shall review the measures taken, and report thereon to the Textiles Surveillance Body.

7. If recourse is had to measures under this Article, participating countries shall, in introducing such measures, seek to avoid damage to the production and marketing of the exporting countries, and particularly of the developing countries, and shall avoid any such measures taking a form that could result in the establishment of additional nontariff barriers to trade in textile products. They shall, through prompt consultations, provide for suitable procedures, particularly as regards goods which have been, or which are about to be, shipped. In the absence of agreement, the matter may be referred to the Textiles Surveillance Body, which shall make the appropriate recommendations.

8. Measures taken under this Article may be introduced for limited periods not exceeding one year, subject to renewal or extension for additional periods of one year, provided that agreement is reached between the participating countries directly concerned on such renewal or extension. In such cases the provisions of Annex B shall apply. Proposals for renewal or extension, or modification or elimination or any disagreement thereon shall be submitted to the Textiles Surveillance Body, which shall make the

appropriate recommendations. However, bilateral restraint agreements under this Article may be concluded for periods in excess of one year in accordance with the provisions of Annex B.

9. Participating countries shall keep under review any measures they have taken under this Article and shall afford any participating country or countries affected by such measures, adequate opportunity for consultation with a view to the elimination of the measures as soon as possible. They shall report from time to time, and in any case once a year, to the Textiles Surveillance Body on the progress made in the elimination of such measures.

ARTICLE 4

1. The participating countries shall fully bear in mind, in the conduct of their trade policies in the field of textiles, that they are, through the acceptance of, or accession to, this Arrangement, committed to a multilateral approach in the search for solutions to the difficulties that arise in this field.

2. However, participating countries may, consistently with the basic objectives and principles of this Arrangement, conclude bilateral agreements on mutually acceptable terms in order, on the one hand, to eliminate real risks of market disruption (as defined in Annex A) in importing countries and disruption to the textile trade of exporting countries, and on the other hand to ensure the expansion and orderly development of trade in textiles and the equitable treatment of participating countries.

3. Bilateral agreements maintained under this Article shall, on overall terms, including base levels and growth rates, be more liberal than measures provided for in Article 3 of this Arrangement. Such bilateral agreements shall be designed and administered to facilitate the export in full of the levels provided for under such agreements and shall include provisions assuring substantial flexibility for the conduct of trade thereunder, consistent with the need for orderly expansion of such trade and conditions in the domestic market of the importing country concerned. Such provisions should encompass areas of base levels, growth, recognition of the increasing interchangeability of natural, artificial and synthetic fibres, carry forward, carryover, transfers from one product grouping to another and such other arrangements as may be mutually satisfactory to the parties to such bilateral agreements.

4. The participating countries shall communicate to the Textiles Surveillance Body full details of agreements entered into in terms of this Article within thirty days of their effective date. The Textiles Surveillance Body shall be informed promptly when any such agreements are modified or discontinued. The Textiles Surveillance Body may make recommendations as it deems appropriate to the parties concerned.

ARTICLE 5

Restrictions on imports of textile products under the provisions of Article 3 and 4 shall be administered in a flexible and equitable manner and over-categorization shall be avoided. Participating countries shall, in consultation, provide for arrangements for the administration of the quotas and restraint levels, including the proper arrangement for allocation of quotas among the exporters, in such a way as to facilitate full utilization of such quotas. The participating importing country should take full account of such factors as established tariff classification and quantitative units based on normal commercial practices in export and import transactions, both as regards fibre composition and in terms of competing for the same segment of its domestic market.

ARTICLE 6

1. Recognizing the obligations of the participating countries to pay special attention to the needs of the developing countries, it shall be considered appropriate and consistent with equity obligations for those importing countries which apply restrictions under this Arrangement affecting the trade of developing countries to provide more favourable terms with regard to such restrictions, including elements such as base level and growth rates, than for other countries. In the case of developing countries whose exports are already subject to restrictions and if the restrictions are maintained under this Arrangement, provisions should be made for higher quotas and liberal growth rates. It shall, however, be borne in mind that there should be no undue prejudice to the interests of established suppliers or serious distortion in existing patterns of trade.

2. In recognition of the need for special treatment for exports of textile products from developing countries, the criterion of past performance shall not be applied in the establishment of quotas for their exports of products from those textile sectors in respect of which they are new entrants in the markets concerned and a higher growth rate shall be accorded to such exports, having in mind that this special treatment should not cause undue prejudice to the interests of established suppliers or create serious distortions in existing patterns of trade.

3. Restraints on exports from participating countries whose total volume of textile exports is small in comparison with the total volume of exports of other countries should normally be avoided if the exports from such countries represent a small percentage of the total imports of textiles covered by this Arrangement of the importing country concerned.

4. Where restrictions are applied to trade in cotton textiles in terms of this Arrangement, special consideration will be given to the importance of this trade to the developing countries concerned in determining the size of quotas and the growth element.

5. Participating countries shall not, as far as possible, maintain restraints on trade in textile products originating in other participating countries which are imported under a system of temporary importation for re-export after processing, subject to a satisfactory system of control and certification.

6. Consideration shall be given to special and differential treatment to re-imports into a participating country of textile products which that country has exported to another participating country for processing and subsequent re-importation, in the light of the special nature of such trade without prejudice to the provisions of Article 3.

ARTICLE 7

The participating countries shall take steps to ensure, by the exchange of information, including statistics on imports and exports when requested, and by other practical means, the effective operation of this Arrangement.

ARTICLE 8

1. The participating countries agree to avoid circumvention of this Arrangement by transshipment, re-routing, or action by non-participants. In particular, they agree on the measures provided for in this Article.

2. The participating countries agree to collaborate with a view to taking appropriate administrative action to avoid such circumvention. Should any participating country believe that the Arrangement is being circumvented and that no appropriate administrative measures are being applied to avoid such circumvention, that country should consult with the exporting country of origin and with other countries involved in the circumvention with a view to seeking promptly a mutually satisfactory solution. If such a solution is not reached the matter shall be referred to the Textiles Surveillance Body.

3. The participating countries agree that if resort is had to the measures envisaged in Articles 3 and 4, the participating importing country or countries concerned shall take steps to ensure that the participating country's exports against which such measures are taken shall not be restrained more severely than the exports of similar goods of any country not party to this Arrangement which are causing, or actually threatening, market disruption. The participating importing country or countries concerned will give sympathetic consideration to any representations from participating exporting countries to the effect that this principle is not being adhered to or that the operation of this Arrangement is frustrated by trade with countries not party to this Arrangement. If such trade is frustrating the operation of this Arrangement, the participating countries shall consider taking such actions as may be consistent with their law to prevent such frustration.

4. The participating countries concerned shall communicate to the Textiles Surveillance Body full details of any measures or arrangements taken under this Article or any disagreement and, when so requested, the Textiles Surveillance Body shall make reports or recommendations as appropriate.

ARTICLE 9

1. In view of the safeguards provided for in this Arrangement the participating countries shall, as far as possible, refrain from taking additional trade measures which may have the effect of nullifying the objectives of this Arrangement.

2. If a participating country finds that its interests are being seriously affected by any such measure taken by another participating country, that country may request the country applying such measure to consult with a view to remedying the situation.

3. If the consultation fails to achieve a mutually satisfactory solution within a period of sixty days the requesting participating country may refer the matter to the Textiles Surveillance Body which shall promptly discuss such matter, the participating country concerned being free to refer the matter to that body before the expiry of the period of sixty days if it considers that there are justifiable grounds for so doing. The Textiles Surveillance Body shall make such recommendations to the participating countries as it considers appropriate.

ARTICLE 10

1. There is established within the framework of GATT a Textiles Committee consisting of representatives of the parties to this Arrangement. The Committee shall carry out the responsibilities ascribed to it under this Arrangement.

2. The Committee shall meet from time to time and at least once a year to discharge its functions and to deal with those matters specifically referred to it by the Textiles Surveillance Body. It shall prepare such studies as the participating countries may decide. It shall undertake an analysis of the current state of world production and trade in textile products, including any measures to facilitate adjustment and it shall present its views regarding means of furthering the expansion and liberalization of trade in textile products. It will collect the statistical and other information necessary for the discharge of its functions and will be empowered

to request the participating countries to furnish such information.

3. Any case of divergence of view between the participating countries as to the interpretation or application of this Arrangement may be referred to the Committee for its opinion.

4. The Committee shall once a year review the operation of this Arrangement and report thereon to the GATT Council. To assist in this review, the Committee shall have before it a report from the Textiles Surveillance Body, a copy of which will also be transmitted to the Council. The review during the third year shall be a major review of this Arrangement in the light of its operation in the preceding years.

5. The Committee shall meet not later than one year before the expiry of this Arrangement in order to consider whether the Arrangement should be extended, modified or discontinued.

ARTICLE 11

1. The Textiles Committee shall establish a Textiles Surveillance Body to supervise the implementation of this Arrangement. It shall consist of a Chairman and eight members to be appointed by the parties to this Arrangement on a basis to be determined by the Textiles Committee so as to ensure its efficient operation. In order to keep its membership balanced and broadly representative of the parties to this Arrangement provision shall be made for rotation of the members as appropriate.

2. The Textiles Surveillance Body shall be considered as a standing body and shall meet as necessary to carry out the functions required of it under this Arrangement. It shall rely on information to be supplied by the participating countries, supplemented by any necessary details and clarification it may decide to seek from them or from other sources. Further, it may rely for technical assistance on the services of the GATT secretariat and may also hear technical experts proposed by one or more of its members.

3. The Textiles Surveillance Body shall take the action specifically required of it in articles of this Arrangement.

4. In the absence of any mutually agreed solution in bilateral negotiations or consultations between participating countries provided for in this Arrangement, the Textiles Surveillance Body at the request of either party, and following a thorough and prompt consideration of the matter, shall make recommendations to the parties concerned.

5. The Textiles Surveillance Body shall, at the request of any participating country, review promptly any particular measures or arrangements which that country considers to be detrimental to its interests where consultations between it and the participating countries directly concerned have failed to produce a satisfactory solution. It shall make recommendations as appropriate to the participating country or countries concerned.

6. Before formulating its recommendations on any particular matter referred to it, the Textiles Surveillance Body shall invite participation of such participating countries as may be directly affected by the matter in question.

7. When the Textiles Surveillance Body is called upon to make recommendations or findings it shall do so, except when otherwise provided in this Arrangement, within a period of thirty days whenever practicable. All such recommendations or findings shall be communicated to the Textiles Committee for the information of its members.

8. Participating countries shall endeavour to accept in full the recommendations of the Textiles Surveillance Body. Whenever they consider themselves unable to follow any such recommendations, they shall forthwith inform the Textiles Surveillance Body of the reasons therefor and of the extent, if any, to which they are able to follow the recommendations.

9. If, following recommendations by the Textiles Surveillance Body, problems continue to exist between the parties, these may be brought before the Textiles Committee or before the GATT Council through the normal GATT procedures.

10. Any recommendations and observations of the Textiles Surveillance Body would be taken into account should the matters related to such recommendations and observations subsequently be brought before the contracting parties to the GATT, particularly under the procedures of Article XXIII of the GATT.

11. The Textiles Surveillance Body shall, within fifteen months of the coming into force of this Arrangement, and at least annually thereafter, review all restrictions on textile products maintained by participating countries at the commencement of this Arrangement, and submit its findings to the Textiles Committee.

12. The Textiles Surveillance Body shall annually review all restrictions introduced or bilateral agreements entered into by participating countries concerning trade in textile products since the coming into force of this Arrangement, and required to be reported to it under the provisions of this Arrangement, and report annually its findings to the Textiles Committee.

ARTICLE 12

1. For the purposes of this Arrangement, the expression "textiles" is limited to tops, yarns, piece-goods, made-up articles, garments and other textile manufactured products (being products which derive their chief characteristics from their textile components) of cotton, wool, man-made fibres, or blends thereof, in which any or all of those fibres in combination represent either the chief value of the fibres or 50 per cent or more by weight (or 17 per cent or more by weight of wool) of the product.

2. Artificial and synthetic staple fibre, tow, waste, simple mono- and multi-filaments, are not covered by paragraph 1 above. However, should conditions of market disruption (as defined in Annex A) be found to exist for such products, the provisions of Article 3 of this Arrangement (and other provisions of this Arrangement directly relevant thereto) and paragraph 1 of Article 2 shall apply.

3. This Arrangement shall not apply to developing country exports of handloom fabrics of the cottage industry, or hand-made cottage industry products made of such handloom fabrics, or to traditional folklore handicraft textiles products, provided that such products are properly certified under arrangements established between the importing and exporting participating countries concerned.

4. Problems of interpretation of the provisions of this Article should be resolved by bilateral consultation between the parties concerned and any difficulties may be referred to the Textiles Surveillance Body.

ARTICLE 13

1. This Arrangement shall be deposited with the Director-General to the contracting parties to the GATT. It shall be open for acceptance, by signature or otherwise, by governments contracting parties to the GATT or having provisionally acceded to the GATT and by the European Economic Community.

2. Any government which is not a contracting party to the GATT, or has not acceded provisionally to the GATT, may accede to this Arrangement on terms to be agreed between that government and the participating countries. These terms would include a provision that any government which is not a contracting party to the GATT must undertake, on acceding to this Arrangement, not to introduce new import restrictions or intensify existing import restrictions, on textile products, in so far as such action would, if that government had been a contracting party to the GATT, be inconsistent with its obligations thereunder.

ARTICLE 14

1. This Arrangement shall enter into force on 1 January 1974.

2. Notwithstanding the provisions of paragraph 1 of this Article, for the application of the provisions of Article 2, paragraphs 2, 3 and 4 the date of entry into force shall be 1 April 1974.

3. Upon request of one or more parties which have accepted or acceded to this Arrangement a meeting shall be held within one week prior to 1 April 1974. Parties which at the time of the meeting have accepted or acceded to the Arrangement may agree on any modification of the date envisaged in paragraph 2 of this Article which may appear necessary and is consistent with the provisions of Article 16.

ARTICLE 15

Any participating country may withdraw from this Arrangement upon the expiration of sixty days from the day on which written notice of such withdrawal is received by the Director-General to the contracting parties to the GATT.

ARTICLE 16

This Arrangement shall remain in force for four years.

ARTICLE 17

The Annexes to this Arrangement constitute an integral part of this Arrangement.

Done at Geneva this twentieth day of December one thousand nine hundred and seventy-three, in a single copy in the English, French and Spanish languages, each text being authentic.

ANNEX A

I. The determination of a situation of "market disruption", as referred to in this Arrangement, shall be based on the existence of serious damage to domestic producers or actual threat thereof. Such damage must demonstrably be caused by the factors set out in paragraph II below and not by factors such as technological changes or changes in consumer preference which are instrumental in switches to like and/or directly competitive products made by the same industry, or similar factors. The existence of damage shall be determined on the basis of an examination of the appropriate factors having a bearing on the evolution of the state of the industry in question such as: Turnover, market share, profits, export performance, employment, volume of disruptive and other imports, production, utilization of capacity, productivity and investments. No one or several of these factors can necessarily give decisive guidance.

II. The factors causing market disruption referred to in paragraph I above and which generally appear in combination are as follows:

(i) A sharp and substantial increase or imminent increase of imports of particular products from particular sources. Such an imminent increase shall be a measurable one and shall not be determined to exist on the basis of allegation, conjecture or mere possibility arising, for example, from the existence of production capacity in the exporting countries;

(ii) These products are offered at prices which are substantially below those prevailing for similar goods of comparable quality

in the market of the importing country. Such prices shall be compared both with the price for the domestic product at comparable stage of commercial transaction, and with the prices which normally prevail for such products sold in the ordinary course of trade and under open market conditions by other exporting countries in the importing country.

III. In considering questions of "market disruption" account shall be taken of the interests of the exporting country, especially in regard to its stage of development, the importance of the textile sector to the economy, the employment situation, overall balance of trade in textiles, trade balance with the importing country concerned and overall balance of payments.

ANNEX B

1. (a) The level below which imports or exports of textile products may not be restrained under the provisions of Article 3 shall be the level of actual imports or exports of such products during the twelve-month period terminating two months or, where data are not available, three months preceding the month in which the request for consultation is made, or, where applicable, the date of institution of such domestic procedure relating to market disruption in textiles as may be required by national legislation, or two months or, where data are not available, three months prior to the month in which the request for consultation is made as a result of such domestic procedure, whichever period is the later.

(b) Where a restraint on the yearly level of exports or imports exists between participating countries concerned, whether provided for under Article 2, 3 or 4, covering the twelve-month period referred to in paragraph (a), the level below which imports of textile products causing market disruption may not be restrained under the provisions of Article 3 shall be the level provided for in the restraint in lieu of the level of actual imports or exports during the twelve-month period referred to in paragraph (a).

Where the twelve-month period referred to in paragraph (a) overlaps in part with the period covered by the restraint, the level shall be:

(i) The level provided for in the restraint, or the level of actual imports or exports, whichever is higher, except in case of overshipment, for the months where the period covered by the restraint and the twelve-month period referred to in paragraph (a) overlap; and

(ii) The level of actual imports or exports for the months where no overlap occurs.

(c) If the period referred to in paragraph (a) is specially adverse for a particular exporting country due to abnormal circumstances, the past performance of imports from that country over a period of years should be taken into account.

(d) Where imports or exports of textile products subject to restraints were nil or negligible during the twelve-month period referred to in paragraph (a), a reasonable import level to take account of future possibilities of the exporting country shall be established through consultation between the participating countries concerned.

2. Should the restraint measures remain in force for another twelve-month period, the level for that period shall not be lower than the level specified for the preceding twelve-month period, increased by not less than 6 percent for products under restraint. In exceptional cases where there are clear grounds for holding that the situation of market disruption will recur if the above growth rate is implemented, a lower positive growth rate may be decided upon after consultation with the exporting country or countries concerned. In exceptional cases where participating importing countries have small markets, an exceptionally high level of imports and a correspondingly low level of domestic production and where the implementation of the above growth rate would cause damage to those countries' minimum viable production, a lower positive growth rate may be decided upon after consultation with the exporting country or countries concerned.

3. Should the restraint measures remain in force for further periods, the level for each subsequent period shall not be lower than the level specified for the preceding twelve-month period, increased by six percent, unless there is further new evidence which demonstrates, in accordance with Annex A, that implementation of the above growth rate would exacerbate the situation of market disruption. In these circumstances, after consultation with the exporting country concerned, and reference to the Textiles Surveillance Body in accordance with the procedures of Article 3 a lower positive growth rate may be applied.

4. In the event any restriction or limitation is established under Article 3 or 4 on a product or products as to which a restriction or limitation had been suppressed in accordance with the provisions of Article 2, such subsequent restriction or limitation shall be not be re-established without full consideration of the limits of trade provided for under such suppressed restriction or limitation.

5. Where restraint is exercised for more than one product the participating countries agree that, provided that the total exports subject to restraint do not exceed the aggregate level for all products so restrained (on the basis of a common unit to be determined by the participating countries concerned), the agreed level for any one product may be exceeded by 7 percent save in exceptionally and sparingly used circumstances where a lower percentage may be justified in which case that lower percentage shall be not less than 5 percent. Where restraints are established for more years than one, the extent to which the total of the restraint level for one product or product group may, after consultation between the parties concerned, be exceeded in either year of any two subsequent years by carry forward and/or carryover is 10 percent of which carry forward shall not represent more than 5 percent.

6. In the application of the restraint levels and growth rates specified in paragraphs 1 to 3 above, full account shall be taken of the provisions of Article 6.

APPENDIX II

Copies of these agreements may be obtained from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

TEXTILE AND APPAREL AGREEMENTS

Cotton Textile and Apparel Agreements

Brazil	7071, 7380
Colombia	7148, 7723
Czechoslovakia	6754, 7103, 7626
El Salvador	7284, 7644
Greece	7149
Haiti	7256, 7754
Hong Kong	7012, 7267
Hungary	6947, 7230
India	6964
Italy [1]	7014, State Department Press Release 22; January 17, 1974
Jamaica	6357, 6915, 7720
Japan	7271
Korea	6152, 6250, 7310, 7496
Macao	7540
Malta [1]	6275, 7015, 7245, State Department Press Release 72; February 28, 1974
Malaysia	6953, 7597
Mexico	7152, 7732
Nicaragua	7433
Pakistan	6882, 7369, 7598, 7640, 7724
Peru	7220
Philippines	6344, 6416, 6979, 7719
Poland	6228, 6835
Portugal	6980, 7336, 7645, 7648, 7666
Republic of China	7249, 7468, 7590
Romania	7017
Singapore [1]	7048, State Department Press Release 47, February 11, 1974
Spain	6360, 7013
Thailand	7299
Yugoslavia	7032, 7631

Man-Made Fiber Textile and Apparel Agreements

Hong Kong	7494
Japan	7495
Korea	7499, 7632
Macao	7539, 7666
Malaysia	6954
Republic of China	7498, 7591
Singapore [1]	State Department Press Release 47; February 11, 1974

[1] Treaties and other International Acts Series number not yet assigned.

[FR Doc.74-8554 Filed 4-11-74;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

DIAMOND SHAMROCK CHEMICAL CO.

Extension of Temporary Tolerance

Diamond Shamrock Chemical Co., 1100 Superior Avenue, Cleveland OH 44114, was granted a temporary tolerance for negligible residues of the herbicide *cis*-2,5-dimethyl-*N*-phenyl-1-pyrrolidinecarboxamide (formerly *cis*-2,5-dimethyl-1-pyrrolidinecarboxanilide) in or on corn grain at 0.1 part per million on December 22, 1972, in connection with Pesticide Petition No. 2G1236 (notice was published in the FEDERAL REGISTER of January 3, 1973, (38 FR 77)). This temporary tolerance expired December 22, 1973.

The petitioner has requested a 1-year extension to obtain additional experimental data. It is concluded that such extension of the temporary tolerance for residues of the herbicide in or on corn grain at 0.1 part per million will protect the public health. A condition under which this temporary tolerance is extended is that the herbicide will be used in accordance with the temporary permit which is being issued concurrently and which provides for distribution under the Diamond Shamrock Chemical Co. name.

As extended, this temporary tolerance expires April 8, 1975.

This action is taken pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(j), 68 Stat. 516; 21 U.S.C. 346a(j)), the authority transferred to the Administrator of the Environmental Protection Agency (35 FR 15623), and the authority delegated by the Administrator to the Deputy Assistant Administrator for Pesticide Programs (36 FR 9038).

Dated: April 8, 1974.

EDWIN L. JOHNSON,
Acting Deputy Assistant Administrator for Pesticide Programs.

[FR Doc.74-8458 Filed 4-11-74;8:45 am]

[OPP-3200/35]

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 11, 1974, any person who (a) is or has been an applicant, (b) desires to assert a claim for compensation under section 3(c)(1)(D) against another applicant proposing to use supportive data previously submitted and approved, and (c) wishes to preserve his opportunity for determination of reasonable compensation by the Administrator must notify the Administrator and the applicant named in the FEDERAL REGISTER of his claim by certified mail. Every such claimant must include, at a minimum, the information listed in this interim policy published on November 19, 1973.

Applications submitted under 2(a) or 2(b) of the interim policy in regard to usage of existing supportive data for registration will be processed in accordance with existing procedures. Applications submitted under 2(c) will be held for the 60-day period before commencing processing. If claims are not received, the application will be processed in normal procedure. However, if claims are received within 60 days, the applicants against whom the particular claims are asserted will be advised of the alternatives available under the Act. No claims will be accepted for possible EPA adjudication which are received after June 11, 1974.

APPLICATIONS RECEIVED

EPA Reg. No. 241-175. American Cyanamid Company, Agricultural Division, P.O. Box 400, Princeton, New Jersey 08540. *Cygon 25 Systemic Insecticide.* Active Ingredients: dimethoate 25 percent. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 8612-TG. B & G Company, 10539 Maybank, Dallas, Texas 75220. *Dor-Chex Superior Emulsifiable Orchard Spray Oil.* Active Ingredients: Mineral Oil 98.0 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 3125-164. Chemagro Corporation, P.O. Box 4913, Kansas City, Missouri 64120. *Dasanit 10 percent Granular Insecticide-Nematicide.* Active Ingredients: *O,O*-Diethyl *O*-[*p*-(methylsulfinyl)phenyl] phosphorothioate 10 percent. Method of Support: Application proceeds under 2(b) of interim policy.

EPA Reg. No. 3125-213. Chemagro Corporation, P.O. Box 4913, Kansas City, Missouri 64120. *Dasanit 15 percent Granular Insecticide-Nematicide.* Active Ingredients: *O,O*-Diethyl *O*-[*p*-(methylsulfinyl)phenyl] phosphorothioate 15 percent. Method of Support: Application proceeds under 2(b) of interim policy.

EPA Reg. No. 3125-279. Chemagro Corporation, P.O. Box 4913, Kansas City, Missouri 64120. *Dasanit + Di-Syston 3 — 3 Spray Concentrate Insecticide — Nematicide.* Active Ingredients: O,O-Diethyl O-[p-(methylsulfinyl)phenyl] phosphorothioate 32 percent; O,O-Diethyl S-[2-(ethylthio) ethyl] phosphorodithioate 32 percent. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 4450-EO. Chemex Industries, Inc., P.O. Box 5072, 2822 35th Street, Tampa, Florida 33605. *Chemo-Cide 20.* Active Ingredients: Poly[oxyethylene(dimethyliminio)ethylene (dimethyliminio)-ethylene dichloride] 8.69 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 8764-EG. FMC Corporation, Citrus Machinery Division, P.O. Box 552, Riverside, California 92502. *Freshgard 604 Fungicide.* Active Ingredients: *sec*-butylamine 20.0 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 10182-RN. ICI America Inc., Concord Pike & New Murphy Road, Wilmington, Delaware 19899. *S. D. I. C. Sodium Dichloroisocyanurate Granular.* Active Ingredients: Sodium dichloro-s-triazinetrione 100 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 10182-RR. ICI America Inc., Concord Pike & New Murphy Road, Wilmington, Delaware 19899. *T. I. C. A. (Trichloroisocyanurate) Tablets.* Active Ingredients: Trichloro-s-triazinetrione 100 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 10182-RE. ICI America Inc., Concord Pike & New Murphy Road, Wilmington, Delaware 19899. *T. I. C. A. (Trichloroisocyanurate) Granular.* Active Ingredients: Trichloro-s-triazinetrione 100 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 777-20. Lehn & Fink Products, Division of Sterling Drug Inc., 225 Summit Avenue, Montvale, New Jersey 07645. *Lysol Brand Spray Disinfectant.* Active Ingredients: o-Phenylphenol 0.1 percent; n-Alkyl (C18 92 percent, C16 8 percent)-N-Ethyl Morpholinium Ethylsulfates 0.035 percent; Alcohol 67.748 percent. Method of Support: Application proceeds under 2(a) of interim policy.

EPA File Symbol 1021-RGNU. McLaughlin Gormley King Company, 8810 Tenth Avenue N., Minneapolis, Minnesota 55427. *Pyrocide Aerosol Mix 7137.* Active Ingredients: Pyrethrins 2.334 percent; Piperonyl butoxide, technical 3.340 percent; Rotenone 0.113 percent; Other Cube resins 0.227 percent; Petroleum distillate 60.666 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 33818-R. Prescott, Inc., 3305 West Griffith Street, P.O. Box 3957, Charlotte, North Carolina 28203. *Septan I Clearner-Deodorizer-Disinfectant-Fungicide.* Active Ingredients: n-Alkyl (60 percent C14, 30 percent C16, 5 percent C12, 5 percent C18) dimethyl benzyl ammonium chlorides 0.8 percent; n-Alkyl (68 percent C12, 32 percent C14) dimethyl ethylbenzyl ammonium chlorides 0.08 percent; Sodium Metasilicate 2.4 percent; Tetrasodium ethylenediamine tetraacetate 1.0 percent. Method of Support: Application proceeds under 2(b) of interim policy.

EPA Reg. No. 3696-71. Texize Chemicals Company, Division of Morton-Norwich Products Inc., P.O. Box 368, Greenville, South Carolina 29602. *Texize Pine Power Pine Type Disinfectant Cleaner.* Active Ingredients: Pine oil 19.9 percent; Isopropyl alcohol 11.0 percent; Ethyl alcohol 1.8 percent; Tetrasodium ethylenediamine tetraacetate 0.8 percent. Method of Support: Application proceeds under 2(a) of interim policy.

Dated: April 8, 1974.

JOHN B. RITCH, Jr.,
Director, Registration Division.

[FR Doc.74-8311 Filed 4-11-74;8:45 am]

VELSICOL CHEMICAL CORP.

Reextension of Temporary Tolerances

Velsicol Chemical Corp., 341 East Ohio Street, Chicago, IL 60611, was granted temporary tolerances (PP 0G0971) for combined residues of the insecticide

leptophos (*O*-(4-bromo-2,5-dichlorophenyl) *O*-methyl phenylphosphonothioate), its oxygen analog *O*-(4-bromo-2,5-dichlorophenyl) *O*-methyl phenylphosphonate, and its phenol hydrolysis product 4-bromo-2,5-dichlorophenol in or on the raw agricultural commodities broccoli and cabbage at 5 parts per million; tomatoes at 1 part per million; cottonseed at 0.3 part per million; potatoes at 0.15 part per million; and corn grain, including field corn and sweet corn (kernels plus cob with husk removed) at 0.03 part per million on June 30, 1971 (notice was published in the FEDERAL REGISTER of July 9, 1971 (36 FR 12922)). The tolerances expired June 30, 1972.

The firm received a 6-month extension of the temporary tolerances on August 16, 1972 (notice was published in the FEDERAL REGISTER of August 23, 1972 (37 FR 16992)), with the following changes:

a. The temporary tolerance for residues in or on field corn was deleted.

b. The temporary tolerance on fresh corn including sweet corn (kernels plus cob with husk removed) was increased from 0.03 to 0.05 part per million, and on tomatoes from 1 to 2 parts per million.

c. The expression of the residues was changed to include photolytic decomposition product *O*-(2.5-dichlorophenyl) *O*-methyl phenylphosphonothioate.

The temporary tolerances expired December 31, 1972.

The firm received a 1-year reextension of the temporary tolerances on June 5, 1973 (notice was published in the FEDERAL REGISTER of June 8, 1973 (38 FR 15103)) with the following changes:

a. The tolerances for residues in or on broccoli, cottonseed, and potatoes were deleted.

b. The tolerance for residues in or on fresh corn (kernels plus cob with husk removed) was increased from 0.05 to 0.2 part per million.

The firm has requested a 1-year reextension of the temporary tolerances, which expire June 5, 1974, for residues of leptophos, its oxygen analog *O*-(4-bromo-2,5-dichlorophenyl) *O*-methyl phenylphosphonate, its phenol hydrolysis product 4-bromo-2,5-dichlorophenol, and its photolytic decomposition product *O*-(2,5-dichlorophenyl) *O*-methyl phenylphosphonothioate in or on cabbage at 5 parts per million; tomatoes at 2 parts per million, and sweet corn (kernels plus cob with husk removed) at 0.2 part per million to obtain additional experimental data. It is concluded that such reextension will protect the public health. The temporary tolerances are therefore reextended on condition that the insecticide will be used in accordance with the temporary permits which are being issued concurrently and which provide for distribution under the Velsicol Chemical Corp. name.

As reextended, these temporary tolerances expire June 5, 1975.

This action is taken pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(j), 68 Stat. 516; 21 U.S.C. 346a(j)), the authority transferred to the Administrator of the Environmental Protection Agency (35 FR 15623), and the authority delegated by the Administrator to the Deputy Assistant Administrator for Pesticide Programs (36 FR 9038).

Dated: April 8, 1974.

EDWIN L. JOHNSON,
Acting Deputy Assistant Administrator for Pesticide Programs.

[FR Doc.74-8460 Filed 4-11-74;8:43 am]

[OPP—36006]

EVERGREEN HELICOPTERS, INC.

Denial of Registration of Pesticide

Application was made pursuant to section 3 of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended (86 Stat. 979), to register a pesticide containing DDT. The applicant, product, and intended use are:

Evergreen Helicopters, Inc., P.O. Box 358, McMinnville, Oregon 97128, E. H. I. DDT & Oil (Application No. 33814-R, Received January 30, 1974), for use in controlling the Douglas-fir tussock moth.

This application is denied for the following reasons. On June 14, 1972, the Administrator, Environmental Protection Agency (EPA), issued an Order (37 FR 13369) which cancelled most uses of DDT pursuant to the authority of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 135 et seq.). Although the use of DDT for control of the tussock moth is not specifically mentioned in that Order, use of DDT for control of tussock moth is prohibited since there is no present registration of DDT for this purpose.

Evergreen Helicopters, Inc., applied for registration of DDT intended for use against the tussock moth infestation on Boise Cascade Corporation lands (Northeast Oregon). Receipt of Evergreen's application by EPA was published in the FEDERAL REGISTER on February 22, 1974 (39 FR 6776). Solicitation of comments was made in this notice, but no comments have been received.

Evergreen Helicopters, Inc., had requested a decision on their application by March 1, 1974, since it was the applicant's understanding that the EPA was committed to reach a decision regarding a pending request by the U.S. Forest Service for an exemption from the prohibited use of DDT for control of the tussock moth pursuant to Section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended (86 Stat. 995).

EPA's disposition of the request of the U.S. Forest Service was published in the FEDERAL REGISTER on March 5, 1974 (38 FR 8377), in which the Administrator (EPA) granted emergency authorization to the Forest Service of the U.S. Department of Agriculture for contingency use of DDT to control the tussock moth epidemic in the Douglas-fir forests of Oregon, Washington, and Idaho.

In furthering the interest of achieving a uniform program embodying consistent criteria for the identification of areas to be sprayed and standard operational controls which minimize the environmental impact of DDT use (as mentioned in the Administrator's Order), the application for registration of Evergreen Helicopters, Inc., has been denied and the applicant has been notified.

It should be noted that the exemption Order was founded solely upon determinations made pursuant to section 18 of FIFRA, as amended, and the regulations thereunder (38 FR 33303), that an emergency condition may exist in certain areas of Oregon and Washington. As noted in the March 5, 1974, Order:

> Because exemptions under section 18 are given only when emergency conditions exist, are limited to time, and can be made very specific with regard to time, place, and manner of application, the information requirements for a section 18 exemption can be less than registration requirements under section 3 of the Act.

The Order further states that:

> The development of reliable, registerable alternatives to DDT for forest pest management must become a first priority for the Forest Service.

As stated in the Administrator's Order of March 5, 1974, it should be emphasized that it is EPA's understanding and expectation that the U.S. Forest Service will meet the control needs of Federal, State, and private lands.

Dated: April 10, 1974.

CHARLES L. ELKINS,
Acting Assistant Administrator for Hazardous Materials Control.

[FR Doc.74-8568 Filed 4-11-74;8:45 am]

FEDERAL POWER COMMISSION

[Docket No. ID-1306]

B. HUDSON MILNER

Order Granting Authorization Pursuant to Section 305(b) of the Federal Power Act

APRIL 8, 1974.

On July 24, 1973, B. Hudson Milner (Applicant), 311 Westnut Street, Louisville, Kentucky, was authorized by order of the Commission to hold the following positions:

President and Director, Louisville Gas and Electric Company, Public Utility.
President and Director, Ohio Valley Transmission Corporation,[2] Public Utility.
Director, Ohio Valley Electric Corporation,[3] Public Utility.

On January 25, 1974, Applicant filed a supplemental application for authorization pursuant to Section 305(b) of the Federal Power Act to hold the following additional position:

Vice President,[1] Indiana-Kentucky Electric Company,[4] Public Utility.

Louisville is engaged in the generation, transmission, distribution and sale of electricity and the distribution and sale

[1] Effective January 8, 1974.
[2] Subsidiary of Louisville.
[3] 7% owned by Louisville.
[4] Subsidiary of OVEC.

of natural gas in Louisville and surrounding territory in Kentucky.

OVTC owns and operates Indiana properties necessary in its parent's system operations but does not serve any ultimate consumer.

OVEC is engaged in the generation, transmission and sale of electric energy to the Atomic Energy Commission for operations of its gaseous diffusion project located near Portsmouth, Ohio. OVEC was formed in 1952 by fifteen private utility companies to provide electric energy to the AEC. Any excess energy not required by AEC is purchased by the sponsoring companies.

IKEC is engaged in the generation, transmission and sale of electric energy to its parent, OVEC, which in turn sells the energy to the Atomic Energy Commission for use in its gaseous diffusion project near Portsmouth, Ohio.

Written notice of this application was given by publication in the FEDERAL REGISTER on February 6, 1974 (39 FR 4686), stating that any person desiring to be heard or to make any protest with reference to the application shall file petitions or protests on or before February 28, 1974 with the Federal Power Commission, Washington, D.C. 20426. No petition or request to be heard in opposition to the granting of the application has been received.

The Commission having considered said supplemental application upon the information therein contained, and other information in relation thereto furnished by the Applicant and by the Staff of the Commission, finds:

Applicant has made due showing in the form and manner prescribed by this Commission that neither public nor private interests will be adversely affected by his holding the following positions pending further order of the Commission in regard thereto:

President and Director, Louisville Gas and Electric Company, Public Utility.
President and Director, Ohio Valley Transmission Corporation, Public Utility.
Director, Ohio Valley Electric Corporation, Public Utility.
Vice President, Indiana-Kentucky Electric Company, Public Utility.

The Commission orders:

(A) Until further order of the Commission, said Applicant is hereby authorized to hold the positions referred to in the above finding, subject to the provisions of Part 45 of the Commission's Regulations under the Federal Power Act, and to the specific reservation of the right of the Commission to require said Applicant to make a further showing that neither public nor private interests will be adversely affected by his holding said positions.

(B) All orders heretofore issued authorizing Applicant to hold positions pursuant to section 305(b) of the Federal Power Act are hereby superseded.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.74-8400 Filed 4-11-74;8:45 am]

[Docket No. E-8709]

BOSTON EDISON CO.

Notice of Filing of Initial Rate Schedule

APRIL 5, 1974.

Take notice that on March 29, 1974, Boston Edison Company (Edison) tendered for filing an initial rate schedule in the form of a letter contract, dated March 5, 1974, between Edison and the Braintree Electric Light Department (Braintree). The said letter contract provides that Braintree will place its Potter Station on a manned cold standby basis and will purchase from Edison the electricity which Potter Station would have generated. The contract further provides that Braintree's purchase shall not exceed 13,00 KW under the contract provisions, Braintree is to pay Edison monthly at the rate of $1.80 per kilowatt of purchase plus 5.4 mills per KWH of the first 300 KWH per kilowatt and 4.0 mills per KWH for all additional energy associated with such purchase. The contract also contains a fuel adjustment clause for the cost of fossil fuels used to generate electricity. Braintree agrees to operate Potter Station upon Edison's request for which there will be a proportional adjustment in the demand charge.

Edison requests an effective date of February 2, 1974, for said rate schedule.

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 or protests should be filed on or before April 19, 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.74-8410 Filed 4-11-74;8:45 am]

[Project No. 2487]

CENTRAL VERMONT PUBLIC SERVICE CORP.

Notice of Application for Surrender of License (Minor)

APRIL 5, 1974.

Public notice is hereby given that application was filed February 28, 1974, under the Federal Power Act (16 U.S.C. 791a-825r) by Central Vermont Public Service Corporation (Correspondence to: Mr. D. L. Rushford, General Counsel, Central Vermont Public Service Corporation, 77 Grove Street, Rutland, Vermont 05701) for surrender of its minor license for Hoosick Falls Project No. 2487, located on the Hoosick River in Rensselaer County, New York.

At the time the license for Project No. 2487 was issued on June 3, 1966, the project consisted of: (1) A concerete gravity dam approximately 220 feet long and 30 feet high surmounted by 2-foot flashboards, with a 150-foot spillway section and a concrete structure with sliding head gates; (2) a 16.3-acre reservoir with storage limited to hourly pondage; (3) a canal approximately 900 feet long and 75 feet wide, with three trash racks at the powerhouse end and a 53-foot concrete spillway equipped with 2-foot flashboards located directly below the dam; (4) a powerhouse containing two vertical generating units with a total installed capacity of 650 kw; (5) a 34.5 kv transmission line connecting the plant to the North Bennington substation; and (6) appurtenant facilities.

Applicant states that the turbines and generating units have been removed from the powerhouse, and that consequently the project has ceased to function as a source of electric power.

Applicant proposes to sell remaining project properties to the Village of Hoosick Falls, New York, upon acceptance of the surrender of license by the Commission. The Village of Hoosick Falls is interested in maintaining the impoundment of water behind the dam in order to preserve the water levels of the artesian wells in the community.

Any person desiring to be heard or to make protest with reference to said application should on or before May 24, 1974, filed with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed by it in determining the appropriate with the Commission will be considered action to be taken but will not serve to make the protestants parties to a proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-8413 Filed 4-11-74;8:45 am]

[Docket No. RI74-195]

CRA INTERNATIONAL, INC.

Notice of Petition for Special Relief

APRIL 8, 1974.

Take notice that on March 25, 1974, CRA International, Inc. (Petitioner), P.O. Box 2329, Tulsa, Oklahoma 74101, filed a petition for special relief pursuant to Order No. 481. Petitioner seeks approval of a rate increase to 50 cents per Mcf for compressed gas sold under its FPC Gas Rate Schedule No. 2 to Trunkline Gas Company from the Cage Ranch Field, Brooks County, Texas. Petitioner seeks the higher rate for gas

where compression is required in order to maximize gas production and to deplete the reservoirs.

Any person desiring to be heard or to make any protest with reference to said petition should on or before April 29, 1974, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any party wishing to become a party to a proceeding, or to participate as a party in any hearing therein, must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-8403 Filed 4-11-74;8:45 am]

[Project No. 553]

CITY OF SEATTLE

Notice Postponing Hearing

APRIL 5, 1974.

Several procedural motions and responses thereto have been filed in the above-designated matter. This notice will dispose of the above motions insofar as they relate to the time and place of the hearing as fixed by order issued February 4, 1974, and amended by notice issued March 19, 1974.

Upon consideration, notice is hereby given that the hearing in the above matter is postponed to April 23, 1974, to commence in Bellingham, Washington, and then moved to Seattle, Washington.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-8416 Filed 4-11-74;8:45 am]

[Docket No. E-8170]

GEORGIA POWER CO.

Notice of Extension of Time

APRIL 5, 1974.

On March 25, 1974, the Municipal Interveners filed a motion for a further extension of the procedural dates fixed by notice issued March 7, 1974, in the above-designated matter. The motion states that counsel for Georgia Power Company (Company), Cooperative Interveners, and the Commission Staff have been apprised of the requested dates and that they have no objection to the motion.

Upon consideration, notice is hereby given that the procedural dates in the above-designated matter are further modified as follows:

Service of testimony and exhibits by Interveners, April 12, 1974.
Service of rebuttal evidence by Company, May 1, 1974.
Prehearing Conference, June 5, 1974 (10:00 a.m. e.d.t.).
Hearing, June 5, 1974 (10:00 a.m. e.d.t.).

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-8409 Filed 4-11-74;8:45 am]

[Docket No. CI74-520]

JAMES M. FORGOTSON

Notice of Application

APRIL 8, 1974.

Take notice that on March 18, 1974, James M. Forgotson (Applicant), 409 Beck Building, Shreveport, Louisiana 71101, filed in Docket No. CI74-520 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce to United Gas Pipe Line Company (United) from acreage in the South Hallsville/Hosston-Cotton Valley Field, Harrison County, Texas, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to sell to United up to 5,000 Mcf of natural gas per day for six months from certain unspecified wells in the South Hallsville/Hosston-Cotton Valley Field at a rate of 55.0 cents per Mcf at 14.65 psia, subject to downward Btu adjustment if the heating value is less than 1,000 Btu per cubic foot and upward if the heating value is greater than 1,050 Btu per cubic foot, plus reimbursement for all taxes pursuant to a contract with United dated February 21, 1974, within the contemplation of § 2.70 of the Commission's General Policy and Interpretations (18 CFR 2.70).

Any person desiring to be heard or to make any protest with reference to said application should on or before April 29, 1974, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application, if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-8405 Filed 4-11-74;8:45 am]

[Docket No. RI74-194]

KWB OIL PROPERTY MANAGEMENT, INC.

Notice of Petition for Special Relief

APRIL 8, 1974.

Take notice that on March 22, 1974, KWB Oil Property Management, Inc. (Petitioner), 1125 National Bank of Tulsa Building, Tulsa, Oklahoma 74103, filed a petition for special relief pursuant to Order No. 481. Petitioner seeks approval of a rate increase to 40 cents per Mcf for sales of natural gas to Cities Service Gas Company from two wells in the North Hardtner Field, Barber County, Kansas. Petitioner seeks the rate increase for the purpose of making workovers feasible for these wells and to increase the recoverable gas reserves therefrom.

Any person desiring to be heard or to make any protest with reference to said petition should on or before April 29, 1974, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any party wishing to become a party to a proceeding, or to participate as a party in any hearing therein, must file a petition to intervene in accordance with the Commission's Rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-8406 Filed 4-11-74;8:45 am]

[Docket No. E-8365]

KANSAS CITY POWER & LIGHT CO.

Notice of Further Extension of Time and Postponement of Prehearing Conference and Hearing

APRIL 5, 1974.

On March 22, 1974, Commission Staff Counsel requested a further postponement of the procedural dates fixed by notice issued March 13, 1974, in the above-designated matter. Staff Counsel states that at an informal conference held among all parties on March 15, 1974, it was agreed to join in the Staff's request.

Upon consideration, notice is hereby given that the procedural dates in the above-designated matter are further modified as follows:

Staff service of testimony, April 5, 1974.
Intervener's service of testimony, April 19, 1974.
Company service of rebuttal testimony, May 3, 1974.
Prehearing Conference, May 13, 1974 (10:00 a.m., e.d.t.).
Hearing, May 13, 1974 (10:00 a.m., e.d.t.).

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-8412 Filed 4-11-74;8:45 am]

NATIONAL POWER SURVEY COORDINATING COMMITTEE

Meeting

Agenda for a meeting of the Coordinating Committee to be held at the Federal Power Commission Offices, 825 North Capitol Street, NE., Washington, D.C., April 17, 1974, 1:30 p.m., Room 5200.

1. Call to order by FPC Coordinating Representative.
2. Objectives and purposes of meeting.

A. Introductory Remarks—Mr. Shearon Harris.
B. Review of Progress Reports by Technical Advisory Committee Chairmen.
TAC on Power Supply—Mr. M. F. Hebb, Jr.
TAC on Fuels—Mr. Paul Martinka.
TAC on Finance—Mr. Gordon R. Corey.
TAC on Research and Development—Dr. H. Guyford Stever.
TAC on Conservation of Energy—Dr. Bruce Netschert.
C. Discussion of report completion schedule.
D. Discussion of new topics for the National Power Survey.

3. Adjournment.

This meeting is open to the public. Any interested person may attend, appear before, or file statements with the committee—which statements, if in written form, may be filed before or after the meeting, or, if oral, at the time and in the manner permitted by the committee.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-8493 Filed 4-11-74;8:45 am]

[Docket No. RP71-125]

NATURAL GAS PIPELINE CO. OF AMERICA

Notice of Filing of Revised Sheet

APRIL 5, 1974.

Take notice that on March 25, 1974, Natural Gas Pipeline Company of America (Natural) tendered for filing Fifteenth Revised Sheet No. 5 to its FPC Gas Tariff, Third Revised Volume No. 1. The said Revised Sheet is filed pursuant to the provisions of the Purchased Gas Cost Adjustment section of Natural's FPC Gas Tariff. Natural states its purpose is to track increased cost of gas purchased from a pipeline supplier. Natural proposes an effective date of May 1, 1974 for said Revised Sheet.

Natural states that it has notified its jurisdictional customers and interested state agencies regarding this filing.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE, Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before April 19, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-8411 Filed 4-11-74; 8:45 am]

[Docket No. E-7690]

NEPOOL POWER POOL AGREEMENT

Notice Clarifying Prior Notices

APRIL 8, 1974.

On March 13, 1974, a notice of extension of time and postponement of hearing was issued and amended by notice issued March 26, 1974.

The Prehearing conference will be held as scheduled on May 7, 1974, at 10:00 a.m. (e.d.t.). In accordance with Paragraph (H) of the order issued January 22, 1974, further procedural dates, including the hearing date, will be set by the Presiding Administrative Law Judge.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-8402 Filed 4-11-74;8:45 am]

[Docket No. CI74-524]

PETROLEUM CORP. OF DELAWARE

Notice of Application

APRIL 8, 1974.

Take notice that on March 25, 1974, The Petroleum Corporation of Delaware, 3303 Lee Parkway, Dallas, Texas 75219 (Applicant), filed in Docket No. CP74-524 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce to El Paso Natural Gas Company from acreage in the Parkway West Strawn and Atoka Fields, Eddy County, New Mexico, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to sell up to 1,300 Mcf of natural gas per day from its Parkway West Unit No. 1 well to El Paso at a rate of 45.0 cents per Mcf at 14.65 psia, subject to upward and downward Btu adjustment from a base of 1,000 Btu per cubic foot, for one year within the contemplation of § 2.70 of the Commission's General Policy and Interpretations (18 CFR 2.70). Applicant indicates that it has made an emergency sale of gas from the subject well to El Paso, within the contemplation of § 157.29 of the Commission's regulations under the Natural Gas Act (18 CFR 157.29), and that such sale expired March 27, 1974.

Any person desiring to be heard or to make any protest with reference to said application should on or before April 29, 1974, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by section 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion, believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-8404 Filed 4-11-74;8:45 am]

[Project No. 516, Docket No. E-7791]

SOUTH CAROLINA ELECTRIC & GAS CO.

Order Ruling on Motions

APRIL 4, 1974.

South Carolina Electric & Gas Company (SCE&G) filed a motion on January 11, 1974, requesting us to convene a prehearing conference of all parties to the hearing in Project No. 516 that we ordered September 10, 1973. The subject matter of this proceeding is fully discussed in our previous order.

SCE&G requests that the oral and written statements of position from persons other than Commission Staff, formal parties and intervenors contemplated by Ordering Paragraph (E)(4) of that September 10, 1973, Order be taken for the formal record at said prehearing conference, which would be held in the vicinity of the project.

We agree that a prehearing conference in this proceeding would serve a useful purpose and feel that public participation at this stage will aid us in our search for information on project utilization.

On February 14, 1974, The Committee to Save Lake Murray (Committee) filed a motion requesting us to rescind that portion of our September 10, 1973, Order which approved an easement grant to the Watergate Partnership for the purpose of constructing an effluent discharge line. Committee requests further that we take action to enjoin the discharge of effluent which is currently occurring through said line.

SCE&G filed a February 27, 1974, response to Committee's motion. SCE&G argues that the operation of Ordering Paragraph (A) of our September 10, 1973, Order requires Watergate Partnership to have obtained a Section 402 discharge permit under the Federal Water Pollution Control Act Amendments of 1972 (Amendments), 33 U.S.C. § 1342, on or before July 31, 1974, and that such permit should be treated as a condition subsequent to commencing discharge.

SCE&G contends alternatively that we have no jurisdiction to change any portion of the September 10, 1973, Order under Sec. 313(b) of the Federal Power Act, as the record of this proceeding has been certified to the U.S. Court of Appeals, District of Columbia Circuit, on petition of Committee and James E. Smith for review of the September 10 and November 2, 1973, Orders in this proceeding.

On November 2, 1973, we issued an order denying rehearing to James E. Smith on that portion of our September 10, 1973, Order pertaining to the abovementioned easements. Committee joined in James E. Smith's motion for rehearing by its October 10, 1973, petition to intervene. Now, Committee presses a collateral attack against both of these above-referenced orders.

We agree with SCE&G that Committee's February 14, 1974, motion should be denied. We received correspondence from Region IV Environmental Protection Agency (EPA) dated June 25, 1973, which certified that the contractor for the subject effluent discharge line had fulfilled all requirements for beginning to discharge tertiary treated waste water effluent under Amendments while awaiting issuance of a section 402 permit. We do not propose to look behind the above-cited Amendments and EPA's regulations. Since Committee's motion can be dismissed on this basis, we will not treat SCE&G's alternative allegation regarding our jurisdiction herein.

South Carolina Department of Parks, Recreation and Tourism (PRT), filed a March 7, 1974, motion for rehearing[1] of our order of February 5, 1974. Therein, we denied SCE&G's motion for severance and expedition of its application filed May 16, 1973, to lease Dreher Island and grant certain easements to PRT. We said that such application was inconsistent with our order of September 10, 1973, and should be reserved for the hearing heretofore ordered in Project No. 516.

PRT's motion offers no facts which could cause us to change our position in this matter. The questions raised by the Dreher Island application must still await the development of the required factual background for us to make an informed judgment on the utilization of Project No. 516. Therefore, we herein deny PRT's Motion for Rehearing[1] of Order.

The Commission finds. (1) It is appropriate and in the public interest for the purposes of the Federal Power Act and the September 10, 1973, Commission Order in Project No. 516 to grant South Carolina Electric and Gas Company's January 11, 1974, Motion for Order Setting Prehearing Conference.

(2) It would be inconsistent with prior Commission actions and the public interest to grant:

(a) The Committee to Save Lake Murray's February 14, 1974, Motion for Order Resciding Easement approved by our September 10, 1973, Order in Project No. 516;

(b) South Carolina Department of Parks, Recreation and Tourism's March 7, 1974, Motion for Rehearing[1] of Commission Order Denying Motion for Severance and Expedition of Application dated February 5, 1974.

The Commission orders. (A) A prehearing conference will commence April 30, 1974, at a time and location in the vicinity of Project No. 516 to be announced by the Presiding Administrative Law Judge, who will issue appropriate local public notice. The conference will comply with the directives of 18 C.F.R. § 1.18 and any specific procedures outlined by the Presiding Administrative Law Judge.

(B) The Presiding Administrative Law Judge shall at said conference receive for the record from interested members of the public oral or written statements of position and information pertaining to both present and anticipated utilization of project lands and waters and the pending applications on file with the Commission for Project No. 516. These statements will not be considered probative evidence, and thus will be offerable without representation, not subject to oath or cross-examination. Written statements may be received into the record as if read.

(C) After the close of the prehearing conference, the parties may make motions to the Presiding Administrative Law Judge concerning a schedule for the local portion of the hearing in this proceeding we ordered September 10, 1973.

(D) The Committee to Save Lake Murray's February 14, 1974, Motion for Order Rescinding Easement is hereby denied.

(E) South Carolina Department of Parks, Recreation and Tourism's March 7, 1974, Motion for Rehearing[1] of Order Denying Motion for Severance and Expedition of Application is hereby denied.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[1] Although the motion was styled a motion for rehearing, we are treating it as a motion for reconsideration inasmuch as our order of February 5, 1974, is not a final order.

[FR Doc.74-8415 Filed 4-11-74;8:45 am]

[Docket No. E-7160]

SOUTHEASTERN POWER ADMINISTRATION

Notice of Request for Approval of Rates and Charges

APRIL 5, 1974.

Notice is hereby given that the Secretary of the Interior (Secretary), acting on behalf of Southeastern Power Administration (SEPA) and pursuant to section 5 of the Flood Control Act of 1944 (58 Stat. 887, 890), filed with the Federal Power Commission on March 11, 1974, a request in Docket No. E-7160 for an extension of the Commission's confirmation and approval of SEPA's Wholesale Power Rate Schedules G-A-1 (Revised), G-A-2, ALA-1 (Revised), SC-1 (Revised), SC-2, CAR-1 (Revised) and CAR-2 (Revised) for the sale at wholesale of electric power and energy generated at certain federally-owned and operated reservoir projects located in the States of Alabama, Georgia and South Carolina, including the Allatoona, Buford, Clark Hill, Walter F. George, Hartwell, and Millers Ferry Projects. The Commission, by orders issued June 29 and September 10, 1970, in this docket (43 FPC 970 and 44 FPC 743), approved such rate schedules for the period ending not later than June 20, 1974. Approval of those rate schedules is now requested for the additional period of one year beginning June 20, 1974.

Rate Schedule G-A-1 (Revised) is available to public bodies and cooperatives (preference customers) in Alabama and energy generated at the Allatoona, Buford, Clark Hill, Walter F. George, Hartwell, and Millers Ferry Projects, and (2) deficiency energy purchased by SEPA from Alabama Power Company (Alabama Power) and Georgia Power Company (Georgia Power) for resale. Deliveries of power and energy sold by SEPA under this rate schedule are accomplished by means of the electric transmission systems of Alabama Power and Georgia Power, which wheel the power and energy to preference customers for the account of SEPA.

Rate Schedule G-A-2 is available to Alabama Power and Georgia Power. It is applicable to capacity and energy generated at the Allatoona, Buford, Clark Hill, Walter F. George, Hartwell, and Millers Ferry Projects and delivered at the project bus bar.

Rate Schedule ALA-1 (Revised) is available to Alabama Electric Cooperative, Inc. It is applicable to power and accompanying energy generated at the Walter F. George Project and delivered at the project bus bar.

Rate Schedule SC-1 (Revised) is available to the South Carolina Public Serv-

ice Authority (South Carolina Authority). It is applicable to power and accompanying energy generated at the Clark Hill Project and delivered at the project bus bar.

Rate Schedule SC–2 is available to any of the following entities whose power and energy requirements, or a portion thereof, SEPA contracts to supply by delivery over South Carolina Authority's electric facilities: (1) Any municipality or county located wholly or partly within South Carolina Authority's service area which owns an electric transmission or distribution system and seeks to purchase capacity and energy from SEPA for resale to consumers; (2) Central Electric Cooperative, Inc. (Central); or (3) any electric cooperative not a member of Central, but operating under the laws of the State of South Carolina wholly or partly within South Carolina Authority's service area and seeking to purchase capacity and energy from SEPA for resale to consumers. This rate schedule is applicable to power and accompanying energy generated at the Clark Hill Project.

Rate Schedule CAR–1 (Revised) is available to preference customers in North Carolina and South Carolina. It is applicable to power and accompanying energy generated at the Clark Hill and Hartwell Projects. Deliveries of power and energy sold by SEPA under this rate schedule are accomplished by means of the electric transmission system of Duke Power Company (Duke), which wheels power and energy to preference customers for the account of SEPA.

Rate Schedule CAR–2 (Revised) is available to Duke. It is applicable to capacity and energy generated at the Clark Hill and Hartwell Projects and delivered at the project bus bar.

SEPA's rates and charges, as set forth in the subject rate schedules, are generally as follows: The rates for capacity and energy sold at the bus bar of any project are $0.90 per kw per month for capacity and 2.65 mills per kwh for energy. The rates for capacity and energy wheeled and delivered to preference customers are $0.90 per kw per month for capacity and 3.25 mills per kwh for energy. The rate for dump energy, which may be purchased under Rate Schedules G–A–2, ALA–1 (Revised), SC–1 (Revised) and CAR–2 (Revised), is 2 mills per kwh, except that under Rate Schedule G–A–2 the charge is equal to 80 percent of the calculated saving in the cost of fuel but not to exceed 2 mills per kwh.

The Secretary represents, in substance, that the requested extension of approval of SEPA's rate schedules is necessary to allow additional time for SEPA to make new marketing arrangements and prepare new rate schedules which will provide for the disposal of the output of three projects now under construction as well as the output of six constructed projects named above which are in operation. The new projects are the West Point Project, which is scheduled to commence commercial operation in the summer of 1974, and the Jones Bluff and Carters Projects, which are scheduled to commence commercial operation in the spring of 1975.

The rate schedules of SEPA, as described above, are on file with the Commission and available for public inspection. Any person desiring to make comments or suggestions for the Commission's consideration with respect to said rate schedules should submit the same in writing on or before April 26, 1974 to the Federal Power Commission, Washington, D.C. 20426.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74–8414 Filed 4–11–74;8:45 am]

[Docket No. RP73–99]

SOUTHWEST GAS CORP.

Order Approving Settlement Agreement

APRIL 8, 1974.

On April 25, 1973, Southwest Gas Corporation (Southwest) filed a proposed increase in rates of $279,319. By Commission order dated May 25, 1973, the proposed increase was suspended for five months until October 26, 1973.

On October 2, 1973, a conference was held involving Southwest, Southwest's two jurisdictional customers and the FPC Staff. A settlement agreement was agreed upon which, if approved, would settle all issues in this case. On November 19, 1973, Southwest filed the proposed settlement agreement with the Commission. The proposed agreement was noticed on November 21, 1973. No comments thereon were received.

The settlement agreement results in a rate increase of .268¢ per therm, or .070¢ per therm less than the .338¢ per therm increase originally requested by Southwest. In addition, the settlement provides for the following: (1) A refund with interest of the difference between the October 26, 1973, rates and those agreed upon in the settlement or such other rates as may result from the application of the purchased gas adjustment provision; (2) a flow-through of refunds received from its sole supplier, El Paso Natural Gas, applicable to gas purchased by Southwest's jurisdictional customers; and (3) tracking increases or decreases in cost of purchased gas in accordance with Southwest's applicable purchased gas adjustment provisions.

The proposed settlement utilized a total cost of service of $18,623,694, based on a test period ending July 31, 1973,[1] as compared to Southwest's original cost of service of $19,146,555. The cost of service was classified using the unmodified Seaboard method and the costs were then allocated between jurisdictional and non-jurisdictional service using peak demand and annual volumes.

The settlement provides for the retention of block rates in Southwest's rate design. However, we note that on December 27, 1973, Southwest filed, in Docket No. RP74–51, a rate increase with proposed changes to alter its four block rate to include only three blocks. By order dated January 30, 1974, the Commission accepted for filing and suspended the proposed revised tariff sheets until June 30, 1974. The order also specifically directed the parties to present evidence on the possible elimination of the promotional block rates in favor of a rate design more consistent with sound gas conservation practice. Since the issue of rate design is to be fully explored in Docket No. RP74–51, the Commission will accept the rate design in the proposed settlement agreement.

Based on our review of the record in this proceeding, including the filings made by Southwest, the settlement agreements, and the summary cost of service we find that the rates and other terms and provisions of the settlement contract are reasonable and that the settlement contract represents reasonable resolution of the issues in this proceeding in the public interest and accordingly should be approved.

The Commission finds. Approval as hereinafter ordered of the settlement in this proceeding on the basis of the agreement filed on November 19, 1973, is just and reasonable and in the public interest in carrying out the provisions of the Natural Gas Act.

The Commission orders. (A) The settlement agreement filed herein on November 19, 1973, is incorporated herein by reference, approved and made effective as hereinafter ordered and conditioned.

(B) Southwest shall fully comply with each of the provisions of the settlement agreement and with the terms and conditions of this order.

(C) This order is without prejudice to any findings or orders which have been made or which will hereafter be made by the Commission, and is without prejudice to any claims or contentions which may be made by the Commission, its Staff, or any party or person affected by this order, in any proceeding now pending or hereafter instituted by or against Southwest or any other person or party .

(D) Within 30 days of the date of issuance of this order, Southwest shall file revised tariff sheets in compliance with the settlement agreement and the terms and conditions of this order.

(E) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.74–8399 Filed 4–11–74;8:45 am]

[Docket No. RI74–189]

SUN OIL CO.

Notice of Petition for Special Relief

APRIL 8, 1974.

Take notice that on March 22, 1974, Sun Oil Company (Petitioner), Southland Center, P.O. Box 2880, Dallas, Texas 75221, filed a petition for special relief pursuant to Order No. 481, Petitioner

[1] Attachment Filed as part of original document.

seeks approval of a rate increase to 40 cents per Mcf, plus ½ cent per Mcf annual escalations, for its interest in the sale of natural gas to Colorado Interstate Gas Company from the Minnie B. Ross Well No. 2 in the Keyes Field, Cimarron County Oklahoma. The effective rate is approximately 32.6 cents per Mcf after downward Btu adjustment. Petitioner states that the operator of the subject well, Ashland Oil, Inc., previously obtained similar relief by order issued January 24, 1973, in Docket No. RI74–55.

Any person desiring to be heard or to make any protest with reference to said petition should on or before April 29, 1974, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any party wishing to become a party to a proceeding, or to participate as a party in any hearing therein, must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74–8398 Filed 4–11–74;8:45 am]

[Docket Nos. RP72–23, etc.]

TRUNKLINE GAS CO.

Order Clarifying and Denying Reconsideration of Prior Order, Granting Interventions, and Changing Procedural Dates

APRIL 5, 1974.

Trunkline Gas Company (Trunkline) on March 5, 1974, filed a petition for reconsideration and clarification of the Commission's order issued herein on January 31, 1974. The petition also requests postponement of the procedural dates set forth in that order.

The January 31, 1974, order suspended and set for hearing that part of Trunkline's December 14, 1973, filing dealing with advance payments and with a 69.164¢ per Mcf small producer contract and permitted it to become effective, subject to refund, on February 2, 1974. The remainder of the filing was permitted to become effective without suspension on February 1, 1974, as proposed.

Trunkline's March 5, 1974, petition alleges, inter alia, that the Commission was without power to suspend the advance payment tracking rate increase since this part of the filing was "* * * a permissable implementation of an advance payment recovery under Trunkline's February 8, 1972, Rate Settlement, approved by the Commission on April 11, 1972 * * *"

We disagree. Article V of Trunkline's rate settlement permits Trunkline to track advance payments made in accordance with the Commission's outstanding advance payment orders. As our January 31, 1974, order indicates, the advance payments in the instant tracking filing were made pursuant to Order No. 465, 48 FPC 1550 (1972) which requires that advances be "reasonable and appropriate" in order to receive rate base treatment. We indicated that this showing had not been made by Trunkline and therefore suspended and set for hearing the advance payment tracking increase.

Trunkline asserts further that the Commission has not set forth sufficient reasons why the advances in the filing do not conform to Order No. 465. As noted above, we suspended the advance payment tracking filing because we found that none of the advances contained therein had been shown to be "reasonable and appropriate," as required by Order No. 465. Specifically, we were concerned that these advances were in excess of exploration, development and production costs to be incurred by the producer within a reasonable time from the date such amounts advanced were included in the pipeline's rate base.[1] We note further that our decision to suspend the advance payment tracking increase was not based upon our review of Staff Counsel's filed comments alone, but rather upon our own analysis of the filing and the advances contained therein.

Trunkline also requests that we vacate our suspension order as to the 69.164¢ per Mcf purchase from West Petroleum Company, which was part of the PGA section of the December 14, 1973, filing. Trunkline asserts that this purchase was not a "small producer contract" as indicated in their original filing, but rather an "emergency purchase", presumably subject to Order No. 491 and the subsequent orders in that docket.

It is not significant, in our view, whether the purchase is made pursuant to an Order No. 428 small producer contract or as an Order No. 491 [2] emergency purchase agreement since, under both orders, we have a responsibility to review the reasonableness of such purchase in the appropriate pipeline rate proceeding. Accordingly, we shall deny Trunkline's request as to this issue.

Finally, Trunkline requests an extension of at least 20 days from the date of issuance of this order to complete preparation of its prepared testimony and exhibits in this proceeding. Trunkline cites, inter alia, the complexity and novelty of the issues involved as reason for the extension. For good cause shown, we shall grant Trunkline's request for an extension of dates.

Petitions for leave to intervene in this proceeding were untimely filed by Northern Indiana Public Service Company and the Public Service Commission of the State of New York.

The Commission finds. (1) The grounds set forth in Trunkline's petition for reconsideration filed on March 5, 1973, present no facts or legal principles which would warrant any change or modification of our order issued January 31, 1974, in this proceeding.

(2) The participation in this proceeding of the above-named petitioners may be in the public interest.

(3) Good cause has been shown to grant Trunkline's request for an extension of procedural dates.

The Commission orders. (A) Trunkline's petition for reconsideration filed on March 5, 1974, is denied.

(B) Trunkline's request for an extension of procedural dates in this proceeding is granted, as set forth below.

(C) On or before April 30, 1974, Trunkline shall serve its prepared testimony and exhibits. The Commission Staff shall serve its prepared testimony and exhibits on or before June 4, 1974. Any intervenor evidence shall be served on or before June 18, 1974, any rebuttal evidence by Trunkline shall be served on or before July 9, 1974. The hearing in this proceeding shall be held on July 23, 1974.

(D) The parties listed in this order are permitted to intervene out of time in their proceeding subject to the Rules and Regulations of the Commission and the hearing procedures set forth in the Commission's order of January 14, 1974: *Provided, however,* That the participation of said intervenors shall be limited to matters affecting asserted rights and interests specifically set forth in their petitions to intervene, and *Provided, further,* That the admission of such intervenors shall not be construed as recognition by the Commission that it might be aggrieved by any order or orders entered in this proceeding.

(E) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.74–8417 Filed 4–11–74;8:45 am]

[Docket No. ID–1713]

W. W. HANCOCK, JR.

Order Granting Authorization Pursuant to Section 305(b) of the Federal Power Act

APRIL 8, 1974.

On January 2, 1974, W. W. Hancock, Jr. (Applicant), 311 West Chestnut Street, Post Office Box 354, Louisville, Kentucky, filed an initial application seeking authority to hold the following positions:

Vice President and Secretary,[1] Louisville Gas and Electric Company, Public Utility.
Vice President and Secretary,[1] Ohio Valley Transmission Corporation,[2] Public Utility.

Louisville Gas and Electric Company is a public utility engaged in the generation, transmission, distribution and sale

---

[1] See: *Columbia Gas Transmission Corporation,* Docket No. RP71–18, *et al.* issued February 9, 1973; *Order Denying of Order No. 499* issued February 22, 1974, in Docket No. RP74–4.

[2] See: *Valley Gas Transmission, Inc.* —— FPC —— issued January 11, 1974, in Docket No. RP73–94; rehearing granted in part —— FPC ——, issued February 22, 1974, in Docket No. RP73–94.

[1] Elected to these positions on December 5, 1973.

[2] Wholly-owned subsidiary of Louisville Gas and Electric Company.

of electricity and the distribution and sale of natural gas in Louisville and surrounding territory in Kentucky. Its subsidiary, Ohio Valley Transmission Corporation, owns and operates Indiana properties necessary to the parent's system operations but does not serve any ultimate consumers.

Written notice of this application was given by publication in the FEDERAL REGISTER on January 21, 1974 (39 FR 2408), stating that any person desiring to be heard or to make any protest with reference to the application shall file petitions or protests on or before January 31, 1974 with the Federal Power Commission, Washington, D.C. 20426. No petition or request to be heard in opposition to the granting of the application has been received.

The Commission having considered said initial application upon the information therein contained, and other information in relation thereto furnished by the Applicant and by the Staff of the Commission, finds:

Applicant has made due showing in the form and manner prescribed by this Commission that neither public nor private interests will be adversely affected by his holding the following positions pending further order of the Commission in regard thereto:

Vice President and Secretary, Louisville Gas and Electric Company, Public Utility.
Vice President and Secretary, Ohio Valley Transmission Company, Public Utility.

The Commission orders: Until further order of the Commission, said Applicant is hereby authorized to hold the position referred to in the above finding, subject to the provisions of Part 45 of the Commission's regulations under the Federal Power Act, and to the specific reservation of the right of the Commission to require said Applicant to make a further showing that neither public nor private interests will be adversely affected by his holding said positions.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.74-8407 Filed 4-11-74;8:45 am]

[Docket No. ID-1614]

WILLIAM H. DICKHONER

Order Granting Authorization Pursuant to Section 305(b) of the Federal Power Act

APRIL 8, 1974.

William H. Dickhoner (Applicant), Fourth and Main Streets, Cincinnati, Ohio 45202, was authorized by order of the Commission, issued June 9, 1970, in the above-entitled matter to hold the following positions:

Vice President, The Cincinnati Gas and Electric Company, Public Utility.
Vice President, The Union Light, Heat and Power Company, Public Utility.

On May 22, 1972, Applicant filed a supplemental application for authorization pursuant to Section 305(b) of the Federal Power Act to hold the following positions in lieu of those positions authorized by the Commission in their June 9, 1970 order:

Senior Vice President,[1] The Cincinnati Gas and Electric Company, Public Utility.
Senior Vice President,[2] The Union Light, Heat and Power Company, Public Utility.

Applicant also seeks authority to hold the following additional position:

Senior Vice President,[3] Miami Power Corporation, Public Utility.

Cincinnati Gas and Electric Company and its subsidiaries [4] provide electric service in nine counties in the southwesternmost part of Ohio and in parts of four counties in northern Kentucky lying directly south of Cincinnati. Gas service is provided in Cincinnati, in parts of five counties of northern Kentucky, and in parts of three counties in the southeasternmost part of Indiana. The Company's total service area is about 2,900 square miles and approximately 85% of its revenue is obtained in Ohio.

Union Light, Heat and Power Company sells electricity and natural gas in a 475 square mile area in Kentucky, serving a population of 251,000.

Miami Power Corporation owns and operates a 40-mile 138 KV transmission line from Company's Miami Fort Station through Kentucky to a point near Madison, Indiana, connecting with Louisville Gas and Electric Company.

Written notice of this application was given by publication in the FEDERAL REGISTER on July 10, 1973 (38 FR 18418), stating that any person desiring to be heard or to make any protest with reference to said application shall file petitions or protests on or before July 16, 1973 with the Federal Power Commission, Washington, D.C. 20426. No petition or request to be heard in opposition to the granting of the application has been received.

The Commission having considered said supplemental application upon the information therein contained, and other information in relation thereto furnished by the Applicant and by the Staff of the Commission, finds:

Applicant has made due showing in the form and manner prescribed by this Commission that neither public nor private interests will be adversely affected by his holding the following positions pending further order of the Commission in regard thereto:

Senior Vice President, The Cincinnati Gas and Electric Company, Public Utility.
Senior Vice President, The Union Light, Heat and Power Company, Public Utility.
Senior Vice President, Miami Power Corporation, Public Utility.

The Commission orders: (A) Until further order of the Commission, said Applicant is hereby authorized to hold the positions referred to in the above finding, subject to the provisions of Part 45 of the Commission's Regulations under the Federal Power Act, and to the specific reservation of the right of the Commission to require said Applicant to make a further showing that neither public nor private interests will be adversely affected by his holding said positions.

(B) All orders heretofore issued authorizing Applicant to hold positions pursuant to section 305(b) of the Federal Power Act are hereby superseded.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.74-8408 Filed 4-11-74;8:45 am]

[Docket No. CP74-7]

SOUTHERN NATURAL GAS CO.

Order Denying Petition for Reconsideration and Motion To Vacate and Terminate Proceedings

MARCH 18, 1974.

On December 27, 1973, Southern Natural Gas Company (Southern) was issued a permanent certificate of public convenience and necessity authorizing construction and operation of two new measuring stations replacing the facilities at four delivery points also authorized thereby to be abandoned along with certain pipeline and appurtenant facilities by sale to Atlanta Gas Light Company (Atlanta Gas) and with certain measuring facilities by removal and retirement. A condition to the certificate limits deliveries to Atlanta Gas through the two new measuring stations to 1972 volumes received through the abandoned facilities. The order established a date for a hearing to permit any party to show that the condition is not in the public interest and prescribed a date for service of testimony and exhibits. Pursuant to a subsequent motion by Atlanta Gas, the dates were extended. Evidence was to be served by February 5, 1974. On February 4, 1974, Atlanta Gas filed two requests with the Commission. The first was a petition for reconsideration of the volumetric limitation condition contained in the Order of December 27, 1973. The second was a motion for further postponement of the date for service of exhibits and testimony to March 4, 1974, and of the date of the hearing to March 12, 1974. On February 7, 1974, Staff Counsel filed a motion to vacate the order of December 27, 1973, and terminate the proceeding for failure of the parties to file any evidence by February 5, 1973, and for Southern's failure to formally accept the certificate granted on December 27, 1973. Staff Counsel alleged the latter failure to be a violation of § 157.20 of the Commission's Regulations Under the Natural Gas Act. On February 12, 1974, a notice was issued by the Secretary of the Commission deferring the procedural dates in the present

---

[1] Appointed to this position on April 26, 1972.
[2] Appointed to this position on May 5, 1972.
[3] Appointed to this position on May 5, 1972.
[4] Cincinnati Gas and Electric Company's wholly-owned subsidiaries are: Miami Power Corporation, Lawrenceburg Gas Company, Lawrenceburg Gas Transmission Corporation, Tri-State Improvement Company and The West Harrison Gas and Electric Company. Cincinnati controls 99.9% of The Union Light, Heat and Power Comany.

case until further order of the Commission.

Although Atlanta Gas' evidence was not filed by the date required, a motion for extension of time subject to the provisions of § 1.13(f) of the Commission's Rules of Practice and Procedure was presented before that date. No objection was raised as to timeliness of the motion. The notice issued by the Secretary on February 12, 1974, therefore, properly suspended the previously established procedural dates. The parties, thus, were not required to file their evidence on February 5, 1974.

Southern was not required to make formal acceptance of the certificate issued by our order of December 27, 1973. Southern would have been required to file an acceptance of the certificate within 30 days pursuant to § 157.20(a) had the order of December 27, 1973, contained a finding that the public convenience and necessity required such an acceptance. The order contained no such requirement.

The arguments contained in Atlanta Gas' petition for reconsideration involve matters which we recognized in issuing the order of December 27, 1973, would be better reserved for exploration in a full hearing concerning the appropriateness of the limitation on deliveries of gas to Atlanta Gas through the new measuring stations. In view of the failure of Atlanta Gas either to object to Carolina's volumetric limitation suggestion or to request a hearing prior to a determination on Southern's application, we fail to perceive any fundamental unfairness in granting the certificate in its present form or in denying Atlanta Gas' petition but permitting it to make a full presentation of its objections to the limiting condition in a post-decisional hearing.

The Commission finds. (1) The Staff Counsel's motion to vacate and terminate the proceedings should be denied.

(2) Atlanta Gas' objections to the volumetric limitation condition contained in the order of December 27, 1973, should be supported by evidence in a public hearing, and its petition for reconsideration should be denied.

The Commission orders. (A) The Staff Counsel's motion to vacate and terminate the proceedings is denied.

(B) Atlanta Gas' petition for reconsideration is denied.

(C) Pursuant to the authority of the Natural Gas Act, particularly sections 5 and 15 thereof, the Commission's rules of practice and procedure and the regulations under the Natural Gas Act a public hearing shall be held on April 16, 1974, at 10:00 a.m. (e.s.t.) in a hearing room of the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C., 20426.

(D) On or before March 26, 1974, Southern and Atlanta Gas shall file with the Commission and serve on all parties, including Commission staff, their testimony and exhibits in support of their position.

(E) To prevent further unnecessary delay in this proceeding, any additional motion for extension of time in this proceeding by any party will be deemed untimely unless filed with the Commission at least ten (10) days prior to the date sought to be extended.

(F) An Administrative Law Judge to be designated by the Chief Administrative Law Judge shall preside at, and control, this proceeding in accordance with the policies expressed in the Commission's rules of practice and procedure.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.74-8643 Filed 4-11-74;10:12 am]

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 74-24]

NASA LUNAR PLANNING COMMITTEE

Date and Place of Meeting

The NASA Lunar Planning Committee will meet at the University of California at San Diego on April 25, 26 and 27. The meeting will be held in Room 2102, the Urey Conference Room, Urey Hall, from 8:30 a.m. to 5 p.m. on April 25 and 26 and from 8:30 a.m. to 1 p.m. on April 27. The meeting is open to members of the public to within the 26-seat capacity of the room.

The NASA Lunar Planning Committee serves in a consultative capacity to the National Aeronautics and Space Administration to review the NASA lunar programs and objectives. The Committee has 16 members including the Chairman, Dr. Noel W. Hinners. At the meeting the Lunar Planning Committee will review the status of previous recommendations and action items, and will be briefed on the current budget outlook. The Lunar Photo Data Analysis Program, Advanced Programs and Technology, and the Data Analysis and Synthesis Program will be discussed. The Committee will be asked to critique their content and to recommend on Program balance. Committee reports on the Lunar Supporting Research and Technology Program, on the objectives for a potential lunar polar orbit mission, and on the progress of the Lunar Science Institute will be reviewed in final form. Future "Dear Colleague" letters for the Lunar Sample Research and for the Data Analysis and Synthesis Program will be critiqued. The value and future role of the Committee will be analyzed.

For further information regarding the meeting, please contact Dr. Richard J. Allenby, area code 202-755-1948.

BOYD C. MYERS II,
Assistant Associate Administrator for Organization and Management, National Aeronautics and Space Administration.

APRIL 8, 1974.

[FR Doc.74-8433 Filed 4-11-74;8:45 am]

[Notice 74-23]

NASA PHYSICAL SCIENCES COMMITTEE

Date and Place of Meeting

The Physical Sciences Committee of the NASA Space Program Advisory Council will meet at the headquarters of the National Aeronautics and Space Administration on April 18 and 19, 1974. The meeting will be held in room 6004 of Federal Office Building 6, located at 400 Maryland Avenue SW., Washington, DC 20546. The meeting is open to members of the public, from 9 a.m. to 4 p.m. on April 18, 1974, and from 9 a.m. to 3:30 p.m. on April 19, 1974, on a first-come, first-served basis to within the 40-seat capacity of the room. Visitors will be requested to sign a visitor's register.

The Physical Sciences Committee serves only in an advisory capacity to NASA. The Committee is concerned with all aspects of the physical sciences which are relevant to the space program, including lunar and planetary exploration, astronomy, and space physics. The Committee has 14 members including the Chairman, Dr. Michael B. McElroy. For further information regarding the meeting, please contact Mr. Guenter Strobel: area code 202-755-3645. The agenda for the meeting is as follows:

18 APRIL 1974

Time	*Topic*
9 a.m.–9:30 a.m.	*MVM '73 Preliminary Results* • • • Dr. Rasool *ACTION:* An overview of the preliminary scientific results of the Mariner 10 flyby of Venus and Mercury will be presented to the Committee. The Committee is required to assess these results and formulate recommendations on future planning for missions involving Venus and Mercury.
9:30 a.m.–10:30 a.m.	*Viking Experiment Status* • • • Dr. Rasool, Mr. Kraemer, Dr. Naugle *ACTION:* The status of the Viking program will be reported to the Committee. The Committee is required to consult and advise NASA on the timeliness and effectiveness of NASA programs. To fulfill this responsibility, it is necessary that the Committee periodically review the status of those programs, and recommend future actions.
10:30 a.m.–12 p.m.	*Working Problems & Issues* Chairman • • • *ACTION:* Members of the Committee are requested to discuss the issues they wish to raise with NASA, and to assess the kinds of issues NASA raises with the Committee, so that the Committee can recommend the most effective way its advice can assist NASA.
12 p.m.–1:30 p.m.	Lunch

18 APRIL 1974—Continued

1:30 p.m.–2:30 p.m. *SR&T Program Management* Dr. Smith

* * *

ACTION: An overview of NASA's SR&T program management will be presented to the Committee. The Committee is requested to recommend a future course of action by the Committee to review the program content and recommend new directions and emphasis in SR&T.

2:30 p.m.–3:30 p.m. *European Discussions* * * * Dr. Schardt, Mr. Kraemer

ACTION: The discussions concerning potential cooperative projects during the recent visit by NASA officials to Europe will be reported. The Committee is requested to comment and advise on the scientific merit of these projects and how they might relate to NASA's Space Science Mission plans.

3:30 p.m.–4 p.m. *Issues in FY 76 Budget/NASA Reorganizations* * * * Dr. Naugle

ACTION: The Committee is requested to assess and advise on the FY 76 Budget issues.

4 p.m.–5 p.m. *Executive Session* * * * Dr. Naugle, Chairman

ACTION: The Committee session will involve a critique of NASA programs, their implementation, and overall NASA objectives, as they may be affected by the recent NASA reorganization. Discussion of these topics will require frequent references to and comment on the professional qualifications of individuals working on NASA programs. Since discussion of these matters may invade the personal privacy of the individuals involved, the session will be closed pursuant to 5 U.S.C. 552(b)(6).

5 p.m. Adjourn.

19 APRIL 1974

9 a.m.–10 a.m. *LST Planning for Envolvement of the Scientific Community* * * * Dr. Schardt, Dr. C. R. O'Dell (MSFC)

ACTION: The Committee is requested to assess and comment on the planning for involvement of the scientific community in the LST program.

10 a.m.–10:45 a.m. *Pressurized Ballon Technology* * * * Dr. J. Weiss

ACTION: The Committee is requested to recommend the direction and scope of plans for NASA's Pressurized Balloon program.

10:45 am–11:15 a.m. *Explorer Planning Status* * * * Dr. Schardt

ACTION: The Committee is requested to comment and advise on a proposed AO for planning the next series of Explorer spacecraft.

19 APRIL 1974—Continued

11:15 a.m.–12:15 p.m. *Future Mars Exploration* * * * Dr. Mutch, Dr. Kvenvolden, Dr. Haskin, Dr. Hochstein

ACTION: The status of planning and studies for Future Mars Exploration and sample return will be reported to the Committee. The Committee is requested to assess and advise on future actions concerning the issues raised.

12:15 p.m.–2 p.m. Lunch

2 p.m.–3:30 p.m. *Working Session and Papers* * * * Chairman

ACTION: The members of the Committee will use this period to prepare individual working papers and draft Committee reports to the Assistant Associate Administrator for Organization and Management.

3:30 p.m. Adjourn

BOYD C. MYERS, II,
Assistant Associate Administrator for Organization and Management, National Aeronautics and Space Administration.

APRIL 8, 1974.

[FR Doc.74-8432 Filed 4-11-74;8:45 am]

[Notice 74-22]

NASA RESEARCH AND TECHNOLOGY ADVISORY COUNCIL COMMITTEE ON AERONAUTICAL OPERATING SYSTEMS

Notice of Meeting

The NASA Research and Technology Advisory Council Committee on Aeronautical Operating Systems will meet April 23–25, 1974, at the NASA Lewis Research Center, 21000 Brookpark Road, Cleveland, Ohio 44135. The meeting will be held in the Conference Room of the Administration Building. Members of the public will be admitted on a first-come, first-served basis, up to the seating capacity of the room, which is about 30 persons. All visitors must report to the Lewis Research Center main gate and thence to the receptionist in the Administration Building.

The NASA Research and Technology Advisory Council Committee on Aeronautical Operating Systems serves in an advisory capacity only. The Chairman is Mr. F. W. Kolk. There are 12 members. The following list sets forth the approved agenda and schedule for the April 23–25 meeting of this Committee. For further information, please contact Mr. Kenneth E. Hodge, Executive Secretary, Area Code 202, 755–2360.

APRIL 23, 1974

Time	*Topic*
8 a.m.	Registration of Members and Visitors
8:30 a.m.	Report of the Chairman (Purpose: To discuss the November 1973 meeting of the Council.)

APRIL 23, 1974—Continued

9 a.m.	Report of the Executive Secretary (Purpose: To inform the Committee members of recent NASA organizational and policy changes as well as to report on actions taken by Congress with respect to the budget.)
9:30 a.m.	Status Reports on NASA Research of Interest to the Committee (Purpose: To inform the members of progress made in Low Visibility Research Facility Development, Wake Turbulence Research, General Aviation Ditching Survey, and NASA Participation in the Federal Aviation Administration's Microwave Landing System Program. These reports respond to requests made by the members for continuing updates on selected research activities.)
1:30 p.m.	Review of Lewis Research Center's Operating Systems Research Programs (Purpose: To brief the Committee on Basic Noise Research, Propulsion Noise Reduction Research, Global Air Sampling Program, Alternate Aircraft Fuels Research, and Fuel Economy Techniques Research.)

APRIL 24, 1974

8 a.m.	General Discussion of Civil Aeronautical Operational Effectiveness (Purpose: To provide a discussion between NASA staff and Committee members on some current operational efficiency problems relating to fuel conservation, implementation of unconventional terminal operational techniques, and better utilization of future air traffic control system capabilities. This discussion will identify possible research needs which NASA may address.)
10 a.m.	Discussion of Aeronautical Energy Issues and Problems (Purpose: To discuss ways in which technology can best be applied to assure adequate and functional energy resources for air transportation in the future.)
1:30 p.m.	Continuation of Discussion of Aeronautical Energy Issues and Problems.

APRIL 25, 1974

8 a.m.	NASA Aircraft Fire Reduction Technology Program (Purpose: To acquaint the Committee with plans for materials and systems test programs which, in conjunction with other agency programs, might offer decreased likelihood of aircraft interior fires and post-crash fires within the next decade.)

APRIL 25, 1974—Continued

8:45 a.m....	Approach and Landing Hazards Research (Purpose: To describe for the Committee two research programs which are yielding results that offer increased insight into the causes and occurrences of approach and landing accidents, as well as offering new knowledge for the designers of future aircraft: Human error research and atmospheric wind shear research.)
9:30 a.m....	Members' Reports and General Discussion (Purpose: To exchange information of interest to the Committee and to discuss private sector operational research as it bears upon NASA research planning.)
12 Noon....	Adjournment.

BOYD C. MYERS II,
Assistant Associate Administrator for Organization and Management, National Aeronautics and Space Administration.

APRIL 8, 1974.

[FR Doc.74-8431 Filed 4-11-74;8:45 am]

OFFICE OF MANAGEMENT AND BUDGET

CLEARANCE OF REPORTS

List of Requests

The following is a list of requests for clearance of reports intended for use in collecting information from the public received by the Office of Management and Budget on April 9, 1974 (44 USC 3509). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number, if applicable; the frequency with which the information is proposed to be collected; the name of the reviewer or reviewing division within OMB, and an indication of who will be the respondents to the proposed collection.

The symbol (x) identifies proposals which appear to raise no significant issues, and are to be approved after brief notice through this release.

Further information about the items on this Daily List may be obtained from the Clearance Office, Office of Management and Budget, Washington, D.C. 20503, (202-395-4529).

NEW FORMS

DEPARTMENT OF COMMERCE

Bureau of the Census—School Enrollment Record Study, Form S-196, S-197, S-198, Single time, Planchon; Institutions reported by sample students.

DEPARTMENT OF DEFENSE

Department of the Navy—Planning and Management Systems in the Public Sector; Survey Questionnaire Form—, Single time, Sheftel; Planning and Budget Officials in Fed., State, local and educational agencies.

FEDERAL ENERGY ADMINISTRATION

FEO State Survey of Energy Data—Form —, Single time, Lowry; Government agencies.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Health Resources Administration—Application Instructions Grants for Training in Emergency Medical Services, Forms PHS 2499-1, PHS-2499-2, Occasional, Lowry; Public and private non-profit educa. entities/local Govt.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Health Resources Administration—Survey of Senior Students in Schools of Pharmacy, Form HRABHRD 0313, Single time, Caywood; Senior Pharmacy students.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Housing Management—Sec. 23 Housing Assistance Payments Program Management Capability and Proposed Management Program, Form HUD 52665, Occasional, Sheftel; Housing owners.

REVISIONS

DEPARTMENT OF AGRICULTURE

Extension Service—Evaluation of Mulligan Stew Television Series (4-H Program), Form ——, Single time, Caywood/Planchon; 4th, 5th, and 6th Grade teachers.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Equal Opportunity—Affirmative Fair Housing Marketing Plan, Form 935.2, Occasional, Sunderhauf; Developers and sponsors seeking FHA mortgage insurance.

Monthly Sales Report-Insured Home Mortgage Programs, Form 935.1, Occasional, Sunderhauf; Developers and sponsors under FHA mortgage insurance program.

VETERANS ADMINISTRATION

Credit Statement of Prospective Purchaser and Contract of Sale—Form 26-6705, Occasional, Caywood; Prospective purchaser.

EXTENSIONS

DEPARTMENT OF COMMERCE

Bureau of the Census—Applications for Excepted Appointment in the Field Service, Notice of Short-Term Employment, and Appointment Affidavit, Forms BC 50A, BC 50A.2(1), BC-50A.2(2), BC-50A.2(3), Occasional, Caywood; Individuals.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Social Security Administration—General Wage Questionnaire, Form SSA 7204, Occasional, Evinger (x).

Traveling Expense Questionnaire—Form SSA 7210, Annual, Evinger (x).

Request for Review of Part B Medicare Claim—Form SSA 1964, Occasional, Evinger (x).

Request for Hearing—Part B Medicare Claim, Form SSA 1965, Occasional, Evinger (x).

PHILLIP D. LARSEN,
Budget and Management Officer.

[FR Doc.74-8522 Filed 4-11-74;8:45 am]

TARIFF COMMISSION

[TEA-W-233]

CAPITOL FOOTWEAR CORP.

Notice of Investigation

On the basis of a petition filed under section 301(a)(2) of the Trade Expansion Act of 1962, on behalf of the workers and former workers of the Capitol Footwear Corp., Worcester, Massachusetts, the United States Tariff Commission, on April 9, 1974, instituted an investigation under section 301(c)(2) of the Act to determine whether, as a result in major part of concessions granted under trade agreements, articles like or directly competitive with footwear for men (of the types provided for in items 700.35 and 700.55 of the Tariff Schedules of the United States) produced by said firm are being imported into the United States in such increased quantities as to cause, or threaten to cause, the unemployment or underemployment of a significant number or proportion of the workers of such firm or an appropriate subdivision thereof.

The optional public hearing afforded by law has not been requested by the petitioners. Any other party showing a proper interest in the subject matter of the investigation may request a hearing, provided such request is filed within 10 days after the notice is published in the FEDERAL REGISTER.

The petition filed in this case is available for inspection at the Office of the Secretary, United States Tariff Commission, 8th and E Streets, N.W., Washington, D.C., and at the New York City office of the Tariff Commission located in Room 437 of the Customhouse.

Issued: April 9, 1974.

By order of the Commission:

[SEAL] KENNETH R. MASON,
Secretary.

[FR Doc.74-8472 Filed 4-11-74;8:45 am]

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

NATIONAL ADVISORY COMMITTEE ON OCCUPATIONAL SAFETY AND HEALTH

Notice of Meeting

Notice is hereby given of a special meeting on training and education to be held by the National Advisory Committee on Occupational Safety and Health established by section 7(a) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 556).

The meeting will begin at 9:00 a.m. on April 24 and April 25 in the Chanute Room, O'Hare International Tower, O'Hare Airport, Chicago, Illinois.

The agenda will include presentations and discussions related to the status of OSHA's training and education program, plans for the future, funding of state training programs, training of federal personnel, a review of current training

contracts with the National Safety Council and the University of Wisconsin School for Workers, plus a review of NIOSH training and education programs and plans.

If time permits on April 25, the proposed procedure for developing voluntary abatement agreements will be discussed.

Members of the public are invited to attend the proceedings and present their views related to OSHA training and education.

Any written data or views concerning the subjects to be considered which are received by the Committee's Executive Secretary two days prior to the meeting, together with 25 duplicate copies, will be provided to the members and will be included in the minutes of the meeting. Those persons desiring to make presentations at the meeting must also notify the Committee's Executive Secretary of their intention to appear, stating the amount of time requested and the capacity in which they will appear as well as a brief outline of the content of their presentation.

Communications to the Executive Secretary should be addressed as follows:

Ms. J. Goodell, Acting Executive Secretary
National Advisory Committee on Occupational Safety and Health
1726 M Street, N.W., Room 240
U.S. Department of Labor
Washington, D.C. 20210

Signed at Washington, D.C., this 10th day of April 1974.

J. GOODELL,
Acting Executive Secretary.

[FR Doc.74-8638 Filed 4-11-74;10:00 am]

INTERSTATE COMMERCE COMMISSION

[Notice 485]

ASSIGNMENT OF HEARINGS

APRIL 8, 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 postponement of hearings in which they are interested. No amendments will be entertained after the date of this publication.

MC-107450 Sub 3, Metropolitan Coach Corporation, now assigned May 6, 1974, at Washington, D.C., is postponed to May 29, 1974, at Richmond, Va., in a hearing room to be later designated.

MC 104656 Sub-12, Maidrell Motor Coach, Inc., now assigned May 14, 1974, at Easton, Md., is cancelled and the application is dismissed.

No. 35897, Continuous Movement of Chemicals & Petroleum Products In Bulk, now being assigned pre-hearing conference June 5, 1974, at the Offices of the Interstate Commerce Commission, Washington, D.C.

I & S No. 8927, Special Placement or Receipt of Cars, I.C.G. RR, Et Al., now being assigned hearing May 20, 1974, at the Offices of the Interstate Commerce Commission, Washington, D.C.

I & S No. 8926, Transit Charge On Compressed Cotton, Southern Territory, now being assigned hearing July 8, 1974, at the Offices of the Interstate Commerce Commission, Washington, D.C.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74-8479 Filed 4-11-74;8:45 am]

[Notice 29]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

APRIL 9, 1974.

The following publications (except as otherwise specifically noted, each applicant (on applications filed after March 27, 1972) states that there will be no significant effect on the quality of the human environment resulting from approval of its application), are governed by the new Special Rule 1100.247 of the Commission's Rules of Practice, published in the FEDERAL REGISTER, issue of December 3, 1963, which became effective January 1, 1964.

SPECIAL NOTICE. The publications hereinafter set forth reflect the scope of the applications *as filed* by applicant, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable by the Commission.

MOTOR CARRIERS OF PROPERTY

No. MC-F-12001. (Supplemental), Interstate Motor Freight System—Purchase (Portion)—Great Lakes Express Co., published in the October 3, 1973, issue of the FEDERAL REGISTER on page 27454. This supplemental notice reflects that fact that No. MC-35628, Interstate Motor Freight System—Petition for Clarification of Certificate, is a matter to be handled concurrently with this application. The petition seeks clarification of certificate No. MC-35628 respecting joinder at the junction of U.S. Highway 40 and 42.

HEARING: May 15, 1974 (3 days) 9:30 a.m. Local Time, in Room 235, Federal Building, 85 Marconi Boulevard, Columbus, Ohio.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74-8480 Filed 4-11-74;8:45 am]

[Notice 61]

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 May 2, 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-74942. By order of April 8, 1974, the Motor Carrier Board approved the transfer to John J. Scanlon, doing business as Atlas Van and Moving Company, New York, N.Y., of Certificate No. MC-42118 issued June 13, 1960, to Joseph August and Jacob August, a partnership doing business as Atlas Van and Storage Company, New York, N.Y., authorizing the transportation of household goods between New York, N.Y., on the one hand, and, on the other, points in Rhode Island, Massachusetts, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, and the District of Columbia. Mr. William D. Traub, 10 East 40th Street, New York, N.Y. 10016.

No. MC-FC-75034. By order of April 8, 1974, the Motor Carrier Board approved the transfer to Thorne Truck Lines, Inc., Memphis, Tenn., of Certificates of Registration No. MC-87951 Subs 2 and 3, issued to Hayes Thorne, dba Thorne Truck Lines, Memphis, Tenn., evidencing a right to engage in interstate or foreign commerce solely within the State of Tennessee. Edward G. Grogan, Attorney, 1st National Bank, Memphis, Tenn. 38103.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74-8477 Filed 4-11-74;8:45 am]

[Notice 60]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

Synopses of orders entered by Division 3 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 General Rules of Practice any interested person may file a petition seeking reconsideration of the following numbered proceedings on or before May 13, 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–74321. By order of April 3, 1974, Division 3, acting as an Appellate Division, on reconsideration approved the transfer to Nebraska-Iowa-Missouri Express, Inc., 1221 Baltimore Avenue, Kansas City, Mo. 64105, of that portion of the operating rights in Certificate No. MC–9644 issued January 7, 1971, to B.T.L., Inc., 631 Santa Fe, Kansas City, Mo. 64101, authorizing the transportation of general commodities, usual exceptions, between points in Buchanan County, Mo., on the one hand, and, on the other, points in Missouri north of U.S. Highway 36 and west of U.S. Highway 69, points in Iowa south of Iowa Highway 2 and west of U.S. Highway 69, and Nebraska City, Nebr., and points in its commercial zone, including points on the indicated portions of the highways specified.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74–8478 Filed 4–11–74;8:45 am]

[Notice 51]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

APRIL 8, 1974.

Important Notice. The following are notices of filing of application, except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application, for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC–67 (49 CFR 1131), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

No. MC 50069 (Sub-No. 486 TA), filed March 28, 1974. Applicant: REFINERS TRANSPORT & TERMINAL CORPORATION, 445 Earlwood Avenue, Oregon, Ohio 43616. Applicant's representative: Jack A. Gollan (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fuel oil*, in bulk, in tank vehicles, from Argo and Chicago, Ill., to Marion, Ohio; Lafayette, Ga.; Belle Glade, Fla.; New Bedford, Mass.; Memphis, Tenn.; Murray, Ky.; St. Joseph, Mo.; Medina, N.Y.; and Shiremanstown, Pa., for 180 days. SUPPORTING SHIPPER: Quaker Oats Corporation, 345 Merchandise Mart Plaza, Chicago, Ill. 60654. SEND PROTESTS TO: Keith D. Warner, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 313 Federal Office Bldg., 234 Summit Street, Toledo, Ohio 43604.

No. MC 51146 (Sub-No. 368 TA), filed March 29, 1974. Applicant: SCHNEIDER TRANSPORT, INC., P.O. Box 2298, Green Bay, Wis. 54306. Applicant's representative: Neil DuJardin (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass containers and closures* thereto, and those *materials and supplies* used in the manufacture of glass containers, from Shakopee, Minn., to Champaign and Chicago, Ill., and Sheboygan and Milwaukee, Wis., for 180 days. SUPPORTING SHIPPER: Midland Glass Company, Shakopee, Minn. SEND PROTESTS TO: District Supervisor John E. Ryden, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

No. MC 97310 (Sub-No. 17 TA), filed March 28, 1974. Applicant: SHARRON MOTOR LINES, INC., 1600 "B" Street, P.O. Box 5636, Meridian, Miss. 39301. Applicant's representative: Herman D. Vick (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Lamps, with or without globes, pole lamps, and shades*, serving the facilities of the Lawrin Company at or near Kosciusko, Miss., as an off-route point in connection with carrier's regular routes between Jackson, Miss., and Birmingham and Montgomery, Ala., for 180 days.

NOTE.—Applicant intends to interline with other carriers at all points of common service including Meridian, Miss., Birmingham and Montgomery, Ala.

SUPPORTING SHIPPER: The Lawrin Company, P.O. Box 728, Kosciusko, Miss. 39090. SEND PROTESTS TO: Alan C. Tarrant, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 212, 145 East Amite Building, Jackson, Miss.

No. MC 100666 (Sub-No. 278 TA), filed March 28, 1974. Applicant: MELTON TRUCK LINES, INC., P.O. Box 7666, 1129 Grimmett Drive, Shreveport, La. 71107. Applicant's representative: Wilburn L. Williamson, 280 National Foundation Life Building, 3535 NW. 58th Street, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural insecticides*, from Opelousas, La., to points in Texas, for 150 days. SUPPORTING SHIPPER: FMC Corporation, Suite 737, 6060 Roswell Road, Atlanta, Ga. 30328 (E. E. Hodges, III—Production Manager). SEND PROTESTS TO: Ray C. Armstrong, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room T–9038, U.S. Postal Service Building, 701 Loyola Avenue, New Orleans, La. 70113.

No. MC 107403 (Sub-No. 893 TA), filed March 29, 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: *Dry plastic pellets*, in bulk, in tank vehicles, from Xenia, Ohio, to Rochester, Ind., and Davisburg, Mich., for 180 days. SUPPORTING SHIPPER: G. R. Carpenter, Traffic Manager, Borg-Warner Chemicals, P.O. Box 68, Washington, W. Va. 26181. 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 111401 (Sub-No. 411 TA), filed March 29, 1974. Applicant: GROENDYKE TRANSPORT, INC., P.O. Box 632, 2510 Rock Island Boulevard, Enid, Okla. 73701. Applicant's representative: Victor R. Comstock (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lubricating oils*, in bulk, in tank vehicles, from Lake Charles, La., to Marion, Ill., for 180 days. SUPPORTING SHIPPER: W. Stuart Emmons, Hulburt Oil and Grease Company, 2200 E. Castor Avenue, Philadelphia, Pa. 19134. SEND PROTESTS TO: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 240, Old Post Office Building, 215 NW. Third, Oklahoma City, Okla. 73102.

No. MC 111729 (Sub-No. 425 TA), filed March 29, 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 copying and duplicating machines, restricted against the transportation of packages or articles weighing in the aggregate more than 100 pounds from one consignor to one consignee on any one day, between Charlotte, N.C., on the one hand, and, on the other points in South Carolina; and (2) *business papers, records, audit and accounting media of all kinds, and advertising materials*, between North Brunswick, N.J., on the one hand, and, on the other, Alexandria, Va.; Beltsville and Brentwood, Md.; Bridgeport, Conn.; Fall River and Seekonk, Mass.; Farmingdale, Rochester, Schenectady, Syracuse, and

Tonawanda, N.Y.; Nazareth, West Hazelton, and Williamsport, Pa., for 180 days. SUPPORTING SHIPPERS: Xerox Corporation, 3636 McKinney, Dallas, Tex. 75204; Frito-Lay, Inc., 1846 North U.S. Highway No. 1, North Brunswick, N.J. 08902. SEND PROTESTS TO: Anthony D. Giaimo, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 117574 (Sub-No. 236 TA), filed March 29, 1974. Applicant: DAILY EXPRESS, INC., P.O. Box 39, 1076 Harrisburg Pike, Carlisle, Pa. 17013. Applicant's representative: James D. Hagar, P.O. Box 1166, Harrisburg, Pa. 17108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled articles weighing 15,000 pounds or more and attachments, parts and accessories* for such self-propelled articles, between Spotsylvania County, Va., on the one hand, and, on the other, points in the United States in and east of Minnesota, Iowa, Missouri, Arkansas, and Louisiana, for 180 days. SUPPPORTING SHIPPER: American Poclain Corporation, 300 South Randolphville Road, Piscataway, N.J. 08854. SEND PROTESTS TO: Robert P. Amerine, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 278 Federal Building, P.O. Box 869, Harrisburg, Pa. 17108.

No. MC 117664 (Sub-No. 8 TA), filed March 28, 1974. Applicant: DENTON TRUCKING, INC., P.O. Box 33, Crystal Ave., Denton, Md. 21629. Applicant's representative: Chester A. Zyblut, 1522 K St., NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer ingredients*, dry, in dump vehicles, from Hopewell, Va., to points in Caroline County, Md., and Sussex County, Del., for 180 days. SUPPORTING SHIPPERS: R. Byron Palmer, President Soil Service, Inc., P.O. Box 94, Seaford, Del. 19973; Walter B. Palmer, Jr., Partner Soil Service, P.O. Box 336, Denton, Md. 21629. SEND PROTESTS TO: William L. Hughes, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 814–B, Federal Building, Baltimore, Md. 21201.

No. MC 119641 (Sub-No. 121 TA), filed March 29, 1974. Applicant: RINGLE EXPRESS, INC., 450 East 9th Street, P.O. Box 471, Fowler, Ind. 47944. Applicant's representative: Leo A. Maciolek, Box 335, Route No. 1, Moline, Ill. 61265.. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from the plant site of Bethlehem Steel Corporation at Lackawanna, N.Y., to points in Illinois, Indiana, and Lower Peninsula of Michigan, for 150 days. SUPPORTING SHIPPER: Bethlehem Steel Corporation, Bethlehem, Pa. 18016. SEND PROTESTS TO: J. H. Gray, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 345 W. Wayne Street, Room 204, Ft. Wayne, Ind. 46802.

No. MC 123090 (Sub-No. 1 TA), filed March 29, 1974. Applicant: FRANK MARCELLO AND PAUL R. MARCELLO, doing business as MARCELLO'S SERVICE, 431 Portzer Road, R.D. No. 2, Quakertown, Pa. 18951. Applicant's representative: Paul R. Marcello (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Men's dress shirts*, in individual boxes, from the plant of Abbeville Shirtmakers, Inc. at Abbeville, S.C., to Emmaus, Pa., for 180 days. SUPPORTING SHIPPER: Rodney L. Wieder, Manager (Dist. Center), Boonshaft, Inc., State Road and Harrison Street, Emmaus, Pa. 18049. SEND PROTESTS TO: F. W. Doyle, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Federal Building, 600 Arch Street, Room 3238, Philadelphia, Pa. 19106.

No. MC 124078 (Sub-No. 585 TA), filed March 29, 1974. Applicant: SCHWERMAN TRUCKING CO., 611 South 28th Street, Milwaukee, Wis. 53246. Applicant's representative: Richard H. Prevette (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Diesel fuel*, in bulk, in tank vehicles, between Huron, Ohio, on the one hand, and, on the other, Atlanta, Ga.; Charleston, W .Va.; Dallas, Tex.; Detroit, Mich.; Fort Wayne, Ind.; Grand Rapids, Mich.; Houston, Tex.; Indianapolis, Ind.; Little Rock, Ark.; Louisville, Ky.; Memphis, Tenn.; Nashville, Tenn.; Peoria, Ill.; Roanoke, Va.; and St. Louis, Mo., for 180 days. SUPPORTING SHIPPER: The Kroger Co., 1014 Vine Street, Cincinnati, Ohio 45201 (James A. Shearer, Manager, Freight Pricing). SEND PROTESTS TO: District Supervisor John E. Ryden, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

No. MC 126681 (Sub-No. 2 TA), filed March 29, 1974. Applicant: SCOTTY'S TRUCK LINE, INC., Mammoth Spring, Ark. 72554. Applicant's representative: John J. Keller, 145 West Wisconsin Avenue, Neenah, Wis. 54956. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Glass food containers* (bottles, jars, and jugs), from Jonesboro, Ark., to points in Colorado, Iowa, Kansas, Michigan, Minnesota, Ohio, and South Carolina, under a continuing contract with Arkansas Glass Container Corporation, for 180 days. SUPPORTING SHIPPERS: Arkansas Glass Container Corporation, P.O. Box 1266, Jonesboro, Ark. 72401; Packaging, A Division of Fleming Industries, 311 East 17th Street, Box 638, Topeka, Kans. 66601; M. A. Gedney Company, Box 8, Chaska, Minn. 55318; Vintage Foods, Inc., 17558 Bailey Road, Bailey, Mich. 49303; Sunstar Foods, Inc., Robb Ross Div., Box 626, Sioux City, Iowa 51102; Speas Company, 2400 Nicholson Avenue, Kansas City, Mo. 64120; and Royal Crown Cola Company, 4600 Dues Drive, Cincinnati, Ohio 45246. SEND PROTESTS TO: District Supervisor William H. Land, Jr., Interstate Commerce Commission, Bureau of Operations, 2519 Federal Office Building, 700 West Capitol, Little Rock, Ark. 72201.

No. MC 133689 (Sub-No. 48 TA), filed March 28, 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 vehicles, over irregular routes, transporting: *Such merchandise* as is dealt in by wholesale, retail, and chain grocery and food business houses, and in connection therewith, *equipment, materials, and supplies* used in the conduct of such business (except commodities in bulk), from the Jonathon Industrial Park at or near Chaska, Minn., to Champaign and Urbana, Ill., for 180 days. SUPPORTING SHIPPER: Super Valu Stores, Inc., 101 Jefferson Avenue South, Hopkins, Minn. 55343. SEND PROTESTS TO: Raymond T. Jones, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building, U.S. Courthouse, 110 So. 4th Street, Minneapolis, Minn. 55401.

No. MC 134145 (Sub-No. 45 TA), filed March 29, 1974. Applicant: NORTH STAR TRANSPORT, INC., Route 1, Thief River Falls, Minn. 56701. Applicant's representative: Robert P. Sack, P.O. Box 6010, West St. Paul, Minn. 55118. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Machines, computing, and parts, materials, and supplies* (except commodities in bulk) used in the manufacturing thereof, (1) from Cambridge, Ohio, to Rochester and Mount Clemens, Mich.; and (2) from Mayville, Wis., to Rochester and Mount Clemens, Mich., and Nashville, Tenn., for 180 days. SUPPORTING SHIPPER: Computer Peripheral, Inc., 8100 34th Avenue South, Minneapolis, Minn. 55420. SEND PROTESTS TO: J. H. Ambs, District Supervisor, Bureau of Operations, Interstate Commerce Commission, P.O. Box 2340, Fargo, N. Dak. 58102.

No. MC 136407 (Sub-No. 4 TA), filed March 29, 1974. Applicant: COORS TRANSPORTATION COMPANY, 5101 York Street, Denver, Colo. 80216. Applicant's representative: Leslie R. Kehl, 1600 Lincoln Center Building, 1660 Lincoln Street, Denver, Colo. 80203. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Confectionery, chocolate, chocolate coating, cocoa, cocoa and/or chocolate compounds, cocoa butter, and flavoring syrup* in vehicles equipped with mechanical refrigeration, from Oakdale, Calif., to points in Colorado, Utah, Oregon, and Washington, for 180 days. SUPPORTING SHIPPER: Hershey Foods Corporation, 19 E. Chocolate Avenue, Hershey, Pa. 17033. SEND PROTESTS TO: District Supervisor Herbert C. Ruoff, Interstate Commerce Commission, Bureau of Operations, 2022 Federal Building, Denver, Colo. 80202.

No. MC 138235 (Sub-No. 2 TA), filed March 27, 1974. Applicant: DECKER TRANSPORT COMPANY, INCORPORATED, 5 Ida Street, Haledon, N.J. 07508. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Steel storage buildings, shelving, screen houses, aluminum products, materials, equipment, and supplies* used or useful in manufacture and sale of the foregoing commodities, except commodities in bulk, for the account of Arrow Group Industries, Incorporated, (1) between Pompton Plains, N.J., on the one hand, and, on the other, Los Angeles, San Francisco, Hayward, Fresno, and Visalia, Calif.; Denver and Pueblo, Colo.; St. Louis, Kansas City, Springfield, and Columbia, Mo.; Omaha and Fremont, Nebr.; Springfield and points in Cook County, Ill.; Milwaukee, Wis.; Pittsburgh and Philadelphia, Pa.; and points in Texas and Georgia; and (2) between Breese, Ill., on the one hand, and, on the other, Los Angeles, San Francisco, and San Leandro, Calif.; Baltimore and Landover, Md.; Jackson and Meridian, Miss.; Albany and Syracuse, N.Y.; Portland, Oreg.; Pittsburgh, Pa.; and points in Florida, Georgia, and Texas, for 180 days. SUPPORTING SHIPPER: Arrow Group Industries, Inc., 1000 Alexander Avenue, Pompton Plains, N.J. SEND PROTESTS TO: District Supervisor Joel Morrows, Interstate Commerce Commission, Bureau of Operations, 9 Clinton Street, Newark, N.J. 07102.

No. MC 138420 (Sub-No. 10 TA), filed March 29, 1974. Applicant: CHIZEK ELEVATOR & TRANSPORT, INC., P.O. Box 147, Cleveland, Wis. 53015. Applicant's representative: Wayne W. Wilson, 329 W. Wilson Street, Madison, Wis. 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Malt beverages and related advertising equipment, premiums, materials, and supplies* when shipped therewith from Columbus, Ohio, to Appleton, Arcadia, Fond du Lac, Green Bay, Manitowoc, Prairie du Chien, Sheboygan, Sparta, Sturgeon Bay, and Spring Green, Wis.; and (2) *empty, used malt beverage containers*, from Appleton, Arcadia, Fond du Lac, Green Bay, Manitowoc, Prairie du Chien, Sheboygan, Sparta, Sturgeon Bay, and Spring Green, Wis., to Columbus, Ohio, for 180 days. SUPPORTING SHIPPER: There are approximately 9 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. SEND PROTESTS TO: District Supervisor John E. Ryden, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

No. MC 138750 (Sub-No. 3 TA), filed March 29, 1974. Applicant: W. F. BARTHELME, doing business as BARTHELME DIST. CO., 1602 North Broadway, Pittsburg, Kans. 66762. Applicant's representative: Lester C. Arvin, 814 Century Plaza Building, Wichita, Kans. 67202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Hides*, in containers, from the plant site and facilities of (1) Hyplains Dressed Beef, Incorporated, Dodge City, Kans.; and (2) Farmland Foods, Incorporated, Garden City, Kans., to Denver, Colo., for 180 days. SUPPORTING SHIPPER: A. J. Hollander, Inc., Dodge City, Kans. SEND PROTESTS TO: M. E. Taylor, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 501 Petroleum Building, Wichita, Kans. 67202.

No. MC 139363 (Sub-No. 2 TA), filed March 26, 1974. Applicant: CLIFFORD M. WEBSTER, ALVIN R. OTT, AND JEROME M. OTT, doing business as JAC CO., 3913 Sycamore Avenue, Madison, Wis. 53714. Applicant's representative: Clifford M. Webster (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lumber products*, from Deerfield, Wis., to points in Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Nebraska, and Ohio, under contract with East Asiatic Co., Inc., and International Mouldings Inc. of Deerfield, Wis.; (2) *lumber products*, from Madison, Wis., and its Commercial Zone to points in Illinois, Indiana, Iowa, Michigan, Minnesota, North Dakota, Ohio, and South Dakota, under contract with Production Finishing Corp. of Middleton, Wis.; (3) *lumber products*, from Madison, Wis., to points in Illinois, Indiana, Iowa, Michigan, and Minnesota; and (4) *materials, supplies and equipment* used or useful in the manufacture thereof, from points in Illinois, Iowa, and Minnesota to Madison, Wis., under contract in (3) and (4) above with Industrial Finishing Inc. of Madison, Wis., for 180 days. SUPPORTING SHIPPERS: East Asiatic Co., Inc., Deerfield, Wis.; International Mouldings Inc., Deerfield, Wis.; Production Finishing Corp., Middleton, Wis.; and Industrial Finishing Inc., Madison, Wis. SEND PROTESTS TO: Barney L. Hardin, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 139 W. Wilson Street, Room 202, Madison, Wis. 53703.

No. MC 139438 (Sub-No. 1 TA), filed March 29, 1974. Applicant: KELLEY FREIGHT SYSTEMS, INC., 13191 Lincoln Street, NE, Blaine, Minn. 55433. Applicant's representative: Robert P. Sack, P.O. Box 6010, West St. Paul, Minn. 55118. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Pre-packaged homes and buildings*, complete or in sections and all *equipment, supplies, and component parts* used in the construction, erection or completion of such homes or buildings, from Minneapolis, Minn., to points in Iowa, Michigan, North Dakota, South Dakota, and Wisconsin, for 180 days. SUPPORTING SHIPPER: Shelterbuilt, Inc., 1640 East 78th Street, Minneapolis, Minn. 55423. SEND PROTESTS TO: Raymond T. Jones, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building, U.S. Courthouse, 110 So. 4th Street, Minneapolis, Minn. 55401.

No. MC 139636 TA, filed March 26, 1974. Applicant: CAN-AM DISTRIBUTORS AND WAREHOUSE, INC., Rt. 1, Box 108A, Big Cabin, Okla. 74332. Applicant's representative: William P. Parker, 280 National Foundation Life Bldg., 3535 NW. 58th St., Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood products and plastic articles*, from the plantsite and warehouse facilities of Forster Manufacturing Co., Inc., Wilton, Maine, to New Orleans, Dallas, Tex.; Kansas City and St. Louis, Mo.; Billings, Mont.; Seattle, Wash.; Denver, Colo.; and Los Angeles and San Francisco, Calif., for 180 days. SUPPORTING SHIPPER: Donald J. Baldwin, Treasurer, Foster Mfg., Co., Inc., Wilton, Maine 04294. SEND PROTESTS TO: C. L. Phillips, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Rm. 240—Old P.O. Bldg., 215 NW. Third, Oklahoma City, Okla. 73102.

No. MC 139963 TA, filed March 27, 1974. Applicant: MORRIS TRANSPORTATION, INC., 730 11th Street, Oakland, Calif. 94606. Applicant's representative: E. H. Griffiths, 1182 Market Street, Suite 207, San Francisco, Calif. 94102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *High temperature bonding mortar*, from Gabbs, Nev., to Emeryville, Calif.; and (2) *builders' or maintenance horses, scaffolds, scaffolding, scaffold sections or trestles, steel*, between San Leandro, Calif., on the one hand, and, on the other points in Churchill, Douglas, Elko, Esmeralda, Humboldt, Lander, Lyon, Mineral, Nye, Ormsby, Pershing, Storey, and Washoe, Counties, Nev., for 180 days. SUPPORTING SHIPPERS: Judson Steel Company, 4200 Eastshore Highway, Emeryville, Calif. 94623; Waco Scaffold & Shoring Co., 1999 Republic Avenue, San Leandro, Calif. SEND PROTESTS TO: A. J. Rodriquez, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 450 Golden Gate Avenue, Box 36004, San Francisco, Calif. 94102.

By the Commission.

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

[FR Doc.74-8481 Filed 4-11-74;8:45 am]

LIST OF FEDERAL REGISTER PAGES AND DATES—APRIL:

The following numerical guide is a list of parts of each title of the Code of Federal Regulations affected by documents published to date during April.

3 CFR — Page

PROCLAMATIONS:
4279 — 11861
4280 — 12325
4281 — 12327
4282 — 12329
4283 — 12331

EXECUTIVE ORDERS:
11280 (superseded by EO 11776) — 11865
11776 — 11865

4 CFR
400 — 11869
407 — 11869

5 CFR
213 — 12091, 12333, 12727

6 CFR
150 — 11892, 11971, 12214, 12855
152 — 11892, 11971, 11972, 12214, 12249
Ruling — 13276

PROPOSED RULES:
150 — 12534, 12540

7 CFR
2 — 12333, 12981, 13257
30 — 11893
225 — 12727
250 — 11893
301 — 11973, 11979, 12858
410 — 12983
701 — 12105
778 — 12727
905 — 12105–12107
907 — 12250, 13161
908 — 11979, 12250, 13160
910 — 12333, 13257
1001 — 11980
1002 — 11981
1004 — 11981
1007 — 11983
1015 — 11981
1030 — 11983
1032 — 11983
1033 — 11981
1036 — 11981
1040 — 11982
1049 — 11982
1050 — 11983
1060 — 11983
1061 — 11984
1063 — 11984
1064 — 11984
1065 — 11984
1068 — 11984
1076 — 11984
1078 — 11984
1079 — 11985
1090 — 11985
1097 — 11985
1098 — 11985
1104 — 11985
1106 — 11986
1108 — 11986
1421 — 12107, 12251
1427 — 12983

7 CFR—Continued — Page
1430 — 11986
1468 — 11987
1481 — 12727
1483 — 12728
1823 — 12728

PROPOSED RULES:
Ch. IX — 12015
29 — 13008
210 — 12258
225 — 12258
244 — 12139
246 — 13166
745 — 13008
908 — 12762
1001 — 12027
1002 — 12027
1004 — 12027
1006 — 12257
1007 — 11915
1012 — 12257
1013 — 12257
1015 — 12027
1030 — 11915
1032 — 11915
1033 — 12027
1036 — 12027
1040 — 12027
1049 — 12027, 13280
1050 — 11915
1060 — 11915
1061 — 11915
1063 — 11915
1064 — 11915
1065 — 11915, 13162
1068 — 11915
1076 — 11915
1078 — 11915
1079 — 11915
1090 — 11915
1097 — 11915
1098 — 11915
1104 — 11915
1106 — 11915
1108 — 11915
1427 — 12027
1464 — 13008

8 CFR
100 — 12334
103 — 12334
214 — 12334
242 — 12335
299 — 12336
316a — 12336

PROPOSED RULES:
103 — 12139

9 CFR
73 — 12251, 13069
82 — 11991
94 — 13069, 13070
97 — 12252

PROPOSED RULES:
2 — 11921
71 — 11921
113 — 13162
318 — 12763
381 — 12763

10 CFR — Page
2 — 12353
50 — 13258
115 — 13258
210 — 12353
211 — 11933, 12109, 12995
212 — 12010, 12012, 12013, 12252, 12353, 12995, 13258

PROPOSED RULES:
211 — 12846, 12901

12 CFR
202 — 11873
203 — 11873
265 — 13070
270 — 11873
528 — 12110
615 — 12354

PROPOSED RULES:
225 — 13007

13 CFR
301 — 12859
302 — 12859

14 CFR
39 — 11991, 11992, 12243–12245, 12336, 12337, 12997, 13072, 13258
71 — 11874, 11993, 12337, 12860, 12998, 13073, 13258
73 — 12859, 13258
97 — 12730
103 — 12337
139 — 11874
217 — 12860
241 — 11993, 12731, 12860
372a — 12338
1204 — 12999

PROPOSED RULES:
25 — 12260
39 — 12768, 13005
71 — 11929, 12362, 12768, 12871, 13006, 13170
75 — 12769
121 — 12260
139 — 11929
241 — 13170
288 — 12142

15 CFR
923 — 11999

16 CFR
13 — 12001, 12338

PROPOSED RULES:
423 — 12036
502 — 12362

17 CFR
240 — 12861
249 — 12861
275 — 12108, 12984

PROPOSED RULES:
1 — 13281
201 — 13281
231 — 12898
240 — 12771
241 — 12898

18 CFR — Page

1 — 12731
2 — 12984

19 CFR

4 — 12091
12 — 12091
18 — 12091
19 — 12091
20 — 12091
24 — 12091
56 — 12091
127 — 12092
141 — 12095
144 — 12095
147 — 12095
148 — 12096

PROPOSED RULES:

111 — 12356

20 CFR

405 — 12096
410 — 12098
416 — 12731
422 — 11875
715 — 13265
725 — 11875, 13265

PROPOSED RULES:

405 — 12763
416 — 12027

21 CFR

8 — 13266
9 — 13266
90 — 11876
121 — 12098, 13267
128b — 11876
135 — 12099
135b — 12099
135c — 12246
135e — 12100
1020 — 12985

PROPOSED RULES:

121 — 11923, 12259, 13285
128 — 11923
133 — 11923
135 — 12259
1301 — 12138

23 CFR

637 — 11879
652 — 12732
1213 — 13154

24 CFR

41 — 12732
200 — 12246
207 — 12002
213 — 12002
221 — 12003
232 — 12004
234 — 12005
235 — 12005
236 — 12005
244 — 12005
500 — 12732
550 — 12732
1914 — 11894, 12007, 12339–12341, 12862, 12863
1915 — 11895, 13145

PROPOSED RULES:

1916 — 12030
1917 — 12031
1918 — 12031

25 CFR — Page

162 — 12732
254 — 12246

PROPOSED RULES:

183 — 12755

26 CFR

1 — 11880
170 — 12734, 13273
250 — 12735, 13274
251 — 12736, 13275

PROPOSED RULES:

20 — 12869
25 — 12869

29 CFR

601 — 13277
690 — 13277
720 — 13277
730 — 13277
1910 — 12342
1952 — 11881

PROPOSED RULES:

601 — 13284
613 — 13284
657 — 13284
673 — 13284
675 — 13284
678 — 13284
720 — 13284
728 — 13284
729 — 13284
1905 — 12141
1952 — 12141
1954 — 12142

30 CFR

11 — 12864

PROPOSED RULES:

71 — 13003

31 CFR

9 — 11882
342 — 13508

32 CFR

1464 — 12865

32A CFR

OI Reg. 1 — 12344

33 CFR

3 — 12007
110 — 12007
117 — 12865
127 — 12988
209 — 12115, 12255, 12737
401 — 12746

PROPOSED RULES:

82 — 12767
117 — 12033, 12870, 13005

35 CFR

253 — 12345

PROPOSED RULES:

133 — 13288

36 CFR

2 — 11882
4 — 11882
7 — 11883

36 CFR—Continued — Page

PROPOSED RULES:

5 — 11904
7 — 11904

37 CFR

1 — 12247
2 — 12247

38 CFR

1 — 12248
2 — 12747
3 — 11883, 12100

PROPOSED RULES:

3 — 12898, 12899

40 CFR

52 — 12101, 12102, 12346, 12350, 12865
108 — 12865
164 — 11884
180 — 12008, 12866, 13073, 13259, 13260
416 — 12502
417 — 13370
418 — 12832
421 — 12822
425 — 12958

PROPOSED RULES:

52 — 12769, 12871, 12872
80 — 13174
170 — 13179
180 — 12143
200 — 12034
410 — 12263
416 — 12356, 12524
417 — 13394
418 — 12842
421 — 12829
423 — 11930, 12263
425 — 12967

41 CFR

3–2 — 13261
8–7 — 13262
9–5 — 11884
Ch. 14 — 13263
14–1 — 12103
14–12 — 12103
14–18 — 12103
14–26 — 12103
Ch. 18 — 13073
29–1 — 12248
29–26 — 12248
60–2 — 13264
60–60 — 13264
101–26 — 12989
101–35 — 13264
105–61 — 11884
114–3 — 12989
114–25 — 12989
114–26 — 12989
114–38 — 12989
114–39 — 12989
114–40 — 12989
114–42 — 12989
114–43 — 12989
114–45 — 12989
114–46 — 12989
114–47 — 12989
114–52 — 12989
114–60 — 12989

42 CFR

PROPOSED RULES:

83 — 11923

43 CFR — Page

PUBLIC LAND ORDERS:
2302 (revoked in part by P.L.O. 5419) — 12104
4341 (Revoked in part by P.L.O. 5420 — 13073
5419 — 12104
5420 — 13073

45 CFR
171 — 12950
185 — 13268
205 — 12008
206 — 12008
249 — 12866
270 — 11886
1069 — 12108
1350 — 11886
PROPOSED RULES:
151 — 13003
234 — 12870

46 CFR
146 — 13276
160 — 12747
PROPOSED RULES:
10 — 12033

47 CFR
1 — 12990
2 — 12351, 12867
15 — 12748
73 — 12748, 12990
74 — 12990
76 — 12991
81 — 12748, 12749
97 — 12995
PROPOSED RULES:
73 — 11931, 12035, 12872, 13007
74 — 12771, 13179
76 — 12873, 13179

49 CFR
171 — 12750
172 — 12750
173 — 12751
174 — 12752
178 — 11891, 12752
213 — 12351
570 — 12867
571 — 12104
574 — 12104
1003 — 11891
1033 — 11891, 12009, 12010, 12352, 12353, 13158, 13159, 13264
1037 — 12753
1043 — 13159
1048 — 12754
1084 — 13159
1131 — 12010
PROPOSED RULES:
172 — 12261
173 — 12034, 12261
178 — 12034
255 — 12527
571 — 12871, 13287
1048 — 12875, 12876
1201 — 12038, 12876
1202 — 12038, 12876
1203 — 12038, 12876
1204 — 12038, 12876
1205 — 12038, 12876
1206 — 12038, 12876
1207 — 12038, 12876
1208 — 12038, 12876
1209 — 12038, 12876
1210 — 12038, 12876

50 CFR
33 — 12859, 12995, 13159, 13160
217 — 11892
218 — 11892
219 — 11892
220 — 11892
221 — 11892
222 — 11892
PROPOSED RULES:
17 — 11903
21 — 12313
216 — 12356
260 — 11922
5419 — 12104

FEDERAL REGISTER PAGES AND DATES—APRIL

Pages	*Date*	*Pages*	*Date*
11855–11964	Apr. 1	12721–12848	Apr. 8
11965–12079	2	12849–12969	9
12081–12235	3	12971–13062	10
12237–12317	4	13063–13250	11
12319–12720	5	13251–13512	12

federal register

FRIDAY, APRIL 12, 1974

WASHINGTON, D.C.

Volume 39 ■ Number 72

PART II



ENVIRONMENTAL PROTECTION AGENCY

■

SOAP AND DETERGENT MANUFACTURING POINT SOURCE CATEGORY

Effluent Limitations Guidelines

Title 40—Protection of the Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

SUBCHAPTER N—EFFLUENT GUIDELINES AND STANDARDS

PART 417—SOAP AND DETERGENT MANUFACTURING POINT SOURCE CATEGORY

On December 26, 1973, notice was published in the FEDERAL REGISTER (38 FR 35250), 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 soap manufacturing by batch kettle, the fatty acid manufacturing by fat splitting, the soap manufacturing by fatty acid neutralization, the glycerine concentration, the glycerine distillation, the manufacture of soap flakes and powders, the manufacture of bar soaps, the manufacture of liquid soaps, the oleum sulfonation and sulfation, the air-SO3 sulfation and sulfonation, the SO3 solvent and vacuum sulfonation, the sulfamic acid sulfation, the chlorosulfonic acid sulfation, the neutralization of sulfuric acid esters and sulfonic acids, the manufacture of spray dried detergents, the manufacture of liquid detergents, the detergent manufacturing by dry blending, the manufacture of drum dried detergents and the manufacture of detergent bars and cakes subcategories of the soap and detergent manufacturing 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 soap and detergent manufacturing category of point sources, by amending 40 CFR Chapter I, Subchapter N, to add a new Part 417. 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 soap and detergent manufacturing category. 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 Soap and Detergent Manufacturing Point Source Category" (December 1973) and (2) the document entitled "Economic Analysis of Proposed Effluent Guidelines, Soap and Detergent Manufacturing" (August 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.

(a) *Summary of comments.* The following responded to the request for written comments contained in the preamble to the proposed regulation: The Soap and Detergent Association; State of Michigan Department of Natural Resources; Texize Chemical Company; State of Wisconsin Department of Natural Resources; State of Colorado Department of Health; and the U.S. Department of the Interior.

Each of the comments received was carefully reviewed and analyzed. The following is a summary of the significant comments and the Agency's response to those comments.

(1) One commenter expressed concern over the interpretation of the pretreatment standards for new sources, suggesting that the language of these sections, as proposed, implied that BOD5, TSS and pH were incompatible pollutants and subject to the same effluent reduction requirements before introduction into publicly owned treatment works as imposed upon plants discharging directly to the navigable waters. This was not the intention of the Agency and the pertinent sections have been written to make clear that no pretreatment is required to remove compatible pollutants, as that term is defined in 40 CFR 128.121.

The same commenter asserted that all constituents of the industry's waste waters are capable of substantial reduction by standard biologoical treatment. Therefore, the proposed pretreatment standards for new sources (which would have required pretreatment of wastes discharged to municipal systems to remove surfactants to the levels specified for new sources and to remove oil and grease and COD to those levels in cases in which the municipal plant did not achieve substantial removal) were claimed to be unnecessary. According to the commenter, the only problems associated with the industry's wastes in municipal systems are potential obstruction of flow in sewers or interference with the proper operation of treatment works attributable to free or floating oils and greases. Thus, it was suggested that the proposed pretreatment standard be replaced by one prescribing a specific pretreatment method: A fat trap with design criteria equal or superior to a surface overflow rate of 2078 1/day/sq.m. (600 gal/day/sq.ft.) and a theoretical residence time of one hour.

While the suggested pretreatment would adequately control floating oils and greases, discharge of excessive amounts of such materials is already prohibited by 40 CFR 128.131 and inclusion of specific pretreatment steps intended to prevent such discharges in this regulation would be superfluous. Moreover, while surfactants and elements expressing themselves as COD in most subcategories are readily biodegradable, there is reason for concern about some components in wastes from production of industrial and institutional detergents. These materials, which will express themselves as COD are highly refractive and may adversely affect operation of treatment works through bacteriostatic or bacteriocidal effects or pass through such works without significant reduction. The suggested pretreatment technology for containing oils and greases would not appreciably remove such materials.

In view of the foregoing considerations, the pretreatment standards for new sources have been revised to eliminate the requirement for pretreatment (except as required by 40 CFR 128.131) in all subcategories other than spray dried detergents and dry blending detergents manufacture in which a COD restriction is specified.

(2) Another comment was made about single number maximum daily and 30-day average loads, believing that they may not adequately reflect influence of size of plant, raw materials, facility design, rainfall and other factors. Two alternatives were suggested, limitations covering a range of values to accommodate fundamental differences and qualification in the introductory statements to the sections that less severe restrictions be applied provided a sound basis is established by the discharger.

The available data, including that submitted by the industry, do not indicate significant differences attributable to age and size of plant rainfall and other factors that would justify further subcategorization of the industry or establishment of ranges of limitations; and the limitations promulgated represent performance attained by the better operations in each subcategory. The case-by-case flexibility suggested as one alternative has been accomplished by modification of the sections establishing the effluent reductions required by best practicable control technology currently available.

(3) Two commenters questioned the ability of small liquid detergent manufacturers to meet the proposed guidelines on the basis of inability to attain the raw waste loadings on which the guidelines were projected.

Upon careful review of all available information, EPA has concurred with this position. The problem is not, however, a pure function of size, but is cor-

related with size, product mix, and employment of automated fill lines. The guidelines have been modified to accommodate the small liquid detergent manufacturer producing a wide variety of products in a limited number of production lines by establishing an allowance for fast turnarounds.

(4) One commenter considers a number of the waste water limitations to be unduly severe, especially those associated with operations employing barometric condensers. This position is based on questions of feasibility and cost of technology, significance of waste reduction obtained, non-water quality environmental impacts, energy requirements, and apparent mandating of particular hardware.

Review of these various aspects indicates that the proposed limitations, especially those for best practicable control, can be attained by reasonable technology that will not impose undue non-water quality impacts. Drastic reduction of the waste loads contriuted by once-through barometric condenser waters can be attained by a number of identifiable technologies. These include recycle with limited blowdown, improved separation/skimming employing chemically assisted air-floatation, atmospheric flash evaporators, liquid film trapping of entrainment, and surface condensers. Use of one or more of these technologies and the resulting waste reduction are well documented in each subcategory employing barometric condensers.

The costs associated with technology that are projected in the comments are much higher than those determined by the bulk of the effluent guidelines studies, frequently by a factor of four to six times. Additionally, many of the identified control technologies associated with this industry have resulted in recovery of capital investment through value of reclaimed materials, reduced waste treatment costs, or a combination of the two. In some cases the period for capital recovery has been as short as two years.

The waste reduction obtained is not insignificant. While the concentrations are relative low for many barometric condenser waters, the volumes are generally large and the resulting waste load may represent hundreds of pounds of pollutants.

(5) Applicability of limitations based on continuous counter-current soap processing plants to new sources in soap manufacture by kettle boiling have been questioned.

While no new batch kettle facilities have been constructed for many years, it is agreed that limitations based on continuous counter-current soap plants are not appropriate for kettle boiling operations. New source performance standards have been modified to reflect the effluent reduction achievable by means of demonstrated control technology applied to wastes from batch kettle operations.

(6) A commenter directed attention to the essential single process nature of continuous oleum sulfonation or sulfation and neutralization and to the potential problems associated with wet scrubbers.

Oleum sulfonation and sulfation and the neutralization of sulfuric acid esters and sulfonic acids have been placed in separate subcategories to accommodate neutralization associated with batch operations and other methods of sulfonation and sulfation. The potential problems associated with wet scrubbers have been considered in technology covered in the support document.

(7) Attention was directed to potential difficulties associated with monitoring of production-based mass emission rates and the suggestion made that effluent limitations be set in terms of effluent concentrations, such as 25 mg/l for BOD5.

While it is true that concentrations alone is much easier to monitor than mass emission rates, concentration is highly dependent on the degree of dilution afforded in the discharge and without concurrent limitations applicable to flow will not control the pollutant loads. Similarly, mass emission limitations that are not related to some operational unit, such as raw materials input or finished products, will not accomplish the requirements associated with elimination of pollutants to a specified degree.

(b) *Revision of the proposed regulation prior to promulgation.* (1) The regulations applicable to the Manufacture of Liquid Detergents Subcategory, Subpart P, have been revised to include an additional allowance for fast turnaround operation of automated fill lines.

(2) The regulations for Standards of Performance for New Sources in the Soap Manufacture by Kettle Boiling, Subpart A—§ 417.15, have been revised to reflect the degree of waste control equivalent to identifiable technology appropriate for new sources.

(3) The language of the proposed pretreatment requirements for new sources has been modified to resolve an inconsistency between pretreatment and the standard of performance for new sources. The pollutants COD and oil and grease are included in the standards of performance; the standards for each are substantially based upon effluent levels attained coincident with efficient biological treatment. As proposed, new source pretreatment would have necessitated unnecessary and extremely costly duplication of treatment plants in that the soap and detergents plants would have to fully treat raw wastes to remove COD and oil and grease, while the same levels may be expected by publicly owned treatment works. Consequently, the pretreatment requirements for new sources have been revised for all but four subcategories so that process waste waters may be discharged to publicly owned treatment works without pretreatment. For four subcategories (Subpart O—Manufacture of Spray Dried Detergents, § 417.155; Subpart P—Manufacture of Liquid Detergents, § 417.165; Subpart Q—Detergent Manufacturing by Dry Blending, § 417.175; and Subpart R—Manufacture of Drum Dried Detergents, § 417.185) pretreatment requirements have also been revised as above except that for final products characterized by COD to BOD5 ratios of greater than 4.0 to 1.0, pretreatment (normally good housekeeping) would be required to limit COD inputs to publicly owned treatment works. In all subcategories, discharges must comply with the applicable provisions of Part 128 of this chapter.

(4) Section 304(b)(3)(B) of the Act provides for "guidelines" to implement the uniform national standards of section 301(b)(1)(A). Thus Congress recognized that some flexibility was necessary in order to take into account the complexity of the industrial world with respect to the practicability of pollution control technology. In conformity with the Congressional intent and in recognition of the possible failure of these regulations to account for all factors bearing on the practicability of control technology, it was concluded that some provision was needed to authorize flexibility in the strict application of the limitations contained in the regulation where required by special circumstances applicable to individual dischargers. Accordingly, a provision allowing flexibility in the application of the limitations representing best practicable control technology currently available has been added to each subpart, to account for special circumstances that may not have been adequately accounted for when these regulations were developed.

(5) Subsequent review has indicated that the daily maximum values should be changed. For all subcategories, the daily maximum limitations have been set at a level three times that of the corresponding thirty day averages. This change was required to account for the normal variability currently expected in a well-operated biological treatment system in this industry.

(c) *Economic impact.* A study conducted by EPA has concluded that the proposed effluent limitations will not seriously threaten the economic viability of the soap and detergent industry. In fact, there are no expected effects on production, employment, community stability, balance of trade or industry growth resulting from the proposed effluent limitations. Depending on the size of plant and subcategories present, increased costs of production ranging from about 0.6 to 11.0 percent are expected for point source plants. Factors which tend to negate impact of effluent limitations include:

(1) The soap and detergent industry serves an inelastic market with an annual growth of about 5 percent in which increased costs of production can be passed on to the consumer if excessive for internal absorption.

(2) Less than 5 percent of the industry will be affected by imposition of effluent limitations on point sources.

(3) Disadvantages to point sources resulting from imposition of effluent limitations will largely be offset by increased costs for discharge to municipal systems by other plants.

(4) Small producers generally serve a custom account market that is not

serviced by large producers. This tends to negate the cost per unit of production penalty attributable to economics of size.

(5) The tendency for the public to purchase by brand name, not by price alone, tends to minimize shifts in sales that might result from variations attributable to pollution control costs.

(d) *Cost-benefit analysis.* The detrimental effects of the constituents of waste waters now discharged by point sources within the soap and detergent manufacturing point source category are discussed in section VI of the report entitled "Development Document for Effluent Limitations Guidelines Soap and Detergent Manufacturing Point Source Category." 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 Soap and Detergent Manufacturing Industry" (August 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 soap and detergent 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 soap and detergent 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 Soap and Detergent Manufacturing Point Source Category," is being published and will be available for purchase from the Government Printing Office, Washington, D.C. 20402 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 417, Soap and Detergent Manufacturing Point Source Category, to read as set forth below. This final regulation is promulgated as set forth below and shall be effective June 11, 1974.

Dated: April 2, 1974.

JOHN QUARLES,
Acting Administrator.

Sec.

Subpart A—Soap Manufacturing by Batch Kettle Subcategory

417.10 Applicability; description of the soap manufacturing by batch kettle subcategory.
417.11 Specialized definitions.
417.12 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
417.13 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
417.14 [Reserved.]
417.15 Standards of performance for new sources.
417.16 Pretreatment standards for new sources.

Subpart B—Fatty Acid Manufacturing by Fat Splitting Subcategory

417.20 Applicability; description of the fatty acid manufacturing by fat splitting subcategory.
417.21 Specialized definitions.
417.22 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
417.23 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
417.24 [Reserved.]
417.25 Standards of performance for new sources.
417.26 Pretreatment standards for new sources.

Subpart C—Soap Manufacturing by Fatty Acid Neutralization Subcategory

417.30 Applicability; description of the soap manufacturing by fatty acid neutralization subcategory.
417.31 Specialized definitions.
417.32 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
417.33 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
417.34 [Reserved]
417.35 Standards of performance for new sources.
417.36 Pretreatment standards for new sources.

Subpart D—Glycerine Concentration Subcategory

417.40 Applicability; description of the glycerine concentration subcategory.
417.41 Specialized definitions.
417.42 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
417.43 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
417.44 [Reserved]
417.45 Standards of performance for new sources.
417.46 Pretreatment standards for new sources.

Subpart E—Glycerine Distillation Subcategory

417.50 Applicability; description of the glycerine distillation subcategory.
417.51 Specialized definitions.
417.52 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
417.53 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
417.54 [Reserved]
417.55 Standards of performance for new sources.
417.56 Pretreatment standards for new sources.

Subpart F—Manufacture of Soap Flakes and Powders Subcategory

417.60 Applicability; description of the manufacture of soap flakes and powders subcategory.
417.61 Specialized definitions.
417.62 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
417.63 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

Sec.
417.64 [Reserved]
417.65 Standards of performance for new sources.
417.66 Pretreatment standards for new sources.

Subpart G—Manufacture of Bar Soaps Subcategory

417.70 Applicability; description of the manufacture of bar soaps subcategory.
417.71 Specialized definitions.
417.72 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
417.73 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
417.74 [Reserved]
417.75 Standards of performance for new sources.
417.76 Pretreatment standards for new sources.

Subpart H—Manufacture of Liquid Soaps Subcategory

417.80 Applicability; description of the manufacture of liquid soaps subcategory.
417.81 Specialized definitions.
417.82 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
417.83 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
417.84 [Reserved]
417.85 Standards of performance for new sources.
417.86 Pretreatment standards for new sources.

Subpart I—Oleum Sulfonation and Sulfation Subcategory

417.90 Applicability; description of the oleum sulfonation and sulfation subcategory.
417.91 Specialized definitions.
417.92 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
417.93 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
417.94 [Reserved]
417.95 Standards of performance for new sources.
417.96 Pretreatment standards for new sources.

Subpart J—Air—SO3 Sulfation and Sulfonation Subcategory

417.100 Applicability; description of the air—SO3 sulfation and sulfonation subcategory.
417.101 Specialized definitions.
417.102 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

Sec.
417.103 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
417.104 [Reserved]
417.105 Standards of performance for new sources.
417.106 Pretreatment standards for new sources.

Subpart K—SO3 Solvent and Vacuum Sulfonation Subcategory

417.110 Applicability; description of the SO3 solvent and vacuum sulfonation subcategory.
417.111 Specialized definitions.
417.112 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology curently available.
417.113 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
417.114 [Reserved]
417.115 Standards of performance for new sources.
417.116 Pretreatment standards for new sources.

Subpart L—Sulfamic Acid Sulfation Subcategory

417.120 Applicability; description of the sulfamic acid sulfation subcategory.
417,121 Specialized definitions.
417.122 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
417.123 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
417.124 [Reserved]
417.125 Standards of performance for new sources.
417.126 Pretreatment standards for new sources.

Subpart M—Chlorosulfonic Acid Sulfation Subcategory

417.130 Applicability; description of the chlorosulfonic acid sulfation subcategory.
417.131 Specialized definitions.
417.132 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
417.133 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
417.134 [Reserved]
417.135 Standards of performance for new sources.
417.136 Pretreatment standards for new sources.

Subpart N—Neutralization of Sulfuric Acid Esters and Sulfonic Acids Subcategory

417.140 Applicability; description of the neutralization of sulfuric acid esters and sulfonic acids subcategory.
417.141 Specialized definitions.

Sec.
417.142 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
417.143 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
417.144 [Reserved]
417.145 Standards of performance for new sources.
417.146 Pretreatment standards for new sources.

Subpart O—Manufacture of Spray Dried Detergents Subcategory

417.150 Applicability; description of the manufacture of spray dried detergents subcategory.
417.151 Specialized definitions.
417.152 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
417.153 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
417.154 [Reserved.]
417.155 Standards of performance for new sources.
417.156 Pretreatment standards for new sources.

Subpart P—Manufacture of Liquid Detergents Subcategory

417.160 Applicability; description of the manufacture of liquid detergents subcategory.
417.161 Specialized definitions.
417.162 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
417.163 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
417.164 [Reserved.]
417.165 Standards of performance for new sources.
417.166 Pretreatment standards for new sources.

Subpart Q—Manufacturing of Detergents by Dry Blending Subcategory

417.170 Applicability; description of the manufacturing of detergents by dry blending subcategory.
417.171 Specialized definitions.
417.172 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
417.173 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
417.174 [Reserved]
417.175 Standards of performance for new sources.
417.176 Pretreatment standards for new sources.

Subpart R—Manufacture of Drum Dried Detergents Subcategory

Sec.
417.180 Applicability; description of the manufacture of drum dried detergents subcategory.
417.181 Specialized definitions.
417.182 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
417.183 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
417.184 [Reserved]
417.185 Standards of performance for new sources.
417.186 Pretreatment standards for new sources.

Subpart S—Manufacture of Detergent Bars and Cakes Subcategory

417.190 Applicability; description of the manufacture of detergent bars and cakes subcategory.
417.191 Specialized definitions.
417.192 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
417.193 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
417.194 [Reserved]
417.195 Standards of performance for new sources.
417.196 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, (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.

Subpart A—Soap Manufacturing by Batch Kettle Subcategory

§ 417.10 Applicability; description of the soap manufacturing by batch kettle subcategory.

The provisions of this subpart are applicable to discharges resulting from the operations in which neat soap is produced through saponification of animal and vegetable fats and oils by boiling in kettles.

§ 417.11 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR Part 401 shall apply to this subpart.

(b) The term "anhydrous product" shall mean the theoretical product that would result if all water were removed from the actual product.

(c) The term "neat soap" shall mean the solution of completely saponified and purified soap containing about 20–30 percent water which is ready for final formulation into a finished product.

§ 417.12 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.

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 anhydrous product)	
BOD5	1.80	0.60
COD	4.50	1.50
TSS	1.20	.40
Oil and grease	.30	.10
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD5	1.80	0.60
COD	4.50	1.50
TSS	1.20	.40
Oil and grease	.30	.10
pH	Within the range 6.0 to 9.0.	

§ 417.13 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 anhydrous product)	
BOD5	0.80	0.40
COD	2.10	1.05
TSS	.80	.40
Oil and grease	.10	.05
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD5	0.80	0.40
COD	2.10	1.05
TSS	.80	.40
Oil and grease	.10	.05
pH	Within the range 6.0 to 9.0.	

§ 417.14 [Reserved]

§ 417.15 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 anhydrous product)	
BOD5	0.80	0.40
COD	2.10	1.05
TSS	.80	.40
Oil and grease	.10	.05
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD5	0.80	0.40
COD	2.10	1.05
TSS	.40	.40
Oil and grease	.10	.05
pH	Within the range 6.0 to 9.0.	

§ 417.16 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the soap manufacturing by batch kettle 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 for § 128.133. Subject to the provisions of 40 CFR Part 128, process waste water pollutants from a new source subject to the provisions of this subpart may be discharged to publicly owned treatment works.

Subpart B—Fatty Acid Manufacturing by Fat Splitting Subcategory

§ 417.20 Applicability; description of the fatty acid manufacturing by fat splitting subcategory.

The provisions of this subpart are applicable to discharges resulting from the splitting of fats to fatty acids by hydrolysis and the subsequent processing of the fatty acids (e.g., refining and hydrogenation) to produce a suitable feed material for manufacture of soap by fatty acid neutralization.

§ 417.21 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 Part 401 shall apply to this subpart.

(b) The term "anhydrous product" shall mean the theoretical product that would result if all water were removed from the actual product.

§ 417.22 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 effect 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 anhydrous product)	
BOD_5	3.60	1.20
COD	9.90	3.30
TSS	6.60	2.20
Oil and grease	.90	.30
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD_5	3.60	1.20
COD	9.90	3.30
TSS	6.60	2.20
Oil and grease	.90	.30
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 section and attributable to the hydrogenation of fatty acids, which may be discharged by a point source subject to the provisions of this subpart in addition to the discharge allowed by paragraph (a) of this section.

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 anhydrous product)	
BOD_5	0.45	0.15
COD	.75	.25
TSS	.30	.10
Oil and grease	.30	.10
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD_5	0.45	0.15
COD	.75	.25
TSS	.30	.10
Oil and grease	.30	.10
pH	Within the range 6.0 to 9.0.	

§ 417.23 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 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 anhydrous product)	
BOD_5	0.50	0.25
COD	1.80	.90
TSS	.40	.20
Oil and grease	.30	.15
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD_5	0.50	0.25
COD	1.80	.90
TSS	.40	.20
Oil and grease	.30	.15
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 section and attributable to the hydrogenation of fatty acids, which may be discharged by a point source subject to the provisions of this subpart in addition to the discharge allowed by paragraph (a) of this section.

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 anhydrous product)	
BOD_5	0.30	0.15
COD	.50	.25
TSS	.20	.10
Oil and grease	.20	.10
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD_5	0.30	0.15
COD	.50	.25
TSS	.20	.10
Oil and grease	.20	.10
pH	Within the range 6.0 to 9.0.	

§ 417.24 [Reserved]

§ 417.25 Standards of performance for new sources.

(a) The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations: Maximum for any 1 day	Effluent limitations: Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kilograms per 1,000 kg of anhydrous product)	
BOD_5	0.50	0.25
COD	1.80	.90
TSS	.40	.20
Oil and grease	.30	.15
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD_5	0.50	0.25
COD	1.80	.90
TSS	.40	.20
Oil and grease	.30	.15
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 section and attributable to the hydrogenation of fatty acids, which may be discharged by a new source subject to the provisions of this subpart in addition to the discharge allowed by paragraph (a) of this section.

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 anhydrous product)	
BOD5	0.30	0.15
COD	.50	.25
TSS	.20	.10
Oil and grease	.20	.10
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD5	0.30	0.15
COD	.50	.25
TSS	.20	.10
Oil and grease	.20	.10
pH	Within the range 6.0 to 9.0.	

§ 417.26 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the fatty acid manufacturing by fat splitting 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 for § 128.133. Subject to the provisions of 40 CFR Part 128, process waste water pollutants from a new source subject to the provisions of this subpart may be discharged to publicly owned treatment works.

Subpart C—Soap Manufacturing by Fatty Acid Neutralization Subcategory

§ 417.30 Applicability; description of the soap manufacturing by fatty acid neutralization subcategory.

The provisions of this subpart are applicable to discharges resulting from the manufacturing of neat soap by neutralizing refined fatty acids with an alkaline material in approximately stoichiometric amounts in batch or continuous operations.

§ 417.31 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 Part 401 shall apply to this subpart.

(b) The term "anhydrous product" shall mean the theoretical product that would result if all water were removed from the actual product.

(c) The term "neat soap" shall mean the solution of completely saponified and purified soap containing about 20–30 percent water which is ready for final formulation into a finished product.

§ 417.32 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.

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 anhydrous product)	
BOD5	0.03	0.01
COD	.15	.05
TSS	.06	.02
Oil and grease	.03	.01
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD5	0.03	0.02
COD	.15	.05
TSS	.06	.02
Oil and grease	.03	.01
pH	Within the range 6.0 to 9.0.	

§ 417.33 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 anhydrous product)	
BOD5	0.02	0.01
COD	.10	.05
TSS	.04	.02
Oil and grease	.02	.01
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD5	0.02	0.01
COD	.10	.05
TSS	.04	.02
Oil and grease	.02	.01
pH	Within the range 6.0 to 9.0.	

§ 417.34 [Reserved]

§ 417.35 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 anhydrous product)	
BOD5	0.02	0.01
COD	.10	.05
TSS	.04	.02
Oil and grease	.02	.01
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD5	0.02	0.01
COD	.10	.05
TSS	.04	.02
Oil and grease	.02	.01
pH	Within the range 6.0 to 9.0.	

§ 417.36 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the fatty acid neutralization 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 for § 128.133. Subject to the provisions of 40 CFR Part 128, process waste water pollutants from a

new source subject to the provisions of this subpart may be discharged to publicly owned treatment works.

Subpart D—Glycerine Concentration Subcategory

§ 417.40 Applicability; description of the glycerine concentration subcategory.

The provisions of this subpart are applicable to discharges resulting from the concentration of sweet water from saponification or fat splitting to approximately 60 to 80 percent crude glycerine content.

§ 417.41 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 Part 401 shall apply to this subpart.

(b) The term "anhydrous product" shall mean the theoretical product that would result if all water were removed from the actual product.

(c) The term "sweet water" shall mean the solution of 8–10 percent crude glycerine and 90–22 percent water that is a by-product of saponification or fat splitting.

§ 417.42 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 Adiministrator (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 limitations established herein, to the exeffluent limitations in the NPDES permit either more or less stringent than the limiations 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 anhydrous product)	
BOD_5	4.50	1.50
COD	13.50	4.50
TSS	.60	.20
Oil and grease	.30	.10
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD_5	4.50	1.50
COD	13.50	4.50
TSS	.60	.20
Oil and grease	.30	.10
pH	Within the range 6.0 to 9.0.	

§ 417.43 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 anhydrous product)	
BOD_5	0.80	0.40
COD	2.40	1.20
TSS	.20	.10
Oil and grease	.08	.04
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD_5	0.80	0.40
COD	2.40	1.20
TSS	.20	.10
Oil and grease	.08	.04
pH	Within the range 6.0 to 9.0.	

§ 417.44 [Reserved]

§ 417.45 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 anhydrous product)	
BOD_5	0.80	0.40
COD	2.40	1.20
TSS	.20	.10
Oil and grease	.08	.04
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD_5	0.80	0.40
COD	2.40	1.20
TSS	.20	.10
Oil and grease	.08	.04
pH	Within the range 6.0 to 9.0.	

§ 417.46 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the glycerine concentration 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 for § 128.133. Subject to the provisions of 40 CFR Part 128, process waste water pollutants from a new source subject to the provisions of this subpart may be discharged to publicly owned treatment works.

Subpart E—Glycerine Distillation Subcategory

§ 417.50 Applicability; description of the glycerine distillation subcategory.

The provisions of this subpart are applicable to discharges resulting from the production of finished glycerine of various grades (e.g., USP) through concentration from crude glycerine by means of distillation.

§ 417.51 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.

(b) The term "anhydrous product" shall mean the theoretical product that would result if all water were removed from the actual product.

§ 417.52 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.

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 anhydrous product)	
BOD5	1.50	0.50
COD	4.50	1.50
TSS	.60	.20
Oil and grease	.30	.10
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD5	1.50	0.50
COD	4.50	1.50
TSS	.60	.20
Oil and grease	.30	.10
pH	Within the range 6.0 to 9.0.	

§ 417.53 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 anhydrous product)	
BOD5	0.60	0.30
COD	1.80	.90
TSS	.08	.04
Oil and grease	.04	.02
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD5	0.60	0.30
COD	1.80	.90
TSS	.08	.04
Oil and grease	.04	.02
pH	Within the range 6.0 to 9.0.	

§ 417.54 [Reserved]

§ 417.55 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 anhydrous product)	
BOD5	0.60	0.30
COD	1.80	.90
TSS	.08	.04
Oil and grease	.04	.02
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD5	0.60	0.30
COD	1.80	.90
TSS	.08	.04
Oil and grease	.04	.02
pH	Within the range 6.0 to 9.0.	

§ 417.56 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the glycerine distillation 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 for § 128.133. Subject to the provisions of 40 CFR Part 128, process waste water pollutants from a new source subject to the provisions of this subpart may be discharged to publicly owned treatment works.

Subpart F—Manufacture of Soap Flakes and Powders Subcategory

§ 417.60 Applicability; description of the manufacture of soap flakes and powders subcategory.

The provisions of this subpart are applicable to discharges resulting from all operations associated with the manufacture of soap flakes and powders, commencing with the drying of the neat soap to and including packaging of the finished flakes and powders.

§ 417.61 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 Part 401 shall apply to this subpart.

(b) The term "anhydrous product" shall mean the theoretical product that would result if all water were removed from the actual product.

(c) The term "neat soap" shall mean the solution of completely saponified and purified soap containing about 20–30 percent water which is ready for final formulation into a finished product.

§ 417.62 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.

The following limitations establish the quantity or quality of pollutants or pol-

lutant 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 anhydrous product)	
BOD5	0.03	0.01
COD	.15	.05
TSS	.03	.01
Oil and grease	.03	.01
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD5	0.03	0.01
COD	.15	.05
TSS	.03	.01
Oil and grease	.03	.01
pH	Within the range 6.0 to 9.0.	

§ 417.63 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 anhydrous product)	
BOD5	0.02	0.01
COD	.10	.05
TSS	.02	.01
Oil and grease	.02	.01
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD5	0.02	0.01
COD	.10	.05
TSS	.02	.01
Oil and grease	.02	.01
pH	Within the range 6.0 to 9.0.	

§ 417.64 [Reserved]

§ 417.65 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 anhydrous product)	
BOD5	0.02	0.01
COD	.10	.05
TSS	.02	.01
Oil and grease	.02	.01
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD5	0.02	0.01
COD	.10	.05
TSS	.02	.01
Oil and grease	.02	.01
pH	Within the range 6.0 to 9.0.	

§ 417.66 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the manufacture of soap flakes and powders 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 128, except for § 128.133. Subject to the provisions of 40 CFR 128, process waste water pollutants from a new source subject to the provisions of this subpart may be discharged to publicly owned treatment works.

Subpart G—Manufacture of Bar Soaps Subcategory

§ 417.70 Applicability; description of the manufacture of bar soaps subcategory.

The provisions of this subpart are applicable to discharges resulting from all operations associated with conversion of neat soap to finished bar soaps, including drying, milling, plodding, stamping and packaging.

§ 417.71 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.

(b) The term "anhydrous product" shall mean the theoretical product that would result if all water were removed from the actual product.

(c) The term "neat soap" shall mean the solution of completely saponified and purified soap containing about 20–30 percent water which is ready for final formulation into a finished product.

§ 417.72 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 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 anhydrous product)	
BOD5	1.02	0.34
COD	2.55	.85
TSS	1.74	.58
Oil and grease	.12	.04
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD5	1.02	0.34
COD	2.55	.85
TSS	1.74	.58
Oil and grease	.12	.04
pH	Within the range 6.0 to 9.0.	

§ 417.73 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 anhydrous product)	
BOD5	0.40	0.20
COD	1.20	.60
TSS	.68	.34
Oil and grease	.06	.03
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD5	0.40	0.20
COD	1.20	.60
TSS	.68	.34
Oil and grease	.06	.03
pH	Within the range 6.0 to 9.0.	

§ 417.74 [Reserved]

§ 417.75 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 anhydrous product)	
BOD5	0.40	0.20
COD	1.20	.60
TSS	.68	.34
Oil and grease	.06	.03
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD5	0.40	0.20
COD	1.20	.60
TSS	.68	.34
Oil and grease	.06	.03
pH	Within the range 6.0 to 9.0.	

§ 417.76 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the manufacture of bar soaps 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 for § 128.133. Subject to the provisions of 40 CFR Part 128, process waste water pollutants from a new source subject to the provisions of this subpart may be discharged to publicly owned treatment works.

Subpart H—Manufacture of Liquid Soaps Subcategory

§ 417.80 Applicability; description of the manufacture of liquid soaps subcategory.

The provisions of this subpart are applicable to discharges resulting from the blending of ingredients employed in the manufacture of liquid soaps and the packaging of the finished products.

§ 417.81 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) The term "anhydrous product" shall mean the theoretical product that would result if all water were removed from the actual product.

§ 417.82 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

(a) 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.

(b) 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 anhydrous product)	
BOD5	0.03	0.01
COD	.15	.05
TSS	.03	.01
Oil and grease	.03	.01
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD5	0.03	0.01
COD	.15	.05
TSS	.03	.01
Oil and grease	.03	.01
pH	Within the range 6.0 to 9.0.	

§ 417.83 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 anhydrous product)	
BOD5	0.02	0.01
COD	.10	.05
TSS	.02	.01
Oil and grease	.02	.01
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD5	0.02	0.01
COD	.10	.05
TSS	.02	.01
Oil and grease	.02	.01
pH	Within the range 6.0 to 9.0.	

§ 417.84 [Reserved]

§ 417.85 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 anhydrous product)	
BOD5	0.02	0.01
COD	.10	.05
TSS	.02	.01
Oil and grease	.02	.01
pH	Within the range 6.0 to 9.0	
	English units (pounds per 1,000 lb of anhydrous product).	
BOD5	0.02	0.01
COD	.10	.05
TSS	.02	.01
Oil and grease	.02	.01
pH	Within the range 6.0 to 9.0.	

§ 417.86 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the manufacture of liquid soaps 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 for a § 128.133. Subject to the provisions of 40 CFR Part 128, process waste water pollutants from a new source subject to the provisions of this subpart may be discharged to publicly owned treatment works.

Subpart I—Oleum Sulfonation and Sulfation Subcategory

§ 417.90 Applicability; description of the oleum sulfonation and sulfation subcategory.

The provisions of this subpart are applicable to discharges resulting from the manufacture of sulfonic acid and sulfuric acid esters by means of sulfonation and sulfation of raw materials, including but not limited to petroleum derived alkyls, employing oleum in either continuous or batch processes.

§ 417.91 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.

(b) The term "anhydrous product" shall mean the theoretical product that would result if all water were removed from the actual product.

(c) The term "surfactant" shall mean those methylene blue active substances amenable to measurement by the method described in "Methods for Chemical Analysis of Water and Wastes," 1971, Environmental Protection Agency, Analytical Quality Control Laboratory, page 131.

§ 417.92 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.

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 anhydrous product)	
BOD5	0.09	0.02
COD	.40	.09
TSS	.15	.03
Surfactants	.15	.03
Oil and grease	.25	.07
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD5	0.09	0.02
COD	.40	.09
TSS	.15	.03
Surfactants	.15	.03
Oil and grease	.25	.07
pH	Within the range 6.0 to 9.0.	

§ 417.93 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 anhydrous product)	
BOD5	0.07	0.02
COD	.27	.09
TSS	.09	.03
Surfactants	.09	.03
Oil and grease	.21	.07
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD5	0.07	0.02
COD	.27	.09
TSS	.09	.03
Surfactants	.09	.03
Oil and grease	.21	.07
pH	Within the range 6.0 to 9.0.	

§ 417.94 [Reserved]

§ 417.95 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 anhydrous product)	
BOD5	0.03	0.01
COD	.09	.03
TSS	.06	.02
Surfactants	.03	.01
Oil and grease	.12	.04
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD5	0.03	0.01
COD	.09	.03
TSS	.06	.02
Surfactants	.03	.01
Oil and grease	.12	.04
pH	Within the range 6.0 to 9.0.	

§ 417.96 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the oleum sulfonation and sulfation 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 for § 128.133. Subject to the provisions of 40 CFR Part 128, process waste water pollutants from a new source subject to the provisions of this subpart may be discharged to publicly owned treatment works.

Subpart J—Air—SO3 Sulfation and Sulfonation Subcategory

§ 417.100 Applicability; description of the air—SO3 sulfation and sulfonation subcategory.

The provisions of this subpart are applicable to discharges resulting from the manufacture of sulfonic acids and sulfuric acid esters by means of sulfation and sulfonation employing air and sulfur trioxide (SO_3), in either continuous or batch processes.

§ 417.101 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.

(b) The term "anhydrous product" shall means the theoretical product that would result if all water were removed from the actual product.

(c) The term "surfactant" shall mean those methylene blue active substances amenable to measurement by the method described in "Methods for Chemical Analysis of Water and Wastes," 1971, Environmental Protection Agency, Analytical Quality Control Laboratory, page 131.

§ 417.102 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.

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 anhydrous product)	
BOD_5	0.90	0.30
COD	4.05	1.35
TSS	.09	.03
Surfactants	.90	.30
Oil and grease	.15	.05
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD_5	0.90	0.30
COD	4.05	1.35
TSS	.09	.03
Surfactants	.90	.30
Oil and grease	.15	.05
pH	Within the range 6.0 to 9.0.	

§ 417.103 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 anhydrous product)	
BOD_5	0.30	0.19
COD	1.10	.55
TSS	.04	.02
Surfactants	.36	.18
Oil and grease	.08	.04
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD_5	0.30	0.19
COD	1.10	.55
TSS	.04	.02
Surfactants	.36	.18
Oil and grease	.08	.04
pH	Within the range 6.0 to 9.0.	

§ 417.104 [Reserved]

§ 417.105 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 anhydrous product)	
BOD_5	0.18	0.09
COD	.80	.40
TSS	.04	.02
Surfactants	.18	.09
Oil and grease	.04	.02
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD_5	0.18	0.09
COD	.80	.40
TSS	.04	.02
Surfactants	.18	.09
Oil and grease	.04	.02
pH	Within the range 6.0 to 9.0.	

§ 417.106 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the soap manufacturing by batch kettle 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 for § 128.133. Subject to the provisions of 40 CFR Part 128, process waste water pollutants from a new source subject to the provisions of this subpart may be discharged to publicly owned treatment works.

Subpart K—SO3 Solvent and Vacuum Sulfonation Subcategory

§ 417.110 Applicability; description of the SO3 solvent and vacuum sulfonation subcategory.

The provisions of this subpart are applicable to discharges resulting from the operations in which undiluted SO_3 and organic reactant are fed through a mixing nozzle into a vacuum reactor where the sulfonation of the organic reactant takes place.

§ 417.111 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 Part 401 shall apply to this subpart.

(b) The term "anhydrous product" shall mean the theoretical product that would result if all water were removed from the actual product.

(c) The term "surfactant" shall mean those methylene blue active substances amenable to measurement by the method described in "Methods for Chemical

Analysis of Water and Wastes," 1971, Environmental Protection Agency, Analytical Quality Control Laboratory, page 131.

§ 417.112 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.

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 anhydrous product)	
BOD_5	0.90	0.30
COD	3.05	1.35
TSS	.09	.03
Surfactants	.90	.30
Oil and grease	.10	.05
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD_5	0.90	0.30
COD	3.05	1.35
TSS	.09	.03
Surfactants	.90	.30
Oil and grease	.10	.05
pH	Within the range 6.0 to 9.0.	

§ 417.113 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 anhydrous product)	
BOD_5	0.20	0.10
COD	.90	.45
TSS	.02	.01
Surfactants	.20	.10
Oil and grease	.04	.02
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD_5	0.20	0.10
COD	.90	.45
TSS	.02	.01
Surfactants	.20	.10
Oil and grease	.04	.02
pH	Within the range 6.0 to 9.0.	

§ 417.114 [Reserved]

§ 417.115 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 anhydrous product)	
BOD_5	0.20	0.10
COD	.90	.45
TSS	.02	.01
Surfactants	.20	.10
Oil and grease	.04	.02
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD_5	0.20	0.10
COD	.90	.45
TSS	.02	.01
Surfactants	.20	.10
Oil and grease	.04	.02
pH	Within the range 6.0 to 9.0.	

§ 417.116 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the SO_3 solvent and vacuum sulfonation 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 for § 128.133. Subject to the provisions of 40 CFR Part 128, process waste water pollutants from a new source subject to the provisions of this subpart may be discharged to publicly owned treatment works.

Subpart L—Sulfamic Acid Sulfation Subcategory

§ 417.120 Applicability; description of the sulfamic acid sulfation subcategory.

The provisions of this subpart are applicable to discharges resulting from operations in which sulfamic acid is employed as the sulfating agent.

§ 417.121 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.

(b) The term "anhydrous product" shall mean the theoretical product that would result if all water were removed from the actual product.

(c) The term "surfactant" shall mean those methylene blue active substances amenable to measurement by the method described in "Methods for Chemical Analysis of Water and Wastes," 1971, Environmental Protection Agency, Ana-

lytical Quality Control Laboratory, page 131.

§ 417.122 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.

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 anhydrous product)	
BOD5	0.90	0.30
COD	4.05	1.35
TSS	.09	.03
Surfactants	.90	.30
Oil and grease	.15	.05
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD5	0.90	0.30
COD	4.05	1.35
TSS	.09	.03
Surfactants	.90	.30
Oil and grease	.15	.05
pH	Within the range 6.0 to 9.0.	

§ 417.123 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 anhydrous product)	
BOD5	0.20	0.10
COD	.90	.45
TSS	.02	.01
Surfactants	.20	.10
Oil and grease	.04	.02
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD5	0.20	0.10
COD	.90	.45
TSS	.02	.01
Surfactants	.20	.10
Oil and grease	.04	.02
pH	Within the range 6.0 to 9.0.	

§ 417.124 [Reserved]

§ 417.125 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 anhydrous product)	
BOD5	0.20	0.10
COD	.90	.45
TSS	.02	.01
Surfactants	.20	.10
Oil and grease	.04	.02
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD5	0.20	0.10
COD	.90	.45
TSS	.02	.01
Surfactants	.20	.10
Oil and grease	.04	.02
pH	Within the range 6.0 to 9.0.	

§ 417.126 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the sulfamic acid sulfation 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 for § 128.133. Subject to the provisions of 40 CFR Part 128, process waste water pollutants from a new source subject to the provisions of this subpart may be discharged to publicly owned treatment works.

Subpart M—Chlorosulfonic Acid Sulfation Subcategory

§ 417.130 Applicability; description of the chlorosulfonic acid sulfation subcategory.

The provisions of this subpart are applicable to discharges resulting from sulfation of alcohols, alkylphenols and alcohol ethoxylates utilizing chlorosulfonic acid as the sulfating agent.

§ 417.131 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 Part 401 shall apply to this subpart.

(b) The term "anhydrous product" shall mean the theoretical product that would result if all water were removed from the actual product.

(c) The term "surfactant" shall means those methylene blue active substances amenable to measurement by the method described in "Methods for Chemical Analysis of Water and Wastes," 1971,

Environmental Protection Agency, Analytical Quality Control Laoratory, page 131.

§ 417.132 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 subcategorrization 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 anhydrous product)	
BOD5	0.90	0.30
COD	4.05	1.35
TSS	.09	.03
Surfactants	.90	.30
Oil and grease	.15	.05
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD5	0.90	0.30
COD	4.05	1.35
TSS	.09	.03
Surfactants	.90	.30
Oil and grease	.15	.05
pH	Within the range 6.0 to 9.0.	

§ 417.133 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 anhydrous product)	
BOD5	0.30	0.15
COD	1.50	.75
TSS	.04	.02
Surfactants	.30	.15
Oil and grease	.06	.03
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD5	0.30	0.15
COD	1.50	.75
TSS	.04	.02
Surfactants	.30	.15
Oil and grease	.06	.03
pH	Within the range 6.0 to 9.0.	

§ 417.134 [Reserved]

§ 417.135 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 anhydrous product)	
BOD5	0.30	0.15
COD	1.50	.75
TSS	.04	.02
Surfactants	.30	.15
Oil and grease	.06	.03
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD5	0.30	0.15
COD	1.50	.75
TSS	.04	.02
Surfactants	.30	.15
Oil and grease	.06	.03
pH	Within the range 6.0 to 9.0.	

§ 417.136 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the chlorosulfonic acid sulfation 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 for § 128.133. Subject to the provisions of 40 CFR Part 128, process waste water pollutants from a new source subject to the provisions of this subpart may be discharged to publicly owned treatment works.

Subpart N—Neutralization of Sulfuric Acid Esters and Sulfonic Acids Subcategory

§ 417.140 Applicability; description of the neutralization of sulfuric acid esters and sulfonic acids subcategory.

The provisions of this subpart are applicable to discharges resulting from the continuous or batch neutralization of sulfated and sulfonated alkylbenzenes, alcohols and other materials to convert them to neutral salts.

§ 417.141 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) The term "anhyrous product" shall mean the theoretical product that would result if all water were removed from the actual product.

(c) The term "surfactant" shall mean those methylene blue active substances amenable to measurement by the method described in "Methods for Chemical

Analysis of Water and Wastes," 1971, Environmental Protection Agency, Analytical Quality Control Laboratory, page 131.

§ 417.142 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 anhydrous product)	
BOD5	0.03	0.01
COD	.15	.05
TSS	.09	.03
Surfactants	.06	.02
Oil and grease	.03	.01
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD5	0.03	0.01
COD	.15	.05
TSS	.09	.03
Surfactants	.06	.02
Oil and grease	.03	.01
pH	Within the range 6.0 to 9.0.	

§ 417.143 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 anhydrous product)	
BOD5	0.02	0.01
COD	.10	.05
TSS	.06	.03
Surfactants	.04	.02
Oil and grease	.02	.01
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD5	0.02	0.01
COD	.10	.05
TSS	.06	.03
Surfactants	.04	.02
Oil and grease	.02	.01
pH	Within the range 6.0 to 9.0.	

§ 417.144 [Reserved]

§ 417.145 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 anhydrous product)	
BOD5	0.02	0.01
COD	.08	.04
TSS	.06	.03
Surfactants	.04	.02
Oil and grease	.02	.01
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD5	0.02	0.01
COD	.08	.04
TSS	.06	.03
Surfactants	.04	.02
Oil and grease	.02	.01
pH	Within the range 6.0 to 9.0.	

§ 417.146 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the neutralization of sulfuric acid and esters and sulfonic acids 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 for § 128.133. Subject to the provisions of 40 CFR Part 128, process waste water pollutants from a new source subject to the provisions of this subpart may be discharged to publicly owned treatment works.

Subpart O—Manufacture of Spray Dried Detergents Subcategory

§ 417.150 Applicability; description of the manufacture of spray dried detergents subcategory.

The provisions of this subpart are applicable to discharges resulting from all operations associated with the manufacture of spray dried detergents, including but not limited to assembly and storage of raw materials, crutching, spray drying, blending (including tumble spraying of additives) and packaging.

§ 417.151 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) The term "anhydrous product" shall mean the theoretical product that would result if all water were removed from the actual product.

(c) The term "surfactant" shall mean those methylene blue active sub-

stances amenable to measurement by the method described in "Methods for Chemical Analysis of Water and Wastes," 1971, Environmental Protection Agency, Analytical Quality Control Laboratory, page 131.

(d) The term "normal operation" of a spray tower shall mean operation utilizing formulations that present limited air quality problems from stack gases and associated need for extensive wet scrubbing, and without more than 6 turnarounds in a 30 consecutive day period, thus permitting essentially complete recycle of waste water.

(e) The term "air quality restricted operation" of a spray tower shall mean an operation utilizing formulations (e.g., those with high non-ionic content) which require a very high rate of wet scrubbing to maintain desirable quality of stack gases, and thus generate much greater quantities of waste water than can be recycled to process.

(f) The term "fast turnaround operation" of a spray drying tower shall mean operation involving more than 6 changes of formulation in a 30 consecutive day period that are of such degree and type (e.g., high phosphate to no phosphate) as to require cleaning of the tower to maintain minimal product quality.

§ 417.152 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:

(a) For normal operation of spray drying towers as defined above, the following values pertain:

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 anhydrous product)	
BOD5	0.03	0.01
COD	.15	.05
TSS	.03	.01
Surfactants	.06	.02
Oil and grease	.015	.005
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD5	0.03	0.01
COD	.15	.05
TSS	.03	.01
Surfactants	.06	.02
Oil and grease	.015	.005
pH	Within the range 6.0 to 9.0.	

(b) For air quality restricted operation of a spray drying tower, but only when a high rate of wet scrubbing is in operation which produces more waste water than can be recycled to process, the following values pertain:

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 anhydrous product)	
BOD5	0.24	0.08
COD	1.05	.35
TSS	.30	.10
Surfactants	.45	.15
Oil and grease	.09	.03
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD5	0.24	0.08
COD	1.05	.35
TSS	.30	.10
Surfactants	.45	.15
Oil and grease	.09	.03
pH	Within the range 6.0 to 9.0.	

(c) For fast turnaround operation of a spray tower, the following values pertain: The maximum for any one day when the number of turnarounds exceeds six in any particular thirty consecutive day period shall be the sum of the appropriate value below and that from paragraph (a) or (b) of this section; and the average of daily values for thirty consecutive days shall be the value shown below multiplied by the number of turnarounds in excess of six and prorated to thirty days plus the appropriate value from paragraph (a) or (b) of this section.

Effluent characteristic	Effluent limitations
	Metric units (kilograms per 1,000 kg of anhydrous product)
BOD5	0.02
COD	.09
TSS	.02
Surfactants	.03
Oil and grease	.005
pH	Within the range 6.0 to 9.0.
	English units (pounds per 1,000 lb of anhydrous product)
BOD5	0.02
COD	.09
TSS	.02
Surfactants	.03
Oil and grease	.005
pH	Within the range 6.0 to 9.0.

§ 417.153 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:

(a) For normal operation of spray drying towers as defined above, the following values pertain:

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 anhydrous product)	
BOD5	0.02	0.01
COD	.08	.04
TSS	.04	.02
Surfactants	.04	.02
Oil and grease	.01	.005
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD5	0.02	0.01
COD	.08	.04
TSS	.04	.02
Surfactants	.04	.02
Oil and grease	.01	.005
pH	Within the range 6.0 to 9.0.	

(b) For air quality restricted operation of a spray drying tower, but only when a high rate of wet scrubbing is in operation which produces more waste water than can be recycled to process, the following values pertain:

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 anhydrous product)	
BOD5	0.12	0.06
COD	.50	.25
TSS	.14	.07
Surfactants	.20	.10
Oil and grease	.04	.02
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD5	0.12	0.06
COD	.50	.25
TSS	.14	.07
Surfactants	.20	.10
Oil and grease	.04	.02
pH	Within the range 6.0 to 9.0.	

(c) For fast turnaround operation of a spray tower, the following values pertain: The maximum for any one day when the number of turnarounds exceeds six in any particular thirty consecutive day period shall be the sum of the appropriate value below and that from paragraph (a) or (b) of this section; and the average of daily values for thirty consecutive days shall be the value shown below multiplied by the number of turnarounds in excess of six and prorated to thirty days plus the appropriate value from paragraph (a) or (b) of this section.

Effluent characteristic	Effluent limitations
	Metric units (kilograms per 1,000 kg of anhydrous product)
BOD5	0.02
COD	.07
TSS	.02
Surfactants	.02
Oil and grease	.005
pH	Within the range 6.0 to 9.0.
	English units (pounds per 1,000 lb of anhydrous product)
BOD5	0.02
COD	.07
TSS	.02
Surfactants	.02
Oil and grease	.005
pH	Within the range 6.0 to 9.0.

§ 417.154 [Reserved]

§ 417.155 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:

(a) For normal operation of spray drying towers as defined above, the following values pertain:

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 anhydrous product)	
BOD5	0.02	0.01
COD	.08	.04
TSS	.04	.02
Surfactants	.04	.02
Oil and grease	.01	.005
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD5	0.02	0.01
COD	.08	.04
TSS	.04	.02
Surfactants	.04	.02
Oil and grease	.01	.005
pH	Within the range 6.0 to 9.0.	

(b) For air quality restricted operation of a spray drying tower, but only when a high rate of wet scrubbing is in operation which produces more waste water than can be recycled to process, the following values pertain:

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 anhydrous product	
BOD5	0.12	0.06
COD	.50	.25
TSS	.14	.07
Surfactants	.20	.10
Oil and grease	.04	.02
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product	
BOD5	0.12	0.06
COD	.50	.25
TSS	.14	.07
Surfactants	.20	.10
Oil and grease	.04	.02
pH	Within the range 6.0 to 9.0.	

(c) For fast turnaround operation of a spray tower, the following values pertain: The maximum for any one day when the number of turnarounds exceeds six in any particular thirty consecutive day period shall be the sum of the appropriate value below and that from paragraph (a) or (b) of this section; and the average of daily values for thirty consecutive days shall be the value shown below multiplied by the number of turnarounds in excess of six and prorated to thirty days plus the appropriate value from paragraph (a) or (b) of this section.

Effluent characteristic	Effluent limitations
	Metric units (kilograms per 1,000 kg of anhydrous product)
BOD5	0.02
COD	.07
TSS	.02
Surfactants	.02
Oil and grease	.005
pH	Within the range 6.0 to 9.0.
	English units (pounds per 1,000 lb of anhydrous product)
BOD5	0.02
COD	.07
TSS	.02
Surfactants	.02
Oil and grease	.005
pH	Within the range 6.0 to 9.0.

§ 417.156 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the manufacture of spray dried detergents 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:

For those operations in which more than 25 percent of the annual production is represented by final products having a COD to BOD5 ratio of 4.0 to 1.0 or greater, the COD shall be limited to 1.0 kg/kkg of anhydrous product for that portion of the production represented by final products characterized by COD to BOD5 ratio of 4.0 to 1.0 or greater and 8.0 kg/kkg of anhydrous product for that portion of the production represented by final products characterized by COD to BOD5 ratio of less than 4.0 to 1.0. Subject to the provisions of 40 CFR 128.131, other pollutants in the process waste waters from a new source subject to the provisions of this subpart may be introduced into a publicly owned treatment works.

Subpart P—Manufacture of Liquid Detergents Subcategory

§ 417.160 Applicability; description of the manufacture of liquid detergents subcategory.

The provisions of this subpart are applicable to discharges resulting from all operations associated with the manufacture of liquid detergents, commencing with the blending of ingredients, to and including bottling or packaging finished products.

§ 417.161 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) The term "anhydrous product" shall mean the theoretical product that would result if all water were removed from the actual product.

(c) The term "surfactant" shall mean those methylene blue active substances amenable to measurement by the method described in "Methods for Chemical Analysis of Water and Wastes," 1971, Environmental Protection Agency, Analytical Quality Control Laboratory, page 131.

(d) The term "normal liquid detergent operations" shall mean all such operations except those defined as fast turnaround operation of automated fill lines.

(e) The term "fast turnaround operation of automated fill lines" shall mean an operation involving more than 8 changes of formulation in a 30 consecutive day period that are of such degree and type as to require thorough purging and washing of the fill line to maintain minimal product quality.

§ 417.162 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:

(a) For normal liquid detergent operations the following values pertain:

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 anhydrous product)	
BOD5	0.60	0.20
COD	1.80	.60
TSS	.015	.005
Surfactants	.39	.13
Oil and grease	.015	.005
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD5	0.60	0.20
COD	.90	.60
TSS	.015	.005
Surfactants	.39	.13
Oil and grease	.015	.005
pH	Within the range 6.0 to 9.0.	

(b) For fast turnaround operation of automated fill lines, the following values pertain: the maximum for any one day when the number of turnarounds exceeds eight in any thirty consecutive day period shall be the sum of the appropriate value below and that from paragraph (a) of this section; and the average of daily values for thirty consecutive days shall be the value shown below multiplied by the number of turnarounds in excess of eight and prorated to thirty days plus the appropriate value from paragraph (a) of this section.

Effluent characteristic	Effluent limitations
	Metric units (kilograms per 1,000 kg of anhydrous product)
BOD5	0.05
COD	.15
TSS	.002
Surfactants	.04
Oil and grease	.002
pH	Within the range 6.0 to 9.0.
	English units (pounds per 1,000 lb of anhydrous product)
BOD5	0.05
COD	.15
TSS	.002
Surfactants	.04
Oil and grease	.002
pH	Within the range 6.0 to 9.0.

§ 417.163 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:

(a) For normal liquid detergent operations the following values pertain:

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 anhydrous product)	
BOD5	0.10	0.05
COD	.44	.22
TSS	.01	.005
Surfactants	.10	.05
Oil and grease	.01	.005
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD5	0.10	0.05
COD	.44	.22
TSS	.01	.005
Surfactants	.10	.05
Oil and grease	.01	.005
pH	Within the range 6.0 to 9.0.	

(b) For fast turnaround operation of automated fill lines, the following values pertain: The maximum for any one day when the number of turnarounds exceeds eight in any thirty consecutive day period shall be the sum of the appropriate value below and that from paragraph (a) of this section; and the average of daily values for thirty consecutive days shall be the value shown below multiplied by the number of turnarounds in excess of eight and prorated to thirty days plus the appropriate value from paragraph (a) of this section.

Effluent characteristic	Effluent limitations
	Metric units (kilograms per 1,000 kg of anhydrous product)
BOD5	0.02
COD	.07
TSS	.002
Surfactants	.02
Oil and grease	.002
pH	Within the range 6.0 to 9.0.
	English units (pounds per 1,000 lb of anhydrous product)
BOD5	0.02
COD	.07
TSS	.002
Surfactants	.02
Oil and grease	.002
pH	Within the range 6.0 to 9.0.

§ 417.164 [Reserved]

§ 417.165 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:

(a) For normal liquid detergent operations the following values pertain:

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 anhydrous product)	
BOD5	0.10	0.05
COD	.44	.22
TSS	.01	.005
Surfactants	.10	.05
Oil and grease	.01	.005
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD5	0.10	0.05
COD	.44	.22
TSS	.01	.005
Surfactants	.10	.05
Oil and grease	.01	.005
pH	Within the range 6.0 to 9.0.	

(b) For fast turnaround operation of automated fill lines, the following values pertain: The maximum for any one day when the number of turnarounds exceeds eight in any thirty consecutive day period shall be the sum of the appropriate value below and that from paragraph (a) of this section; and the average of daily values for thirty consecutive days shall be the value shown below multiplied by the number of turnarounds in excess of eight and prorated to thirty days plus the appropriate value from paragraph (a) of this section:

Effluent characteristic	Effluent limitations
	Metric units (kilograms per 1,000 kg of anhydrous product)
BOD5	0.02
COD	.07
TSS	.002
Surfactants	.02
Oil and grease	.002
pH	Within the range 6.0 to 9.0.
	English units (pounds per 1,000 lb of anhydrous product)
BOD5	0.02
COD	.07
TSS	.002
Surfactants	.02
Oil and grease	.002
pH	Within the range 6.0 to 9.0.

§ 417.166 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the manufacture of liquid detergent 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:

For those operations in which more than 25 percent of the annual production is represented by final products having a COD to BOD5 ratio of 4.0 to 1.0 or greater, the COD shall be limited to 0.40 kg/kkg of anhydrous product for that portion of the production represented by final products characterized by COD to BOD5 ratio of 4.0 to 1.0 or greater and 4.0 kg/kkg of anhydrous product for that portion of the production represented by final products characterized by COD to BOD5 ratio of less than 4.0 to 1.0. Subject to the provisions of 40 CFR 128.131, other pollutants in the process waste waters from a new source subject to the provisions of this subpart may be introduced into a publicly owned treatment works.

Subpart Q—Manufacture of Detergents by Dry Blending Subcategory

§ 417.170 Applicability; description of the manufacture of detergents by dry blending subcategory.

The provisions of this subpart are applicable to discharges resulting from the operations associated with the manufacture of detergents by means of the blending of dry ingredients, including, but not limited to, blending and subsequent packaging.

§ 417.171 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) The term "anhydrous product" shall mean the theoretical product that would result if all water were removed from the actual product.

(c) The term "surfactant" shall mean those methylene blue active substances amenable to measurement by the method described in "Methods for Chemical Analysis of Water and Wastes," 1971, Environmental Protection Agency, Analytical Quality Control Laboratory, page 131.

§ 417.172 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 anhydrous product)	
BOD5	0.03	0.01
COD	.21	.07
TSS	.03	.01
Surfactants	.03	.01
Oil and grease	.015	.005
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD5	0.03	0.01
COD	.21	.07
TSS	.03	.01
Surfactants	.03	.01
Oil and grease	.015	.005
pH	Within the range 6.0 to 9.0.	

§ 417.173 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 anhydrous product)	
BOD5	0.02	0.01
COD	.14	.07
TSS	.02	.01
Surfactants	.02	.01
Oil and grease	.01	.005
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD5	0.02	0.01
COD	.14	.07
TSS	.02	.01
Surfactants	.02	.01
Oil and grease	.01	.005
pH	Within the range 6.0 to 9.0.	

§ 417.174 [Reserved]

§ 417.175 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 anhydrous product)	
BOD5	0.02	0.01
COD	.14	.07
TSS	.02	.01
Surfactants	.02	.01
Oil and grease	.01	.005
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anydrous product)	
BOD5	0.02	0.01
COD	.14	.07
TSS	.02	.01
Surfactants	.02	.01
Oil and grease	.01	.005
pH	Within the range 6.0 to 9.0.	

§ 417.176 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the detergents by dry blending 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:

For those operations in which more than 25 percent of the annual production is represented by final products having a COD to BOD5 ratio of 4.0 to 1.0 or greater, the COD shall be limited to 0.20 kg/kkg of anhydrous product for that portion of the production represented by final products characterized by COD to BOD5 ratio of 4.0 to 1.0 or greater and 0.50 kg/kkg of anhydrous product for that portion of the production represented by final products characterized by COD to BOD5 ratio of 4.0 to 1.0. Subject to the provisions of 40 CFR 128.131, other pollutants in the process waste waters from a new source subject to the provisions of this subpart may be introduced into a publicly owned treatment works.

Subpart R—Manufacture of Drum Dried Detergents Subcategory

§ 417.180 Applicability; description of the manufacture of drum dried detergents subcategory.

The provisions of this subpart are applicable to discharges resulting from the operations associated with the manufacture of detergents by drum drying, including, but not limited to, drying of formulations on heated drums or rollers, conversion of dried detergents to powders or flakes, and packaging of finished products.

§ 417.181 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) The term "anhydrous product" shall mean the theoretical product that would result if all water were removed from the actual product.

(c) The term "surfactant" shall mean those methylene blue active substances amenable to measurement by the method described in "Methods for Chemical Analysis of Water and Wastes," 1971, Environmental Protection Agency, Analytical Quality Control Laboratory, page 131.

§ 417.182 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 anhydrous product)	
BOD5	0.03	0.01
COD	.15	.05
TSS	.03	.01
Surfactants	.03	.01
Oil and grease	.03	.01
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD5	0.03	0.01
COD	.15	.05
TSS	.03	.01
Surfactants	.03	.01
Oil and grease	.03	.01
pH	Within the range 6.0 to 9.0.	

§ 417.183 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 anhydrous product)	
BOD5	0.02	0.01
COD	.10	.05
TSS	.02	.01
Surfactants	.02	.01
Oil and grease	.02	.01
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD5	0.02	0.01
COD	.10	.05
TSS	.02	.01
Surfactants	.02	.01
Oil and grease	.02	.01
pH	Within the range 6.0 to 9.0.	

§ 417.184 [Reserved]

§ 417.185 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 anhydrous product)	
BOD5	0.02	0.01
COD	.10	.05
TSS	.02	.01
Surfactants	.02	.01
Oil and grease	.02	.01
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD5	0.02	0.01
COD	.10	.05
TSS	.02	.01
Surfactants	.02	.01
Oil and grease	.02	.01
pH	Within the range 6.0 to 9.0.	

§ 417.186 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the manufacture of drum dried detergents 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:

For those operations in which more than 25 percent of the annual production is represented by final products having a COD to BOD5 ratio of 4.0 to 1.0 or greater, the COD shall be limited to 0.15 kg/kkg of anhydrous product for that portion of the production represented by final products characterized by COD to BOD5 ratio of 4.0 to 1.0 or greater and 0.30 kg/kkg of anhydrous product for that portion of the production represented by final products characterized by COD to BOD5 ratio of less than 4.0 to 1.0. Subject to the provisions of 40 CFR 128.131, other pollutants in the process waste waters from a new source subject to the provisions of this subpart may be introduced into a publicly owned treatment works.

Subpart S—Manufacture of Detergent Bars and Cakes Subcategory

§ 417.190 Applicability; description of the manufacture of detergent bars and cakes subcategory.

The provisions of this subpart are applicable to discharges resulting from operations associated with the manufacture of detergent bars and cakes, including, but not limited to, drying, milling, plodding, stamping and packaging.

§ 417.181 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) The term "anhydrous product" shall mean the theoretical product that would result if all water were removed from the actual product.

(c) The term "surfactant" shall mean those methylene blue active substances amenable to measurement by the method described in "Methods for Chemical Analysis of Water and Wastes," 1971, Environmental Protection Agency, Analytical Quality Control Laboratory, page 131.

§ 417.192 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 anhydrous product)	
BOD5	2.10	0.70
COD	9.90	3.30
TSS	.60	.20
Surfactants	1.50	.50
Oil and grease	.06	.02
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD5	2.10	0.70
COD	9.90	3.30
TSS	.60	.20
Surfactants	1.50	.50
Oil and grease	.06	.02
pH	Within the range 6.0 to 9.0.	

§ 417.193 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 anhydrous product)	
BOD5	0.60	0.30
COD	2.70	1.35
TSS	.20	.10
Surfactants	.40	.20
Oil and grease	.04	.02
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD5	0.60	0.30
COD	2.70	1.35
TSS	.20	.10
Surfactants	.40	.20
Oil and grease	.04	.02
pH	Within the range 6.0 to 9.0.	

§ 417.194 [Reserved]

§ 417.195 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 anhydrous product)	
BOD5	0.60	0.30
COD	2.70	1.35
TSS	.20	.10
Surfactants	.40	.20
Oil and grease	.04	.02
pH	Within the range 6.0 to 9.0.	
	English units (pounds per 1,000 lb of anhydrous product)	
BOD5	0.60	0.30
COD	2.70	1.35
TSS	.20	.10
Surfactants	.40	.20
Oil and grease	.04	.02
pH	Within the range 6.0 to 9.0.	

§ 417.196 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the manufacture of detergent bars and cakes 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 for § 128.133. Subject to the provisions of 40 CFR Part 128, process waste water pollutants from a new source subject to the provisions of this subpart may be discharged to publicly owned treatment works.

[FR Doc.74-8077 Filed 4-11-74;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 417]

SOAP AND DETERGENT MANUFACTURING 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 417—Soap and Detergent 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 Part 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 soap manufacturing by batch kettle, the fatty acid manufacturing by fat splitting, the soap manufacturing by fatty acid neutralization, the glycerine concentration, and glycerine distillation, the manufacture of soap flakes and powders, the manufacture of bar soaps, the manufacture of liquid soaps, the oleum sulfonation and sulfation, the air-SO_3 sulfation and sulfonation, the SO_3 solvent and vacuum sulfonation, the sulfamic acid sulfation, the chlorosulfonic acid sulfation, the neutralization of sulfuric acid esters and sulfonic acids, the manufacture of spray dried detergents, the manufacture of liquid detergents, the detergent manufacturing by dry blending, the manufacture of drum dried detergents and the manufacture of detergent bars and cakes subcategories of the soap and detergent manufacturing point source category. The latter regulation applies to the portion of a discharge which is directed to the navigable waters. The regulation proposed below applies to users of publicly owned treatment works which fall within the description of the point source category to which the guidelines and standards (40 CFR Part 417) 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.* (Emphasis italicized.)

The regulation proposed below is intended to implement that portion of § 128.133, above, requiring that a separate provision be made stating the application to pretreatment standards of effluent limitations guidelines based upon best practicable control technology currently available.

Questions were raised during the public comment period on the proposed general pretreatment standard (40 CFR Part 128) about the propriety of applying a standard based upon best practicable control technology currently available to all plants subject to pretreatment standards. In general, EPA believes the analysis supporting the effluent limitations guidelines is appropriate to support the application of those standards to users of publicly owned treatment works. However, to ensure that those standards are appropriate in all cases, EPA now seeks additional comments focusing upon the application of effluent limitations guidelines to users of publicly owned treatment works.

Sections 417.15, 417.25, 417.35, 417.45, 417.55, 417.65, 417.75, 417.85, 417.95, 417.105, 417.115, 417.125, 417.135, 417.145, 417.155, 417.165, 417.175, 417.185 and 417.195 of the proposed regulation for point sources within the soap and detergent manufacturing category (December 26, 1973; 38 FR 35250), contained the proposed pretreatment standard for new sources. The regulation promulgated simultaneously herewith contains §§ 417.16, 417.26, 417.36, 417.46, 417.56, 417.66, 417.76, 417.86, 417.96, 417.106, 417.116, 417.126, 417.136, 417.146, 417.156, 417.166, 417.176, 417.186, and 417.196 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 Soap and Detergent Manufacturing Point Source Category" is now being published. The economic analysis report entitled "Economic Analysis of Proposed Effluent Guidelines, Soap and Detergent Manufacturing," (December 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 this material, 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 in-

cludes: (1) The identification of pollutants present in waste waters resulting from the manufacture of soaps and detergents, 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 soaps and detergents. 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 soap and detergent manufacturing category (38 FR 35250; December 26, 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 417) 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 soap and detergent manufacturing category, 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 fully described in the Development Document, the process waste waters in all but four of the subcategories (manufacture of spray dried detergents, manufacture of liquid detergents, detergent manufacturing by dry blending, and manufacture of drum dried detergents) contain similar types and amounts of constituents. These constituents are organics, solids, and inorganics including nutrients, and they are all treatable by biological treatment methods. In the opinion of EPA, suitable design and capacity can be provided for a publicly owned treatment works to account for these discharges. Accordingly, the first option should be applicable and the guidelines should not apply to operations in the subcategories (soap manufacturing by batch kettle, fatty acid manufacturing by fat splitting, soap manufacturing by fatty acid neutralization, glycerine concentration, glycerine distillation, manufacture of soap flakes and powders, manufacture of bar soaps, oleum sulfonation and sulfation, air-SO3 sulfation and sulfonation, SO3 solvent and vacuum sulfonation, sulfamic acid sulfation, neutralization of sulfric acid esters and sulfonic acids, and manufacture of detergent bars and cakes) subcategories of the soaps and detergents industry which discharge to publicly owned treatment works.

In the four subcategories enumerated above the process waste waters may contain excessively high levels of refractive organic materials in addition to the other constituents. The refractive organics are such that excessive amounts will interfere with the performance of publicly owned treatment works by inhibiting the biota of the treatment works or passing through the works unreduced. In this regard, EPA has found that excessive amounts of refractive organics are manifest when the COD to BOD5 ratio exceeds 4.0 to 1.0 which can easily occur if extensive in-plant housekeeping is not practiced. Consequently, in the opinion of EPA option three should apply with respect to COD if the COD to BOD5 ratios exceed 4.0, in which case guidelines should apply for COD for the subcategories (manufacture of spray dried detergents, manufacture of liquid detergents, detergent manufacturing by dry blending, and manufacture of drum dried detergents) which discharge to publicly owned treatment works.

Interested persons may participate in this rulemaking by submitting written comments in triplicate to the EPA Information Center, Environmental Protection Agency, Washington, D.C. 20460, Attention: Mr. Philip B. Wisman. Comments on all aspects of the proposed regulations are solicited. In the event comments are in the nature of criticisms as to the adequacy of data which are 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 are 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 417 be amended to add §§ 417.14, 417.24, 417.34, 417.44, 417.54, 417.64, 417.74, 417.84, 417.94, 417.104, 417.114, 417.124, 417.134, 417.144, 417.154, 417.164, 417.174, 417.184 and 417.194. All comments received on or before May 13, 1974, will be considered.

Dated: April 2, 1974.

JOHN QUARLES,
Acting Administrator.

Part 417 is proposed to be amended as follows:

1. Subpart A is amended by adding § 417.14 as follows:

§ 417.14 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 417.12 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 § 417.24 as follows:

§ 417.24 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 417.22 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, except in compliance with such limitations.

3. Subpart C is amended by adding § 417.34 as follows:

§ 417.34 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 417.32 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 § 417.44 as follows:

§ 417.44 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 417.42 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 § 417.54 as follows:

§ 417.54 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 417.52 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 § 417.64 as follows:

§ 417.64 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 417.62 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 § 417.74 as follows:

§ 417.74 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 417.72 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.

8. Subpart H is amended by adding § 417.84 as follows:

§ 417.84 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 417.82 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.

9. Subpart I is amended by adding § 417.94 as follows:

§ 417.94 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 417.92 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.

10. Subpart J is amended by adding § 417.104 as follows:

§ 417.104 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 417.102 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.

11. Subpart K is amended by adding § 417.114 as follows:

§ 417.114 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 417.112 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.

12. Subpart L is amended by adding § 417.124 as follows:

§ 417.124 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 417.122 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.

13. Subpart M is amended by adding § 417.134 as follows:

§ 417.134 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 417.132 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.

14. Subpart N is amended by adding § 417.144 as follows:

§ 417.144 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 417.142 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.

15. Subpart O is amended by adding § 417.154 as follows:

§ 417.154 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 417.152 above shall not apply and, subject to the provisions of 40 CFR Part 128 concerning pretreatment and the following limitation on COD, process waste water from this subcategory may be introduced into a publicly owned treatment works.

For those operations subject to this subpart in which more than 25 percent of the annual production is represented by final products with a COD to BOD5 ratio equal to or greater than 4.0 to 1.0, the COD shall be limited to 2.5 kg/kkg of anhydrous product for that portion of the production representing final products characterized by a COD to BOD5 ratio equal to or greater than 4.0 to 1.0 and 8.0 kg/kkg of anhydrous product for that portion of the production represented by final products characterized by a COD to BOD5 ratio of less than 4.0 to 1.0.

16. Subpart P is amended by adding § 417.164 as follows:

§ 417.164 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 417.162 above shall not apply and, subject to the provisions of 40 CFR Part 128 concerning pretreatment and the following limitation on COD, process waste water from this subcategory may be introduced into a publicly owned treatment works.

(b) For those operations subject to this subpart in which more than 25 percent of the annual production is represented by final products with a COD to BOD5 ratio equal to or greater than 4.0 to 1.0, the COD shall be limited to 1.0 kg/kkg of anhydrous product for that portion of the production representing final products characterized by a COD to BOD5 ratio equal to or greater than 4.0 to 1.0 and 4.0 kg/kkg of anhydrous product for that portion of the production represented by final products characterized by a COD to BOD5 ratio of less than 4.0 to 1.0.

17. Subpart Q is amended by adding § 417.174 as follows:

§ 417.174 **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 417.172 above shall not apply and, subject to the provisions of 40 CFR Part 128 concerning pretreatment and the following limitation on COD, process waste water from this subcategory may be introduced into a publicly owned treatment works.

(b) For those operations subject to this subpart in which more than 25 percent of the annual production is represented by final products with a COD to BOD5 ratio equal to or greater than 4.0 to 1.0, the COD shall be limited to 0.25 kg/kkg of anhydrous product for that portion of the production representing final products characterized by a COD to BOD5 ratio equal to or greater than 4.0 to 1.0 and 0.50 kg/kkg of anhydrous product for that portion of the production represented by final products characterized by a COD to BOD5 ratio of less than 4.0 to 1.0.

18. Subpart R is amended by adding § 417.184 as follows:

§ 417.184 **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 417.182 above shall not apply and, subject to the provisions of 40 CFR Part 128 concerning pretreatment and the following limitation on COD, process waste water from this subcategory may be introduced into a publicly owned treatment works.

(b) For those operations subject to this subpart in which more than 25 percent of the annual production is represented by final products with a COD to BOD5 ratio equal to or greater than 4.0 to 1.0, the COD shall be limited to 0.15 kg/kkg of anhydrous product for that portion of the production representing final products characterized by a COD to BOD5 ratio equal to or greater than 4.0 to 1.0 and 0.30 kg/kkg of anhydrous product for that portion of the production represented by final products characterized by a COD to BOD5 ratio of less than 4.0 to 1.0.

19. Subpart S is amended by adding § 417.194 as follows:

§ 417.194 **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 417.192 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.

[FR Doc.74-8078 Filed 4-11-74;8:45 am]

federal register

FRIDAY, APRIL 12, 1974

WASHINGTON, D.C.

Volume 39 ■ Number 72

PART III



DEPARTMENT OF LABOR

Employment Standards Administration

■

Minimum Wages for Federal and Federally Assisted Construction

General Wage Determination Decisions

DEPARTMENT OF LABOR

Employment Standards Administration

MINIMUM WAGES FOR FEDERAL AND FEDERALLY ASSISTED CONSTRUCTION

General Wage Determination Decisions

General Wage Determination Decisions of the Secretary of Labor specify, in accordance with applicable law and on the basis of information available to the Department of Labor from its study of local wage conditions and from other sources, the basic hourly wage rates and fringe benefit payments which are determined to be prevailing for the described classes of laborers and mechanics employed in construction activity of the character and in the localities specified therein.

The determinations in these decisions of such prevailing rates and fringe benefits have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24–70) containing provisions for the payment of wages which are dependent upon determinations by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of Part 1 of Subtitle A of Title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates, (37 FR 21138) and of Secretary of Labor's Orders 12–71 and 15–71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and Federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in effective date as prescribed in that section, because the necessity to issue construction industry wage determination frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General Wage Determination Decisions are effective from their date of publication in the FEDERAL REGISTER without limitation as to time and are to be used in accordance with the provisions of 29 CFR Parts 1 and 5. Accordingly, the applicable decision together with any modifications issued subsequent to its publication date shall be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR, Part 5. The wage rates contained therein shall be the minimum paid under such contract by contractors and subcontractors on the work.

Modifications and Supersedeas Decisions to General Wage Determination Decisions. Modifications and Supersedeas Decisions to General Wage Determination Decisions are based upon information obtained concerning changes in prevailing hourly wage rates and fringe benefit payments since the decisions were issued.

The determinations of prevailing rates and fringe benefits made in the Modifications and Supersedeas Decisions have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 20–70) 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

New Hampshire:
AQ–3135; AQ–3136

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:

Alabama:	
AQ–4096	Mar. 29, 1974.
California:	
AQ–1094; AQ–1095	Mar. 22, 1974.
Delaware:	
AQ–2029	Nov. 16, 1973.
Michigan:	
AQ–3064	Jan. 11, 1974.
Pennsylvania:	
AQ–2045; AQ–2063; AQ–2064; AQ–2065; AQ–2066; AQ–2069.	Feb. 15, 1974.
AQ–2053	Feb. 22, 1974.
AQ–2071	Mar. 8, 1974.
AQ–2084	Mar. 29, 1974.
Virginia:	
AQ–2063	Dec. 21, 1973.
AQ–2074	Mar. 8, 1974.
Washington, D.C.:	
AQ–2035	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:

Colorado:	
AQ–1061 (AQ–1097)	Nov. 30, 1973.
Florida:	
AQ–4054 (AQ–4099); AQ–4057 (AQ–4100).	Jan. 25, 1974.
Illinois:	
AP–690 and AP–1003 (AQ–3151); AP–691 and AP–1004 (AQ–3152); AP–693 and AP–1006 (AQ–3154). AP–695 and AP–1008 (AQ–3156); AP–698 and AP–1010 (AQ–3158); AP–1001 and AP–1011 (AQ–3159).	June 8, 1973.
AQ–3077 and AQ–3079 (AQ–3155); AQ–3078 and AQ–3080 (AQ–3157).	Feb. 8, 1974.
Iowa:	
AM–2448 (AQ–101); AM–2458 (AQ–102).	Aug. 25, 1971.
New Hampshire:	
AQ–3029 (AQ–3147)	Nov. 1, 1973.
AQ–3033 (AQ–3147)	Nov. 9, 1973.
AQ–3074 and AQ–3075 (AQ–3148).	Jan. 25, 1974.
New Jersey:	
AP–829 (AQ–2098)	May 18, 1973.
AP–837 (AQ–2097); AP–839 (AQ–2096).	May 25, 1973.
AQ–2073 (AQ–2095)	Mar. 1, 1974.
Pennsylvania:	
AP–488 (AQ–2092)	Mar. 9, 1973.
Tennessee:	
AP–169 (AQ–4098)	Mar. 23, 1973.
Texas:	
AQ–72 (AQ–104)	Jan. 11, 1974.
AQ–84 (AQ–103)	Feb. 22, 1974.

Signed at Washington, D.C. this 5th day of April 1974.

RAY J. DOLAN,
Assistant Administrator,
Wage and Hour Division.

NEW DECISION

STATE: New Hampshire
DECISION: No. AQ-3145
COUNTY: Merrimack
DATE: Date of Publication
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), heavy, highway and Marine Construction.

7-New Hampshire 1-2-3-B 1 of 2

BUILDING, HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Asbestos workers	$9.26	.60	.65		.01
Boilermakers	9.08	.60	10%		.01
Bricklayers, cement masons, marble setters, plasterers, stone masons, terrazzo workers, & tile setters	7.20	.45	.35		.01
Carpenters	6.56	.35	.30		.01
Electricians:					
Hookset:					
Electricians	8.80	.25	1%		.03
Remainder of County:					
Electricians	7.90	.40	1%		.02
Elevator constructors	9.125	.345	.23	2%+a+b	.015
Elevator constructors' helpers	6.39	.345	.23	2%+a+b	.015
Elevator constructors' helpers (prob.)	4.56				
Glaziers	6.57	.25	.36		.02
Ironworkers:					
Structural, ornamental & reinforcing	7.95	.50	.90		.02
Laborers:					
Newbury, Sutton, Canterbury, Webster and Pittsfield to County line & all areas South thereof:					
Building:					
Laborers, wreckers, tenders, hod carriers & asphalt rakers	5.56	.40	.40		.05
Plasterers' tenders	5.71	.40	.40		.05
Jackhammer, pavement breaker drillers & chipping gun operator	5.96	.40	.40		.05
All other pneumatic tool operator on boiler and stack work	6.46	.40	.40		.05
Boiler & stack work	6.06	.40	.40		.05
HEAVY & HIGHWAY:					
Laborers & pipelayers	4.20	.40	.40		.05
Air tool operators, wagon drillers, concrete vibrators & scalers	4.45	.40	.40		.05
Blasters & powdermen	4.70	.40	.40		.05
Andover, Danbury, Franklin Hill, New London, Northfield, Salisbury, Tilton and Wilmot:					
Building, Heavy and Highway:					
Laborers	5.56	.40	.40		.05
Pipelayers	5.56	.40	.40		.05
Pneumatic tool operator, drillers, and pavement breaker	5.96	.40	.40		.05
Blasters & powdermen	6.06	.40	.40		.05
Plasterers' tenders	5.71	.40	.40		.05

7-New Hampshire 1-2-3-B 2 of 2

BUILDING, HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Lead burners	8.75	.30		c	.01
Line Construction:					
Linemen	7.07	.30	1%	d	
Equipment operator	6.92	.30	1%	d	
Groundman	4.71	.30	1%	d	
Driver Groundman	4.91	.30	1%	d	
Painters:					
Brush	4.70	.175			
Open structural steel work to 25' & spray	5.95	.175			
Steel, enclosed, over 25'	5.80	.175			
Steeplejack	6.80	.175			
Plumbers and steamfitters	8.35	.43	.35		.02
Piledrivermen and Millwrights	7.41	.35	.30		.01
Roofers	5.90				
Roofers' helpers	5.40				
Sheet metal workers	8.42	.30	.30		.02
Soft floor layers	6.56	.25	.20		.01
Sprinkler fitters	8.15	.40	.60		.07
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, Christmas Eve and Good Friday, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday.

d. Holidays: B through F, provided the employee has been employed 5 working days prior to the holiday and provided the employee works the scheduled work days immediately preceding and following the holiday.

N. H. 1-PEO Q

POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CLASS I					
Shovel, crane, dragline, derrick, backhoe, elevator with Chicago boom, gradall, elevating grader, front end loader 6 Yds and over, cherry picker, pile driving rigs, concrete road pavers, all three drum hoisting and trenching machines	$8.45	.45	.60	a	.05
CLASS II					
Rotary drill w/mounted compressor, compressor house (3-6 compressors), rock and earth boring machines excluding McCarthy and similar drills, graders, 4 yds. and over front end loader, two drum hoists, high fork lifts with capacity of 15' & over, scrapers, sonic hammer, vibratory hammer	8.20	.45	.60	a	.05
CLASS III					
Bulldozers, push cats, scrapers (tractor drawn), asphalt paver, front end loader 3/4 yds. to 4 yds., well driller, mechanics, pumpcrete machines, concrete pumps and similar type pumps, engineer or fireman on high pressure boiler (on job), self loading batch plant, well point operators including installing, engineer-in-charge of powered grease truck, all automatic elevators permanent or temporary, operated manually or by remote controls	8.00	.45	.60	a	.05
CLASS IV					
Single drum hoist, self-powered roller, self-propelled compactors, power pavement breakers, concrete pavement finishing machines, two bag mixers with skip, front end loaders under 3/4 yds. McCarthy and similar drills, batch plant not self loading, bulk cement plants, self-propelled material spreaders, A-frame trucks, fork lifts up to 15'	7.575	.45	.60	a	.05

N. H.-1-PEO Q 2 of 2

POWER EQUIPMENT OPERATORS (CONTINUED):	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Class V					
Compressor 315 cubic feet and over, one or two), pumps (4 inches and over-total discharge) when total discharge is over 12 inches, classification 3 will be paid, tractor (without blade or bucket) drawing roller compactors or other machines	$7.55	.45	.60	a	05
Class VI					
Compressors (up to 315 cubic feet) small mixers, pumps (up to 4 inches), power heaters, welding machines (when 3 or more heaters or welding machines are used on one job, classification 4 rate will be paid), conveyor, oiler, including helpers on grease trucks and grease trucks with hand greasing equipment	7.00	.45	.60	a	.05
Class VII					
Oilers on truck cranes and gradalls	7.20	.45	.60	a	.05
Cranes with boom lengths of 200 feet or more	9.45	.45	.60	a	.05
Crane with boom length of 150 feet or more	8.95	.45	.60	a	.05

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day;
C-Independence Day; D-Labor Day;
E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:
a. Holidays: A through F, Veterans Day, Washington's Birthday and Columbus Day/

N.H. 2-PEO-2-3-R

HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
Classification 1						
Shovels, Crawler & Truck Cranes, Derricks, Backhoes, Trenching Machines, Elevating Graders, Gradall, Piledrivers, Concrete Pavers, Engineers on site processing plant, Dragline, Clamshell, Cableways	8.20	.35	.50	a	.05	
Classification 2						
Rotary drill (with mounted compressor), Compressor house (3 to 6 compressors), Rock and earth boring machine (excluding McCarthy and similar drills), Graders, Front end loader (4 yd. or over)	7.95	.35	.50	a	.05	
Classification 3						
Bulldozer, Push Cats, Scraper (Self propelled or tractor drawn), Self-powered Asphalt paver, (Front end loader 3/4 to 4 yd.), Mechanics, Well driller, Pumpcrete machiue, Engineer or Fireman on high pressure boiler (on job) Self-loading Batch plant (on job), Well Point Ops.	7.75	.35	.50	a	.05	
Classification 4						
Hoists, Conveyors, Self-powered rollers and Compactors, Self-propelled Material spreader, Self-powered concrete finishing machine, Mixers (2 bag with skip), front end loader (under 3/4 yd.), McCarthy and similar drills, Batch plant (not a self-loading), Bulk cement plant	7.20	.35	.50	a	.05	
Classification 5						
Compressor (315 C.F. or over-one or two), Pump 4" or over, Tractor without blades, Drawing sheeps-foot, rubber tired roller or other type compactor including machines for pulverizing and aerating soil	6.875	.35	.50	a	.05	
Classification 6						
Compressor (up to 315 C.F.); Small mixers with skip, Oiler, Pumps up to 4", Grease truck, Power heaters, Welding machines (when 3 or more welding machines class 4 rate applies), A-Frame Trucks, Fork-lifts, (where grease truck contains powered grease equipment, engineer in charge shall be paid class 3 rate)	6.35	.35	.50	a	.05	
Crane with boom length of 200 feet or more including jib	8.70	.35	.50	a	.05	

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day;
C-Independence Day; D-Labor Day;
E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:
a. Holidays: A through F; Washington's Birthday; Veteran's Day; Columbus Day

N. H. 5-PEO-4-F 1 of 2

MARINE CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Power Equipment Operators					
Class I					
Power shovel, crane, truck crane, derrick, cherry picker, pile driver, 2 or more drum machine, lighter, derrick boat, trenching machine, mechanical hoist, pavement breaker, cement concrete paver, dragline, hoisting engine, pump-crete machine, elevating grader, shovel dozer (except when pushing) front end loader (except when pushing), backhoe, gradall, cableway, boring machine, rotary drill, post hole hammer, post hole digger, fork lift	$6.335	.275	.30	a	.02
Class II					
Swinger engine	6.285	.275	.30	a	.02
Class III					
Sonic or vibratory hammer, grader, scraper (over 21 yds. struck), tandem scraper concrete pump, Bulldozer, scraper (21 yds. struck or less)	6.215	.275	.30	a	.02
Class IV					
Portable steam boiler, portable steam generator, roller, tractor, mechanic (maintenance), concrete mixer with side loader	5.965	.275	.30	a	.02
Class V					
Assistant engineer (fireman)	5.755	.275	.30	a	.02
Class VI					
Pump, compressor, welding machine, heater (power driven), valve controlling permanent plant (air or steam), wellpoint system, auger (powered by independent engine and attached to pile driver), hydraulic saw, generator, lighting plant. syphon, pulsometer, concrete mixer, conveyor	5.23	.275	.30	a	.02
Class VII					
Oiler (other than truck crane and gradall)	4.555	.275	.30	a	.02
Class VIII					
Oiler on scow	5.18	.275	.30	a	.02
Class IX					
Oiler on truck crane and gradall	4.605	.275	.30	a	.02

POWER EQUIPMENT OPERATORS (Cont'd.)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Booms over 150' including jib - additional $.25 per hour Booms over 185' including jib - additional $.50 per hour Booms over 220' including jib - additional $.75 per hour Booms over 275' including jib - additional $1.00 per hour					

PAID HOLIDAYS: (WHERE APPLICABLE)
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Holidays: A through F; Washington's Birthday, Patriots' Day, Columbus Day; and Veterans' Day; Provided the employee has worked 3 days during the week in which the holiday falls and is available for work the days preceding the Holiday.

TRUCK DRIVERS, BUILDING, HEAVY, & HIGHWAY	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Two Axle Equipment	4.16	.25	.25	a		
Three Axle Equipment including low beds	4.38	.25	.25	a		
Special earth hauling equipment other than conventional type on the road trucks and semitrailers : trailer dumps	4.60	.25	.25	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, plus Washington's Birthday, Veterans' Day and Columbus Day; (provided employee works two days in the calendar week in which the holiday falls; reports for work the last day assigned prior to the holiday and the first day assigned following the holiday.)

STATE: New Hampshire COUNTY: Strafford
DECISION NO. AQ-3146 DATE: Date of Publication
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), heavy, highway and Marine Construction.

9-NH-1-2-3-D 1 of 2

BUILDING, HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Asbestos workers	$9.26	.60	.65		.01
Boilermakers	9.08	.60	10%		.01
Bricklayers, cement masons, marble setters, plasterers, stone masons, terrazzo workers and tile setters	7.20	.45	.35		.01
Carpenters and soft floor layers	6.56	.35	.30		.01
Electricians	7.81	.35	1%+.10		.01
Elevator constructors	9.125	.345	.23	2%+a+b	.015
Elevator constructors' helpers	6.39	.345	.23	2%+a+b	.015
Elevator constructors' helpers (prob.)	4.56				
Glaziers	6.57	.25	.36		.02
Ironworkers:					
Strucutral, ornamental & reinforcing	7.95	.50	.90		.02
Laborers:					
Laborers and pipelayers	5.56	.40	.40		.05
Plasterers tenders	5.71	.40	.40		.05
Pneumatic tool op, drillers, pavement breakers	5.96	.40	.40		.05
Blasters and powdermen	6.06	.40	.40		.05
Lead burners	8.75	.30		c	.01
Line Construction:					
Linemen	7.07	.30	1%	d	
Equipment operator	6.92	.30	1%	d	
Groundman	4.71	.30	1%	d	
Driver groundman	4.91	.30	1%	d	
Painters:					
Brush	5.85		.25		
Rollers, 9 inches	5.85		.25		
Spray and tender	6.85		.25		
Structural steel	5.90		.25		
Structural steel (45 ft. or more)	6.90		.25		
Piledrivermen, wharf, dock builders and millwrights	7.41	.35	.30		.01
Plumbers and Steamfitters	8.35	.43	.35		.02
Roofers	5.90				
Roofers' helpers	5.40				
Sheet metal workers	8.14	.31	.32		.02
Sprinkler fitters	8.15	.40	.60		.07
Welders - receive rate prescribed for craft performing operation to which welding is incidental.					

9-NH-1-2-3-D 2 of 2

BUILDING, HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.

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 and Christmas Eve providing employee has worked at least 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. Holidays; B through F provided employee has been employed 5 working days prior to the holiday and provided employee works the scheduled work days immediately preceding and following the holidays.

BUILDING CONSTRUCTION

N. H. 3-PEO - 0

POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CLASS 1					
Shovels, cranes, truck cranes, cherry pickers, dragline, trench hoe, backhoe, 3 drum mach., derricks, pile driver, elevator tower, hoist, gradall, shovel dozer (except when pushing), front end loader (except when pushing), fork lift, auger, boring mach., rotary drill, post hole hammer, post hole digger, pumpcrete mach.	$9.11	.55	.60	a	
CLASS 2					
Sonic or vibratory hammer, grader, scraper more than 21 yds. struck, tandem scraper, conc. pump, bulldozer, scraper 21 yds. struck or less, portable steam boiler, portable steam generator, roller, spreader, tamper, asphalt paver, Mechanics, Maintenance	8.99	.55	.60	a	
CLASS 3					
Assistant engineers (firemen)	8.36	.55	.60	a	
CLASS 4					
Pumps (1-3 grouped), compressor, welding mach. (1-3 grouped), generator, conc. vibrator, lighting plant, heater (power driven 1-5), wellpoint system (operating & installing), syphons-pulsometers, conc. mixers, valves controlling permanent plant air or steam, conveyor, Jackson type tamper, single diaphragm pump	7.67	.55	.60	a	
CLASS 5					
Oilers on truck cranes & gradalls	7.18	.55	.60	a	
CLASS 6					
Oilers (other than truck cranes & gradalls	6.80	.55	.60	a	
Boom lengths including jib: over 150'+.35, over 185'+.70, over 210'+1.00, over 250'+1.50 over 295'+2.00					

FOOTNOTE:

a. 10 paid holidays; New Year'sDay, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day, Washington's Birthday, Fast Day, Columbus Day, and Armistice Day.

NH-4-PEO-2-3-T 1 of 2

HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Power Equipment Operators;					
Class I					
Power shovels, cranes, truck cranes, derricks, pile drivers, trenching machines, mechanical hoist, pavement breakers, cement concrete pavers, draglines, hoisting engines, three drum machines, pumpcrete machines, elevating graders, shovel dozers, (when used for digging or loading), front end loaders (when used for digging or loading), mucking machines (when used as in shafts and tunnels), shaft hoists, steam engineers, backhoes, gradalls and cableways	8.30	.55	.60	a	
Class II					
Master Mechanics	8.75	.55	.60	a	
Class III					
Graders, scrapers, more than 21 yds., struck and tandem scrapers Bulldozers, scrapers, 21 yds., struck or less, grout pumps, portable steam boilers, rollers, spreaders, asphalt pavers, locomotive and tampers, self-propelled or tractor-drawn Mechanics, maintenance	8.18	.55	.60	a	
Class IV					
Pumps(s) (1-3 grouped), compressors welding machine(s) (1-3 grouped) generators, lighting plants, heaters (power driven (1-5), syphons, pulsometers, concrete mixers, valves controlling permanent plant air or steam, conveyors, well point systems (operating and installing)	7.195	.55	.60	a	
Class V					
Assistant Engineers (Firemen)	7.72	.55	.60	a	
Class VI					
Oilers (other than truck cranes and gradalls)	6.52	.55	.60	a	
Class VII					
Oilers on truck cranes and gradalls	6.57	.55	.60	a	

HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Boom length including jib:					
Over 150 feet - additional $.35 per hour					
Over 185 feet - additional $.70 per hour					
Over 210 feet - additional $1.00 per hour					
Over 250 feet - additional $1.50 per hour					
Over 295 feet - additional $2.00 per hour					

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; Columbus Day; Veterans' Day; Fast Day.

MARINE CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Power Equipment Operators					
Class I					
Power shovel, crane, truck crane, derrick, cherry picker, pile driver, 2 or more drum machine, lighter, derrick boat, trenching machine, mechanical hoist, pavement breaker, cement concrete paver, dragline, hoisting engine, pumpcrete machine, elevating grader, shovel dozer (except when pushing) front end loader (except when pushing), backhoe, gradall, cableway, boring machine, rotary drill, post hole hammer, post hole digger, fork lift	$6.335	.275	.30	a	.02
Class II					
Swinger engine	6.285	.275	.30	a	.02
Class III					
Sonic or vibratory hammer, grader, scraper (over 21 yds. struck), tandem scraper concrete pump, Bulldozer, scraper (21 yds. struck or less)	6.215	.275	.30	a	.02
Class IV					
Portable steam boiler, portable steam generator, roller, tractor, mechanic (maintenance), concrete mixer with side loader	5.965	.275	.30	a	.02
Class V					
Assistant engineer (fireman)	5.755	.275	.30	a	.02
Class VI					
Pump, compressor, welding machine, heater (power driven), valve controlling permanent plant (air or steam), wellpoint system, auger (powered by independent engine and attached to pile driver), hydraulic saw, generator, lighting plant, syphon, pulsometer, concrete mixer, conveyor	5.23	.275	.30	a	.02
Class VII					
Oiler (other than truck crane and gradall)	4.555	.275	.30	a	.02
Class VIII					
Oiler on scow	5.18	.275	.30	a	.02
Class IX					
Oiler on truck crane and gradall	4.605	.275	.30	a	.02

N.H. 5-PEO-F 2 of 2

POWER EQUIPMENT OPERATORS (Cont'd.)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Booms over 150' including jib - additional $.25 per hour Booms over 185' including jib - additional $.50 per hour Booms over 220' including jib - additional $.75 per hour Booms over 275' including jib - additional $1.00 per hour					

PAID HOLIDAYS: (WHERE APPLICABLE)
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Holidays: A through F; Washington's Birthday, Patriots' Day, Columbus Day; and Veterans' Day; Provided the employee has worked 3 days during the week in which the holiday falls and is available for work the days preceding the holiday.

TRUCK DRIVERS, BUILDING, HEAVY, & HIGHWAY	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Two Axle Equipment	4.16	.25	.25	a		
Three Axle Equipment including low beds	4.38	.25	.25	a		
Special earth hauling equipment other than conventional type on the road trucks and semitrailers trailer dumps	4.60	.25	.25	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, plus Washington's Birthday, Veterans' Day and Columbus Day; (provided employee works two days in the calendar week in which the holiday falls; reports for work the last day assigned prior to the holiday and the first day assigned following the holiday.)

MODIFICATION P. 1

DECISION #AQ-4096 - Mod. #1
(39 FR 11819 - March 29, 1974)
Mobile County, Alabama

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Change:						
Electricians	$8.05	.30	1%+.25	.125	1/10 of 1%	
Line construction:						
Linemen	8.05	.30	1%+.25	.125	1/10 of 1%	
Cable splicers	8.20	.30	1%+.25	.125	1/10 of 1%	
Add:						
Footnote:						
e. Holiday F						

MODIFICATION P. 2

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DECISION #AQ-1094 - Mod. #1					
(39 FR 11004 - March 22, 1974)					
Imperial, Inyo, Kern, Los Angeles, Mono, Orange, Riverside, San Bernardino, San Luis Obispo, Santa Barbara and Ventura Counties, California					
Change:					
Electricians:					
Orange County					
Electricians	$9.65	.45	1%+.75		.02
Cable Splicers	10.09	.45	1%+.75		.02
Plumbers; Steamfitters:					
Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Luis Obispo, Santa Barbara and Ventura Counties	8.84	10%	16%	13%	1%
Sheet Metal Workers:					
Los Angeles County (Remaining portion)	9.77	.74	1.30		.015
San Luis Obispo, Santa Barbara and Ventura Counties	9.72	.69	1.05		
DECISION #AQ-1095 - Mod. #1					
(39 FR 11013 - March 22, 1974)					
Imperial, Kern, Los Angeles, Orange, Riverside, San Bernardino, San Luis Obispo, Santa Barbara and Ventura Counties, California					
Change:					
Electricians:					
Orange County					
Electricians	$ 9.65	.45	1%+.75		.02
Cable Splicers	10.09	.45	1%+.75		.02
Plumbers; Steamfitters:					
Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Luis Obispo, Santa Barbara and Ventura Counties	8.84	10%	16%	13%	1%
Sheet Metal Workers:					
Los Angeles County (Remaining portion)	9.77	.74	1.30		.015
San Luis Obispo, Santa Barbara and Ventura Counties	9.72	.69	1.05		

MATTE SHEET 2

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AQ-2029 - Mod. #4 (38 FR 31774 - November 16, 1973) Statewide Delaware						
Change:						
Line Construction:						
Linemen	$9.92	.30	1%		1/8%	
Winch truck operator	6.94	.30	1%		1/8%	
Groundmen	5.95	.30	1%		1/8%	
Elevator Constructors	9.52	.395	.26	2½%+a&b	.02	
Elevator Constructors' helpers	6.66	.395	.26	2½%+a&b	.02	
Elevator Constructors' helpers (probationary)	4.76					

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DECISION #AQ-3064 - Mod. #1 (39 FR 1704 - January 11, 1974) Mason County, Michigan					
Change:					
Building and Heavy Construction:					
Boilermakers	$8.83	.60	1.00	1.00	.01
Electricians:					
Grant, Freesoil & Meade	8.38	.30	1%+.15		.1%
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
Add:					
LABORERS					
CLASS A Laborers, Rodman, Pumps, Demolition, Semi-skilled or Unskilled labor.	5.26	.35	.30		.04
CLASS B Plasterer and Mason Tenders, Mortar Mixers. Material Mixers (Chemicals, etc.), All Power Tools, Vibrator, Chain Sawers, Nozzle Men, Green Cut Concrete Work	5.41	.35	.30		.04
CLASS C Jackhammer and Acetylene and Propane Torch. Windlass and Tugger Operators, Swing Scaffold, Chimneys, Tower, Crane Scaffold Labor.	5.71	.35	.30		.04
CLASS D Work on scaffold Thirty (30) feet in height or more	5.51	.35	.30		.04
CLASS E Plasterers Tenders - machine pumped.	5.66	.35	.30		.04
CLASS F Pipe or Crock Layers	5.61	.35	.30		.04

MODIFICATIONS P. 5

DECISION #AQ-2045 - Mod. # 2
(39 FR 5934 - February 15, 1974)
Indiana County, Pennsylvania

Change:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Line Construction:						
Groundman	$6.20	.30	1%		3/8%	

DECISION #AQ-2053 - Mod. #2
(39 FR - 7018 - February 22, 1974)
Cumberland, Dauphin, Perry, Junita, New Cumberland Depot in York County, Pennsylvania

Change:						
Line Construction:						
Lineman & Cable splicers	8.84	.30	1%		3/8%	
Groundman	5.30	.30	1%		3/8%	
Winch truck operator	6.19	.30	1%		3/8%	

DECISION #AQ-2063 - Mod. # 2
(39 FR 6014 - February 15, 1974)
Westmoreland County, Pennsylvania

Change:						
Line Construction:						
Groundman	6.20	.30	1%		3/8%	

DECISION #AQ-2064 - Mod. # 2
(39 FR 6018 - February 15, 1974)
Washington County, Pennsylvania

Change:						
Line Construction:						
Groundman	6.20	.30	1%		3/8%	

DECISION #AQ-2065 - Mod. # 2
(39 FR 6022 - February 15, 1974)
Allegheny County, Pennsylvania

Change:						
Cement masons	8.60	6%	16%			
Line Construction:						
Groundman	6.20	.30	1%		3/8%	

MODIFICATIONS P. 6

DECISION #AQ-2066 - Mod. # 1
(39 FR 6026 - February 15, 1974)
Mercer County, Pennsylvania

Change:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Cement masons	$8.60	6%	16%			
Line Construction:						
Lineman, dynamite-man, heavy equipment operator	9.04	.20	1%			
Groundman-truck driver	6.41	.20	1%			
Groundman	6.15	.20	1%			

DECISION #AQ-2069 - Mod. # 1
(39 FR- 6038 - February 15, 1974)
Luzerne County, Pennsylvania

Change:						
Bricklayers:						
Remainder of County	8.60	.35	.50			
Sheet metal workers	8.37	.25	.30		.04	

DECISION #AQ-2071 - Mod. # 1
(39 FR - 9416 - March 8, 1974)
Franklin County, Pennsylvania

Change:						
Line Construction:						
Lineman & Cable splicers	$8.84	.30	1%		3/8%	
Groundman	5.30	.30	1%		3/8%	
Winch Truck Operator	6.19	.30	1%		3/8%	

DECISION #AQ-2084 - Mod. # 1
(39 FR - 11808 - March 29, 1974)
Bedford County, Pennsylvania

Change:						
Laborers:						
Ditch, trench or sumpwork exceeding 10' in depth including caissons	6.13	.40	.40			

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AQ-2074 - Mod. #1 (39 FR 9341 - March 8, 1974) York County and the cities of Hampton and Newport News, Virginia						
Building Construction:						
Omit:						
Painters:						
The cities of Hampton & Newport News and the remainder of York County						
Bush	$6.30					
Spray	6.65					
Structural steel to 74' from ground	6.65					
Work over 74' from ground	6.85					
Add:						
Painters:						
The remainder of York County						
Brush	6.30					
Spray	6.65					
Structural steel to 74' from ground	6.65					
Work over 74' from ground	6.80					
Change:						
Terrazzo workers	5.80			.30		
Tile setters	5.80			.30		
DECISION #AQ-2036 - Mod. #3 (38 FR 35143 - December 21, 1973) Montgomery and Prince Georges Counties, Maryland; City of Alexandria, Virginia; Arlington and Fairfax Counties, Virginia and Dulles International Airport						
Change:						
Ironworkers:						
Structural, ornamental & chain link fence	8.70	.47	.50		.03	
Boilermakers-Blacksmiths	8.65	.60	.70		.02	

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AQ-2035 - Mod. #5 (38 FR 35218 - December 21, 1973) Washington, D. C.						
Add:						
Carpet layers	$5.75	.25			.05	
Change:						
Ironworkers:						
Structural, ornamental & chain link fence	8.70	.47	.45		.03	
Boilermaker-Blacksmiths	8.65	.60	.70		.02	

STATE: Colorado

COUNTIES: Adams, Arapahoe, Boulder, Clear Creek, Denver, Douglas, Eagle, Elbert, Gilpin, Grand, Jefferson, Lake, Larimer, Logan, Morgan, Park, Summit, and Weld

DECISION NUMBER: AQ-1097

DATE: Date of Publication

Supersedes Decision No. AQ-1061 dated November 30, 1973, in 38 FR 33242

DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories) and heavy construction.

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
ASBESTOS WORKERS	$8.47	.33	.72			
BOILERMAKERS	8.25	.30	1.00		.02	
BRICKLAYERS; Stonemasons						
Eagle County	7.45	.45	.60	.25	.05	
Boulder and Grand Counties	7.70	.45	.50		.05	
Elbert, Lake and Park Counties	8.12	.30	.50		.04	
Larimer County	8.10	.50	.45	.25	.05	
Remaining Counties	8.25	.45	.60	.25	.05	
CARPENTERS:						
Adams, Araphoe, Boulder, Clear Creek, Denver, Douglas, Elbert, Grand, Gilpin, Jefferson and Park (Northern area) Cos.						
Area (A) Denver Metropolitan Area including Louisville, Golden, Boulder and Longmont basing points						
Zone I (0 to 20 miles)	7.465	.45	.45	.30	.04	
Zone II (20 to 50 miles)	8.29	.45	.45	.30	.04	
Zone III (50 miles and over)	9.11	.45	.45	.30	.04	
Logan, Morgan and Weld Counties:						
Area (B) Denver Northeastern Area of Colorado including Greeley, Loveland, Fort Morgan and Sterling basing points						
Zone I (0 to 20 miles)	7.42	.45	.45	.30	.04	
Zone II (20 to 50 miles)	8.22	.45	.45	.30	.04	
Zone III (50 miles and over)	9.03	.45	.45	.30	.04	
Larimer County (S. E. portion within Loveland basing point, Zone I)	7.465	.45	.45	.30	.04	
Larimer (Remainder of County), Eagle, Lake, Park (South 40 miles) and Summit Counties						
Zone I (0-30 miles from P. O. in Leadville or Fort Collins	6.87	.45	.45	.30	.04	
Zone II (30-60 miles from P. O. in Leadville or Fort Collins	7.12	.45	.45	.30	.04	
Zone III (all work outisde of the 60 mile radius from P. O. in Leadville or Fort Collins	7.37	.45	.45	.30	.04	
CEMENT MASONS:						
Remaining Counties (including Elbert County, except S. E. corner N½ of Lake and N½ of Park Counties)						
Cement masons	$7.15	.30	.50	.60	.06	
Working with composition materials and color; Working on scaffold, swing stage or temporary platform over 25'; Power troweling and floor grinding machine	7.40	.30	.50	.60	.06	
Eagle and Summit Counties						
Cement masons	6.80	.30	.50	.60	.06	
Working with composition materials and color; Working on scaffold, swing stage or temporary platform over 25'; Power troweling and floor grinding machine	7.05	.30	.50	.60	.06	
S. E. Corner of Elbert, South½ of Lake and South½ of Park Counties						
Cement masons	6.90	.30	.50	.60	.06	
Working with composition materials and color; Working on scaffold, swing stage or temporary platform over 25'; Power troweling and floor grinding machine	7.15	.30	.50	.60	.06	
ELECTRICIANS:						
Electricians (Elbert and Park Counties)	8.32	.32	1%+.25		.01	
Electricians (Remaining Counties)	8.38	.65	1%+.16			
Cable splicers (Remaining Counties)	8.63	.65	1%+.16			
ELEVATOR CONSTRUCTORS	7.76	.345	.23	2%+a		
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.345	.23	2%+a		
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR					
GLAZIERS	6.43					
IRONWORKERS	7.75	.55	.60		.06	
MARBLE MASONS and Tile Layers:						
Elbert, Lake and Park Counties	7.14	.30	.50			
Remaining Counties	7.60	.53	.40	.25		
MILLWRIGHTS	7.24	.45	.40	.40	.04	
PAINTERS:						
Remaining Counties						
Brush and roller	7.41	.40	.15		.01	
Drywall finisher; Paperhanger	7.61	.40	.15		.01	
Spray; Swing stage	7.89	.40	.15		.01	
Park County						
Brush and rollers	6.35	.40	.20		.02	
Steel and spray	6.85	.40	.20		.02	
Steel spray	7.35	.40	.20		.02	
PLASTERERS	8.19			.50	.01	

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
PLUMBERS; Pipefitters:						
Remaining Counties (incl. northern portions of Douglas, Elbert and Park Counties)	$8.05	.50	.45	.50	.05	
Southern portions of Douglas, Elbert and Park Counties (See * below)	7.33	.50	.50	1.17	.05	
Boulder County	8.05	.50	.45	.50	.05	
Larimer County	8.05	.50	.45	.50	.05	
ROOFERS:						
Remaining Counties incl. northern portions of Lake, Park, Jefferson, Douglas and Elbert Counties	7.65	.37			.02	
Eagle and southern portions of Lake, Park, Jefferson, Douglas and Elbert Counties (See * below)	7.58					
SHEET METAL WORKERS	8.47	.30	.65		.07	
SOFT FLOOR LAYERS	7.10	.35	.45	.30	.05	
SPRINKLER FITTERS	8.85	.40	.60		.05	
TERRAZZO WORKERS	7.60	.53	.40	.25		

*Area south of an east-west line from west border of Lake County to a point 2 miles north of the City of Leadville to a point ½ miles north of the City of Limon at the west border of Lincoln County.

FOOTNOTE:

a. Employer contributes 4% basic hourly rate for over 5 years' service and 2% basic hourly rate for 6 months to 5 years' service as Vacation Pay Credit. Six Paid Holidays: A through F.

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Carpenters	$6.57	.45	.45	.30	.03	
Underground Carpenters	6.72	.45	.45	.30	.03	
Working on creosoted material; High work 40' above ground or floor on exposed scaffold or boatswains chair; Piledriving; Sawmen continously assigned to 1½ HP saws at jobsite	6.82	.45	.45	.30	.03	
Cement Masons:						
Construction (outside Denver Metropolitan Area)	5.98	.37	.80	.30	.06	
Cement Masons:						
Construction (Denver Metropolitan Area)	6.13	.37	.80	.30	.06	

Line Construction - Colorado	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Cable Splicer	$ 8.98	.35	1%		3/4%	
Lineman Cableman	8.43	.35	1%		3/4%	
Journeyman Lineman	8.37	.35	1%		3/4%	
Line Equipment Operator	7.12	.35	1%		3/4%	
Line Equipment Maintenance Man	7.12	.35	1%		3/4%	
Groundmen	5.87	.35	1%		3/4%	

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
BUILDING CONSTRUCTION					
Area A					
LABORERS:					
Adams, Arapahoe, Boulder, Denver, Lake, Larimer and Summit Counties, Douglas and Jefferson Counites lying North of the South line of Township 7 South; Elbert County lying West of the East line of Range 65 West and North of the South line of Township 7 South; Weld County lying south and west of the following described line: Beginning at the northwest corner or Township 4 North, Range 68 W. of the 6th p.m.; thence east along the north line of said Township six (6) miles, more or less, to the east line of said Township; thence south along the east line of said Township three (3) miles, more or less to the southeast corner of Section 13, Township 4 North, Range 68 West; thence east along the eastwest center line of Township 4 North, Range 67 West, six (6) miles, more or less to the east line of said Township; thence south along the east line of Range 67 West, being the east lines of Township 4 North, 3 North, 2 North and 1 North, Range67 west, sixteen (16) miles to the southeast corner of Section 1, Township 1 North, Range 67 West; thence east and parallel to the Base line, twelve (12) miles more or less to the southeast corner of Section 1 Township 1 North, Range 65 West; thence south along the east line of Range 65 West, five (5) miles more or less to the Base Line, being the south line of Weld County					
ZONE 1 - 0 to 30 miles from nearest basing point located in the Cities of Boulder, Denver, Dillon, Engelwood, Fort Collins, Golden, Greeley and Leadville					

AREA A - ZONE 1 (cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
General laborers; Underpinning and shoring: 0 to 8' below working surface	$4.75	.37	.40		.05
Underpinning and shoring 8' below working surface to any depth below working surface; Power tool operators of all mechanical, air, gas and electric tools incl. self-propelled buggies and cement finisher tenders; Gunnite nozzlemen and sandblasters	5.03	.37	.40		.05
Laborers - preparing and placing of stone or any other aggregate in a sand bed to be used as exposed face of tiltup panels	5.05	.37	.40		.05
Pipelayers	5.25	.37	.40		.05
Jackhammer operator; Underpinning and shoring over 12' below working surface; Beller and stemmers on caisson work	5.30	.37	.40		.05
Mason tenders, brick and plaster	5.35	.37	.40		.05
ZONE 2 - 30 to 70 miles from nearest basing point located in the Cities of Boulder, Denver, Dillon, Englewood, Fort Collins, Golden, Greeley and Leadville					
General laborers; Underpinning and shoring 0' to 8' below working surface	5.20	.37	.40		.05
Underpinning and shoring 8' below working surface to any depth below working surface; Power tool operators of all mechanical, air, gas and electrical tools incl. self-propelled buggies and cement finisher tenders; Gunnite nozzlemen and sandblasters	5.48	.37	.40		.05

AREA A - ZONE 2 (cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Laborers - preparing and placing of stone or any other aggregate in a sand bed to be used as exposed face of tiltup panels	$5.50	.37	.40		.05
Pipelayers	5.90	.37	.40		.05
Jackhammer operator; Underpinning and shoring over 12' below working surface; Bellers and stemmers on caisson work	5.75	.37	.40		.05
Mason tenders, brick and plaster	5.80	.37	.40		.05
ZONE 3 - 70 miles and over from nearest basing point located in the Cities of Boulder, Denver, Dillon, Englewood, Fort Collins, Golden, Greeley and Leadville					
General laborers; Underpinning and shoring 0' to 8' below working surface	5.65	.37	.40		.05
Underpinning and shoring 8' below working surface to any depth below working surface; Power tool operators of all mechanical, air, gas and electrical tools including self-propelled buggies and cement finisher tenders; Gunnite nozzlemen and sandblasters	5.93	.37	.40		.05
Laborers - preparing and placing of stone or any other aggregate in a sand bed to be used as exposed face of tiltup panels	6.95	.37	.40		.05
Pipelayers	6.15	.37	.40		.05
Jackhammer operator; Underpinning and shoring over 12' below working surface; Bellers and stemmers on caisson work	6.20	.37	.40		.05
Mason tenders, brick and plaster	6.25	.37	.40		.05

Area B	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LABORERS:					
Douglas, Elbert, Jefferson and Weld Counties lying outside of the area as described in Area A and Clear Creek, Eagle, Gilpin, Grand, Logan, Park and Morgan Counties					
ZONE 1 - 0 to 30 miles from nearest basing point located in the Cities of Eagle, Fort Morgan, Golden, Grandby, Greeley, Sterling and Vail					
General laborers; Underpinning and shoring 0' to 8' below working surface	$4.55	.37	.40		.05
Power tool operators of all mechanical, air, gas and electrical tools including self-propelled buggies and cement finishers tenders; Gunnite nozzlemen and sandblasters	4.70	.37	.40		.05
Laborers - preparing and placing of stone or any other aggregate in a sand bed to be used as exposed face of tiltup panels	4.75	.37	.40		.05
Underpinning and shoring 8' below working surface to any depth below working surface	4.83	.37	.40		.05
Jackhammer operator; Underpinning and shoring over 12' below working surface; Bellers and stemmers on caisson work	4.87	.37	.40		.05
Pipelayers	5.03	.37	.40		.05
Mason tenders, brick and plaster	5.35	.37	.40		.05
ZONE 2 - 30 to 70 miles from nearest basing point located in the Cities of Eagle, Fort Morgan, Golden, Grandby, Greeley, Sterling, and Vail					
General laborers; Underpinning and shoring 0' to 8' below working surface	5.00	.37	.40		.05

AREA B - ZONE 2 (cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Power tool operators of all mechanical, air, gas and electrical tools including self-propelled buggies and cement finisher tenders; Gunnite nozzlemen and sandblasters	$5.15	.37	.40		.05
Laborers - preparing and placing of stone or any other aggregate in a sand bed to be used as exposed face of tiltup panels	5.20	.37	.40		.05
Underpinning and shoring 8' below working surface to any depth below working surface	5.28	.37	.40		.05
Jackhammer operators; Underpinning and shoring over 12' below working surface; Bellers and stemmers on caisson work	5.32	.37	.40		.05
Pipelayers	5.48	.37	.40		.05
Mason tenders, brick and plaster	5.60	.37	.40		.05
ZONE 3 - 70 miles and over from nearest basing point located in the Cities of Eagle, Golden, Fort Morgan, Grandby, Greeley, Sterling and Vail					
General laborers; Underpinning and shoring 0' to 8' below working surface	5.45	.37	.40		.05
Power tool operators of all mechanical, air, gas and electrical tools including self-propelled buggies and cement finisher tenders; Gunnite nozzlemen and sandblasters	5.60	.37	.40		.05
Laborers - preparing and placing of stone or any other aggregate in a sand bed to be used as exposed face of tiltup panels	5.65	.37	.40		.05
Underpinning and shoring 8' below working surface to any depth below working surface	5.73	.37	.40		.05
Jackhammer operators; Underpinning and shoring over 12' below working surface; Bellers and stemmers on caisson work	5.77	.37	.40		.05
Pipelayers	5.93	.37	.40		.05
Mason tenders, brick and plaster	6.05	.37	.40		.05

HEAVY AND HIGHWAY CONSTRUCTION

CO-2-LAB-2-3-b

LABORERS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
GROUP I						
Minimum laborer, including caissons to 8', carrying reinforcing rods; Work on cross culverts, connections and side drains in connection with highway work, whether corrugated metal or concrete pipe; Fence erectors; Metal Mesh; Dowel bars; Tie bars and chairs in concrete paving; Nursery man incl. seeding, mulching and planting of trees, shrubs and flowers; Stake chaser; Gabion baskets and Reno mattresses	$4.55	.37	.40		.05	
GROUP II						
Chuck tenders; Nippers, core and diamond drill helpers; Powderman helpers	4.60	.37	.40		.05	
GROUP III						
Hot asphalt laborer; Rakers; Box-tenders; Asphalt curb machines; Potmen (not mechanical)	4.68	.37	.40		.05	
GROUP IV						
Multi-plate culvert pipe; Air, gas and electric tools operators; Barco hammers; Spaders; Electric hammers; Air tampers; Cutting torches on demolition work; Caissons 8' to 12'; Cofferdams; Power operated concrete buggies; Operators of concrete saws on pavement (other than gang saws); Timber and chain saws; Stresser or stretcherman on post tension or prestressed concrete on or off jobsite; Tool room man and checkers; Cement finisher helper; Sandblaster helper; Concrete processing material monitor; Spotters; Signalmen; Dumpmen; Transverse concrete conveyor operator, mechanical grouters; Boring machines (air hydraulic); Automatic concrete power curbing machine; Jackhammers; Vibrators; Paving breakers; Frostproofing	4.70	.37	.40		.05	

CO-2-LAB-2-3-b

LABORERS (cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
GROUP V						
Any laborers performing bridge work over 40' above the ground or above a floor and working from a bos'n chair, swinging stage, life belt or block and tackle	$4.72	.37	.40		.05	
GROUP VI						
Gunniting and shotcrete helpers; Caissons over 12'; Cofferdams; Timbermen; Underpinning and shoring; Formsetters and/or stringman on roads, highways, streets and airport runways; Distributor; Placing and hooking of landing mats; Bull float (hand operated) and center expansion machines; Sandblasters; Grade checkers if required by employer	4.83	.37	.40		.05	
GROUP VII						
Powdermen and blasters; Gunnite nozzlemen; Shotcrete operator	4.93	.37	.40		.05	
GROUP VIII						
Pipelayer on truck pipe lines in connection with highway work	5.00	.37	.40		.05	
GROUP IX						
Wagon drills and air tracks; Jackhammer operators in caissons over 12'; Bellers and stemmen; Licensed powdermen; Diamond and core drills powered by air	5.13	.37	.40		.05	
GROUP X						
Any work, other than on bridges, performed by laborers working from a bos'n chair, swinging stage, life belt or block and tackle as a safety requirement	5.18	.37	.40		.05	

CO-2-LAB-2-3-b

LABORERS (cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
(Pipelines)						
All mainline sewers; Water mains; Gas, oil or any product pipelines; Penstocks; Siphons or drainage lines; Pipe plants and yards not in connection with highway construction.						
GROUP I						
Pipe plants and yards; Stringing of pipe or skids; Handling and signaling on line work	$4.55	.37	.40		.05	
GROUP II						
Potman (not mechanical); Pipewrapper, Dopers, Jeep Holiday Detector Men, Bandage makers, Powdermen helpers	4.60	.37	.40		.05	
GROUP III						
Laborers working in trenches on all pipelines; Sewer, water, gas, oil, telephone conduit, pen stock, siphons, drainage lines, caulkers, yarners, fine graders, air, gas, electric and hydraulic tools, boring machines, hydraulic jacks, drills, tampers, etc.	4.77	.37	.40		.05	
GROUP IV						
Sandblasters, powdermen and blasters, wiping of joint concrete pipe, inside and out; Labor, applicable to pipe coating or wrapping, plants andyards; Enamelers of pipe, inside and out	4.79	.37	.40		.05	
GROUP V (Relining Pipe)						
Relining pipe	4.88	.37	.40		.05	
Mixer man	4.93	.37	.40		.05	
GROUP VI						
Pipelayer	5.00	.37	.40		.05	

CO-3-LAB-2-3-1b (1-2)

LABORERS (TUNNELS):	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
Outside laborers	$4.55	.37	.40		.05	
GROUP I						
Minimum tunnel labor, dry house man	5.15	.37	.40		.05	
GROUP II						
Cable or hose tenders, chuck tenders, concrete laborers, dumpman, whirley pumps operators	5.25	.37	.40		.05	
GROUP III						
Helpers on shotcrete, gunniting and sandblasting; Helpers, core and diamond drills; Pot tender	5.33	.37	.40		.05	
GROUP IV						
Cement finisher helper, applying of concrete processing materials	5.40	.37	.40		.05	
GROUP V						
Collapsible form movers and setters, miners, machinemen and bit grinders, nippers, powdermen and blasters, reinforcing steel setters, timbermen (steel or wood tunnel support, incl. the placement of sheeting when required) and all cutting and welding that is incidental to the miner's work; Tunnel liner plate setters; Vibrator men, internal and external; Unloading, stopping and starting of Moran Agitator Cars; Diamond and core drills; Cement finisher (underground); Shotcrete operator; Gunnite nozzlemen; Sandblaster; Pump concrete placement men	5.55	.37	.40		.05	
(SHAFTS, RAISES, MISSILE SILOS AND ALL UNDERGROUND WORK OTHER THAN TUNNELS)						
GROUP I						
Laborers, Topmen, Bottommen, and Cagers	5.25	.37	.40		.05	
GROUP II						
Chucktenders, Concrete laborers, Whirley pumps operators	5.40	.37	.40		.05	

CO-3-LAB-2-3-1b (2-2)

LABORERS (TUNNEL) (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP III						
Helpers on shotcrete, gunniting and sandblasting; Helpers on core and diamond drills; Pot tenders; Cement finisher helpers; Applying of concrete processing material	$5.50	.37	.40		.05	
GROUP IV						
Collapsible form movers and setters, miners, machinemen and bit grinders, nippers, powdermen and blasters, reinforcing steel setters, timbermen (steel or wood tunnel support, incl. the placement of sheeting when required); All cutting and welding that is incidental to the miner's work; Liner plate setters; Vibrator men, internal and external	5.68	.37	.40		.05	
GROUP V						
Diamond and core drill; Cement finisher (underground); Gunnite nozzlemen; Shotcrete operators; Sandblasters and pump concrete placement men	5.78	.37	.40		.05	
GROUP VI						
Any employee performing work under ground from a bos'n chair, swinging stage, life belt ot block and tackle	5.83	.37	.40		.05	

AQ-1097 P. 15

Colo 1 - PEO-1-2-3-d (1-2)

POWER EQUIPMENT OPERATORS (Other than for work in Tunnels, Shafts and Raises)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
GROUP I						
Asphalt screed; Brakeman; Drill operator, smaller than William MF and similar; Helper to heavy duty mechanic and/or Welder; Tractor operator (under 70 HP), with or without attachments; Oiler	$5.60	.37	.45	.20	.03	
GROUP II						
Air compressor; Ditch witch trenching machine and similar; Equipment lubricating and service engineer; Fork lift; Haulage motorman; Operators of five or more light plants, welding machines, compressors 360 C.F.M. or less, pumps, generators; Pugmill operator; Pugmill; Pumps; Portable screening plant with or without a spray bar; Screening plants-with classifier; Self-propelled rollers - 5 tons & under; Vacuum well point system	5.95	.37	.45	.20	.03	
GROUP III						
Asphalt plant; Backfiller; Bituminous spreader or laydown machine; Cableway signalman; Caissons drill; (William MF, similar and larger; C.M.I. and similar; Concrete finish machine; Concrete gang saws on concrete paving; Concrete mixer (less than 1 yd.); Concrete placement pumps (under 8 in.); Conveyor (handling building materials); Distributors, bituminous surfaces; Drill, (diamond or core); Drills rigs (rotary, churn or cable tool); Elevating graders; Engineer fireman; Fireman or tank heater, Road; Grout machine; Gunnite machine; Hoists (1 drum); Loader (Barber Greene, etc.); Loader (up to and including 6 cu. yds.); Machine doctor mechanic; Motor grader (blade); Road stabilization machine; Roller-self-propelled-all types over 5 tons; Sand-blasting machine; Single unit portable crusher-with or without washer; Tile tamper, Wheel mounted; Tractor (70 h.p. & over)(with or without attachments); Trenching machine; Welder; Winch op. on truck; Concrete batching plants	6.30	.37	.45	.20	.03	

AQ-1097 P. 16

Colo 1 PEO -1-2-3-d (2-2)

POWER EQUIPMENT OPERATORS (cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP IV						
Concrete mixer (over 1 cu. yd.); Concrete paver 34 E or similar; Concrete placement pumps (8 in. and over); Crane (50 tons and under); Hoists (2 drums); Loader - over 6 cu. yds.; Mechanic-Welder (heavy duty); Mixer-mobile; Multiple unit portable crusher-with or without washer; Pile driver; Fireman; Cable-operated crane, truck mounted, 25 tons and over; Cable - operated power shovels, dragline; Clamshell, and backhoes (5 cu. yds. and under); Hydraulic backhoes, 1½ cu. yds. and over); Special utility operator; Self-propelled hydrocrane; Tractor with side boom; Truck mounted hydro-crane; Scraper-single bowl under 40 cu. yds.	$6.45	.37	.45	.20	.03	
GROUP V						
Crane operator - over 50 tons; Derrick; Electric rail type tower crane; Hoist (3 drum or more); Cable-operated power shovels, draglines, clamshells and backhoes (over 5 cu. yds.); Quad nine and similar push unit; Scraper-all tandem bowls; Scraper-single bowl including pups 40 cu. yd. and over	6.60	.37	.45	.20	.03	
GROUP VI						
Cableway; Crawler or truck mounted tower crane; Wheel excavator; Climbing tower crane	6.75	.37	.45	.20	.03	

Colo. 2-PEO-1-2-3-d (1-1)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
POWER EQUIPMENT OPERATORS: (For work in Tunnels, Shafts, and Raises)						
BRAKEMAN	$5.75	.37	.45	.20	.03	
MOTORMAN	6.10	.37	.45	.20	.03	
COMPRESSOR (900 CFM & OVER), Serving tunnels, shafts and raises	6.20	.37	.45	.20	.03	
AIR TRACTORS; Grout machine; Gunnite machine; Jumbo form; Mechanic; Welder	6.45	.37	.45	.20	.03	
CONCRETE PLACEMENT PUMPS 8" & OVER DISCHARGE; Mechanic-Welder (heavy duty); Mucking machine and frontend loaders underground; Slusher	6.60	.37	.45	.20	.03	
MOLE	7.00	.37	.45	.20	.03	
LINE CONSTRUCTION:						
Cable splicers	8.44	.25	1%		3/4%	
Lineman	7.87	.25	1%		3/4%	
Equipment operator; Line equipment maintenance man	6.71	.25	1%		3/4%	
Groundman	5.55	.25	1%		3/4%	

CO-1-TD-1-2-3-d (1-2)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
TRUCK DRIVERS						
PICKUPS; Helpers; Scalemen; Checkers; Spotters; Dumpmen	$5.10	.30	.20	.10		
DUMP TRUCKS, TO AND INCL. 6 CU. YDS.; Sweeper; Flatrack, single axle; Liquid and bulk tankers, single axle; Warehousemen; Washers; Greasemen; Servicemen; Ambulance drivers, if used	5.20	.30	.20	.10		
DUMP TRUCKS, OVER 6 CU. YDS. TO AND INCL. 12 CU. YDS.; Flatrack tandem axle; Battery men; Mechanic helpers; Material checkers; Cardex men; Expeditors; Man haul shuttle truck or bus	5.30	.30	.20	.10		
STRADDLE TRUCK; Lumber carrier; Liquid and bulk tankers, tandem axle	5.35	.30	.20	.10		
FORK LIFT; Fuel truck; Grease truck; Combination fuel and grease; Tiremen	5.40	.30	.20	.10		
DUMP TRUCKS, OVER 12 CU. YDS., TO AND INCL. 19 CU. YDS.; Distributor; Cement mixer; Agitator truck to and incl. 10 cu. yds.; Liquid and bulk tankers, semi or combination	5.45	.30	.20	.10		
MULTI-PURPOSE TRUCK - Specialty and Hoisting	5.50	.30	.20	.10		
HIGH BOY; Lowboy; Floats; Semi; Cab operated distributor-semi; Liquid and bulk tankers, euclid, electric or similar; Dumptor, Youngbuggy, Jumbo and similar type equipment	5.55	.30	.20	.10		
MECHANICS	5.60	.30	.20	.10		
DUMP TRUCKS, OVER 19 CU. YDS. TO AND INCL. 29 CU. YDS. ; Truck driver snow plow	5.65	.30	.20	.10		

TRUCK DRIVERS (cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
CEMENT MIXER, Agitator over 10 cu. yds. to and incl. 15 cu. yds.	$5.70	.30	.20	.10		
DUMP TRUCKS, OVER 29 CU. YDS. TO AND INCL. 39 CU. YDS.; Heavy duty diesel mechanics; Body men; Welders or combination men	5.80	.30	.20	.10		
CEMENT MIXER, Agitator over 15 cu. yds.	5.95	.30	.20	.10		
DUMP TRUCKS, OVER 39 CU. YDS. TO AND INCL. 54 CU. YDS.	6.00	.30	.20	.10		

SUPERSEDEAS DECISION

STATE: Florida COUNTY: Hillsborough
DECISION NUMBER: AQ-4099 DATE: Date of Publication
*Supersedes Decision No. AQ-4054 dated January 25, 1974 in 39 FR 3386.
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories).

29-Florida-1-m (1-2)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Asbestos workers	$7.27	.35	.20		.06
Boilermakers	7.50	.40	.90		.02
Bricklayers:					
Bricklayers	7.55	.30	.50		.05
Stone masons	7.55	.30	.50		.05
Marble masons	7.30	.30	.50		.05
Terrazzo workers	7.30	.30	.50		.05
Tile setters	7.30	.30	.50		.05
Cement masons	6.80	.30	.50		.05
Cement block layers	7.55	.30	.50		.05
Carpenters	6.865	.30	.20	.10	.02
Millwrights	7.37	.45	.45		.04
Piledrivermen	7.115	.30	.20	.10	.02
Electricians:					
Electrical Contracts over $50,000.00:					
Wiremen	8.53	4⅓%	2%		.12
Cable splicers	8.88	4⅓%	2%		.12
Electrical Contracts $50,000.00 or under:					
Wiremen	7.35	4⅓%	2%		.12
Cable splicers	7.70	4⅓%	2%		.12
Elevator constructors	7.79	.395	.26	2% + a&b	.02
Elevator constructors' helpers	70%JR	.395	.26	2% + a&b	.02
Elevator constructors' mechanics helpers (probationary)	50%JR				
Ironworkers:					
Structural	7.81	.45	.30	.25	.05
Ornamental	7.81	.45	.30	.25	.05
Reinforcing	7.81	.45	.30	.25	.05
Sheeters	7.81	.45	.30	.25	.05
Lathers	7.415	.30	.20		.025
Laborers:					
Power tool operator	4.975	.225			
Mortar mixers	4.975	.225			
Pipelayers (concrete & clay)	4.975	.225			
Masons, plasterers' tenders	4.975	.225			
Common laborers	4.825	.225			
Lead burners	6.35	.25		c	.01
Line Construction:					
Linemen & heavy equipment operator	7.90	.35	1%		1%
Cable splicers	8.29	.35	1%		1%
Cable splicers' helpers	7.90	.35	1%		1%
Winch truck driver operator	6.16	.35	1%		1%
Groundmen	4.59	.35	1%		1%

29-Florida-1-m (2-2)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Painters:					
Brush & roller	6.45	.25	.20		.06
Swing stage & window jacks, spray & sandblasting	6.70	.25	.20		.06
Dry wall tapers	7.30	.25	.20		.06
Structural steel, bridge & Ind.:					
Brush, roller, swing, stage bos'n chair	7.05	.25	.20		.06
Spray & sandblasting	7.30	.25	.20		.06
Paperhangers	6.95	.25	.20		.06
Plasterers	7.16	.30	.50		.05
Plumbers	7.70	.35	.40	.75	.05
Roofers	6.65	.25	.20		
Roofers' helpers	3.70	.25	.20		
Roofers, Kettlemen	4.60	.25	.20		
Sheet metal workers	7.56	.38	.35	.15	
Soft floor layers	6.865	.30	.20	.10	.02
Sprinkler fitters	8.71	.40	.60		.10
Steamfitters	7.70	.35	.40	.75	.05
Terrazzo workers' helpers, tile setters helpers, and marble masons' helpers	4.05	.20			
Terrazzo grinders	4.15	.20			
Terrazzo base grinders	4.35	.20			
Welders - receive rate prescribed for craft performing operation to which welding is incidental.					

FOOTNOTES:

a. Six paid 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. Eight paid holidays: A through F, Washington's Birthday, and Good Friday, providing employee has worked 45 full days during the 120 calendar days prior to the holiday and the regular scheduled work days immediately preceding and following the holiday.

PAID HOLIDAYS: (Where Applicable):
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

AQ-4099 P. 3

FLA-2-PEO-1-u 1 of 1

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
POWER EQUIPMENT OPERATORS						
Cat cranes, truck cranes, pile driver crane, derrick, dragline, material hoist with Chicago boom, material hoist with two drums, hydraulic lift form, diesel electric and steam generators, motor grader, pumporete or similar machine, cherry picker, gradall, hypto and wheelabrator and mechanic, tractor back hoe, drill, rig & tack boom tractor	$8.74	.325	.30		.05	
Trenching machine over 24", winch truck, material hoist (elevator type)	7.755	.325	.30		.05	
Tugger hoist	7.99	.325	.30		.05	
Crawler bulldozer, crawler tractor and turnapull, heavy hufftype front end loader, heavy DW-10 to DW-21 type rubber tired tractor, road roller, fireman, forklift, concrete batch plant operator	7.535	.325	.30		.05	
Wellpoint system and pumps, material hoist, front end loader other than heavy huff type, rubber tired tractor with attachments other than backhoe	5.725	.325	.30		.05	
Air compressor 125 cu. ft. or over	5.985	.325	.30		.05	
Concrete mixer, rubber tired tractor without attachments, trenching machines under 24" high lift, sand blasting machines, welding machine, air compressor, miscellaneous pumps	5.495	.325	.30		.05	
150' boom, including jib scale of top operator classification plus .25 per hour. Tower crane operators .25 per above top operator classification not including long boom pay.						

AQ-4099 P. 4

Florida 29-PEO-1-h 1 of 1

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
POWER EQUIPMENT OPERATORS On building sites and includes roads, parking lots, storm sewer systems, railroads, drain fields, settling basins, pipelines (concrete and/or clay), land cleaning, bulk heads and sea walls, and site preparation exclusive of excavation for buildings.						
HEAVY DUTY EQUIPMENT OPERATORS Cranes, shovels, draglines, piledrivers (all types), concrete paving machines, ditching machines, mechanics, finish, motor grades, front end loaders, hoist (two drums or more), cherry pickers	$5.88	.325	.30		.05	
MEDIUM DUTY EQUIPMENT OPERATORS Motor patrols, bulldozers, rubber tired scrapers (all types), winch trucks, stabilizers, asphalt spreaders, rollers, asphalt rock crushers, concrete mixers (changer pan), light duty hydraulic tractor backhoe, and wellpoint pumps	5.605	.325	.30		.05	
LIGHT DUTY EQUIPMENT OPERATORS Finishing machine, bull floats, spray machines, subgraders. rollers on subgrade, pull cats (all types), form grader, bituminous distributor, hoist (less than two drums) and fireman	5.33	.325	.30		.05	

SUPERSEDEAS DECISION

STATE: Florida
COUNTY: Pinellas
DECISION NUMBER: AQ- 4100
DATE: Date of Publication
*Supersedes Decision No. AQ-4057 dated 39 FR 3392 dated January 25, 1974.
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories).

52-Florida-1-C (2-2)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos workers	$7.27	.35	.20	.75	.06	
Boilermakers	7.50	.40	.90		.02	
Bricklayers	7.55	.30	.50		.05	
Carpenters:						
Carpenters	6.865	.30	.20	.10	.02	
Piledrivermen	7.115	.30	.20	.10	.02	
Soft floor layers	6.865	.30	.20	.10	.02	
Millwrights	7.37	.45	.45		.04	
Cement masons	6.80	.30	.50		.05	
Electricians:						
Electricians	8.63	.25	1%		3/4 of 1%	
Cable splicers	9.13	.25	1%		3/4 of 1%	
Elevator constructors	7.79	.395	.26	2%+a+b	.02	
Elevator constructors' helpers	70%JR	.395	.26	2%+a+b	.02	
Elevator constructors' helpers (prob.)	50%JR					
Ironworkers, structural & ornamental	7.81	.45	.30	.25	.05	
Ironworkers, reinforcing	7.81	.45	.30	.25	.05	
Laborers:						
Air tool operator (jackhammer, vib.)	4.975	.225				
Mason tenders	4.975	.225				
Mortar mixers	4.975	.225				
Pipelayers (concrete & clay)	4.975	.225				
Plasterers' tenders	4.975	.225				
Common laborers	4.825	.225				
Lathers	7.415	.30	.20		.025	
Lead burners	6.35	.25		c	.01	
Line Construction & Equipment Opr.:						
Class "A"	7.90	.35	1%	a	1/10 of 1%	
Class "B"	6.16	.35	1%	a	1/10 of 1%	
Cable splicers	8.30	.35	1%	a	1/10 of 1%	
Groundmen "A"	4.59	.35	1%	a	1/10 of 1%	
Groundmen "B"	3.00	.35	1%	a	1/10 of 1%	
Marble setters	7.30	.30	.50		.05	
Painters:						
Brush & roller	6.45	.25	.20		.06	
Swing stage & window jacks, spray & sandblasting	6.70	.25	.20		.06	
Dry wall tapers	7.30	.25	.20		.06	
Structural steel, bridge & Ind.:						
Brush, roller, swing, stage bos'n chair	7.05	.25	.20		.06	
Spray & sandblasting	7.30	.25	.20		.06	
Paperhangers	6.95	.25	.20		.06	
Plasterers	7.16	.30	.50		.05	
Plumbers and steamfitters	7.45	.30	.70		.025	
Roofers	6.85	.25	.20			
Roofers' helpers	3.90	.25	.20			
Roofers' Kettlemen	4.80	.25	.20			
Sheet metal workers	7.56	.38	.35	.15		
Sprinkler fitters	8.71	.40	.60		.10	
Stonemasons	7.55	.30	.50		.05	
Terrazzo workers	7.30	.30	.50		.05	
Terrazzo workers' helpers	4.05	.20				
Terrazzo grinders	4.15	.20				
Terrazzo base grinders	4.35	.20				
Tile setters	7.30	.30	.50		.05	
Tile setters' helpers	4.05	.20				
Air conditioning or refrigeration mechanics	7.45	.30	.70		.025	
Welders - receive rate prescribed for craft performing operation to which welding is incidental.						

FOOTNOTES:

a. Six paid holidays, A through F.

b. Employer contributes 1% of regualr 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 employer who has worked in business less than 5 years.

c. Eight paid holidays, A through F plus Washington's Birthday and Good Friday, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday.

d. One-half day paid holiday: National General Election's Day.

PAID HOLIDAYS: (WHERE APPLICABLE)
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FLA-2-PEO-1-u 1 of 1

Building Construction	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
POWER EQUIPMENT OPERATORS						
Cat cranes, truck cranes, pile driver crane, derrick, dragline, material hoist with Chicago boom, material hoist with two drums, hydraulic lift form, diesel electric and steam generators, motor grader, pumpcrete or similar machine, cherry picker, gradall, hypto and wheelabrator and mechanic, tractor back hoe, drill, rig & tack boom tractor	$8.74	.325	.30		.05	
Trenching machine over 24", winch truck, material hoist (elevator type)	7.755	.325	.30		.05	
Tugger hoist	7.99	.325	.30		.05	
Crawler bulldozer, crawler tractor and turnapull, heavy hufftype front end loader, heavy DW-10 to DW-21 type rubber tired tractor, road roller, fireman, forklift, concrete batch plant operator	7.535	.325	.30		.05	
Wellpoint system and pumps, material hoist, front end loader other than heavy huff type, rubber tired tractor with attachments other than backhoe	5.725	.325	.30		.05	
Air compressor 125 cu. ft. or over	5.985	.325	.30		.05	
Concrete mixer, rubber tired tractor without attachments, trenching machines under 24" high lift, sand blasting machines, welding machine, air compressor, miscellaneous pumps	5.495	.325	.30		.05	
150' boom, including jib scale of top operator classification plus .25 per hour. Tower crane operators .25 per above top operator classification not including long boom pay.						

Florida 29-PEO-1-h 1 of 1

Building Construction	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
POWER EQUIPMENT OPERATORS On building sites and includes roads, parking lots, storm sewer systems, railroads, drain fields, settling basins, pipelines (concrete and/or clay), land cleaning, bulk heads and sea walls, and site preparation exclusive of excavation for buildings.						
HEAVY DUTY EQUIPMENT OPERATORS Cranes, shovels, draglines, piledrivers (all types), concrete paving machines, ditching machines, mechanics, finish, motor grades, front end loaders, hoist (two drums or more), cherry pickers	$5.88	.325	.30		.05	
MEDIUM DUTY EQUIPMENT OPERATORS Motor patrols, bulldozers, rubber tired scrapers (all types), winch trucks, stabilizers, asphalt spreaders, rollers, asphalt rock crushers, concrete mixers (changer pan), light duty hydraulic tractor backhoe, and wellpoint pumps	5.605	.325	.30		.05	
LIGHT DUTY EQUIPMENT OPERATORS Finishing machine, bull floats, spray machines, subgraders, rollers on subgrade, pull cats (all types), form grader, bituminous distributor, hoist (less than two drums) and fireman	5.33	.325	.30		.05	

STATE: Illinois COUNTY: Cook
DECISION NUMBER: AQ-3151 DATE: Date of Publication
Supersedes Decision No. AP-690 dated June 8, 1973, in 38 FR 15250 and No. AP-1003 dated June 8, 1973, in 38 FR 15302
DESCRIPTION OF WORK: Building (Including Residential), 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	8.75	.40	.90	4%	.01	
Boilermakers' Helpers	8.65	.40	.90	4%	.01	
Bricklayers & Stonemasons	9.50	.40	.60		.03	
Carpenters:(Building, Heavy & Highway)						
Carpenters & Soft Floor Layers	9.15	.50	.63		.06	
Millwrights & Piledrivermen	9.15	.50	.63		.06	
Cement Masons:						
Building	9.10	.60	.55		.04	
Heavy & Highway	9.10	.45	.35		.04	
Electricians	9.50	.70	.61	.42	.045	
Elevator Constructors:						
Elevator Constructors	9.445	.395	.26	2%+a&b	.005	
Helpers	70%JR	.395	.26	2%+a&b	.005	
Helpers (Prob.)	50%JR					
Glaziers	8.95	.24	.30		.01	
Ironworkers:						
Structural & Reinforcing	9.63	.79	.98		.05	
Ornamental	9.175	.40	.375		.05	
Riggers & Machinery Movers	6.00	.25	.275		.05	
Lathers	8.85	.46	.345			
Leadburners	8.75	.30		c	.01	
Line Construction:						
Linemen	9.50	5%	4%	8½%	½%	
Groundmen	7.75	5%	4%	8½%	½%	
Marble Setters	9.17	.30	.10	.20		
Marble Setters' Helpers	7.30					
Painters:						
Brush, Decorators & Paperhangers	8.30	.425	.25		.007	
Plasterers	8.895	.40	.25		.045	
Pipefitters	9.35	.55	.70		.02	
Plumbers	9.57	.50	.50			
Pointers, Caulkers & Cleaners	9.20	.55	.70			
Roofers:						
Composition & Waterproofers	9.50	.45	.25		.02	
Slate & Tile	9.22	.18	.15		.02	
Sheet Metal Workers	8.15	.35	.34		.01	
Sprinkler Fitters	9.50	.45	.60		.12	
Survey Crew:						
Rodman	$6.30	.50	.175			
Instrument Man	7.50	.50	.175			
Terrazzo Workers	7.85	.30				
Terrazzo Workers' Helper & Floor Mach.	6.85					
Base Machine Operator	7.10					
Tile Setters	8.65	.30-5/8	.425			
Tile Setters' Helpers	7.60	.30-5/8	.425			
Truck Drivers:						
Building Construction:						
2-3 Axle Trucks	6.45	d12.00	d15.85			
4-Axle Trucks	6.70	d12.00	d15.85			
5-Axle Trucks	6.90	d12.00	d15.85			
6-Axle Trucks	7.10	d12.00	d15.85			
Heavy & Highway Construction:						
2-3 Axle Trucks	6.45	.40	.30			
4-Axle Trucks	6.70	.40	.30			
5-Axle Trucks	6.90	.40	.30			
6-Axle Trucks	7.10	.40	.30			

Welders - receive rate prescribed for craft performing operation to which welding is incidental.

PAID HOLIDAYS: (WHERE APPLICABLE)
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:
a. Six Paid Holidays: A through F.
b. Employer contributes 4% of regular hourly rate to Vacation 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. Nine Paid 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 immediately preceding and following the Holiday.
d. Per Week Per Employee.

AQ-3151 P. 3

ILL. 9-LAB-1-2-3 H 1 of 1

LABORERS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
BUILDING; HEAVY & HIGHWAY CONSTRUCTION						
Building Laborers	$6.90	.47	.65			
Plasterers laborers	7.025	.47	.65			
Boiler setters Laborers	7.225	.47	.65			
Windlass, Cement gun nozzle laborers	7.05	.47	.65			
Chimney laborers (over40)	7.00	.47	.65			
Stone handlers, derrickmen	7.10	.47	.65			
Jackhammermen	7.125	.47	.65			
Caisson digger	7.25	.47	.65			
Scaffold laborers	7.00	.47	.65			
TUNNEL WORK, ROCK, CLAY & SUBWAY						
Dumpmen, top laborers	6.90	.47	.65			
Cage tenders, skinners, switchmen, truck layers	6.925	.47	.65			
Car pusher, conrete laborers, grout machine op., steel setters & tuggers grout laborers	7.025	.47	.65			
Signal men	6.95	.47	.65			
Pebble placer op., mortarmen muckers	7.125	.47	.65			
Air hoist op., bricklayers tender, cement (invert) laborer, concrete blower op., driller for blasting, dynamiters, erector ops., form men lock tenders, miners, power knife op., jackhammermen, keyboard op.	7.25	.47	.65			
SEWER, DRAIN, WATER SERVICE:						
Common laborers, top laborers	6.90	.47	.65			
Concrete laborers & steel setters	7.025	.47	.65			
Cement carriers, cemnt mixers, mortar men, scaffoldmen, second bottom men	7.125	.47	.65			
Bottom men, bricklayers tenders, catch basin jiggers & rodders, form men, jackhammermen, pipelayers, well point system	7.25	.47	.65			
STREET PAVING, GRADE SEPARATION, PLANTING, GRADING AND LANDSCAPING:						
Laborers and helpers	6.90	.47	.65			
Form setters on pavement work, Jackhammermen (concrete)	7.175	.47	.65			
Rakers, lutemen, kettlemen, mixermen, frummen, jackhammermen (asphalt)	7.175	.47	.65			

AQ-3151 P. 4

ILLINOIS 12 - PEO-1

POWER EQUIPMENT OPERATORS BUILDING CONSTRUCTION:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
CLASS I Asphalt plant, asphalt spreader, autograd, batch plant, Benoto (requires two engineers), boiler & throttle valve, caisson rigs, central redi-mix plant, combination backhoe front end-loader machine, compressor & throttle valve, concrete breaker (truck mounted), concrete conveyor, concrete paver, concrete placer, concrete tower, cranes (all), derricks (all), grader, elevating, grouting machines, highlift shovels or front endloader 2½ yd. & over, hoists, one, two & three drum, hoists, two tugger one floor, hydraulic boom trucks, locomotives (all), mechanic, motor patrol, pile drivers & skid rig, post-hole digger, pre-stress machine, pump cretes dual ram (requiring frequent lubrication & water), pumpcretes, squeeze cretes - screw type pumps, Gysum bulker & pump, rock drill (self-propelled), rock drill (truck mounted), scoops - tractor drawn, slip form paver, straddle buggies, tournapull, tractor with boom & side boom, trenching machines	$10.00	.50	.50	.20	.05	
CLASS II Boilers, bulldozers, broom, all power propelled, concrete mixer (2 bag & over), conveyor, portable, forklift trucks greaser engineer, highlift shovels or front endloaders under 2½ yd., hoists, automatic, hoists, all elevators, hoists, tugger single drum, rollers,all, steam generators. stone crushers, tractors, all, winch trucks with "A"-frame	8.70	.50	.50	.20	.05	
CLASS III Air compressor - small 150 & under (1) to 5 not to exceed a total of 300 ft.), Air compressor - large over 150, combination - small equipment opr., generators under & over 50 KW, heaters, mechanical, pumps, over 3" (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	7.65	.50	.50	.20	.05	
CLASS IV Oilers	6.45	.50	.50	.20	.05	

HEAVY, HIGHWAY & SEWER CONST.

POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
CLASS I						
Asphalt plant, asphalt heater & planer combination, asphalt spreader, autograde, belt loader, caisson rigs, central redimix plant, concrete breaker (truck mounted), concrete conveyor, concrete paver over 27E cu. ft., concrete placer, concrete tube float, cranes, all attachments, cranes, Linden, Peco & machines of a like nature, derricks, travelling, dredges, euclid loader, elevating type, gradall, & machines of a like nature, derricks, all, derrick boats, derricks, traveling, dredges, euclid loader, elevating type, gradall, and machines of a like nature, grader, elevating hoists, 1,2 & 3 drum, locomotives, all, mucking machine, 1 cu. yd. & over, mucking machine, under 1 cu. yd., piledrivers & skid rig, pre-stress machine, pump cretes dual ram (requiring frequent lubrication & water), rock drill-crane type, slip form paver, straddle buggies, tractor w/boom, tractaire-w/ attachments, trenching machine, underground boring & /or mining machine under 5 ft., wheel exacator widener (Apsco)	$9.60	.50	.50	.20	.05	
CLASS II						
Mechanic-welder, batch plant, bituminpus mixer, bulldozer, combination backhoe front endloader machine, concrete breaker or hydro-hammer, concrete grinding machine, concrete mixer or paver 7S Series to & including 27 cu. ft., concrete spreader, concrete curing machine, burlap machine, belting machine & sealing machine, finishing machine, concrete grader, motor grader, motor patrol, auto patrol, form grader, pull grader, subgrader, highlift shovels or front endloader, hydraulic boom trucks (all attachments), locomotives, dinky, pump cretes; Squeeze						

POWER EQUIPMENT OPERATORS (CONTD):	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
cretes; screw type pumps Gypsum bulker & pump, rock drill (self-propelled), roto-tiller, seaman, etc. self-propelled scoops; tractor drawn, self propelled compactor, spreader; chipstone, etc., scraper, tank car heater, tractor, push, pulling sheeps foot, disc., compactor, etc. tug boats	9.05	.50	.50	.20	.05	
CLASS III						
Boilers, boiler & throttle valve, brooms, all power propelled, cement supply tendor, compressor & throttle valve, concrete mixer (2 bags & over) conveyor, portable, fireman on boilers, forklift trucks, greaser engineer, grouting machine, hoists, automatic, hoists, all elevators, hoists, tugger single drum, jeep diggers, pipe jacking machines, post hole diggers, power saw, concrete, power-driven, pug mills, rollers, all, steam generators, stone crushers, stump machine, winch trucks with "A" frame, work boats, tamper, form, motor driven	8.40	.50	.50	.20	.05	
CLASS IV						
Air compressors, all, generators, heaters, mechanical, light plants, all (1 through 5), pumps, all, pumps well points, tractaire, welding machines (2 through 6)	7.40	.50	.50	.20	.05	
CLASS V						
Oilers	6.40	.50	.50	.20	.05	

AQ-3151 P. 7 ILL-WD-2

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
WELL DRILLERS:						
Drillers, Pump Installer, Welder and Mechanic	$8.10	.45	.40	a		
Tool Dresser, Helper	7.55	.45	.40	a		

FOOTNOTE:

a. Six (6) paid Holidays:
New Year's Day; Memorial Day;
Independence Day; Labor Day;
Thanksgiving Day; Christmas Day

ILLINOIS-10-LABORERS-1 B

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
WRECKING LABORERS:						
BRICK CLEANERS	$3.10	.32	.40			
LABORERS	5.52	.32	.40			
WRECKERS	5.92	.32	.40			
STACKMAN OR HIGHMAN	6.52	.32	.40			
BURNERS, WALLMEN & JACKHAMMER MEN	6.17	.32	.40			

SUPERSEDEAS DECISION

STATE: Illinois
COUNTY: DuPage
DECISION NUMBER: AQ-3152
DATE: Date of Publication
Supersedes Decision No. AP-691 dated June 8, 1973, in 38 FR 15256 and No. AP-1004 dated June 8, 1973, in 38 FR 15305
DESCRIPTION OF WORK: Building (Including Residential) Construction.

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos Workers	$9.35	.58	.67		.05	
Boilermakers	8.75	.40	.90	4%	.01	
Boilermakers' Helpers	8.65	.40	.90	4%	.01	
Bricklayers & Stonemasons:						
North of Butterfield Road (Argonne Nat'l. Accl. Lab. & AEC Plant)	9.50	.40	.60		.03	
All Territory within County South of Butterfield Road from East to West	9.50	.40	.60		.03	
Carpenters:						
Carpenters & Soft Floor Layers	9.15	.50	.63		.06	
Millwrights & Piledrivermen	9.15	.50	.63		.06	
Cement Masons	9.40	.50	.45		.03	
Electricians	9.84	3%	4%	5%	½ of 1%	
Elevator Constructors:						
Elevator Constructors	9.445	.395	.26	2%+a&b	.005	
Helpers	70%JR	.395	.26	2%+a&b	.005	
Helpers (Prob.)	50%JR					
Glaziers	8.95	.24	.30		.01	
Ironworkers:						
Argonne & Vicinity	9.25	1.75	.225		.02	
Nat'l. Accl. Lab. & Remainder of Co.	10.29	.40	.275		.045	
Lathers	8.85	.46	.345			
Leadburners	8.75	.30		c	.01	
Line Construction:						
Linemen, Digger Operator	8.55	.35	1%		½%	
Groundmen, Equipment & Tractor Opr.	5.71	.35	1%		½%	
Groundmen	5.51	.35	1%		½%	
Marble Setters	8.77	.30				
Marble Setters' Helpers	7.30					
Painters:						
Brush	7.225	.40	.30		.04	
Spray	7.625	.40	.30		.04	
Plasterers	8.53	.40	.60			
Plumbers & Pipefitters:						
Argonne AEC Plant						
Plumbers	9.57	.50	.50		.05	
Pipefitters	9.35	.55	.70		.02	
Wheaton & North DuPage	9.65	.35	.43	.15	.05	
Naperville & South DuPage	9.90	.30	.35		.05	
Roofers:						
Composition	9.50	.45	.25		.02	
Slate & Tile	9.22	.18	.15		.02	
Sprinkler Fitters	9.50	.45	.60		.12	
Sheet Metal Workers	$8.10	.30	.30	.20		
Terrazzo Workers	7.85	.30				
Terrazzo Workers' Helpers & Floor Mach.	6.85					
Tile Setters	8.65	.30-5/8	.425			
Tile Setters' Helpers	7.60	.30-5/8	.425			
Truck Drivers:						
2-3 Axle Trucks	6.60	d15.00	d19.00			
4-Axle Trucks	6.75	d15.00	d19.00			
5-Axle Trucks	6.95	d15.00	d19.00			
6-Axle Trucks	7.15	d15.00	d19.00			
Welders -receive rate prescribed for craft performing operation to which welding is incidental.						

PAID HOLIDAYS: (WHERE APPLICABLE)
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:
a. 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 rate to vacation pay credit for employee who has worked in business less than 5 years
b. Six Paid Holidays: A to F.
c. Nine Paid 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 rugular scheduled work immediately preceding and following the Holiday.
d. Per Week Per Employee

DUPAGE COUNTY

AQ-3152 P. 3

ILLINOIS-22-LABORERS-1-2-3

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
LABORERS:						
CLASS I Building Laborers, Grade Separation Laborers, Sewer & Water Laborers, Building Laborers, Pumps for Dewatering and other Unclassified Laborers	$6.90	.47	.65			
CLASS II Cement Gun Laborers, Scaffold Laborers, Chimney Laborers (over 40')	7.00	.47	.65			
CLASS III Cement Gun Laborers (Gunite), Windlass Men, Plasterers' Laborers	7.05	.47	.65			
CLASS IV Stone Derrickmen & Handlers	7.10	.47	.65			
CLASS V Plumbers' Laborers, Jackhammer, Power Driven Concrete Saws, Tampers and Pneumatic Tools, Concrete Vibrators	7.15	.47	.65			
CLASS VI Firebrick and Boiler Setter Laborers	7.25	.47	.65			
CLASS VII Caisson Diggers, Well Point System Men, Chimney Laborers (on Firebrick)	7.25	.47	.65			
CLASS VIII Boiler Setter Plastic Laborers	7.35	.47	.65			

AQ-3152 P. 4

ILLINOIS 12 - PEO-1

POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
CLASS I Asphalt plant, asphalt spreader, autograd, batch plant, Benoto (requires two engineers), boiler & throttle valve, caisson rigs, central redi-mix plant, combination backhoe front end-loader machine, compressor & throttle valve, concrete breaker (truck mounted), concrete conveyor, concrete paver, concrete placer, concrete tower, cranes (all), derricks (all), grader, elevating, grouting machines, highlift shovels or front endloader 2½ yd. & over, hoists, one, two & three drum, hoists, two tugger one floor, hydraulic boom trucks, locomotives (all), mechanic, motor patrol, pile drivers & skid rig, post-hole digger, pre-stress machine, pump cretes dual ram (requiring frequent lubrication & water), pumpcretes, squeeze cretes - screw type pumps, Gysum bulker & pump, rock drill (self-propelled), rock drill (truck mounted), scoops - tractor drawn, slip form paver, straddle buggies, tournapull, tractor with boom & side boom, trenching machines	$10.00	.50	.50	.20	.05	
CLASS II Boilers, bulldozers, broom, all power propelled, concrete mixer (2 bag & over), conveyor, portable, forklift trucks greaser engineer, highlift shovels or front endloaders under 2½ yd., hoists, automatic, hoists, all elevators, hoists, tugger single drum, rollers, all, steam generators. stone crushers, tractors, all, winch trucks with "A"-frame	8.70	.50	.50	.20	.05	
CLASS III Air compressor - small 150 & under (1) to 5 not to exceed a total of 300 ft.), Air compressor - large over 150, combination - small equipment opr., generators under & over 50 KW, heaters, mechanical, pumps, over 3" (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	7.65	.50	.50	.20	.05	
CLASS IV Oilers	6.45	.50	.50	.20	.05	

STATE: Illinois
COUNTY: Kane
DECISION NUMBERS AQ-3153
DATE: Date of Publication
Supersedes Decision No. AP-692 dated June 8, 1973, in 38 FR 15260 and No. AP-1005 dated June 8, 1973, in 38 FR 15309
DESCRIPTION OF WORK: Building (Including Residential) Construction.

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos Workers	$9.35	.58	.67		.05	
Boilermakers	8.75	.40	.90	4%	.01	
Boilermakers' Helpers	8.65	.40	.90	4%	.01	
Bricklayers & Stonemasons	9.50	.40	.60			
Carpenters & Soft Floor Layers	9.035	.35	.53			
Millwrights & Piledrivermen	9.035	.35	.53			
Cement Masons	9.35	.40	.50			
Electricians & Line Construction:						
Northern ½ of County						
Electricians	9.81	3%	4%	6%	.5 of 1%	
Linemen, Digger Operator	8.55	.35	1%		.25%	
Groundmen, Equipment Operator	5.71	.35	1%		.25%	
Groundmen	5.51	.35	1%		.25%	
Southern ½ of County						
Electricians	9.60	4½%	1%	6%	½%	
Linemen, Digger Operator	8.55	.25	1%		.25%	
Groundmen Equipment Operator	5.71	.25	1%		.25%	
Groundmen	5.51	.25	1%		.25%	
Glaziers	8.95	.24	.30		.01	
Ironworkers	10.29	.40	.275		.045	
Laborers:						
Common	6.90	.47	.41			
Power Vibrator	7.00	.47	.41			
Jackhammer & AirSpade Operators	7.15	.47	.41			
Chain Saw	7.15	.47	.41			
Mortar Mixers	7.05	.47	.41			
Dynamiters & Caisson Laborers	7.40	.47	.41			
Tile Layers & Bottom Men	7.25	.47	.41			
Lathers	9.05	.40				
Leadburners	8.75	.30		a	.01	
Painters:						
Brush	7.225	.40	.30		.04	
Spray	7.625	.40	.30		.04	
Plumbers & Steamfitters:						
Vicinity of Elgin	8.95	.28	.20	.34	.02	
Vicinity of Aurora	9.60	.44	.29	.25	.02	
Roofers	8.45	.40		.30		
Sheet Metal Workers	7.56	.30	.15	.57	.02	
Sprinkler Fitters	8.75	.30	.50		.05	
Tile Setters	$8.65	.30-5/8	.425			
Tile Setters' Helpers	7.60	.30-5/8	.425			
Terrazzo Workers	7.85					
Terrazzo Workers' Helpers & Floor Mach.	6.85					
Base Machine Operator	7.10					
Truck Drivers:						
2-3 Axle Trucks	6.60	b15.00	b-19.00			
4-Axle Trucks	6.75	b15.00	b-19.00			
5-Axle Trucks	6.95	b15.00	b-19.00			
6-Axle Trucks	7.15	b15.00	b-19.00			
Welders - Receive rate prescribed for craft performing operation to which welding is incidental.						

PAID HOLIDAYS: (WHERE APPLICABLE)

A-New Year's Day; Memorial Day; C-Independence Day; E-Thanksgiving Day; D-Labor Day; Christmas Day.

FOOTNOTE:

a. Nine Paid 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.

b. Per Week Per Employee.

ILLINOIS 12 - EEO-1

POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
CLASS I Asphalt plant, asphalt spreader, auto-grad, batch plant, Benoto (requires two engineers), boiler & throttle valve, caisson rigs, central redi-mix plant, combination backhoe front end-loader machine, compressor & throttle valve, concrete breaker (truck mounted), concrete conveyor, concrete paver, concrete placer, concrete tower, cranes (all), derricks (all), grader, elevating, grouting machines, highlift shovels or front endloader 2½ yd. & over, hoists, one, two & three drum, hoists, two tugger one floor, hydraulic boom trucks, locomotives (all), mechanic, motor patrol, pile drivers & skid rig, post-hole digger, pre-stress machine, pump cretes dual ram (requiring frequent lubrication & water), pump-cretes, squeeze cretes - screw type pumps, Gysum bulker & pump, rock drill (self-propelled), rock drill (truck mounted), scoops - tractor drawn, slip form paver, straddle buggies, tournapull, tractor with boom & side boom, trenching machines	$10.00	.50	.50	.20	.05	
CLASS II Boilers, bulldozers, broom, all power propelled, concrete mixer (2 bag & over), conveyor, portable, forklift trucks greaser engineer, highlift shovels or front endloaders under 2½ yd., hoists, automatic, hoists, all elevators, hoists, tugger single drum, rollers, all, steam generators. stone crushers, tractors, all, winch trucks with "A"-frame	8.70	.50	.50	.20	.05	
CLASS III Air compressor - small 150 & under (1) to 5 not to exceed a total of 300 ft.), Air compressor - large over 150, combination - small equipment opr., generators under & over 50 KW, heaters, mechanical, pumps, over 3" (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	7.65	.50	.50	.20	.05	
CLASS IV Oilers	6.45	.50	.50	.20	.05	

STATE: Illinois
COUNTY: Lake
DECISION NUMBER: AQ-3154
DATE: Date of Publication
Supersedes Decision No. 693 date June 8, 1973, in 38 FR 15263 and No. AP-1006 dated June 8, 1973, in 38 FR 15312
DESCRIPTION OF WORK: Building (Including Residential) Construction.

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos Workers	$9.35	.58	.67		.05	
Boilermakers	8.75	.40	.90	4%	.01	
Boilermakers' Helpers	8.65	.40	.90	4%	.01	
Bricklayers & Stonemasons	9.50	.40	.60		.03	
Carpenters & Soft Floor Layers	9.15	.50	.63		.08	
Millwrights & Piledrivermen	9.15	.50	.63		.08	
Cement Masons	9.20	.55	.60		.03	
Electricians	9.67	.50	1%+.30		.1%	
Elevator Constructors:						
Elevator Constructors	9.445	.395	.26	2%+a&b	.005	
Helpers	70%JR	.395	.26	2%+a&b	.005	
Helpers (Prob.)	50%JR					
Glaziers	8.95	.24	.30		.01	
Ironworkers:						
Structural & Reinforcing	9.63	.79	.98		.05	
Ornamental	9.175	.40	.375		.05	
Lathers	8.85	.46	.345			
Leadburners	8.75	.30		c	.01	
Line Construction:						
Linemen	8.55	.35	1%		½%	
Groundmen	5.51	.35	1%		½%	
Marble Setters	8.77	.30				
Marble Setters' Helpers	7.30					
Painters:						
Brush, Paperhangers	8.30	.425	.25			
Pipefitters	9.35	.55	.70		.02	
Plasterers	8.395	.55	.60		.03	
Plumbers	9.79	.35	.40		.10	
Roofers:						
Composition & Waterproofers	9.50	.45	.25		.02	
Slate & Tile	9.22	.18	.15		.02	
Sheet Metal Workers	8.15	.35	.30		.01	
Sprinkler Fitters:						
Within 30 Mile Radius of Chicago City Hall	9.50	.45	.60		.12	
Remainder of County	8.75	.30	.50		.05	
Terrazzo Workers	$7.85	.30				
Terrazzo Workers Helpers & Floor Mach.	6.85					
Tile Setters	8.65	.30-5/8	.425			
Tile Setters' Helpers	7.60	.30-5/8	.425			
Truck Drivers:						
2-3 Axle Trucks	6.60	d15.00	d19.00			
4-Axle Trucks	6.75	d15.00	d19.00			
5-Axle Trucks	6.95	d15.00	d19.00			
6-Axle Trucks	7.15	d15.00	d19.00			
Welders - receive rate prescribed for craft performing operation to which welding is incidental.						

PAID HOLIDAYS (Where Applicable)
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. 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.

b. Six paid holidays: A through F.

c. Nine paid holidays; A through F plus Washington's Birthday and 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 & following the holiday.

d. Per Week Per Employee.

LAKE COUNTY

AQ-3154 P. 3

ILLINOIS-25-LABORERS-1-2-3

LABORERS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
CLASS I						
Building Laborers, General Laborers, Wrecking and Demolition, Fireproofing & Fire Shop Laborers	$6.90	.47	.65			
CLASS II						
Firebrick & Boiler Setter Laborers	7.225	.47	.65			
CLASS III						
Boiler Setter Plastic Laborers, Stone Derrickmen & Handlers	7.35	.47	.65			
CLASS IV						
Caisson Diggers, Well Point System, Chimney Laborers on Firebrick	7.25	.47	.65			
CLASS V						
Chimney Laborers (over 40') Scaffold Laborers, Wall Men or Wreckers	7.00	.47	.65			
CLASS VI						
Windlass and Operator	7.20	.47	.65			
CLASS VII						
Plasters Laborers	7.025	.47	.65			
CLASS VIII						
Jackhammer Men, Power Driven Concrete Saws	7.125	.47	.65			
CLASS IX						
Cement Gun Nozzle Laborers (Gunnite)	7.05	.47	.65			
CLASS X						
STREET PAVING, GRADE SEPARATION, SEWERS & WATER MAIN EXTENSIONS						
a General Laborers, Asphalt Plant Laborers, Flagmen, Asphalt Laborers, Top Laborers	6.90	.47	.65			
b Form Setters, Well Point System, Jackhammermen & Bottom Men, Pipelayers on drains, Catch Basin Diggers, Pipelayer Men, All Tunnel Work, Power Driven Concrete Saws	7.25	.47	.65			
c Second Bottom Men	7.125	.47	.65			
d Tampers, Smoothers & Cement Gun Laborers	6.975	.47	.65			
e Rackers, Lutemen, Machine Screwmen & Mitre Box Spreaders	7.175	.47	.65			

AQ-3154 P. 4

ILLINOIS 12 - PEO-1

POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
CLASS I						
Asphalt plant, asphalt spreader, autograd, batch plant, Benoto (requires two engineers), boiler & throttle valve; caisson rigs, central redi-mix plant, combination backhoe front end-loader machine, compressor & throttle valve, concrete breaker (truck mounted), concrete conveyor, concrete paver, concrete placer, concrete tower, cranes (all), derricks (all), grader, elevating, grouting machines, highlift shovels or front endloader 2¼ yd. & over, hoists, one, two & three drum, hoists, two tugger one floor, hydraulic boom trucks, locomotives (all), mechanic, motor patrol, pile drivers & skid rig, post-hole digger, pre-stress machine, pump cretes dual ram (requiring frequent lubrication & water), pumpcretes, squeeze cretes - screw type pumps, Gysum bulker & pump, rock drill (self-propelled), rock drill (truck mounted), scoops - tractor drawn, slip form paver, straddle buggies, tournapull, tractor with boom & side boom, trenching machines	$10.00	.50	.50	.20	.05	
CLASS II						
Boilers, bulldozers, broom, all power propelled, concrete mixer (2 bag & over), conveyor, portable, forklift trucks greaser engineer, highlift shovels or front endloaders under 2¼ yd., hoists, automatic, hoists, all elevators, hoists, tugger single drum, rollers, all, steam generators. stone crushers, tractors, all, winch trucks with "A"-frame	8.70	.50	.50	.20	.05	
CLASS III						
Air compressor - small 150 & under (1) to 5 not to exceed a total of 300 ft.), Air compressor - large over 150, combination - small equipment opr., generators under & over 50 KW, heaters, mechanical, pumps, over 3" (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	7.65	.50	.50	.20	.05	
CLASS IV						
Oilers	6.45	.50	.50	.20	.05	

STATE: Illinois COUNTY: Madison
DECISION NUMBER: AQ-3155 DATE: Date of Publication
Supersedes Decision No. AQ-3077 dated February 8, 1974, in 39 FR 5071 and No. AQ-3079 dated February 8, 1974, in 39 FR 5079
DESCRIPTION OF WORK: Building (Including Residential) Construction.

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos Workers	$9.53	.20	.17			
Boilermakers	8.35	.40	.95		.01	
Boilermakers' Helpers	8.10	.40	.95		.01	
Bricklayers & Stonemasons:						
Granite City & Vicinity						
Building	8.25		.50	1.00	.04	
Residential	8.00		.50	1.00	.04	
Alton, Wood River & Vicinity	9.10	.30	.50			
Edwardsville, Marine, Highland & Troy	8.46		.30	.60		
Carpenters, Soft Floor Layers, Millwrights & Piledrivermen:						
Building	8.785	.45	.30			
Residential	8.385	.45	.30			
Cement Masons	8.825	.40	.25			
Electricians:						
Alton & Vicinity	8.92	.25	1%	4%	½%	
Remainder of County	8.73	4%	1%+.40	6%	½%	
Elevator Constructors:						
Elevator Constructors	5.56	.105	.125	½%+ a&b	.005	
Helpers	70%JR	.105	.125	½%+ a&b	.005	
Helpers (Prob.)	50%JR					
Ironworkers	8.80	.45	.65			
Laborers:						
Alton:						
Common Laborer	7.50	.25	.30		.035	
Laying Sewer & all Sewer Work	7.60	.25	.30		.035	
Well Digging Gunnite Machine & Nozzle Operator on Gunnite	7.75	.25	.30		.035	
Sandblasting, Rip/Rapping Work	7.75	.25	.30		.035	
Wood River:						
Common Laborer	7.75	.25	.30		.035	
Laying Sewer & All Sewer Work	7.85	.25	.30		.035	
Well Digging, Machine & Nozzle Opr. on Gunnite	8.00	.25	.30		.035	
Granite City, Madison, Venice, Nameoki & Mitchell:						
Common Laborers	7.35	.35	.35		.035	
Open Well	7.85	.35	.35		.035	
Cutting, Burning & Welding	7.625	.35	.35		.035	
Plasterers' & Brickmasons Tenders	7.85	.35	.35		.035	
Dynamite & Powdermen	8.875	.35	.35		.035	
Dynamite & Powdermen Helpers	7.875	.35	.35		.035	
Laborers: (Cont'd)						
Collinsville:						
Burning & Cutting W/Torch (2 Men)	$8.10		.20		.035	
Raking & Luting Asphalt & Power Saw	8.10		.20		.035	
Mason Tenders & Plasterer Tenders	8.35		.20		.035	
Dynamite Men	9.15		.20		.035	
Dynamite Men Helpers	8.40		.20		.035	
Common Laborers	7.85		.20		.035	
Edwardsville:						
Common Laborer	7.80		.25		.035	
Men working in Main Sewer Ditch	8.05		.25		.035	
Plasterer & Mason Tenders	8.30		.25		.035	
Dynamite & Powder Men	9.325		.25		.035	
Dynamite & Powder Men Helpers	8.325		.25		.035	
Glen Carbon:						
Common Laborer	7.70		.35		.035	
Mason & Plasterer Tenders	8.20		.35		.035	
Dynamite Men	9.30		.35		.035	
Highland:						
Common Laborers	7.70		.20		.035	
Mason & Plasterers Tenders	8.20		.20		.035	
Workmen cutting & burning w/a torch	8.00		.20		.035	
Livingston:						
Common Laborers	7.70		.20		.035	
Working on bottom of Sewer	8.00		.20		.035	
Mason & Plasterer Tenders	8.20		.20		.035	
Marine:						
Common Laborer	7.70		.20		.035	
Mason & Plasterer Tenders	8.20		.20		.035	
Working on the bottom of Sewer	8.00					
Troy:						
Common Laborer	7.70		.20		.035	
Mason & Plasterer Tenders	8.20		.20		.035	
Working on the bottom of Sewer	8.00		.20		.035	
St. Jacob:						
Common Laborer	7.70		.20		.035	
Mason & Plasterer Tenders	8.20		.20		.035	
Working in Sewer Trenches	8.00		.20		.035	
Lathers	8.435			.65	.01	
Leadburners	8.75	.30		c	.01	

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Line Construction:						
Alton & Vicinity						
Linemen	$8.92	.25	1%	4%	.2%	
Groundmen Truck Driver W/O Winch	5.85	.25	1%	4%	.2%	
Groundmen Truck Driver W/Winch	6.22	.25	1%	4%	.2%	
Groundmen	5.69	.25	1%	4%	.2%	
Remainder of County						
Linemen	8.84	4%	1%		.25%	
Groundmen Equipment Operator	7.67	4%	1%		.25%	
Groundmen Truck Driver W/Winch	6.24	4%	1%		.25%	
Groundmen Truck Driver WO/Winch	6.24	4%	1%		.25%	
Pick Up Jeeps	5.82	4%	1%		.25%	
Groundmen	5.78	4%	1%		.25%	
Marble Setters:						
Alton, Wood River & Vicinity	9.10	.30	.50			
Remainder of County	8.69	.17	.45			
Plasterers	9.075				.01	
Plumbers & Steamfitters:						
North ½ of County north of Mitchell	9.45	6%	6%			
Southern ½ of County	8.25	.33	.42	.42		
Roofers:						
Composition, Slate & Tile	7.25	.27	.30	.40	.03	
Kettlemen	5.25	.27	.30	.40	.03	
Sheet Metal Workers	8.18	.20	.25	6%	.01	
Sprinkler Fitters	8.75	.30	.50		.05	
Terrazzo & Tile Workers:						
Alton, Wood River & Vicinity	9.10	.30	.50			

Welders - receive rate prescribed for craft performing operation to which welding is incidental.

PAID HOLIDAYS (WHERE APPLICABLE):
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day.

FOOTNOTES:

a. Employer contributes 4% of regular hourly rate to Vacation Pay Credit for employee who has worked in business more than 5 years and 2% of regular hourly rate for employee who has worked in business more than 5 years.

b. Six paid holidays: A through F.

c. Nine paid 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 immediately preceding and following the holiday.

d. Employer contribution to pension fund included.

e. Seven (7) paid holidays: A through F plus Armistice Day.

PAINTERS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
REPAINT RESIDENTIAL	$7.50	.35	.15			
RESIDENTIAL AND COMMERCIAL	7.85	.35	.15			
INDUSTRIAL	8.10	.35	.15			
ROLLERS ON COMMERCIAL & RESIDENTIAL	8.10	.35	.15			
BRIDGES, GRAIN ELEVATORS, WATER, RADIO AND TELEVISION TOWERS, STACKS AND HAZARDOUS WORK	8.35	.35	.15			
ROLLER ON INDUSTRIAL WORK	8.60	.35	.15			
ROLLER ON BRIDGES, GRAIN ELEVATORS, WATER, RADIO AND TELEVISION TOWERS, STACKS AND HAZARDOUS WORK	8.85	.35	.15			

SAND AND WATER BLASTING, SPRAY AND STEAM CLEANING WILL PAY A PREMIUM OF $1.00 PER HOUR, AIRLESS SPRAY WHERE THE FAN WIDTH IS OVER 24" SHALL PAY $1.40 PER HOUR PREMIUM, MECHANICAL TOOLS AND DEVICES SUCH AS POWER SANDERS AND BUFFERS, NEEDLE GUNS, TAPING TOOLS, ETC., SHALL BE PAID FOR AT $.75 PER HOUR ABOVE THE APPLICABLE SCALE.

POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP I Cranes, draglines, shovels, skimmer scoops, clamshells or derrick boats; piledrivers, crane-type backhoes, asphalt plant oprs., concrete plant oprs., ditching machines or backfillers (requiring oilers), dredges, asphalt spreading machines, heavy duty mechanic, ass't. master mechanic, all locomotives, cableways or tower machines, hoists-2-drum or more (where oiler or firemen is required), hoists-2-drum or more (where oiler or firemen is not required)Hydraulic backhoes, ditching machines or backfiller (not requiring oilers) Cherry pickers, overhead cranes, roller (steam or gas) concrete pavers, excavators, concrete breakers, concrete pumps; bulk cement plants, cement pumps, derrick-type drills, mixers (over 3 bags) and boat oprs. (25' & over), Motor graders or pushcats, scoops or tournapulls, Bulldozer, endloaders or fork-lifts, power blade or elevating graders, winch cats, boom tractors, and pipe wrapping or painting machines, Drills (other than derrick type) 1-drum-hoists, mud jacks, mixers (2 or 3 bags), conveyors (2), air compressors (2), water pumps regardless of size (2), welding machines (2) siphons or jets (2), winch heads or apparatuses (2) and light plants (2), Mixers (under 2 bags), all tractors regardless of size (straight tractor only), firemen on stationary boilers, automatic elevators, form grading machines, finishing machines, power sub-grader or ribbon machine, longitudinal floats, boat oprs., (under 25', conveyors (1), distributor oprs., on trucks, siphons or jets (1) winch heads or apparatuses (1), light plants (1), mixers (under 2 bags)	$8.33	.37	.85	.20	.05

POWER EQUIPMENT OPERATORS: (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP II Air Compressors (1), water pumps regardless of size (1) welding machines (1)	$7.50	.37	.85	.20	.05	
GROUP III Firemen and asphalt spreader oilers	6.85	.37	.85	.20	.05	
GROUP IV Heavy equipment oilers (truck cranes, dredges, monigans, large cranes, etc.	6.75	.37	.85	.20	.05	
GROUP V Oiler or apprentice	6.50	.37	.85	.20	.05	
GROUP VI a. Engineers operating under air pressure	10.48	.37	.85	.20	.05	
b. Engineers operating in air over 10 lbs. pressure	10.78	.37	.85	.20	.05	
c. Apprentices operating under air pressure	8.60	.37	.85	.20	.05	
d. Apprentices operating in air over 10 lbs pressure	9.10	.37	.85	.20	.05	
Hard rock mining - $.25 per hour premium pay above existing rates						

ILL.-4/5-TD-1-2-3

TRUCK DRIVERS: AREA 2	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP 1						
Drivers on 2-axle over the road trucks hauling less than 9 ton, air compressor & welding machine including those pulled by separate units, truck driver helpers, warehouseman, mechanic helpers, greasers and firemen, pick-up trucks when hauling material, tools, or men to and from and on the job site	$7.10	.40	a12.00			
GROUP 2						
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	7.50	.40	a12.00			
GROUP 3						
2, 3 or 4 axle trucks hauling 16 ton or more, drivers on oil distributors, water pulls, mechanics & working foreman	7.70	.40	a12.00			

FOOTNOTE:

a.-Employer contributes $12.00 per week per employee.

STATE: Illinois
COUNTIES: Peoria & Tazewell
DECISION NUMBER: AQ-3156
DATE: Date of Publication
Supersedes Decision No. AP-695 dated June 8, 1973, in 38 FR 15270 and No. AP-1008 dated June 8, 1973, in 38 FR 15319
DESCRIPTION OF WORK: Building (Including Residential) and Dredging Construction.

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos Workers	$9.35	.58	.67		.05	
Boilermakers	8.55	.40	.65		.01	
Bricklayers & Stonemasons:						
Green Valley, Manito, Pekin, Mackinaw & Tremont (Tazewell Co.)	5.20	.225	.30			
Peoria Co. & the Remainder of Tazewell Co.	7.925	.30	.30		.05	
Carpenters:						
Carpenters & Soft Floor Layers & Piledrivermen:						
Chillicothe & Vicinity (Peoria Co.)	8.18	.45	.25		.015	
Millwrights:						
Chillicothe & Vicinity (Peoria Co.)	8.43	.45	.25		.015	
Carpenters & Soft Floor Layers						
East Peoria (Tazewell Co. & the Remainder of Peoria County)	8.01	.30	.40		.02	
Remainder of Tazewell County	7.87	.33	.25		.02	
Millwrights & Piledrivermen						
East Peoria (Tazewell Co. and the Remainder of Peoria County)	8.31	.30	.40		.02	
Remainder of Tazewell County	8.12	.33	.25		.02	
Cement Masons	7.85	.35	.30		.05	
Electricians	8.27	.25	1%+.30		1%	
Elevator Constructors:						
Elevator Constructors	7.945	.395	.26	2%+a&b	.005	
Helpers	70%JR	.395	.26	2%+a&b	.005	
Helpers (Prob.)	50%JR					
Glaziers	7.825	.35	.15		.005	
Ironworkers	8.05	.40	.475			
Lathers	8.22	.25	.20		.01	
Leadburners	8.75	.30		c	.01	
Line Construction:						
Linemen	8.78	.25	1%		½%	
Groundmen Equip. Opr.-Class I	8.20	.25	1%		½%	
Groundmen Truck Driver W/Winch	6.09	.25	1%		½%	
Groundmen Truck Driver WO/Winch	5.80	.25	1%		½%	
Groundmen Class "A"	5.53	.25	1%		½%	
Marble Setters, Terrazzo Workers & Tile Setters	8.10	.35	.30		.02	
Painters:						
Brush	$7.55	.35	.30			
Structural Steel & Spray	7.95	.35	.30			
Plasterers	8.20	.35	.30			
Plumbers & Steamfitters:						
Peoria County & North of Hwy. #98 (Tazewell County)	8.375	.24	.60		.09	
Remainder of Tazewell County	8.305	.24	.60		.06	
Roofers	7.895	.20	.25			
Sheet Metal Workers	7.97	.38	.35		.05	
Sprinkler Fitters	8.75	.30	.50		.05	
Welders - receive rate prescribed for craft performing operation to which welding is incidental.						

PAID HOLIDAYS (WHERE APPLICABLE)

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Six paid holidays; A through F.

b. Employer contributes 4% of regular hourly rate to Vacation 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. Nine paid holidays, A through F plus Washington's Birthday and 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.

PEORIA COUNTY & THE CITY OF EAST PEORIA
(TAZEWELL COUNTY)

Illinois 28 LAB-1 F

LABORERS- BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
CLASS 1						
Bricklayers tenders; Carpenters tenders; Cement mason tender; Concrete from dismantler; Stone, Tile & Derrick men; Tool crib men; Window washers; Wrecking; Dismantling old buildings, Wall men & House movers, Common laborers; curing concrete.	$6.95	.30	.35		.035	
CLASS 2						
Cement men & sack shakers, Concrete saw, Drill operator, Jackhammer Kettlemen & Carriers, men handling hot stuff, signalling & spotting of buckets on rig or rig men Paving breaker, Plasterers tender, Air tamper, Chain saw	7.075	.30	.35		.035	
CLASS 3						
Gunnite Pump Men, Sandblasting pump men, Tile layers or lateral sewer, unloading & handling of creosote materials	7.20	.30	.35		.035	
CLASS 4						
Power wheel barrow or buggies	7.125	.30	.35		.035	
CLASS 5						
Cutting & Acetylene Torch, Gunnite nozzle men, Sandblasting nozzle men, Wood Block Setters	7.325	.30	.35		.035	
CLASS 6						
Concrete form Dismantler in composite crew with carpenters; compactor rammer type; setting up & using Laser Beam equipment	7.075	.30	.35		.035	
CLASS 7						
Setting up & using concrete burning bars; underpinning & shoring of exisitng buildings	7.20	.30	.35		.035	

ILLINOIS-34-LAB-1 I

LABORERS: REMAINDER OF TAZEWELL COUNTY	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
CLASS I						
Common Laborer or Water Carrier, Top Caisson Men, Plaster Tender, Mortar Mixer, Bricklayer Tender, Men Wrecking & Dismantling all buildings, house movers, concrete form dismantling, all Work pertaining to Pouring of Concrete, Stone & Tile Setters Helpers, Landscaping, on all Commercial Jobs, Cement Car Men, Sack Shaker, Handling Material for Asbestos Work, Firing Low Press Boiler, Surveyor Helpers, Cement Mason Tenders, Truck Driver Helper (Min. 1 Laborer for each service truck to load & unload materials for crafts Laborers tend	$7.05	.30	.25		.035	
CLASS II						
All Vibrator Men, All Men employed in Tunnel, Caisson Workers, Gunnite pump Men, SandBlasting Pump Men	7.30	.30	.25		.035	
CLASS III						
Blasting Powder Men, Drill Operator (Tunnel Caisson) Gunnite Nozzlemen, Tile & Pipelayers, SandBlast Nozzlemen, Concrete Saw	7.425	.30	.25		.035	
CLASS IV						
Drill Operator, Jackhammer Men Open, Kettlemen & Carriers of Hot Stuff, Working in Trenches where Bracing is required or 6 Feet Below Ground Level, Signalling & Spotting of Rigs & equipment, Chipping Hammer (Air or Electric)	7.175	.30	.25		.035	
CLASS V						
Power Wheel Barrows & Buggies	7.225	.30	.25		.635	
CLASS VI						
Wood Block Setters	7.45	.30	.25		.035	

BUILDING CONSTRUCTION

Ill. 6 PEO 1 J 1 of 2

POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Ot
GROUP I						
Cranes, escalated rate on crane, derricks, booms, $.01 per hr., per foot, after 80-foot of boom including jib, overhead cranes, gradall, cherry pickers (and similar types, over 15 ton lifting capacity (require oiler), mechanics, central concrete mixing plant operator, road pavers (27E-dual drum-tri batchers), blacktop plant operators & plant engineers, 3 drum hoist, derricks, hydro cranes, shovels skimmer scoops, koehring scooper, draglines, backhoe, hoptoes-crane-type that require oilers, derrick boats, pile drivers & skid rigs, clamshells, locomotive cranes, dredge (all types), motor patrol, power blades dumore-elevating & similar types tower cranes (crawler mobile) & stationary, crane-type backfiller, drott yumbo & similar types considered as cranes, caisson rigs (require oilers)-dozer, tourna-dozer, work boats, ross carrier & helicopter	$7.80	.35	.35		.05	
GROUP II						
Trench machine, pumpcrete-belt crete-squeeze cretes-screw-type pumps & gypsum bulker & pump, dinkeys, power launches, tournapulls (all), multiple unit, earth movers, $.25 per hour for each scoop over one, scoops (all sizes), push cats, endloaders (all types), side boom, P-H one pass soil-cement machine (and similar types), wheel tractors (industrial or farm type w/dozer-hoe-end-loader or other attachments), pugmill with pump backfillers, asphalt surfacing machine, euclid loader, forklifts, formless finishing machine, jeeps w/ ditching machine or other attachments, tune-luger, rock crushers, automatic cement & gravel batching plants, mobile drills (soil testing & similar types), (require oiler), flasherty spreader or similar types (require oiler), heavy equipment greaser (top greaser on spread), gurries, & similar type), 1 & 2 drum hoists (buck hoists & similar types freight & passenger elevators Chicago boom, boring machine & pipe jacking, machine, hydro boom, starting engineer on pipeline, C.M.I. & similar types (require oiler) straw blower, hydro seeder & F.W.D. & similar types	7.60	.35	.35		.05	

ILL. 6 PEO 2 of 2

POWER EQUIPMENT OPERATORS (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP III						
Tractor (track type) without power unit pulling rollers, rollers on asphalt, brick or macadam, concrete breakers, concrete spreaders, mule pulling rollers, center stripper, cement finishing machines, barber greene or similar loaders, vibro tamper (all similar types), self-propelled, winch or boom truck, mechanical bull floats, mixer over 3 bag to 27E, tractor pulling power blade or elevating grader, porter rex rail, clary screed, pug mill (without pump), screed man on laydown machine, firemen & spray machine on paving	$7.325	.35	.35		.05	
GROUP IV						
Air compressor, all air & steam valves, power subgrader, oil distributor, straight tractor, trac-air without attachments, curb machines, truck crane oilers, & truck type hoptoe oilers	7.05	.35	.35		.05	
GROUP V						
Herman Nelson heater, Dravo, Warner, silent glo, & similar types, one engineer will operate 1-5 & after 5, two operators will be required, self- propelled concrete saws, assistant heavy equipment greaser on spread, roller, 5 tons & under on earth or gravel, form grader, pump 1 or 2, generator (1) or (2), welding machine (1) or (2)-300 amp. or over, mixer (3) bag & under (standard capacity), bulk cement plant, crawler crane & skid rig oilers	6.94	.35	.35		.05	

ILLINOIS-2-TD-1-2-3

PEORIA CO. & CITY OF E. PEORIA IN TAZEWELL COUNTY

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
TRUCK DRIVERS AREA 1						
GROUP 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:	$7.10	.40	a12.00			
GROUP 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:	7.50	.40	a12.00			
GROUP III						
2, 3 or 4 axle trucks hauling 16 ton or more, drivers on oil distributors, water pulls, mechanics and working foreman:	7.70	.40	a12.00			

FOOTNOTE:

a.-Employer contributes $12.00 per week per employee.

Ill. 6-TD E 1 of 2

REMAINDER OF TAZEWELL COUNTY

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHE
Truck drivers: Drivers on 4-wheel trucks, dumpcretes, scoopmobiles 5 cu. yds. & under or less than 7½ tons, mixer trucks 3 cu. yds. & under, air compressors and welding machines, including those pulled by separate units, batch trucks, wet or dry, 2 - 34-E batches or less, truck drivers' helpers, warehousemen, mechanics' helpers, greasers, tiremen, pick-up trucks, drivers on dumpsters or similar dumpsters, mounted on 4-wheel trucks, rated 2 cu. yds. or less, & small pallet type fork -lift op.	$4.43	.20	a			
Drivers on 4-wheel trucks, over 5 cu. yds, or more than 7½ tons, 6-wheel trucks, koehring or similar dumpsters, track trucks, Euclids, hug-bottom dumps, Tournapulls, Tournatrailers, Tournarockers, or similar equipment when used for transportation purposes under 9 cu. yds. or less than 13½ tons, tandems & semitrailer service trucks, 6-wheel pole-trailers, mixer trucks over 3 cu. yds. & including 6½ cu. yds., fork-lifts, 4-wheel A-frame trucks when used for transportation purposes, 4-wheel winch trucks, pavement breakers, batch trucks - wet or dry - over 2 up to & including 4 - 34-E batches, mechanics, drivers on oil distributors, 2 man operation	4.63	.20	a			
Drivers on heavy equipment over 9 cu. yds. or more than 13½ tons up to and including 16 cu. yds. or 24 tons, such as koehring or similar dumpsters, track trucks, semitrailer water trucks, Euclids, hug-botton dumps, Tournapulls, Tournatrailers, Tournarockers, tractor-trailers, tandems A-frames, tandem winch trucks, hydro-lift trucks or similar equipment when used for transportation purposes, mixer trucks over 6½cu. yds., batch trucks - wet or dry - over 4 -34-E batches, pole-trailers, 8-wheel combination or over, lowboy	4.83	.20	a			

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Drivers on heavy equipment over 16 cu. yds. or 24 tons, such as koehring or similar dumpsters, track trucks, Euclids, hug-bottom dumps, Tournapulls, Tourmarockers or similar equipment when used for transportation purposes and drivers on oil distributors, 1 man operation	5.03	.20	a			

a. Employer contributes $6.00 per week per employee.

DREDGING CONSTRUCTION:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP 1						
Operators on hydraulic dipper or clamshell dredges, Engineers & Repairmen, Operators on work boats	$7.80	.35	.35		.05	
GROUP 2						
Power Winches 1-2-3 Drum	7.60	.35	.35		.05	
GROUP 3						
Security Engineer	7.275	.35	.35		.05	
GROUP 4						
Cranemen on dipper dredges, Operators on launches or power boats	7.25	.35	.35		.05	
GROUP 5						
Fireman & Oilers	6.94	.35	.35		.05	

SUPERSEDEAS DECISION

STATE: Illinois
DECISION NUMBER: AQ-3157
COUNTY: St. Clair
DATE: Date of Publication
Supersedes Decision No. AQ-3078 dated February 8, 1974, 39 FR 5075 and No. AQ-3080 dated February 8, 1974, 39 FR 5083
DESCRIPTION OF WORK: Building (Including Residential) Construction.

82-ILLINOIS 1 of 3

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos Workers	$9.53	.20	.17			
Boilermakers	8.35	.40	.95		.01	
Boilermakers' Helpers	8.10	.40	.95		.01	
Bricklayers & Stonemasons:						
Belleville & Vicinity	8.60		.30	1.00		
E. St. Louis & Vicinity	8.46		.30	.60		
Carpenters:						
Carpenters, Soft Floor Layers, Millwrights & Piledrivermen	8.735	.40	.50			
Cement Masons	8.825	.40	.25			
Electricians	8.73	4%	1%+.40	6%	.25%	
Elevator Constructors:						
Elevator Constructors	5.56	.105	.125	½%+a&b	.005	
Helpers	70%JR	.105	.125	½%+a&b	.005	
Helpers (Prob.)	50%JR					
Glaziers	7.46	c	.40	8%+d	.01	
Ironworkers, Structural, Ornamental & Reinforcing	8.80	.45	.65			
Laborers:						
East St. Louis & Vicinity						
Laborers	7.35	.35	.35		.035	
Bottom Men on Sewer Work	7.60	.35	.35		.035	
Dynamite Men	8.875	.35	.35		.035	
Hod Carriers:						
Plastering	7.75	.25	.35		.035	
Masonry	7.95	.20	.20			
Belleville & Vicinity						
Laborers	7.65	.25	.20		.035	
Bottom Men on Sewer Work	7.90	.25	.20		.035	
Dynamite Men & Powder Men	9.15	.25	.20		.035	
Hod Carriers	8.15	.20	.20			
Plasterers' Tenders	8.15	.20	.20			
O'Fallon, Mascoutah, Scott AFB, Shiloh & Lebanon & Vicinity						
Laborers	7.85		.20		.035	
Bottom Men on Sewer Work	8.10		.20		.035	
Brickmason Tenders	8.35		.20		.035	
Plasterers' Tenders	8.35		.20		.035	
Mortar Mixers	8.35		.20		.035	
Fresburg & Vicinity						
Laborers	7.70		.20		.035	
All Sewer Work	8.00		.20		.035	
Mason Tenders	8.20		.20		.035	
Plasterers' Tenders	8.20		.20		.035	
Dynamite Men	9.30		.20		.035	

AQ-3157 P. 2

82-ILLINOIS 2 of 3

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Laborers (Cont'd)						
New Athens & Vicinity						
Laborers	$7.45	.25	.20		.035	
Bottom Men on Sewer Work	7.70	.25	.20		.035	
Mason & Plaster Tenders	7.95	.25	.20		.035	
Dynamite Men	9.30	.25	.20		.035	
Line Construction:						
Linemen	8.84	4%	1%		.25%	
Groundmen Equipment Operators	7.67	4%	1%		.25%	
Groundmen Truck Drivers:						
With Winch	6.24	4%	1%		.25%	
Without Winch	6.24	4%	1%		.25%	
Pick-Ups or Jeeps	5.82	4%	1%		.25%	
Groundmen	5.78	4%	1%		.25%	
Marble Setters	8.69	.17	.45			
Lathers	8.435			.65	.01	
Leadburners	8.75	.30		e	.01	
Plasterers	9.075				.01	
Plumbers & Steamfitters:						
East St. Louis & Vicinity	8.25	.33	.42	.42		
Belleville & Vicinity & Scott AFB	9.25		.75			
Roofers:						
Composition, Slate & Tile	7.25	.27	.30	.40	.03	
Kettlemen	5.25	.27	.30	.40	.03	
Sheet Metal Workers	8.18	.20	.25	6%	.01	
Sprinkler Fitters	8.75	.30	.50		.05	

Welders - receive rate prescribed for craft performing operation to which welding is incidential.

PAID HOLIDAYS: (WHERE APPLICABLE)

A-New Years Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. 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.

b. Six (6) paid holidays: A through F.

c. Employer contributes $45.67 per month per employee.

d. Ten (10) paid holidays: A through F plus Washington's Birthday; Columbus Day; Veterans Day; & Friday after Thanksgiving Day.

e. Nine (9) paid 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.

ILLINOIS-82-PAINTERS

PAINTERS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
REPAINT RESIDENTIAL	$7.50	.35	.15			
RESIDENTIAL AND COMMERCIAL	7.85	.35	.15			
INDUSTRIAL	8.10	.35	.15			
ROLLERS ON COMMERCIAL & RESIDENTIAL	8.10	.35	.15			
BRIDGES, GRAIN ELEVATORS, WATER, RADIO AND TELEVISION TOWERS, STACKS AND HAZARDOUS WORK	8.35	.35	.15			
ROLLER ON INDUSTRIAL WORK	8.60	.35	.15			
ROLLER ON BRIDGES, GRAIN ELEVATORS, WATER, RADIO AND TELEVISION TOWERS, STACKS AND HAZARDOUS WORK	8.85	.35	.15			
SAND AND WATER BLASTING, SPRAY AND STEAM CLEANING WILL PAY A PREMIUM OF $1.00 PER HOUR, AIRLESS SPRAY WHERE THE FAN WIDTH IS OVER 24" SHALL PAY $1.40 PER HOUR PREMIUM, MECHANICAL TOOLS AND DEVICES SUCH AS POWER SANDERS AND BUFFERS, NEEDLE GUNS, TAPING TOOLS, ETC., SHALL BE PAID FOR AT $.75 PER HOUR ABOVE THE APPLICABLE SCALE.						

AQ-3157 P. 5

ILLINOIS-2-PEO-1-2-3 1 of 2

POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP I						
Cranes, draglines, shovels, skimmer scoops, clamshells or derrick boats; piledrivers, crane-type backhoes, asphalt plant oprs., concrete plant oprs., ditching machines or back-fillers (requiring oilers), dredges, asphalt spreading machines, heavy duty mechanic, ass't. master mechanic, all locomotives, cableways or tower machines, hoists-2-drum or more (where oiler or firemen is required), hoists-2-drum or more (where oiler or firemen is not required)Hydraulic backhoes, ditching machines or backfiller (not requiring oilers) Cherry pickers, overhead cranes, roller (steam or gas) concrete pavers, excavators, concrete breakers, concrete pumps; bulk cement plants, cement pumps, derrick-type drills, mixers (over 3 bags) and boat oprs. (25' & over), Motor graders or pushcats, scoops or tournapulls, Bulldozer, endloaders or fork-lifts, power blade or elevating graders, winch cats, boom tractors, and pipe wrapping or painting machines, Drills (other than derrick type). 1-drum-hoists, mud jacks, mixers (2 or 3 bags), conveyors (2), air compressors (2), water pumps regardless of size (2), welding machines (2) siphons or jets (2), winch heads or apparatuses (2) and light plants (2), Mixers (under 2 bags), all tractors regardless of size (straight tractor only), firemen on stationary boilers, automatic elevators, form grading machines, finishing machines, power sub-grader or ribbon machine, longitudinal floats, boat oprs., (under 25', conveyors (1), distributor oprs., on trucks, siphons or jets (1) winch heads or apparatuses (1), light plants (1), mixers (under 2 bags)	$8.33	.37	.85	.20	.05	

AQ-3157 P. 6

ILLINOIS-2-PEO-1-2-3 2 of 2

POWER EQUIPMENT OPERATORS: (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
GROUP II						
Air Compressors (1), water pumps regardless of size (1) welding machines (1)	$7.50	.37	.85	.20	.05	
GROUP III						
Firemen and asphalt spreader oilers	6.85	.37	.85	.20	.05	
GROUP IV						
Heavy equipment oilers (truck cranes, dredges, monigans, large cranes, etc.	6.75	.37	.85	.20	.05	
GROUP V						
Oiler or apprentice	6.50	.37	.85	.20	.05	
GROUP VI						
a. Engineers operating under air pressure	10.48	.37	.85	.20	.05	
b. Engineers operating in air over 10 lbs. pressure	10.78	.37	.85	.20	.05	
c. Apprentices operating under air pressure	8.60	.37	.85	.20	.05	
d. Apprentices operating in air over 10 lbs pressure	9.10	.37	.85	.20	.05	
Hard rock mining - $.25 per hour premium pay above existing rates						

ILLINOIS-2-TD-1-2-3

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
TRUCK DRIVERS AREA 1						
GROUP 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:	$7.10	.40	a12.00			
GROUP 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:	7.50	.40	a12.00			
GROUP III						
2, 3 or 4 axle trucks hauling 16 ton or more, drivers on oil distributors, water pulls, mechanics and working foreman:	7.70	.40	a12.00			

FOOTNOTE:

a.-Employer contributes $12.00 per week per employee.

SUPERSEDEAS DECISION

STATE: Illinois COUNTY: Sangamon
DECISION NUMBER: AQ-3158 DATE: Date of Publication
Supersedes Decision No. AP-698 dated June 8, 1973, 38 FR 15284 and No. AP-1010 dated June 8, 1973, 38 FR 15203
DESCRIPTION OF WORK: Building (Including Residential) Construction.

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos Workers	$9.53	.20	.17			
Boilermakers	8.35	.40	.95		.01	
Boilermakers' Helpers	8.10	.40	.95		.01	
Bricklayers & Stonemasons	7.20	.35	.30	.20	.02	
Carpenters:						
Residential:						
1 & 2 Family Dwellings	5.67	.35	.45		.05	
Over 2 Family Dwellings	6.45	.35	.45		.05	
Building:						
Carpenters & Soft Floor Layers	7.80	.35	.45		.05	
Millwrights & Piledrivermen	8.30	.35	.45		.05	
Cement Masons	7.63	.30	.35		.02	
Electricians	8.37	.25	1%+.20		.2%	
Elevator Constructors:						
Elevator Constructors	7.505	.345	.23	2%+a&b	.005	
Helpers	70%JR	.345	.23	2%+a&b	.005	
Helpers (Prob.)	50%JR					
Glaziers	7.70	.25	.15			
Ironworkers	8.17	.45	.60		.05	
Lathers	8.40					
Leadburners	8.75	.30		c	.01	
Line Construction:						
City of Springfield						
Linemen	8.78	.35	1%		½%	
Groundmen Truck Driver W/Winch	6.09	.35	1%		½%	
Groundmen Truck Driver WO/Winch	5.80	.35	1%		½%	
Groundmen Equip. Opr. - Class 1	8.20	.35	1%		½%	
Groundmen - Class "A"	5.53	.35	1%		½%	
Remainder of County						
Linemen	8.78	.25	1%		½%	
Groundmen Truck Driver W/Winch	6.09	.25	1%		½%	
Groundmen Truck Driver WO/Winch	5.80	.25	1%		½%	
Groundmen Equip. Opr. -Class 1	8.20	.25	1%		½%	
Groundmen - Class "A"	5.53	.25	1%		½%	
Marble; Terrazzo & Tile Workers	7.20	.35	.30	.20	.02	
Plasterers	7.65	.15	.15		.01	
Roofers:						
Composition	8.83					
Slate, Tile & Precast Slab	9.08					
Sheet Metal Workers	7.55	.35	.25	.25		
Sprinkler Fitters	8.75	.30	.50		.05	
Pipefitters & Plumbers	7.96	.30	.55			
Painters:						
Brush	6.70	.25	.15			
Spray	7.20	.25	.15			

Welders - receive rate prescribed for craft performing operation to which welding is incidental.

PAID HOLIDAYS: (Where Applicable):

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. 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.

b. Six paid holidays: A through F.

c. Nine Paid 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 immediately preceding and following the Holiday.

ILLINOIS-27-LABORERS -T K

LABORERS-Building Construction	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Common laborer, temperature control men (concrete) & toll-room man	$6.40	.25	.25		.035	
Blasting men, handling, conveying & working w/creosote, jackhammer opers. on vertical walls or off a scaffold	6.80	.25	.25		.035	
Mixing mortar, cement finish, & asphalt emulsion, etc., wrecking-structures or operations, brick setters-walk, pavements, slip form men on elevators, sandblaster, pot tender, carrying reinforcement rods or steel similar to reinforcement rods	6.50	.25	.25		.035	
Men working on poured Gypsum decks	6.75	.25	.25		.035	
Hod carriers, brick & mason tenders	6.80	.25	.25		.035	
Plasters tenders	6.90	.25	.25		.035	
Jackhammer operators, tile layers & bottom men (sewer), house movers, shoring & inderpinning	6.65	.25	.25		.035	
All power tool operators	6.60	.25			.035	
Sandblaster, nozzleman, scaler, using boatswains' chair or safety belt, gunnite nozzlemen	6.60	.25	.25		.035	
CASSION & TUNNEL WORK:						
Drillman	6.725	.25	.25		.035	
Muckers	6.725	.25	.25		.035	
Bottom men	6.725	.25	.25		.035	
Windlass man	6.50	.25	.25		.035	
Top man	6.40	.25	.25		.035	

ILLINOIS-5-PEO-1-2-3 1 of 2

POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Ot
Class I Asphalt screed man, Aspco concrete spreaders, Asphalt pavers, Asphalt rollers on bituminous concrete, athey loaders, backfillers, crane type, backhoes, barber green loaders, bulldozers, cableways, cherry pickers, clam shells, C.M.E. & similar type autograde formless paver, autograde placer & finisher, concrete breakers, concrete plant operators, concrete pumps, cranes, derricks, derrick boats, draglines, earth augeror boring machines, elevating graders engineers on dredges, gravel processing machines, high lifts or fork lifts, hoists w/two or more drums or two or more loadlines locomotives (all) mechanics, motor graders or auto patrols, operators or leverman on dredges, operators power boat, operators pug mill (asphalt plants), orange peels, overhead cranes, paving mixers, piledrivers, pipe wrapping & painting machines, push dozers, or push cats, rock crushers, ross carriers or similar machines, scoops, skimmer, 2 cu. yd. capacity & under, sheep foot roller (self propelled) shovels, skimmer scoops, test holedrilling machines, tower cranes, tower machines, tower mixers, track type end loaders, track type fork lifts or high lifts, track jacks & tampers, tractors, sideboom, trenching machine, ditching machine, tunnelluggers, wheel type end loaders, winch cat, scoops, all or tournapull.	$8.05	.30	.40		.05	
Class II Asphalt boosters & heaters, asphalt distributors, asphalt plant fireman, oiler on 2 paving mixers when used in tandem boom or winch trucks, building elevator, bull floats or flexplanes, concrete finishing machines, concrete saws, self propeller, concrete spreading machines, gravel or stone spreader, power operated, head equipment greaser, hoist automatic, hoist w/ 1 drum & 1 load line, mud jacks, post holedigger, mechanical, road or street sweeper-self propelled, seaman tiller, straw machine, vibratory compactor, well drill machines, scissors hoist.	7.25	.30	.40		.05	

ILLINOIS-5-PEO-1-2-3 2 o

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	
POWER EQUIPMENT OPERATORS (CONT'D)						
Class III						
Air compressors*, air compressors, track or self-propelled, asphalt plant engineers, bulk cement batching plants, conveyors,*, concrete mixers (except plant, paver or tower) firemen, generators*, greasers, helper on single paving mixer, light plants*, mechanic helpers, mechanical heaters*, oilers, power form graders, power sub-graders, pug mills, when used for other than asphalt operation, rollers (except bituminous concrete) tractors w/o power attachments regardless of size or type) truck crane oiler & driver 1(man), water pumps*, welding machines (one 300 amp. or over*)*welding machines* *COMBINATIONS OF ONE TO FIVE OF ANY AIR COMPRESSORS, CONVEYORS, WELDING MACHINES, WATER PUMPS, LIGHT PLANTS OR GENERATORS SHALL BE IN BATTERIES OR WITHIN 300 FT.	$6.85	.30	.40		.05	

ILLINOIS-4/5-TD-1-2-3

	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.

STATE: Illinois
COUNTY: Will
DECISION NUMBER: AQ-3159
DATE: Date of Publication
Supersedes Decision No. AP- 1001 dated June 8, 1973, in 38 FR 15294 and No. AP-1011 dated June 8, 1973, in 38 FR 15329
DESCRIPTION OF WORK: Building (Including Residential) Construction.

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos Workers	$9.35	.58	.67		.05	
Boilermakers	8.75	.40	.90	4%	.01	
Boilermakers' Helpers	8.65	.40	.90	4%	.01	
Bricklayers & Stonemasons	10.20	.30				
Carpenters:						
Carpenters; Soft Floor Layers	9.51	.40	.75			
Millwrights; Piledrivermen	9.51	.40	.75			
Cement Masons	9.45	.40	.50		.04	
Electricians:						
Building	9.78	.25	1%+.20	.57	.2%	
Residential	7.60	.25	1%+.20	.57	.2%	
Glaziers	8.95	.24	.30		.01	
Ironworkers	9.25	1.75	.225		.02	
Lathers	9.60		.25			
Leadburners	8.75	.30		a	.01	
Line Construction:						
Linemen	9.78	.25	1%+.20	.57	.2%	
Cable Splicer	10.18	.25	1%+.20	.57	.2%	
Groundmen	8.50	.25	1%+.20	.57	.2%	
Painters:						
Commercial & Residential	8.30	.35	.15			
Plumbers:						
Within the City Limits of Joliet	9.25	.40	.50		.07	
Remainder of County	9.57	.50	.50		.05	
Pipefitters:						
Within the City Limits of Joliet	9.25	.40	.50		.07	
Remainder of County	9.35	.55	.70		.02	
Plasterers	8.895	.40	.25		.045	
Roofers	9.40	.50	.30			
Sheet Metal Workers	9.45	.35	.45		.02	
Sprinkler Fitters	8.75	.30	.50		.05	
Terrazzo Workers	7.85					
Terrazzo Workers' Helpers & Floor Mach.	6.85					
Base Machine Operator	7.10					
Tile Setters	8.65	.30-5/8	.425			
Tile Setters' Helpers	7.60	.30-5/8	.425			
Truck Drivers:						
2-3 Axle Trucks	$6.60	b15.00	b19.00			
4-Axle Trucks	6.75	b15.00	b19.00			
5-Axle Trucks	6.95	b15.00	b19.00			
6-Axle Trucks	7.15	b15.00	b19.00			
Welders - receive rate prescribed for craft performing operation to which welding is incidental.						

PAID HOLIDAYS: (WHERE APPLICABLE)

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Nine Paid 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 immediately preceding and following the Holiday.

b. Per Week Per Employer.

AQ-3159 P. 3

WILL COUNTY

ILLINOIS 8-LAB-1-2-3 1 of 3

LABORERS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
CLASS I						
Tunnel miners & all laborers inside tunnel, compressed air laborers, air blow pipemen, mortaring men on sewer & drain pipe (the applying of mortar & composition mixers), all bottom men on sewer work-all sewer & drain pipe layers-multiple concrete duct or any other type of pipe used on public utility work-8 ft. or more velow ground level, & all other sewer & trench laborers 8 ft. or more below ground level, all labor work inside cofferdam, the use of a 10 ft. or more drill steel for hand held drills, caisson laborers ground level down to 15 ft. all air tools 8 ft. or more below ground level, all laborers on swinging & suspended scaffolds, chimney * silo laborers working at a height of 48 to 100 ft. all tamping hammers over 150 lbs., all laborers working inside of the sphere or any type to make of tank at a height of 48 ft. to 110 ft., all hydraulic, electric & air tools, or any other type 8 ft. or more below ground level	$7.15	.47	.65			
Chimney & silo laborers for every additional 50 ft., or any part thereof above 100 ft. high-additional .50 per hour						
All laborers working inside of a sphere or any type of tank for every additional 50 ft. or part thereof above 100 ft. in height-additional .50 per hour						
All laborers working on swinging-suspended or any type or make of scaffolds for every additional 50 ft. or part thereof above 100 ft. in height-additional .50 per hour						

AQ-3159 P. 4

ILLINOIS 8-LAB-1-2-3 2 of 3

LABORERS - Continued:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
CLASS II						
Asphalt rakers, hod carriers, plaster laborers, gunnite laborers road form setters & string line men for road form setters, wagon & tower drillers on land & floating plant used on dredging, asphalt gunners & plug men (undercoating on road work), mortar pump laborers & plaster pump laborers	$7.10	.47	.65			
CLASS III						
Outside tunnel miner helpers, sewer & drain pipe layers & multiple concrete duct or any other type of pipe used on utility work, ground level down to 8 ft., blasting men helpers, pump-crete pipe handlers	7.00	.47	.65			
CLASS IV						
Gunnite nozzle men, caisson laborers from 15 ft. below ground level down to 50 ft.	7.40	.47	.65			
CLASS V						
Caisson laborers 50 ft. or more below ground level, laborers working under radio active conditions, blasting men (powdermen)	7.65	.47	.65			
CLASS VI						
Mortar mixers, handling asphalt shingles, patented scaffolds, sewer & trench work-ground level down to 8 ft., catch basis & manhole diggers, mesh handling on road work, cement & mineral filler handler, concrete puddlers, batch dumpers, (cement & asphalt), vibrator operators, sand & stone wheelers to mixer (handlers), concrete wheelers aire-tamping hammermen, concrete & paving breakers, rock drillers, jackhammermen, 1-bag mixer, asphalt laborers, cahin & power saws, pit men, all fence laborers, mason tenders, (mortar & brick wheeler), wagon & tower drill helpers, kettlemen & tarmen, tank cleaners, scaffold & staging laborers, pot firemen (tarmen), salamander tenders for any purpose, water pumps, rip rap; electrician, plumber & finisher helpers (minimum), handling of slab steel road forms in any manner, excepc roaf form setting						

LABORERS - Continued	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Steeting center strips, contraction & expansion joints (road work), unloading & handling therof of the following, brick, transite materials cast iron water pipe, reinforced concrete rods, sewer & drain tile, railroad ties & all other creosoted materials, paving blocks & concrete forms, handling of insulation of any type, all mortar & composition mixers, for sewer work, track laborers, chimney & silo laborers working at a height of one to 48 ft., all laborers working on swinging, suspended or any type of amke of scaffolding one foot to 48 ft., all laborers working of rank-minimum rate, all alborers working inside a sphere or any type or amke of tank from bottom to a height of 48 ft.-minimum rate, form strippers (any type), mechanical or motorized buggies, handling multiple concrete duct or any other type of pipe used in public utility work unless otherwise specified herein, snapping of wall ties and removal of roads, drilling of anchor bolt holes, concrete of asphalt clipper type saws & self-propelled saws, shoulder & grade laborers, all hydraulic eletric & air or any other type of tools, grouting & caulking, carpenters helpers, cleaning lumber, nail pulling, deck hand, dredgehand, shore laborers, bankmen on floating plant, tool & material checkers, signalmen & flag men on all const., work defined herein, cleaning of cebris, removal of trees, concrete curing, temporary concrete protection, regardless of amnner or materials used, truck helpers, wrecking & demolition laborers all landscaping, laying or sod, and planting of trees	$6.90	.47	.65			

POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
CLASS I Asphalt plant, asphalt spreader, autograd, batch plant, Benoto (requires two engineers), boiler & throttle valve, caisson rigs, central redi-mix plant, combination backhoe front end-loader machine, compressor & throttle valve, concrete breaker (truck mounted), concrete conveyor, concrete paver, concrete placer, concrete tower, cranes (all), derricks (all), grader, elevating, grouting machines, highlift shovels or front endloader 2¼ yd. & over, hoists, one, two & three drum, hoists, two tugger one floor, hydraulic boom trucks, locomotives (all), mechanic, motor patrol, pile drivers & skid rig, post-hole digger, pre-stress machine, pump cretes dual ram (requiring frequent lubrication & water), pumpcretes, squeeze cretes - screw type pumps, Gysum bulker & pump, rock drill (self-propelled), rock drill (truck mounted), scoops - tractor drawn, slip form paver, straddle buggies, tournapull, tractor with boom & side boom, trenching machines	$10.00	.50	.50	.20	.05	
CLASS II Boilers, bulldozers, broom, all power propelled, concrete mixer (2 bag & over), conveyor, portable, forklift trucks greaser engineer, highlift shovels or front endloaders under 2¼ yd., hoists, automatic, hoists, all elevators, hoists, tugger single drum, rollers, all, steam generators. stone crushers, tractors, all, winch trucks with "A"-frame	8.70	.50	.50	.20	.05	
CLASS III Air compressor - small 150 & under (1) to 5 not to exceed a total of 300 ft.), Air compressor - large over 150, combination - small equipment opr., generators under & over 50 KW, heaters, mechanical, pumps, over 3" (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	7.65	.50	.50	.20	.05	
CLASS IV Oilers	6.45	.50	.50	.20	.05	

SUPERSEDEAS DECISION

STATE: Iowa

COUNTY: Cerro Gordo County (City of Mason City & abutting municipalities), Iowa

DECISION NO.: AQ-101

DATE: Date of Publication

Supersedes Decision No. AM-2,448, dated August 25, 1971, in 36 FR 16796.

DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories) and Heavy & Highway Construction

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ASBESTOS WORKERS	$8.25	.425	.35		
BOILERMAKERS	8.25	.30	1.00		.02
BRICKLAYERS - STONEMASONS	6.92		.25		
CARPENTERS:					
Carpenters	7.07				.01
Millwrights; Piledrivermen	7.32				.01
CEMENT MASONS	7.07				
ELECTRICIANS:					
Electricians	7.80	.30	1%		1%
Cable splicers	8.30	.30	1%		1%
GLAZIERS	5.35	.15			
IRONWORKERS:					
Fence erector; Ornamental; Reinforcing; Structural	7.405	.26	.50		.02
LABORERS:					
Common laborers; Power tools; Barco operator; Mortar mixers; Concrete saw; Sand point setter	5.10	.30	.15		
Tenders to the crafts; Caissons (after 6' depth); Dynamite men; Gunniting-nozzlemen; Backup man; Swinging stage work, wood hoist tower, scaffolds or ladders at a height of 35' or over	5.35	.30	.15		
All underground labor (other than compressed air); Swinging stage work, wood hoist tower, scaffolds or ladders at a height of 75' or over	5.60	.30	.15		
PAINTERS:					
Brush	5.10				
Tapers	5.20				
Spray	5.60				
PLASTERERS	7.12				
PLUMBERS - STEAMFITTERS	7.90				.80p/w
ROOFERS	5.55				
SOFT FLOOR LAYERS	7.07				.01
SPRINKLER FITTERS	8.85	.40	.60		.07
WELDERS - receive rate prescribed for craft performing operation to which welding is incidental					

DECISION NO. AQ-101

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
POWER EQUIPMENT OPERATORS					
CLASSIFICATION 1					
Cranes, including those being used as backhoes, dragline, clamshell, etc.; Tower cranes; Truck cranes & cherry pickers over 15 ton rated capacity; Derricks; Pile drivers and extractors; Caisson rigs; Side boom and winch truck used for erection of structural steel and moving and setting of heavy machinery; 3-drum hoists; Welders; Mechanics; Locomotive; Dredge (levermen)	$7.50	.40	.30		.01
CLASSIFICATION 2					
1 and 2 drum hoists; Air and electric tuggers (on power plants or setting steel or grating); Economobiles; Plant mixers; Farm type tractors (with loaders, backhoes attachments, etc.); Scrapers (tournapull, etc.); Endloaders; Dredge (engineer); Side boom and winch truck other than Classification #1; Motor patrol; Bulldozers; Push Cat; Truck cranes & cherry pickers (15 ton and under); Concrete mixers (1 yard and over); Ditching machine (8" and over); Fork lifts (on steel erection and machinery moving or hoisting above one complete story); Concrete pump, Dewatering pumps; Temporary hoist cage operated; Second man on locomotive	7.40	.40	.30		.01

DECISION NO. AQ-101

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
POWER EQUIPMENT OPERATORS					
CLASSIFICATION 3					
Tractors (under 35 h.p.) with or without attachments; Endloaders (under 35 h.p.) with or without attachments; Air compressors (one or a combination of 250 cfm or more); Pumps 3" or more; Welding machine 600 amps or combination thereof; Conveyors; Firemen (Boiler); Generator (75 KW and over); Fork lifts (other than above Classification #2); Gunite machine; Self-propelled rollers; Stump Chippers, self-propelled tamper; Air and electric tuggers (other than above); Ditching machine under 8"	$6.75	.40	.30		.01
CLASSIFICATION 4					
Oilers; Mechanical Heaters; Truck Crane Drivers; Permanent Elevators	6.50	.40	.30		.01

DECISION NO. AQ-101

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CARPENTERS; PILEDRIVERMEN	$4.80	.21			
CEMENT MASONS	4.45				
LABORERS:					
Sandblasters; Powderman & blaster; Pipelayer, sewer, water, telephone conduits, etc.; Sewer utility man; Gunnite nozzleman; Diamond & core drills, powered by air, all work performed by laborers working from a bos'n chair, swinging stage, life belt, tag line or block & tackle; Drill op. of air tracs, wagon drills & similar drills	4.15	.10	.10		
Tree climber; Form setters; Rakers; Boxtenders; Asphalt curb machines; Potmen (not mechanical); Bull float, hand operated; Scalers; Timbermen; Underpinning & shoring; Caissons (over 12'); Grade checker & cutting torches on demolition work	3.90	.10	.10		
Power buggyman; Concrete & paving sawman; Formliner expansion joint assembler; Bottom man; Caulker & jointer & painter; Timber & chain-saw man; Mechanical grouters; Boring machine; Automatic concrete power curbing machines; Stresser or stretcherman on post-tension or prestressed concrete (on or off the job); Powdermen helpers	3.65	.10	.10		
Form tamper; Air, gas & electric tool op., vibrator, barco hammer, paving breaker, spader, tamper, electric drills hammer & jackhammer; Tree groundmen; Chuck tender; Drill helpers, tool room men & checkers; Sandblaster helper; Concrete processing material & monitors; Cement finishers helpers	3.50	.10	.10		

DECISION NO. AQ-101

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LABORERS (CONT'D):					
Fence erectors; Handling & placing of metal mesh, dowel bars, reinforcing bars & chairs; Dumpmen & spotters; Carrying reinforcing rods; Corrugated culvert pipe; Concrete drainage pipe; Stake chaser, seeding, mulching & planting of trees, shrubs & flowers; Water boy; Common laborers; Rodmen; Tending to carpenters; Hot asphalt labor; Stringman on paving work	$3.40	.10	.10		
POWER EQUIPMENT OPERATORS:					
Power shovel & crane type equipment (over 1/2 cy); Central mix plant op. (concrete 5 cy & over); Dredge op. & leverman concrete mixer-paver op.; Hoisting engineer (steel erection); Tractor operating scrapers in tandem; Motor patrol on finishing work; Master mechanic (when 4 or more mechanics are employed); Tow or push boat; Piledriver machine	4.95	.30	.20		.01
Asphalt plant; Asphalt paver; Asphalt pugmill; Power shovel (crane type equipment, under 1/2 cy); Front end loader (all types 40 HP or over); Mechanics & welders; Tournapull (DW 10 & all similar equipment, over 10 cy struck cap.); All self-loading scrapers; Tractor, bulldozer, push cat, pulling scraper or rooter & sideboom tractor; Churn & rotary drill; Trenching machine (Cleveland 80 or similar cap.); Self-propelled sheepsfoot roller (100,000 lbs. & over); Central mix plant (concrete, under 5 cy)	4.80	.30	.20		.01

DECISION NO. AQ-101

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
POWER EQUIPMENT OPERATORS (CONT'D):					
Motor patrol (on other work); Asphalt roller (high type surfacing); Asphalt spreader (back end); Concrete curb breaking machine; Concrete widening machine; Elevating grader & Athey loader; Tournapull (DW 10 & all similar equipment under 10 cy struck cap.); Paving breaker (drop or pneumatic); Spreader box (self-propelled or tractor-pushed); Subgrade stab. (P&H & similar sizes); Boiler (2 or one boiler & driver); Subgrading machine (CMI); Slip form paver	4.55	.30	.20		.01
Self-propelled roller (other than high type asphalt); Distributor; Screening & washing plant; Spreader (concrete tank car heater, combination boiler & booster); Self-propelled vibrating compactor; Trenching machine; (other) pumps on well points & deep wells for dewatering mechanical broom; Steel placing machine; Boat op.; Compressor; Concrete mixer (side loader); Conveyor; Crusher feeder; Finishing machine on concrete; Flex-plane; Bull float; Form grade; Group equipment greaser; Motor crane combination driver & oiler	4.35	.30	.20		.01
Boiler (single); Apprentice engineer or oiler or mechanics' helper; Self-propelled tractor (pulling disc harrow or sheepsfoot roller); Welding machine; Pump op. (other than dredge); Boom & winch truck; Hydro seeder op.; Mulcher blower op.	4.15	.30	.30		.01
Batching plant (dry); Front end loader, rubber-tired (with backhoe attachment, under 3/8 cy); Farm tractor pulling pneumatic roller; Farm tractor with attachments	3.85	.30	.20		.01

DECISION NO. AQ-101

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
TRUCK DRIVERS:					
Truck drivers (not otherwise specified); Warehousemen; Drivers on: 4-wheel service trucks, bus hauling men, carry all & winch trucks, dumpcretes & scoopmobiles	3.55	.10			
Truck drivers for semi & tandem; Ready mix; Dumpster; Drivers on: Korking & similar dumpsters, track trucks, euclids, hug bottom drums, tournapulls or similar equipment used for transportation, pavement breakers, pole trailers, air compressors & welding machines, including those pulled by separate units	3.65	.10			

SUPERSEDEAS DECISION

STATE: Iowa

COUNTY: Webster County (City of Fort Dodge & abutting municipalities), Iowa

DECISION NO.: AQ-102

DATE: Date of Publication

Supersedes Decision No. AM-2,458, dated August 25, 1971, in 36 FR 16830.

DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories) and Heavy & Highway Construction

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ASBESTOS WORKERS	$8.25	.425	.35		
BOILERMAKERS	8.25	.30	1.00		.02
BRICKLAYERS - STONEMASONS	6.89		.40		
CARPENTERS:					
Carpenters; Piledrivermen	6.50				
Millwrights	6.75				
CEMENT MASONS	6.50				
ELECTRICIANS	7.50	.30	1%		1%
ELEVATOR CONSTRUCTORS	7.265	.185	.20	2%+a	
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.185	.20	2%+a	
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR				
IRONWORKERS:					
Ornamental; Reinforcing; Structural	7.405	.26	.50		.02
LABORERS:					
Common laborers	4.25				
Machine & air tool operators; Mortar mixers	4.45				
LATHERS	7.10				
PAINTERS:					
Brush; Drywall finishers; Rollers	5.45				
Paperhangers	5.70				
Spray	5.95				
PLASTERERS	4.425				
PLUMBERS - STEAMFITTERS	8.05	.30	.50		.10
ROOFERS	5.25				
SPRINKLER FITTERS	8.85	.40	.60		.07
WELDERS - receive rate prescribed for craft performing operation to which welding is incidental.					

FOOTNOTE:

a - Employer contributed 4% of the basic hourly rate for over 5 years of service and 2% of basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit. Six Paid Holidays: A through F.

PAID HOLIDAYS:

A-New Years' Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day

DECISION NO. AQ-102

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
POWER EQUIPMENT OPERATORS					
CLASSIFICATION 1					
Cranes, including those being used as backhoes, dragline, clamshell, etc.; Tower cranes; Truck cranes & cherry pickers over 15 ton rated capacity; Derricks; Pile drivers and extractors; Caisson rigs; Side boom and winch truck used for erection of structural steel and moving and setting of heavy machinery; 3-drum hoists; Welders; Mechanics; Locomotive; Dredge (levermen)	$7.50	.40	.30		.01
CLASSIFICATION 2					
1 and 2 drum hoists; Air and electric tuggers (on power plants or setting steel or grating); Economobiles; Plant mixers; Farm type tractors (with loaders, backhoes attachments, etc.); Scrapers (tournapull, etc.); Endloaders; Dredge (engineer); Side boom and winch truck other than Classification #1; Motor patrol; Bulldozers; Push Cat; Truck cranes & cherry pickers (15 ton and under); Concrete mixers (1 yard and over); Ditching machine (8" and over); Fork lifts (on steel erection and machinery moving or hoisting above one complete story); Concrete pump, Dewatering pumps; Temporary hoist cage operated; Second man on locomotive	7.40	.40	.30		.01

DECISION NO. AQ-102

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
POWER EQUIPMENT OPERATORS					
CLASSIFICATION 3					
Tractors (under 35 h.p.) with or without attachments; Endloaders (under 35 h.p.) with or without attachments; Air compressors (one or a combination of 250 cfm (or more); Pumps 3" or more; Welding machine 600 amps or combination thereof; Conveyors; Firemen (Boiler); Generator (75 KW and over); Fork lifts (other than above Classification #2); Gunite machine; Self-propelled rollers; Stump Chippers, self-propelled tamper; Air and electric tuggers (other than above); Ditching machine under 8"	$6.75	.40	.30		.01
CLASSIFICATION 4					
Oilers; Mechanical Heaters; Truck Crane Drivers; Permanent Elevators	6.50	.40	.30		.01

DECISION NO. AQ-102

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CARPENTERS; PILEDRIVERMEN	$4.15				
CEMENT MASONS	3.90				
LABORERS:					
Sandblasters; Powderman & blaster; Pipelayer, sewer, water, telephone conduits, etc.; Sewer utility man; Gunnite nozzleman; Diamond & core drills, powered by air, all work performed by laborers working from a bos'n chair, swinging stage, life belt, tag line or block & tackle; Drill op. of air tracs, wagon drills & similar drills	3.80	.10			
Tree climber; Form setters; Rakers; Boxtenders; Asphalt curb machines; Potmen (not mechanical); Bull float, hand operated; Scalers; Timbermen; Underpinning & shoring; Caissons (over 12') Grade checker & cutting torches on demolition work	3.55	.10			
Power buggyman; Concrete & paving sawman; Form liner, expansion joint assembler; Bottom man; Caulker & jointer & painter; Timber & chain-saw man; Mechanical grouters; Boring machine; Automatic concrete power curbing machines; Stresser or stretcherman on post-tension or prestressed concrete (on or off the job); Powdermen helpers	3.30	.10			
Form tamper; Air, gas & electric tool op.; vibrator, barco hammer, paving breaker, spader, tamper, electric drills, hammer & jackhammer; Tree groundmen; Chuck tender; Drill helpers tool room men & checker; Sandblaster helper; Concrete processing material & monitors; Cement finishers helpers	3.15	.10			

DECISION NO. AQ-102

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LABORERS (CONT'D): Fence erectors; Handling & placing of metal mesh, dowel bars, reinforcing bars & chairs; Dumpmen & spotters; Carrying reinforcing rods; Corrugated culvert pipe; Concrete drainage pipe; Stake chaser, seeding, mulching & planting of trees, shrubs & flowers; Water boy; Common laborer; Rodmen; Tending to carpenters; Hot asphalt labor; Stringman on paving work	3.05	.10			
POWER EQUIPMENT OPERATORS: Power shovel & crane type equipment (over 1/2 cy); Central mix plant op. (concrete 5 cy & over); Dredge op. & leverman concrete mixer-paver op.; Hoisting engineer (steel erection); Tractor operating scrapers in tandem; Motor patrol on finishing work; Master mechanic (when 4 or more mechanics are employed); Tow or push boat; Piledriver machine	4.40	.20	.10		
Asphalt plant; Asphalt paver; Asphalt pugmill; Power shovel (crane type equipment, under 1/2 cy); Front end loader (all types 40 HP or over); Mechanics & welders; Tournapull (DW 10 & all similar equipment, over 10 cy struck cap.); All self-loading scrapers; Tractor, bulldozer, push cat, pulling scraper or rooter & sideboom tractor; Churn & rotary drill; Trenching machine (Cleveland 80 or similar cap.); Self-propelled sheepsfoot roller (100,000 lbs. & over); Central mix plant (concrete, under 5 cy)	4.25	.20	.10		

DECISION NO. AQ-102

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
POWER EQUIPMENT OPERATORS (CONT'D): Motor patrol (on other work); Asphalt roller (high type surfacing); Asphalt spreader (back end); Concrete curb breaking machine; Concrete widening machine; Elevating grader & Athey loader; Tournapull (DW 10 & all similar equipment under 10 cy struck cap.); Paving breaker (drop or pneumatic); Spreader box (self-propelled or tractor-pushed); Subgrade stab. (P&H & similar sizes); Boiler (2 or one boiler & dryer); Subgrading machine (CMI); Slip form paver	$4.00	.20	.10		
Self-propelled roller (other than high type asphalt); Distributor; Screening & washing plant; Spreader (concrete tank car heater, combination boiler & booster); Self-propelled vibrating compactor; Trenching machine; (other) pumps on well points & deep wells for dewatering mechanical broom; Steel placing machine; Boat op.; Compressor; Concrete mixer (side loader); Conveyor; Crusher feeder; Finishing machine on concrete; Flex-plane; Bull float; Form grade; Group equipment greaser; Motor crane combination driver & oiler	3.80	.20	.10		
Boiler (single); Apprentice engineer or oiler or mechanics' helper; Self-propelled tractor (pulling disc harrow or sheepsfoot roller); Welding machine; Pump op. (other than dredge); Boom & winch truck; Hydro seeder op.; Mulcher blower op.	3.60	.20	.10		

DECISION NO. AQ-102

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
POWER EQUIPMENT OPERATORS (CONT'D):					
Batching plant (dry); Front end loader, rubber-tired (with backhoe attachment, under 3/8 cy); Farm tractor pulling pneumatic roller; Farm tractor with attachments	$3.30	.20	.10		
TRUCK DRIVERS:					
Truck drivers (not otherwise specified); Warehousemen; Drivers on: 4-wheel service trucks, bus hauling men, carry all & winch trucks & scoopmobiles	3.25				
Truck drivers for semi & tandem; Ready mix; Dumpster; Drivers on: Korking & similar dumpsters, track trucks, euclids, hug bottom drums, tournapulls or similar equipment used for transportation, pavement breakers, pole trailers, air compressors & welding machines, including those pulled by separate units	3.35				

SUPERDEDEAS DECISION

AQ-3147 P. 2

STATE: New Hampshire
DECISION NO. AQ-3147
COUNTY: Hillsboro
DATE: Date of Publication
Supersedes Decision No. AQ-3029 dated November 1, 1973 in 38 FR 3062 and
Decision No. AQ-3033 dated November 9, 1973 in 38 FR 31130
DESCRIPTION OF WORK: Building (Including Residential) Heavy, Highway and Marine Construction

6-N. H.-1-2-3- E 1 of 2

BUILDING, HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Asbestos workers	$9.26	.60	.65		.01
Boilermakers	9.08	.60	10%		.01
Bricklayers, cement masons, marble setters, plasterers, stone masons, terrazzo workers, and tile setters Hillsboro Antrim, Hancock, N. Branch, Bennington, Hillsboro Upper and Lower Villages	7.25	.25	.30		.01
Remainder of County	7.20	.45	.35		.01
Carpenters:					
Pelham:					
Carpenters & soft floor layers	8.85	.50	.50		.03
Millwrights	9.13	.50	.50		.03
Remainder of County:					
Carpenters & soft floor layers	6.56	.35	.30		.01
Piledriyermen, wharf, dock builders and millwrights	7.41	.35	.30		.01
Electricans:					
Pelham	8.92	.25	1% + .20		.02
Remainder of County	8.80	.25	1%		.03
Remainder of County, Residential	4.85	.25	1%		.01
Elevator constructors	9.125	.345	.23	2%+a+b	.015
Elevator constructors' helpers	6.39	.345	.23	2%+a+b	.015
Elevator constructors' helpers (prob.)	4.56				
Glaziers	6.57	.25	.36		.02
Ironworkers:					
Structural, ornamental & reinforcing	7.95	.50	.90		.02
Laborers, Building:					
Common laborers, wreckers, tenders, and hod carriers, asphalt rakers	5.56	.40	.40		.05
Plasterers tenders	5.71	.40	.40		.05
Drillers, pavement breakers, jackhammer operators, and chipping gun operator	5.96	.40	.40		.05
All other pneumatic tool operator on boiler and stack work	6.46	.40	.40		.05
Boiler and stack work	6.66	.40	.40		.05
Laborers, Heavy & Highway:					
Laborers & pipelayers	4.20	.40	.40		.05
Air tool op., wagon drillers, concrete vibrators & scalers	4.45	.40	.40		.05
Blasters & powdermen	4.70	.40	.40		.05
Lead burners	8.75	.30		c	.01
Line Construction:					
Linemen	7.07	.30	1%	d	
Equipment operator	6.92	.30	1%	d	
Groundman	4.71	.30	1%	d	
Driver groundman	4.91	.30	1%	d	
Marble setters' helpers	5.05	.15	.10		

6-N. H.1-2-3- E 2 of 2

BUILDING, HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Painters:					
Brush	4.70	.175			
Steel, open structural and spray	5.95	.175			
Steel, enclosed over 25'	5.80	.175			
Steeplejack	6.80	.175			
Plumbers and steamfitters:					
Hudson and Pelham	9.17	.50	.40		.02
Remainder of County	8.35	.43	.35		.02
Roofers:					
Composition	5.90				
Helpers	5.40				
Sheet metal workers	8.42	.30	.30		.02
Sprinkler fitters	8.15	.40	.60		.07
Terrazzo workers' helpers	7.40	.20	.10		
Tile setters' helpers	5.05	.15	.10		
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, 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.

d. Holidays: B through F provided the employee has been employed 5 working days prior to the holiday and provided the employee works the scheduled work days immediately preceding and following the holiday.

N. H. 1-PEO Q

POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CLASS I					
Shovel, crane, dragline, derrick, backhoe, elevator with Chicago boom, gradall, elevating grader, front end loader 6 Yds and over, cherry picker, pile driving rigs, concrete road pavers, all three drum hoisting and trenching machines	$8.45	.45	.60	a	.05
CLASS II					
Rotary drill w/mounted compressor, compressor house (3-6 compressors), rock and earth boring machines excluding McCarthy and similar drills, graders, 4 yds. and over front end loader, two drum hoists, high fork lifts with capacity of 15' & over, scrapers, sonic hammer, vibratory hammer	8.20	.45	.60	a	.05
CLASS III					
Bulldozers, push cats, scrapers (tractor drawn), asphalt paver, front end loader 3/4 yds. to 4 yds., well driller, mechanics, pumpcrete machines, concrete pumps and similar type pumps, engineer or fireman on high pressure boiler (on job), self loading batch plant, well point operators including installing, engineer-in-charge of powered grease truck, all automatic elevators permanent or temporary, operated manually or by remote controls	8.00	.45	.60	a	.05
CLASS IV					
Single drum hoist, self-powered roller, self-propelled compactors, power pavement breakers, concrete pavement finishing machines, two bag mixers with skip, front end loaders under 3/4 yds. McCarthy and similar drills, batch plant not self loading, bulk cement plants, self-propelled material spreaders, A-frame trucks, fork lifts up to 15'	7.575	.45	.60	a	.05

N. H.-1-PEO Q 2 of 2

POWER EQUIPMENT OPERATORS (CONTINUED):	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Class V					
Compressor 315 cubic feet and over, one or two), pumps (4 inches and -over-total discharge) when total discharge is over 12 inches, classification 3 will be paid, tractor (without blade or bucket) drawing roller compactors or other machines	$7.55	.45	.60	a	05
Class VI					
Compressors (up to 315 cubic feet) small mixers, pumps (up to 4 inches), power heaters, welding machines (when 3 or more heaters or welding machines are used on one job, classification 4 rate will be paid), conveyor, oiler, including helpers on grease trucks and grease trucks with hand greasing equipment	7.00	.45	.60	a	.05
Class VII					
Oilers on truck cranes and gradalls	7.20	.45	.60	a	.05
Cranes with boom lengths of 200 feet or more	9.45	.45	.60	a	.05
Crane with boom length of 150 feet or more	8.95	.45	.60	a	.05

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day;
C-Independence Day; D-Labor Day;
E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:
a. Holidays: A through F, Veterans Day, Washington's Birthday and Columbus Day/

HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Ot
Classification 1						
Shovels, Crawler & Truck Cranes, Derricks, Backhoes, Trenching Machines, Elevating Graders, Gradall, Piledrivers, Concrete Pavers, Engineers on site processing plant, Dragline, Clamshell, Cableways	8.20	.35	.50	a	.05	
Classification 2						
Rotary drill (with mounted compressor), Compressor house (3 to 6 compressors), Rock and earth boring machine (excluding McCarthy and similar drills), Graders, Front end loader (4 yd. or over)	7.95	.35	.50	a	.05	
Classification 3						
Bulldozer, Push Cats, Scraper (Self propelled or tractor drawn), Self-powered Asphalt paver, (Front end loader 3/4 to 4 yd.), Mechanics, Well driller, Pumpcrete machine, Engineer or Fireman on high pressure boiler (on job) Self-loading Batch plant (on job), Well Point Ops.	7.75	.35	.50	a	.05	
Classification 4						
Hoists, Conveyors, Self-powered rollers and Compactors, Self-propelled Material spreader, Self-powered concrete finishing machine, Mixers (2 bag with skip), front end loader (under 3/4 yd.), McCarthy and similar drills, Batch plant (not a self-loading), Bulk cement plant	7.20	.35	.50	a	.05	
Classification 5						
Compressor (315 C.F. or over-one or two), Pump 4" or over, Tractor without blades, Drawing sheeps-foot, rubber tired roller or other type compactor including machines for pulverizing and aerating soil	6.875	.35	.50	a	.05	
Classification 6						
Compressor (up to 315 C.F.), Small mixers with skip, Oiler, Pumps up to 4", Grease truck, Power heaters, Welding machines (when 3 or more welding machines class 4 rate applies), A-Frame Trucks, Forklifts, (where grease truck contains powered grease equipment, engineer in charge shall be paid class 3 rate)	6.35	.35	.50	a	.05	
Crane with boom length of 200 feet or more including jib	8.70	.35	.50	a	.05	

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day;
C-Independence Day; D-Labor Day;
E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:
a. Holidays: A through F; Washington's Birthday; Veteran's Day; Columbus Day

N. H. 5-PEO-4-F 1 of 2

MARINE CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Power Equipment Operators					
Class I					
Power shovel, crane, truck crane, derrick, cherry picker, pile driver, 2 or more drum machine, lighter, derrick boat, trenching machine, mechanical hoist, pavement breaker, cement concrete paver, dragline, hoisting engine, pumpcrete machine, elevating grader, shovel dozer (except when pushing) front end loader (except when pushing), backhoe, gradall, cableway, boring machine, rotary drill, post hole hammer, post hole digger, fork lift	$6.335	.275	.30	a	.02
Class II					
Swinger engine	6.285	.275	.30	a	.02
Class III					
Sonic or vibratory hammer, grader, scraper (over 21 yds. struck), tandem scraper concrete pump, Bulldozer, scraper (21 yds. struck or less)	6.215	.275	.30	a	.02
Class IV					
Portable steam boiler, portable steam generator, roller, tractor, mechanic (maintenance), concrete mixer with side loader	5.965	.275	.30	a	.02
Class V					
Assistant engineer (fireman)	5.755	.275	.30	a	.02
Class VI					
Pump, compressor, welding machine, heater (power driven), valve controlling permanent plant (air or steam), wellpoint system, auger (powered by independent engine and attached to pile driver), hydraulic saw, generator, lighting plant, syphon, pulsometer, concrete mixer, conveyor	5.23	.275	.30	a	.02
Class VII					
Oiler (other than truck crane and gradall)	4.555	.275	.30	a	.02
Class VIII					
Oiler on scow	5.18	.275	.30	a	.02
Class IX					
Oiler on truck crane and gradall	4.605	.275	.30	a	.02

N.H. 5-PEO-F 2 of 2

POWER EQUIPMENT OPERATORS (Cont'd.)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Booms over 150' including jib - additional $.25 per hour Booms over 185' including jib - additional $.50 per hour Booms over 220' including jib - additional $.75 per hour Booms over 275' including jib - additional $1.00 per hour					

PAID HOLIDAYS: (WHERE APPLICABLE)
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Holidays: A through F; Washington's Birthday, Patriots' Day, Columbus Day; and Veterans' Day; Provided the employee has worked 3 days during the week in which the holiday falls and is available for work the days preceding the holiday.

TRUCK DRIVERS, BUILDING, HEAVY, & HIGHWAY	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Two Axle Equipment	4.16	.25	.25	a		
Three Axle Equipment including low beds	4.38	.25	.25	a		
Special earth hauling equipment other than conventional type on the road trucks and semitrailers trailer dumps	4.60	.25	.25	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, plus Washington's Birthday, Veterans' Day and Columbus Day; (provided employee works two days in the calendar week in which the holiday falls; reports for work the last day assigned prior to the holiday and the first day assigned following the holiday.)

STATE: New Hampshire SUPERSEDEAS DECISION COUNTY: Rockingham
DECISION NO.: AQ-3148 DATE: Date of Publication
Supersedes Decision AQ-3074 dated January 25, 1974 in 39 FR 3415 and
Decision AQ-3075 dated January 25, 1974 in 39 FR 3418
DESCRIPTION OF WORK: Building (including Residential) Heavy, Highway and Marine Construction

8-NH-1-2-3-E 1 of 3

BUILDING, HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Asbestos workers	$9.26	.60	.65		.01
Boilermakers	9.08	.60	10%		.01
Bricklayers, cement masons, marble masons, plasterers, stonemasons, tile setters & terrazzo workers	7.20	.45	.35		.01
Carpenters:					
Salem:					
Carpenters & soft floor layers	8.43	.50	.50		.02
Millwrights	9.13	.50	.50		.03
Atkinson, Auburn, Candia, Chester, Danville, Deerfield, Derry, Fremont, Hampstead, Londonderry, Newton, Plaistow, Raymond and Windham:					
Carpenters	6.56	.35	.30		.01
Piledrivermen, wharf and dock builders, millwrights	7.41	.35	.30		.01
Remainder of County:					
Carpenters & soft floor layers	6.66	.35	.30		.01
Piledrivermen, wharf & dock builders & millwrights	7.51	.35	.30		.01
Electricians:					
Twps. of Exeter, Greenland, Hampton, Hampton Falls, Portsmouth, Newington, Newmarket, Northwood, Nottingham, Rye, Seabrook, and S. New Market	7.81	.35	1%+.10		.01
Kingston, Kensington, Sandown, Danville, E. Kingston, Hampstead, Plaistow, Westville, Atkinson, N. Salem & Salem	8.92	.25	1%+.20		.02
Remainder of County	8.80	.25	1%		.03
Elevator Constructors	9.125	.345	.23	2%+a+b	.015
Elevator Constructors' helpers	6.39	.345	.23	2%+a+b	.015
Elevator Constructors' helpers (prob.)	4.56				
Glaziers	6.57	.25	.36		.02
Ironworkers, structural, ornamental and reinforcing	7.95	.50	.90		.02
Laborers, Building:					
Auburn, Candia, Chester, Danville, Deerfield Center, Derry, E. Derry, Fremont, Hampstead, Londonderry, Raymond, Sandown, W. Epping Windham, and Deerfield:					
Common laborers, wreckers, tenders, & hod carriers, asphalt rakers	5.56	.40	.40		.05
Plasterers tenders	5.71	.40	.40		.05
Drillers, pavement breakers, jackhammer ops., and chipping gun ops.	5.96	.40	.40		.05
All other pneumatic tool operators on boiler & stack work	6.46	.40	.40		.05
Boiler and stack work	6.06	.40	.40		.05

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Laborers: Heavy & Highway						
Auburn, Candia, Chester, Danville, Deerfield, Deerfield Center, Derry, E. Derry, Fremont, Hampstead, Londonderry, Raymond, Sandown, W. Epping & Windham:						
Laborers & pipelayers	4.20	.40	.40		.05	
Air tool op., wagon drillers, concrete vibrators, and scalers	4.45	.40	.40		.05	
Blasters & powdermen	4.70	.40	.40		.05	
Salem, Heavy and Highway	6.30	.40	.40		.05	
Salem, Rockingham Park, Building & Demolition	6.80	.40	.40		.05	
Remainder of County:						
Building, heavy & highway:						
Laborers & pipelayers	5.56	.40	.40		.05	
Pneumatic tool operator, drillers, pavement breakers	5.96	.40	.40		.05	
Blasters & powdermen	6.06	.40	.40		.05	
Plasters' tenders	5.71	.40	.40		.05	
Lathers	7.50	.45	.55		.01	
Lead burners	8.75	.30		c	.01	
Line Construction:						
Linemen	7.07	.30	1%	d		
Equipment operator	6.92	.30	1%	d		
Groundman	4.71	.30	1%	d		
Driver Groundman	4.91	.30	1%	d		
Painters:						
Atkinson, Brentwood, Danville, E. Kingston, Epping, Exeter, Fremont, Greenland, Hampstead, Hampton Falls, Kensington, Hampton, Kingston, New Castle, Newfields, Newington, New Market, Newton, N. Hampton, Nottingham, Plaistow, Portsmouth, Rye, Sandown, Seabrook, S. Hampton, Stratham & Northwood:						
Brush, rollers 9 inch	5.85		.25			
Spray & tender	6.85		.25			
Structural steel	5.90		.25			
Structural steel 45' or more	6.90		.25			
Salem:						
Brush	8.08	.62	.60		.04	
Structural	8.08+f	.62	.60		.04	
Spray	9.08	.62	.60		.04	
Townships of Northwood, Deerfield, Candia, Raymond, Auburn, Chester, Londonderry, Derry & Windham:						
Brush	4.70	.175				
Open structural steel, work to 25' & spray	5.95	.175				
Enclosed Steel, over 25'	5.80	.175				

8-NH-1-2-3-E 3 of 3

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Plumbers and Steamfitters:					
Plaistow, Atkinson, Danville, Hampstead, and Kingston	$8.97	.45	.40		.05
Salem and Windham	8.49	.43	.35		.05
Remainder of County	8.35	.43	.35		.02
Roofers	5.90				
Roofers' helpers	5.40				
Sheet metal workers	8.42	.30	.30		.02
Sprinkler fitters	8.15	.40	.60		.07
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% of 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; plus Washington's Birthday, Christmas Eve and Good Friday (providing employee has worked at least 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. Holidays: B through F, provided the employee has been employed 5 working days prior to the holiday and provided the employee works the day immediately preceding and following the holiday.

e. $.25 contribution to annuity fund.

f. Employer pays $5.00 per day extra above the brush rate.

BUILDING CONSTRUCTION N. H. 3-PEO - 0

POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CLASS 1					
Shovels, cranes, truck cranes, cherry pickers, dragline, trench hoe, backhoe, 3 drum mach., derricks, pile driver, elevator tower, hoist, gradall, shovel dozer (except when pushing), front end loader (except when pushing), fork lift, auger, boring mach., rotary drill, post hole hammer, post hole digger, pumpcrete mach.	$9.11	.55	.60	a	
CLASS 2					
Sonic or vibratory hammer, grader, scraper more than 21 yds. struck, tandem scraper, conc. pump, bulldozer, scraper 21 yds. struck or less, portable steam boiler, portable steam generator, roller, spreader, tamper, asphalt paver, Mechanics, Maintenance	8.99	.55	.60	a	
CLASS 3					
Assistant engineers (firemen)	8.36	.55	.60	a	
CLASS 4					
Pumps (1-3 grouped), compressor, welding mach. (1-3 grouped), generator, conc. vibrator, lighting plant, heater (power driven 1-5), wellpoint system (operating & installing), syphons-pulsometers, conc. mixers, valves controlling permanent plant air or steam, conveyor, Jackson type tamper, single diaphragm pump	7.67	.55	.60	a	
CLASS 5					
Oilers on truck cranes & gradalls	7.18	.55	.60	a	
CLASS 6					
Oilers (other than truck cranes & gradalls	6.80	.55	.60	a	

Boom lengths including jib: over 150'+.35, over 185'+.70, over 210'+1.00, over 250'+1.50 over 295'+2.00

FOOTNOTE:

a. 10 paid holidays; New Year'sDay, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day, Washington's Birthday, Fast Day, Columbus Day, and Armistice Day.

NH-4-PEO-2-3-T 1 of 2

HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Power Equipment Operators;					
Class I					
Power shovels, cranes, truck cranes, derricks, pile drivers, trenching machines, mechanical hoist, pavement breakers, cement concrete pavers, draglines, hoisting engines, three drum machines, pumpcrete machines, elevating graders, shovel dozers, (when used for digging or loading), front end loaders (when used for digging or loading), mucking machines (when used as in shafts and tunnels), shaft hoists, steam engineers, backhoes, gradalls and cableways	8.30	.55	.60	a	
Class II					
Master Mechanics	8.75	.55	.60	a	
Class III					
Graders, scrapers, more than 21 yds., struck and tandem scrapers					
Bulldozers, scrapers, 21 yds., struck or less, grout pumps, portable steam boilers, rollers, spreaders, asphalt pavers, locomotive and tampers, self-propelled or tractor-drawn					
Mechanics, maintenance	8.18	.55	.60	a	
Class IV					
Pumps(s) (1-3 grouped), compressors welding machine(s) (1-3 grouped) generators, lighting plants, heaters (power driven (1-5), syphons, pulsometers, concrete mixers, valves controlling permanent plant air or steam, conveyors, well point systems (operating and installing)	7.195	.55	.60	a	
Class V					
Assistant Engineers (Firemen)	7.72	.55	.60	a	
Class VI					
Oilers (other than truck cranes and gradalls)	6.52	.55	.60	a	
Class VII					
Oilers on truck cranes and gradalls	6.57	.55	.60	a	

NH-4-PEO-2-3-T 2of2

HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Boom length including jib:					
Over 150 feet - additional $.35 per hour					
Over 185 feet - additional $.70 per hour					
Over 210 feet - additional $1.00 per hour					
Over 250 feet - additional $1.50 per hour					
Over 295 feet - additional $2.00 per hour					

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; Columbus Day; Veterans' Day; Fast Day.

N. H. 5-PEO-4-F 1 of 2

MARINE CONSTRUCTION Power Equipment Operators	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Class I					
Power shovel, crane, truck crane, derrick, cherry picker, pile driver, 2 or more drum machine, lighter, derrick boat, trenching machine, mechanical hoist, pavement breaker, cement concrete paver, dragline, hoisting engine, pump-crete machine, elevating grader, shovel dozer (except when pushing) front end loader (except when pushing), backhoe, gradall, cableway, boring machine, rotary drill, post hole hammer, post hole digger, fork lift	$6.335	.275	.30	a	.02
Class II					
Swinger engine	6.285	.275	.30	a	.02
Class III					
Sonic or vibratory hammer, grader, scraper (over 21 yds. struck), tandem scraper concrete pump, Bulldozer, scraper (21 yds. struck or less)	6.215	.275	.30	a	.02
Class IV					
Portable steam boiler, portable steam generator, roller, tractor, mechanic (maintenance), concrete mixer with side loader	5.965	.275	.30	a	.02
Class V					
Assistant engineer (fireman)	5.755	.275	.30	a	.02
Class VI					
Pump, compressor, welding machine, heater (power driven), valve controlling permanent plant (air or steam), wellpoint system, auger (powered by independent engine and attached to pile driver), hydraulic saw, generator, lighting plant, syphon, pulsometer, concrete mixer, conveyor	5.23	.275	.30	a	.02
Class VII					
Oiler (other than truck crane and gradall)	4.555	.275	.30	a	.02
Class VIII					
Oiler on scow	5.18	.275	.30	a	.02
Class IX					
Oiler on truck crane and gradall	4.605	.275	.30	a	.02

N.H. 5-PEO-F 2 of 2

POWER EQUIPMENT OPERATORS (Cont'd.)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Booms over 150' including jib - additional $.25 per hour Booms over 185' including jib - additional $.50 per hour Booms over 220' including jib - additional $.75 per hour Booms over 275' including jib - additional $1.00 per hour					

PAID HOLIDAYS: (WHERE APPLICABLE)
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Holidays: A through F; Washington's Birthday, Patriots' Day, Columbus Day; and Veterans' Day; Provided the employee has worked 3 days during the week in which the holiday falls and is available for work the days preceding the holiday.

TRUCK DRIVERS, BUILDING, HEAVY, & HIGHWAY	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Two Axle Equipment	4.16	.25	.25	a		
Three Axle Equipment including low beds	4.38	.25	.25	a		
Special earth hauling equipment other than conventional type on the road trucks and semitrailers trailer dumps	4.60	.25	.25	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, plus Washington's Birthday, Veterans' Day and Columbus Day; (provided employee works two days in the calendar week in which the holiday falls; reports for work the last day assigned prior to the holiday and the first day assigned following the holiday.)

SUPERSEDEAS DECISION

AQ-2,095 P. 2

STATE: NEW JERSEY COUNTY: Passaic

DECISION NO: AQ-2,095 DATE: Date of Publication

Supersedes Decision No. AQ-2,073 dated March 1, 1974 in 39 FR 8123
DESCRIPTION OF WORK: Building (including residential), heavy and highway construction.

16-N.J.-1-2-3-X 1 of 2

BUILDING, HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Asbestos workers	$9.202	.5803	.4974		.02
Boilermakers	8.35	8%	12½%	10%	.01
Boilermakers' helpers	7.82	8%	12½%	10%	.01
Bricklayers, cement masons, plasterers and stone masons	8.80	.50	.65		.02
Carpenters and Insulators	9.29	6%	6%		.02
Millwrights	9.54	6%	6%		.02
Electricians	9.60	.38	1%+.48	.96	
Elevator constructors	9.10	.395	.26+a	b+c	.015
Elevator constructors' helpers	6.83	.395	.26+a	b+c	.015
Elevator constructors' helpers (prob.)	4.55				
Elevator constructors' modernization	8.33	.395	.26+a	b+c	.015
Elevator constructor' modernization helpers	6.25	.395	.26+a	b+c	.015
Elevator constructors repair	7.48	.395	.26+a	b+c	.015
Elevator constructors repair helpers	5.61	.395	.26+a	b+c	.015
Glaziers	8.27	.45	.70		.01
Ironworkers:					
Structural, ornamental and reinforcing	9.15	.64	2.11	.90	.09
Laborers, Building:					
Laborers	6.65	.50	.55		
Air tool op. (jackhammer, Vibrator)	6.65	.50	.55		
Mason tenders	6.65	.50	.55		
Mortar mixers	6.65	.50	.55		
Plasterers' tender	6.65	.50	.55		
Pipelayers (concrete and clay)	6.65	.50	.55		
Lathers	6.65	.25	.25		.01
Lead burners	8.75	.30		e	.01
Line Construction:					
Linemen	9.70	4%	6%	.97	
Groundmen	6.79	4%	6%	.97	
Equipment operators	9.70	4%	6%	.97	
Cable splicers	10.50	4%	6%	.97	
Marble setters	8.00	.925	.911	1.00	
Marble setters' helpers	6.93	6½%	.66+h		
Painters:					
Commerical & Industrial	7.55	f	f+.25	.34	
Steel	8.05	f	f+.25	.34	
High hazardous work and bridge	8.05	f	f+.25	.34	
Piledrivermen and Dock builders	9.36	.90	1.53	.56	.02
Plumbers	8.65	.475	.91	1.00	.04
Roofers:					
Composition	9.20	5%	1.00		
Slate and tile	8.45	.35	.60		
Slate and tile helpers	6.65	.35	.60		

16-N.J.-1-2-3-X 2 of 2

BUILDING, HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Sheet metal workers	$ 8.70	4%	4%	8%	
Soft floor layers	8.53	6%	5%	4%	
Sprinkler fitters	10.12	.40	.60		.07
Steamfitters	8.65	.475	.91	1.00	.04
Terrazzo workers	8.40	.925	4.75		
Terrazzo workers' helpers	6.63	.925	4.75		
Terrazzo workers' machine operators	6.78	.845	4.75		
Tile setters	7.01	.45	1.105	.15	
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 $3.00 per day to Annuity Fund.

b. Holidays: A through F; Lincoln's Birthday, Washington's Birthday, Columbus Day, Election Day, Armistice Day.

c. Employer contributes 6.4% basic hourly rate for 5 years or more of service or 4.2% basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit.

d. One week's vacation after one year's work; two weeks' vacation after 4 years work.

e. Holidays: A through F, Washington's Birthday, and Good Friday, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday.

f. Employer contributes 14% combined to pension, health & welfare.

g. Employer contributes 1% to Temporary Disability Fund.

h. Employer contributes $.60 per hour to a trust fund and $.15 per hour to an annuity fund.

N.J.-2-LAB-2-3-E

HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	C
Laborers:						
Blasters	$7.60	.41	.64	a		
Finisher, rammer, paver, gunite nozzle man and stone cutter	7.45	.41	.64	a		
Timberman	7.20	.41	.64	a		
Form setter	7.15	.41	.64	a		
Sewer pipe, laser men, conduit and duct line layers	6.95	.41	.64	a		
Wagon drill op. and drill master	7.05	.41	.64	a		
Wagon drill op. helper, drill master helper, powder carrier and magazine tender	6.70	.41	.64	a		
Jackhammer, chipping hammer, pavement breaker, power buggy, concrete cutter, asphalt cutter, sheet hammer and tree cutter op. and such other power tools used to perform work usually done manually by laborers	7.05	.41	.64	a		
Signal man	6.75	.41	.64	a		
Wrapping and coating of all pipe	6.55	.41	.64	a		
Common laborers, landscape laborers, railroad track laborers, flagmen, traffic directors, salamander tenders, pitman and dumpmen	6.50	.41	.64	a		
Rakers and tampers on cold patch work	6.50	.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.-5-LAB-5-K

LABORERS, ASPHALT	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Streets:						
Head rakers	$6.50	.51	.54	a		
Rakers	6.25	.51	.54	a		
Tampers and smoothers, kettleman, painters, top shovelers and roller boys	6.10	.51	.54	a		
Plant:						
Scale mixer and burner men	6.35	.51	.54	a		
Feeders and dust men	6.10	.51	.54	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 an employee works or is available for work 3 days in the work week in which the holiday falls.

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.	Othe
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.	O
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.

STEEL ERECTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS H & W	PENSIONS	VACATION	APP. TR.	OTI
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.

BUILDING, HEAVY & HIGHWAY CONSTRUCTION TRUCK DRIVERS	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS H & W	PENSIONS	VACATION	APP. TR.	OTI
Winch Trailer	5.68	.85		a+b		
Euclids, straight, bottom, rear and side dump, carryall and scrapers: (no self loading-loading over the top), water sprinkler trailers, water pulls, and similar types, flat, floats, I-Beam, low beds, transit-mix, road oil, fuel, asphalt, stringer, seeding fertilizing, bituminous distributor, and similar types of vehicles	5.58	.85		a+b		
Straight three-axle materials: trucks and floats	5.48	.85		a+b		
Straight dumps, flats, floats, pick-ups, container hauler, fuel, water sprinkler, road oil, winch, A-frame, scissor, nipper, "all dual purpose trucks", trucks with mechanical tail gates", any rubber tired tractor used in pulling and towing farm wagons and trailers of any description, mechanics	5.43	.85		a+b		
Mechanics helpers	5.20	.85		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. Holidays: A through F: Washington's Birthday; Lincoln's Birthday; Columbus Day; General Election Day; Veteran's Day; providing an employee works or shapes one day and is available during the Holiday calendar week.

b. Employees who have worked or have received pay for 85 days shall receive 48 hours vacation pay; 130 days - 96 hours vacation pay; 150 days - 120 hours vacation pay; an employee with 150 days credit and at least 15 years seniority shall receive an additional 40 hours vacation pay.

SUPERSEDEAS DECISION

STATE: NEW JERSEY COUNTY: MONMOUTH

DECISION NO: AQ-2,096 DATE: Date of Publication

Supersedes Decision No. AP-839 dated May 25, 1973 in 38 FR 13971

DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), heavy and highway construction.

13-N.J.-1-2-3-X 1 of 2

BUILDING, HEAVY & HIGHWAY CONSTRUCTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Asbestos workers						
Twps., of Allentown, Blansingburg, Brielle, Englishtown, Farmingdale, Freehold, Howell, Manalapan, Manasquan, Millstone, Roosevelt, Sea Girt, South Belmar, Spring Lake, Spring Lake Heights, Upper Freehold, Wall & West Belmar	9.30	.50	.50		.05	
Remainder of County	9.202	.5803	.4974		.02	
Boilermakers	8.35	8%	9½% + 3%	10%	.01	
Boilermakers' helpers	7.82	8%	9½% + 3%	10%	.01	
Bricklayers, cement masons, plasterers and stone masons	9.75		.40			
Carpenters and Insulators	9.11	6%	6%		.02	
Millwrights	9.36	6%	6%		.02	
Electricians, Linemen & Pipe Type Cable:						
Electricians	10.20	.41	1% + .30		.01	
Lineman, cable splicer, welder, equipment repairman, hole digging equipment, truck with winch or pole & steel handling, truck without winch	10.20	.41	1% + .30		.01	
Groundman	8.25	.41	1% + .30		.01	
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	8.08	.61	.65		.02	
Ironworkers, structural	9.15	.64	2.11	.90	.09	
Ironworkers, ornamental	9.15	.64	2.11	.90	.09	
Ironworkers, reinforcing	9.15	.64	2.11	.90	.09	
Laborers, Building:						
Twps. of Matawan, Union Beach, Raritan, Keansburg, Highland, Holmdel, Middletown, Fair Haven, Red Bank, Matawan Boro and Marlboro:						
Laborers	7.10	.30				
Jackhammermen	7.35	.30				
Remainder of County:						
Laborers	6.60	.35	.45			
Jackhammermen	6.85	.35	.45			
Lathers	5.76	.25	.20		.01	
Lead burners	8.75	.30		c	.01	
Marble setters	7.40	.63	.66+e			
Marble setters' helpers	6.93	.63	.66+e			
Painters:						
Commercial	7.80		.45			
Structural steel and bridge	8.40		.45			
Plumbers and Steamfitters:						
Asbury Park Area	9.80	5%	.75		.05	
Plumbers and Pipefitters:						
Red Bank Area	9.31	.36	.60		.05	

AQ-2,096 P. 2

13-N.J.-1-2-3-X 2 of 2

BUILDING, HEAVY & HIGHWAY CONSTRUCTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Piledrivermen, wharf and dock builders	$9.36	.90	1.53	.56	.02	
Roofers:						
Allentown, Arneytown, Harnerstown, Cream Ridge, Imlaystown, New Sharon Roosevelt, Clarksburg, and Perrinville	9.20	.40	.50			
Remainder of County:						
Composition, damp and water-proofing	9.45	.50	.325			
Slate and tile	8.625	.50	.325			
Slate and tile helpers	7.55	.50	.325			
Sheet metal workers	8.41	.51	.44	.67	.02	
Soft floor layers	8.53	6%	5%	4%		
Sprinkler fitters:						
Union Beach, Keyport, Clifford, Keensburg, Port Monmouth, Belford, Leonardo, Atlantic Highland, New Monmouth, Matawan & Middletown	10.12	.40	.60		.07	
Remainder of County	9.45	.40	.60		.07	
Terrazzo workers	8.70	.78+.45	1.26			
Terrazzo workers' helpers	7.43	.475+.45	.475			
Terrazzo machine operator	7.68	.475+.45	.475			
Tile setters	8.10	.60	.50+1.00	2%		
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% 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. Holidays: A through F, Washington's Birthday and Good Friday, providing employee has worked 45 full days during the 120 calendar days prior to the Holiday, and the regular scheduled work days immediately preceding and following the holiday.

d. Employer contributes 1% to Temporary Disability Fund.

e. Employer contributes $.60 per hour to a trust fund and $.15 per hour to an Annuity.

HEAVY AND HIGHWAY CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	
Laborers:						
Blasters	$7.60	.41	.64	a		
Finisher, rammer, paver, gunite nozzle man and stone cutter	7.45	.41	.64	a		
Timberman	7.20	.41	.64	a		
Form setter	7.15	.41	.64	a		
Sewer pipe, laser men, conduit and duct line layers	6.95	.41	.64	a		
Wagon drill op. and drill master	7.05	.41	.64	a		
Wagon drill op. helper, drill master helper, powder carrier and magazine tender	6.70	.41	.64	a		
Jackhammer, chipping hammer, pavement breaker, power buggy, concrete cutter, asphalt cutter, sheet hammer and tree cutter op. and such other power tools used to perform work usually done manually by laborers	7.05	.41	.64	a		
Signal man	6.75	.41	.64	a		
Wrapping and coating of all pipe	6.55	.41	.64	a		
Common laborers, landscape laborers, railroad track laborers, flagmen, traffic directors, salamander tenders, pitman and dumpmen	6.50	.41	.64	a		
Rakers and tampers on cold patch work	6.50	.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).

	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.	Other
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.	Other
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.

STEEL ERECTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS H & W	PENSIONS	VACATION	APP. TR.	OTHI
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.

BUILDING, HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Other
TRUCK DRIVERS:						
Winch Trailers	$6.28	a		b		
Euclid, International Haversters, Wabcos, caterpiller, koehring, tractors and wagons, dumptors, straight, bottom rear and side dump, carryalls and scrapers (not self-loading), over the top, water sprinkler, trailers, water pulls, and similar types of vehicles	6.18	a		b		
Tractor and trailer type vehicles, flat floats, I-Beam, low beds, water sprinkler, bituminous, transit-mix, road oil fuel, bottom dump hopper, rear dump, office shanty, epoxy, asphalt, agitator mix, mulching, stringer, seeding, fertilizing pole, spread, bituminous distributor, water pulls (entire unit) (tractor trailer), reel trailer, and similar types of vehicles;	6.18	a		b		
Straight three-axle materials: Trucks and floats	6.08	a		b		
Straight dumps, flats, floats, pick-ups container haulers, fuel, water sprinkler, road oil, stringer bead and hot pass, bus, dumpcrete, transit-mixers, agitator mix, half-track, winch truck, side-o-matic, dynamite, powder, X-ray, welding, skid, jeep, station wagon, stringer, A-Frame, all dual purpose trucks, mechanical tail gates, batch, seeding, mulching, fertilizer, air compressor trucks (in transit), escort scissor, hi-lift, telescope, concrete breaker, gin pole, stone, sand, asphalt-distributor and spreader, nipper, fuel trucks (driver on fuel truck including handling of hose and nozzle-entire unit), team drivers, vacuum or vac-all trucks, skid truck (debris container-entire unit), concrete mobile trucks (entire unit), beltcrete trucks, pumpcrete trucks, line trucks, reel, wreckers or tow trucks, utility, tack trucks, broyhill coal tar epoxy, little ford bituminous distributor, slurry seal truck or vehicle, thiokol track master pick-up (swamp cat pick-up), bucket loader dump, rubber tired tractor used in pulling and towing farm wagon and trailers of any discription	6.03	a		b		

BUILDING, HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
TRUCK DRIVERS (Cont'd):						
Teamster mechanic	$6.03	a		b		
Mechanic helper	5.80	a		b		

FOOTNOTES:

a. Employer contributes $.89 per hour to a combined Health, Welfare and Pension fund.

b. Employees worked or received pay: 80 days within a year receive one week's vacation, 125 days within a year receive two weeks' vacation, 145 days within a year receive 15 days' vacation, 15 years seniority and 145 days within a year receive four weeks' vacation.

SUPERSEDEAS DECISION

STATE: NEW JERSEY COUNTY: CUMBERLAND

DECISION NO: AQ-2,097 DATE: Date of Publication

Supersedes Decision No. AP-837 dated May 25, 1973 in 38 FR 13957

DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), heavy and highway construction.

6-N.J.-1-2-3-U 1 of 2

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, Cement masons, marble setters, plasterers, stone masons, terrazzo workers, and tile setters	8.60	.35	.25		.02	
Carpenters, insulators and soft floor layers, millwrights	9.53	.30	6%		.02	
Electricians	9.47	.38	1%+.15		.04	
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-Nearest cities listed below:						
Structural, ornamental and reinforcing:						
Atlantic City	9.20	.64	1.06		.05	
Camden	9.08	.43	1.07			
Laborers, Building:						
Fairfield, Lawrence, Millville, Downe, Commercial & Maurice River Twps.:						
Laborers, building	6.35	.55	.15			
Mason tenders	6.35	.55	.15			
Plasterers' tenders	6.35	.55	.15			
Concrete laborers	6.35	.55	.15			
Air-gas-electric tool op.	6.80	.55	.15			
Gunite men	6.80	.55	.15			
Nozzle and gun op.	6.80	.55	.15			
Grenwich, Stowe Creek, Hopewell, Deerfield, Upper Deerfield and Vineland Twps.:						
Laborers	6.70	.35	.40			
Brick tenders, mortar mixers, scaffold builders (brick), hod carriers (brick) power tool op., Barko tamper	6.80	.35	.40			
Motorized buggy op.	6.925	.35	.40			
Burners	6.925	.35	.40			
Nozzlemen (gunite)	6.925	.35	.40			
Plasterers' tenders	7.20	.35	.40			
Lathers tenders	7.20	.35	.40			
Lathers:						
One-half the distance to the nearest outside local (Philadelphia, Pa.)	8.61	.225	.10			
Lead Burners	8.75	.30		c	.01	

6-N.J.-1-2-3-U 2 of 2

BUILDING, HEAVY & HIGHWAY CONSTRUCTION (cont'd)	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Line Construction:						
Linemen & Pipe Type Cable:						
Linemen & Cable splicers	$8.60	.25	.25 + 1%			
Line truck driver	6.61	.25	.25 + 1%			
Hole digging equipment	6.90	.20+d	1% + .15			
Groundman	5.19	.20+d	.25 + 1%			
Painters:						
Brush	7.20					
Steel & swing-hazardous work	7.85					
Spray and roller	7.80					
Sandblasting	7.80					
Piledrivermen & dock builders	9.42	1.23	.55		.07	
Plumbers	9.84	.57	.80		.05	
Roofers, composition	8.60	.30	.30			
Roofers, slate, tile & damproofing	8.85	.30	.30			
Roofers' helpers	2.30					
Sheet metal workers	8.75	.30	.30			
Sprinkler fitters	9.45	.40	.60		.07	
Steamfitters	9.84	.57	.80			
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% 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. Holidays: A through F, Washington's Birthday and Good Friday, providing employee has worked 45 full days during the 120 calendar days prior to the holiday and the regular scheduled work days immediately preceding and following the holiday.

d. Employer contributes 1% to Temporary Disability Fund.

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, pitmen & 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 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).

	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), munking 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, case 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 end 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-Indenpendence 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.

BUILDING, HEAVY & HIGHWAY CONSTRUCTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OT
TRUCK DRIVERS						
Winch Trailer	5.68	.85		a+b		
Euclids, straight, bottom, rear and side dump, carryall and scrapers: (not self loading-loading over the top), water sprinkler trailers, water pulls, and similar types, flat, floats, I-Beam, low beds, transit-mix, road oil, fuel, asphalt, stringer, seeding fertilizing, bituminous distributor, and similar types of vehicles	5.58	.85		a+b		
Straight three-axle materials: trucks and floats	5.48	.85		a+b		
Straight dumps, flats, floats, pick-ups, container hauler, fuel, water sprinkler, road oil, winch, A-frame, scissor, nipper, "all dual purpose trucks", trucks with mechanical tail gates", any rubber tired tractor used in pulling and towing farm wagons and trailers of any description, mechanics	5.43	.85		a+b		
Mechanics helpers	5.20	.85		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. Holidays: A through F; Washington's Birthday; Lincoln's Birthday; Columbus Day; General Election Day; Veteran's Day; providing an employee works or shapes one day and is available during the Holiday calendar week.

b. Employees who have worked or have received pay for 85 days shall receive 48 hours vacation pay; 130 days - 96 hours vacation pay; 150 days - 120 hours vacation pay; an employee with 150 days credit and at least 15 years seniority shall receive an additional 40 hours vacation pay.

SUPERSEDEAS DECISION

STATE: NEW JERSEY COUNTY: BURLINGTON

DECISION NO.: AQ-2,098 DATE: Date of Publication

Supersedes Decision No. AP-829 dated May 18, 1973, in 38 FR 13272.
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), heavy and highway construction.

3-N.J.-1-2-3-X 1 of 3

BUILDING, HEAVY, HIGHWAY CONSTRUCTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Asbestos workers:						
Twps. of Bordentown, Burlington, Chesterfield, E. Hampton, Florence, Mansfield, Mt. Holly, New Hanover, Pembertown, Roebling, Springfield, Wrightstown, Woodlawn, & N. Hanover	$9.30	.50	.50		.025	
Bass River & Washington Twps.	9.22	.50	.50			
Remainder of County	9.62	.50	.50			
Boilermakers	8.35	8%	9¼% + 3%	10%	.01	
Boilermakers' helpers	7.82	8%	9¼% + 3%	10%	.01	
Bricklayers, cement masons, marble masons, plasterers, stone masons, terrazzo workers & tile setters:						
Bordentown, Croswicks, Chesterfield, Mansfield	8.25	.50	.65	.50	.02	
Remainder of County	8.70	.35	.40			
Bordentown: Carpenter & Insulators:						
Carpenters, Insulators & Millwrights	9.35	.50	.55		.02	
Remainder of County:						
Carpenters & Insulators	9.29	6%	6%		.02	
Millwrights	9.54	6%	6%		.02	
Electricians and Linemen:						
Electricians	10.65	.43	17+.30		.10	
Groundman	8.20	.20+d	17+.30		.08	
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 - Nearest Towns as listed below:						
Trenton	8.63	.47	1.03	10%	.05	
Camden	9.08	.43	1.07	g		
Atlantic City	9.20	.64	1.06		.05	
Laborers, Building:						
Twps., of Burlington, Chesterfield, North Hanover, Florence, Bordentown, Mansfield, New Hanover, Springfield, and Wrightstown:						
Laborers, mortar mixers, masons tenders, pneumatic, gas, electric tool op., power buggy, wreckers & pipelayers (conc. & clay)	6.35	.40	.55			
Plasterers' tenders & hod carriers	6.45	.40	.55			
Bass River & Washington Twps.:						
Laborers, Mason tenders, Concrete workers	6.35	.55	.15			
Air tool operator	6.80	.55	.15			
Gunnite men	6.80	.55	.15			

AQ-2,098 P. 2

3-N.J.-1-2-3-X 2 of 3

BUILDING, HEAVY & HIGHWAY CONSTRUCTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Laborers, building: (Cont'd)						
Nozzle and gun operators	6.80	.55	.15			
Plasterers' tenders	6.35	.55	.15			
Remainder of County:						
Construction laborers	6.70	.35	.40			
Brick tenders, mortar mixers	6.80	.35	.40			
Scaffold builders (brick)						
Hod carriers (brick), power tool operator	6.80	.35	.40			
Barco tamper opr., jackhammer opr.	7.05	.35	.40			
Motorized buggy operator, burners	6.925	.35	.40			
Nozzle men (gunite)	6.925	.35	.40			
Plasterers' tenders	7.20	.35	.40			
Lathers' tenders	7.20	.35	.40			
Lathers	7.75	.25	.25		.02	
Lead burners	8.75	.30		c	.01	
Painters:						
Painters	6.25	.45	.45	e		
Structural steel	6.35	.45	.45	e		
Flag poles, tanks, bridges, steeples & boiler rooms	6.35	.45	.45	e		
Spray	7.20	.45	.45	e		
Piledrivermen and dock builders	9.42	1.23	.55		.07	
Plumbers & Steamfitters:						
Burlington to Mt. Holly then following the Pennsylvania Railroad to County line & north thereof	9.84	.57	.80		.05	
Atsion, Bass River Twp., Batso, Chatsworth, Green Banks, Herman, Jenkins, Quaker Bridge, Washington, Washington Twp.	9.00	.37	.37		.02	
Remainder of County	8.80	.37	.85	1.00	.05	
Roofers:						
Beverly, Charleston, Rancocas, Lumberton, Medford, Fairview, Medford Lakes Smalls, Atsion, and areas inclusive to the Camden County line:						
Composition	8.815	1.00	.55	f		
Composition helper	4.70	.80	.55	f		
Slate, tile & asbestos shingle	8.75	1.00	.50			
Slate, tile & asbestos shingle helpers	5.39	1.00	.50			
Asphalt shingle	7.34	1.00	.50			
Remainder of County:						
Composition, waterproofing and slate	9.20	.40	.50			
Asphalt shingle	9.20	.40	.50			
Sheet metal workers	8.93	.30	.50			

AQ-2,098 P. 3

3-N.J.-1-2-3-X 3 of 3

BUILDING, HEAVY & HIGHWAY CONSTRUCTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHER
Sprinkler fitters	$9.45	.40	.60		.07	
Soft floor layers	8.53	6%	5%	4%		

Welders - receive rate prescribed for craft performing operation to which welding is incidental.

PAID HOLIDAYS:

A-New Years' 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% 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. Holidays: A through F, Washington's Birthday and Good Friday, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday.

d. Employer contributes 1% to Temporary Disability Fund.

e. Holidays: A through F, Armed Services Day & Election Day for the President of United States. Employee must have worked at least 30 calendar days prior to above holiday for the same contractor.

f. Holiday - Election Day, paid.

g. Wage Includes .75 employer contribution to Vacation Fund.

AQ-2,098 P. 4

NJ-1-LAB-2-3- C

HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Laborers:	$7.10	.41	.64	a	
Blasters	6.80	.41	.64	a	
Finishers, rammer, paver & gunnite nozzle man and stonecutter	6.75	.41	.64	a	
Timberman	6.80	.41	.64	a	
Form setters	6.80	.41	.64	a	
Grademan	6.50	.41	.64	a	
Sewer pipe, laser men, conduit & duct line layers	6.60	.41	.64	a	
Wagon drill op., & drill masters	6.25	.41	.64	a	
Wagon drill op. helper & drill master helper, powder carrier, magazine tender	6.60	.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	6.30	.41	.64	a	
Signal man	6.20	.41	.64	a	
Wrapping and coating of all pipe	6.10	.41	.64	a	
Common laborers, landscape laborers, railroad track man, flagman, salamander tenders, pitmen & gunmen					
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.	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 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: Pulldozer, 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.	Other
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)

AQ-2,098 P. 11

NJ-2-PEO-3-A

3 of 3

HIGHWAY, ROAD, STREET & SEWER CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
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-Indenpendence 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.

AQ-2,098 P. 12

NJ-4-PEO-2-W

STEEL ERECTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTH
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.

NEW JERSEY-3-TD-1-2-3-J

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.

New Jersey 1-TD-1-2-3-F 1 of

BUILDING, HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
TRUCK DRIVERS:						
Winch Trailers	$6.28	a		b		
Euclid, International Haversters, Wabcos, caterpiller, koehring, tractors and wagons, dumptors, straight, bottom rear and side dump, carryalls and scrapers (not self-loading), over the top, water sprinkler, trailers, water pulls, and similar types of vehicles	6.18	a		b		
Tractor and trailer type vehicles, flat floats, I-Beam, low beds, water sprinkler, bituminous, transit-mix, road oil, fuel, bottom dump hopper, rear dump, office shanty, epoxy, asphalt, agitator mix, mulching, stringer, seeding, fertilizing pole, spread, bituminous distributor, water pulls (entire unit) (tractor trailer), reel trailer, and similar types of vehicles	6.18	a		b		
Straight three-axle materials: Trucks and floats	6.08	a		b		
Straight dumps, flats, floats, pick-ups, container haulers, fuel, water sprinkler, road oil, stringer bead and hot pass, bus, dumpcrete, transit-mixers, agitator mix, half-track, winch truck, side-o-matic, dynamite, powder, X-ray, welding, skid, jeep, station wagon, stringer, A-Frame, all dual purpose trucks, mechanical tail gates, batch, seeding, mulching, fertilizer, air compressor trucks (in transit), escort, scissor, hi-lift, telescope, concrete breaker, gin pole, stone, sand, asphalt-distributor and spreader, nipper, fuel trucks (driver on fuel truck including handling of hose and nozzle-entire unit), team drivers, vacuum or vac-all trucks, skid truck (debris container-entire unit), concrete mobile trucks (entire unit), beltcrete trucks, pumpcrete trucks, line trucks, reel, wreckers or tow trucks, utility, tack trucks, broyhill coal tar epoxy, little ford bituminous distributor, slurry seal truck or vehicle, thiokol track master pick-up (swamp cat pick-up), bucket loader dump, rubber tired tractor used in pulling and towing farm wagon and trailers of any discription	6.03	a		b		

AO-2,098 P.15

New Jersey 1-TD-1-2-3-F 2 of 2

BUILDING, HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
TRUCK DRIVERS (Cont'd):						
Teamster mechanic	$6.03	a		b		
Mechanic helper	5.80	a		b		

FOOTNOTES:

a. Employer contributes $.89 per hour to a combined Health, Welfare and Pension fund.

b. Employees worked or received pay: 80 days within a year receive one week's vacation, 125 days within a year receive two weeks' vacation, 145 days within a year receive 15 days' vacation, 15 years seniority and 145 days within a year receive four weeks' vacation.

STATE: Pennsylvania COUNTY: Lackawanna
DECISION NO.: AQ-2092 DATE: Date of Publication
Supersedes Decision No. AP-488, dated March 9, 1973, in 38 FR 6620
DESCRIPTION OF WORK: Building construction, (excluding single family homes and garden type apartments up to and including 4 stories).

35-PA-1-D 1 of 3

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos workers	$8.49	.50	.35	1.00	.01	
Boilermakers	9.12	.50	1.00	.25	.01	
Bricklayers, stone masons & tile setters (Scranton)	8.20	.45	.50		.01	
Bricklayers, plasterers, stone & cement masons & tile setters (Carbondale)	8.85	.30				
Carpenters	7.60	.385	.35		.05	
Cement masons (Scranton)	7.70	.40	.40	.125		
Electricians (Zone 1) zero milestone marker, which is the court house in the center of City of Scranton to 20 miles	7.65	.35	1% + .50	.50	.10	
Zone 2 From 20 miles to 30 miles from above marker	8.35	.35	1% + .50	.50	.10	
Elevator constructors	7.66	.195	.20	1½%+a+b	.005	
Elevator constructors' helpers	5.36	.195	.20	1½%+a+b	.005	
Elevator constructors' helpers (prob.)	3.83					
Glaziers	7.75	.35	.30			
Ironworkers, structural & ornamental	8.87	.64	1.06		.10	
Ironworkers, reinforcing	8.77	.64	1.06		.10	
Laborers: Laborers (0 miles to court house Scranton)	6.05	.48	.50			
Jackhammer op., vibrator, wagon drill, dynamite, gas buggies, 2" pumps, concrete mixers (up to 2 bags)	6.20	.48	.50			
Scaffold builders	6.45	.48	.50			
Pipelayers (concrete & clay)	6.45	.48	.50			
Plasterers tenders, Asphalt workers	6.45	.48	.50			
Laborers: Laborers (over 13 miles from Scranton	6.45	.48	.50			
Jackhammer op., vibrator, wagon drill dynamite, gas buggies, 2" pumps, concrete mixers (up to 2 bags)	6.60	.48	.50			
Scaffold builders	6.85	.48	.50			
Pipelayers (concrete and clay)	6.85	.48	.50			
Plasterers tenders, Asphalt workers	6.85	.48	.50			
Lathers	8.08		.10		.01	
Lead burners	8.75	.30		c	.01	
Line Construction:						
Linemen & dynamite man	9.04	.20	1%			
Groundman-truck driver	6.41	.20	1%			
Groundman	6.15	.20	1%			

35-PA-1-D 1 of 2

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Marble setters	$8.32					
Millwrights	8.18	.385	.35		.05	
Painters (Scranton):						
Brush	6.55		.50			
Spray	8.05		.50			
Steel	7.55		.50			
Painters (Carbondale):						
Brush	6.35					
Steel	6.60					
Piledrivermen	9.42	1.23	.55	e	.07	
Plasterers (Scranton)	7.85	.40	.40			
Plumbers	8.51	.35	.50		.03	
Roofers:						
Roofers & Kettlemen	7.46	.42	.47			
Helpers	6.585	.42	.47			
Sheet metal workers	8.37	.25	.30		.04	
Soft floor layers	7.60	.385	.35		.05	
Sprinkler fitters	9.05	.40	.60		.07	
Steamfitters	8.26	.35	.75		.06	
Terrazzo workers	8.32					
Truck Drivers:						
Class I						
Helper, Stake Body Truck (single axle), Dumpster	5.99					
Class II						
Dump Trucks, Tandem & Batch Trucks, Semi-Trailers, Agitator Mixer Trucks, Ready Mix and Dumpcrete Type Vehicles Asphalt Distributors, Farm Tractor when used for transportation, Stake Body Truck (Tandem)	6.06					
Class III						
Euclid Type, Off-Highway equipment - Back or Belly Dump Trucks and Doublehitched Equipment, Straddle (Ross) Carrier, Low-Bed Trailers	6.55					
Welders - receive rate prescribed for craft performing operation to which welding is incidental.						

PAID HOLIDAYS: (Where Applicable)
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F. Christmas Day.

FOOTNOTES:

a. Employer contributes 4% basic hourly rate for 5 years or more of service or 27% basic hourly rate for 6 months to 5 years of service for vacation pay credit.

b. Paid holidays: A through F.

c. Paid holidays, A through F and Washington's Birthday, Good Friday, and Christmas Eve, provided the employee has worked 45 days for the employer during the 120 days prior to the holiday and is available for work the days preceding and following the holiday.

d. Employer contributes $1.50 per hour to a combined Health and Welfare & Pension Fund.

e. Paid Holidays: Washington's Birthday; Good Friday; Memorial Day; Labor Day; Presidential Election Day; Veterans Day; Thanksgiving 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.	O
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 back-hoes, 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.	Other
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.

SUPERSEDEAS DECISIONS

STATE: Tennessee COUNTY: Davidson
DECISION NUMBER: AQ-4098 DATE: Date of Publication
Supersedes Decision No. AP-169 dated March 23, 1973 in 38 FR 7782.
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories).

19-Tenn.-1-G 1 of 2

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Asbestos workers	$7.75	.35	.15		
Boilermakers	7.50	.40	.90		.01
Bricklayers	7.30				
Carpenters	7.05	.15	.10		.01
Cement masons	5.69	.25			
Electricians	6.97	.30	1%		.25%
Elevator constructors	6.60	.395	.26	2-1/2%+a+b	.02
Elevator constructors' helpers	70%JR				
Elevator constructors' helpers (prob.)	50%JR				
Glaziers	6.60	.35	.40		.02
Ironworkers:					
Structural, ornamental and reinforcing	6.90	.45	.25		.09
Laborers:					
Unskilled	4.40	.15	.10		
Air tool operator	4.55	.15	.10		
Mason tenders	4.55	.15	.10		
Pipelayers	4.70	.15	.10		
Powderman	4.95	.15	.10		
Lathers	6.60		.20		
Millwrights	7.20	.15	.10		.01
Painters, brush	6.20		.30		.05
Plasterers	6.50	.30	.20		.01
Plumbers	6.77	.35	.35	.25	.05
Roofers, composition	5.70	.25	.15		
Sheet metal workers	6.80	.25	.30		.02
Steamfitters	6.77	.35	.35	.25	.05
Sprinkler fitters	8.20	.40	.60		.07
Terrazzo workers	5.50				
Tile setters	5.50				
Truck drivers	4.90				
Welders - Rate for Craft.					
POWER EQUIPMENT OPERATORS:					
Air compressor	5.57	.25	.25		
Buildozers	6.40	.25	.25		
Cranes	6.40	.25	.25		
Fork lift	6.40	.25	.25		
Front end loaders	6.40	.25	.25		
Gradall	6.40	.25	.25		
Hoist	6.01	.25	.25		
Oilers	5.22	.25	.25		
Traxavator	6.40	.25	.25		

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; F-Christmas Day.

FOOTNOTES:

a. Holidays: A through F.

b. Employer contributes 1% 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.

SUPERSEDEAS DECISION

STATE: Texas COUNTY: Bexar
DECISION NO.: AQ-103 DATE: Date of Publication
Supersedes Decision No. AQ-84, dated February 22, 1974, in 39 FR 7062
DESCRIPTION OF WORK: Residential construction consisting of single family homes and garden type apartments up to and including 4 stories.

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
AIR CONDITIONING INSTALLERS	$3.50				
BRICKLAYERS	7.27	.30	.30		.05
CARPENTERS	4.10				
CEMENT MASONS	7.02	.25			
DUCT INSTALLERS	3.45				
ELECTRICIANS:					
Single or multiple family dwellings or apartments up to and including 8 units not exceeding 2 stories	5.20	.25	1%		1/2%
Over 8 units or over 2 stories	7.58	.25	1%		1/2%
FORM SETTERS	3.29				
GLAZIERS	3.50				
INSULATION INSTALLERS	4.50				
IRONWORKERS	4.66				
LABORERS, UNSKILLED	2.34				
PAINTERS	3.675				
TAPE & FLOAT	4.00				
PLASTERERS	7.40				.01
PLUMBERS & PIPEFITTERS	7.13	.25	.35		.10
ROOFERS	3.10				
ROOFERS, SHINGLERS	3.50				
SHEETROCK INSTALLER	4.00				
SOFT FLOOR LAYERS	3.71				
TILE SETTERS	5.18				
TRUCK DRIVERS	2.25				
T.V. ANTENNA INSTALLERS	3.50				
POWER EQUIPMENT OPERATORS					
Fork lifts	2.75				
Foundation drill operator (crawler mounted)	5.85				
Front end loader	2.58				
Tractor	3.75				

DECISION NO. AQ-103

INCIDENTAL PAVING & UTILITIES & SITE PREPARATION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Air Tool Man	$2.25				
Asphalt Heaterman	2.50				
Asphalt Raker	2.75				
Ashpalt Shoveler	2.85				
Batching Plant Scaleman	3.00				
Carpenter	3.25				
Carpenter Helper	2.25				
Concrete Finisher (Paving)	3.00				
Concrete Finisher Helper (Paving)	2.60				
Concrete Finisher (Structures)	3.00				
Concrete Finisher Helper (Structures)	2.75				
Concrete Rubber	2.50				
Electrician	5.95				
Fireman	2.85				
Form Builder (Structures)	3.00				
Form Builder Helper (Structures)	2.50				
Form Setter (Paving and Curb)	3.75				
Form Setter (Structures)	3.00				
Form Setter Helper (Structures)	2.75				
Laborer, Common	2.00				
Laborer, Utility Man	2.45				
Manhole Builder, Brick	2.30				
Mechanic	3.30				
Mechanic Helper	2.75				
Oiler	2.50				
Serviceman	2.65				
Pipelayer	2.75				
Pipelayer Helper	2.25				
Powderman	3.25				
Powderman Helper	2.50				
Reinforcing Steel Setter (Structures)	3.25				
Reinforcing Steel Setter Helper	2.25				
Spreader Box Man	3.00				
Swamper	2.75				
Power Equipment Operators:					
Asphalt Distributor	3.00				
Asphalt Paving Machine	3.00				
Bulldozer, 150 HP and Less	3.00				
Bulldozer, over 150 HP	3.25				
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (less than 1½ CY)	3.25				

DECISION NO. AQ-103

INCIDENTAL PAVING & UTILITIES & SITE PREPARATION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App Tr.
Power Equipment Operators (Cont'd):					
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (1½ CY and over)	$3.65				
Crusher or Screening Plant Operator	3.10				
Foundation Drill Operator (Crawler Mounted)	3.75				
Foundation Drill Operator (Truck Mounted)	4.25				
Foundation Drill Operator Helper	3.20				
Front End Loader (2½ CY and Less)	2.85				
Front End Loader (Over 2½ CY)	3.40				
Motor Grader Operator, Fine Grade	3.75				
Motor Grader Operator	3.50				
Roller, Steel Wheel (Plant-Mix Pavements)	2.60				
Roller, Steel Wheel (Other-Flat Wheel or Tamping)	2.50				
Roller, Pneumatic (Self-Propelled)	2.25				
Scrapers (17 CY and Less)	3.00				
Scrapers (Over 17 CY)	3.20				
Tractor (Crawler Type) 150 HP and Less	2.50				
Tractor (Crawler Type) over 150 HP	2.95				
Tractor (Pneumatic) 80 HP and Less	2.20				
Tractor (Pneumatic) over 80 HP	2.50				
Traveling Mixer	2.50				
Trenching Machine, Light	3.10				
Wagon Drill, Boring Machine or Post Hole Driller Operator	2.90				
Truck Drivers:					
Single Axle, Light	2.00				
Single Axle, Heavy	2.50				
Tandem Axle or Semitrailer	2.25				
Winch	2.50				
Vibrator Man (Hand Type)	2.50				
Welder	4.00				
Welder Helper	3.00				

SUPERSEDEAS DECISION

STATE: Texas

COUNTIES: Cameron, Hidalgo, Starr and Willacy

DECISION NO.: AQ-104

DATE: Date of Publication

Supersedes Decision No. AQ-72, dated January 11, 1974, in 39 FR 1719

DESCRIPTION OF WORK: Residential construction consisting of single family homes and garden type apartments up to and including 4 stories.

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
BRICKLAYERS	$5.57				
CARPENTERS:					
Carpenters	4.75				.025
Piledriverman	4.67				
CEMENT MASONS	3.50				
ELECTRICIANS	5.86		1%		1%
GLAZIERS	2.75				
LABORERS:					
Common laborers	1.60				
Mason tenders	1.75				
Pipelayers (concrete & clay)	2.00				
PAINTERS, BRUSH	2.60				
PLASTERERS	5.00				
PLUMBERS - PIPEFITTERS	6.20	.18			.05
ROOFERS:					
Roofers	3.00				
Kettlemen	2.05				
SOFT FLOOR LAYERS	2.00				
TERRAZZO WORKERS	2.50				
TERRAZZO WORKERS' HELPERS	1.83				
TILE SETTERS	2.50				
TILE SETTERS' HELPERS	1.75				
TRUCK DRIVERS	1.93				

DECISION NO. AQ-104

INCIDENTAL PAVING & UTILITIES & SITE PREPARATION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Air Tool Man	$2.25				
Asphalt Heaterman	3.00				
Asphalt Raker	2.70				
Carpenter	2.75				
Carpenter Helper	2.00				
Concrete Finisher (Paving)	3.00				
Concrete Finisher (Structures)	3.10				
Concrete Finisher Helper (Structures)	2.25				
Electrician	5.50				
Fireman	3.00				
Flagman	2.00				
Form Builder (Structures)	3.30				
Form Builder Helper (Structures)	2.75				
Form Liner (Paving and Curb)	3.00				
Form Setter (Structures)	3.50				
Form Setter Helper (Structures)	2.35				
Labor, Common	2.00				
Laborer, Utility Man	2.50				
Manhole Builder, Brick	3.00				
Mechanic	3.35				
Mechanic Helper	3.00				
Oiler	2.50				
Serviceman	2.40				
Piledriverman	3.60				
Pipelayer	2.30				
Pipelayer Helper	2.00				
Reinforcing Steel Setter (Structures)	3.00				
Reinforcing Steel Setter Helper	2.50				
Spreader Box Man	3.00				
Swamper	2.60				
Power Equipment Operators:					
Asphalt Distributor	3.00				
Asphalt Paving Machine	3.00				
Bulldozer, 150 HP and Less	3.00				
Bulldozer, over 150 HP	3.25				
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (less than 1½ CY)	3.00				

DECISION NO. AQ-104

INCIDENTAL PAVING & UTILITIES & SITE PREPARATION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Power Equipment Operators (Cont'd):					
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (1½ CY and over)	$3.50				
Front End Loader (2½ CY and Less)	3.00				
Front End Loader (Over 2½ CY)	3.10				
Motor Grader Operator, Fine Grade	3.75				
Motor Grader Operator	3.00				
Roller, Steel Wheel (Plant-Mix Pavements)	2.65				
Roller, Steel Wheel (Other-Flat Wheeler or Tamping)	2.35				
Roller, Pneumatic (Self-Propelled)	2.20				
Scrapers (17 CY and Less)	3.00				
Scrapers (Over 17 CY)	3.25				
Side Boom	2.30				
Tractor (Crawler Type) over 150 HP	2.75				
Tractor (Pneumatic) 80 HP and Less	2.25				
Tractor (Pneumatic) over 80 HP	2.85				
Traveling Mixer	3.00				
Trenching Machine, Light	3.00				
Trenching Machine, Heavy	3.25				
Truck Drivers:					
Single Axle, Light	2.00				
Single Axle, Heavy	2.25				
Tandem Axle or Semitrailer	2.15				
Welder	3.50				

[FR Doc.74-8218 Filed 4-11-74;8:45 am]

federal register

FRIDAY, APRIL 12, 1974

WASHINGTON, D.C.

Volume 39 ■ Number 72

PART IV



DEPARTMENT OF THE TREASURY

Fiscal Service, Bureau of the Public Debt

■

U.S. SAVINGS NOTES, Revised

Dept. Circular Public Debt Series 3-67 2nd Amendment

Title 31—Money and Finance: Treasury

CHAPTER II—FISCAL SERVICE, DEPARTMENT OF THE TREASURY

SUBCHAPTER B—BUREAU OF THE PUBLIC DEBT

PART 342—OFFERING OF UNITED STATES SAVINGS NOTES

Interest Rates

Sections 342.2(c)(1) and 342.2a, and the tables incorporated in Department of the Treasury Circular, Public Debt Series No. 3-67, Revised, dated June 12, 1968, as amended (31 CFR Part 342), have been further amended and revised to read as follows:

§ 342.2 Description of notes.

* * * * *

(c) *Denominations—prices—investment yield (interest).* * * *

(1) *Notes with issue dates June 1, 1968, or thereafter.* The investment yield for savings notes with issue dates of June 1, 1968, through November 1, 1969, is approximately 5 percent per annum, compounded semiannually, if the notes are held to maturity, but the yield is less if the notes are redeemed earlier. Outstanding notes with issue dates of December 1, 1969, through June 1, 1970,[1] will earn interest at the same rate, except that for the remaining period to the maturity date the rate is hereby increased by approximately ½ of 1 percent, beginning with the first interest accrual period starting on or after December 1, 1973.

§ 342.2a Extension—interest rates.

Savings notes were extended for a 10-year period after their maturity dates. For that part of the period which occurred between November 1, 1971, and November 30, 1973, the yield on the maturity values of outstanding notes accrued at approximately 5½ percent per annum, compounded semiannually. The yield on notes in the extension period on December 1, 1973, is hereby increased by approximately ½ of 1 percent per annum for the remainder of such period, beginning with the first interest accrual period starting on or after December 1, 1973. The yield for notes thereafter entering the extension period will be the rate in effect for Series E savings bonds being issued at the time the extension period begins. The tables of redemption values and investment yields, published herein, will not apply if at the time the extension period begins the rate for Series E savings bonds is different from 6 percent.

The foregoing amendment and revision, adopted as of December 1, 1973, was effected under authority of sections 18, 20, and 22 of the Second Liberty Bond Act, as amended (40 Stat. 1304, 48 Stat. 343, 49 Stat. 21, all as amended; 31 U.S.C. 753, 754b, 757c), and 5 U.S.C. 301, for the purpose of increasing the interest rate on savings notes. Notice and public procedures thereon are unnecessary as the fiscal policy of the United States is involved.

Dated: March 18, 1974.

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

[1] These provisions also apply to notes which may bear issue dates subsequent to June 1970.

TABLE 1

NOTES BEARING ISSUE DATE MAY 1, 1967

Issue price / Denomination	$20.25 / 25.00	$40.50 / 50.00	$60.75 / 75.00	$81.00 / 100.00	Approximate investment yield (annual percentage rate)		
Period (years and months after original maturity at 4 years 6 months)	(1) Redemption values during each half-year period (values increase on first day of period)* EXTENDED MATURITY PERIOD				(2) From beginning of current maturity period to beginning of each ½-yr. pd.	(3) From beginning of each ½-yr. period to beginning of next ½-yr. pd.	(4) From beginning of each ½-yr. period to extended maturity
					Percent	Percent	Percent
2-6 to 3-0 . . . 1/(5/1/74)	$28.63	$57.26	$85.89	$114.52	5.50	6.01	6.00
3-0 to 3-6 . . . . (11/1/74)	29.49	58.98	88.47	117.96	5.58	6.04	6.00
3-6 to 4-0 . . . . (5/1/75)	30.38	60.76	91.14	121.52	5.65	5.99	6.00
4-0 to 4-6 . . . . (11/1/75)	31.29	62.58	93.87	125.16	5.69	5.94	6.00
4-6 to 5-0 . . . . (5/1/76)	32.22	64.44	96.66	128.88	5.72	6.02	6.00
5-0 to 5-6 . . . . (11/1/76)	33.19	66.38	99.57	132.76	5.75	5.97	6.00
5-6 to 6-0 . . . . (5/1/77)	34.18	68.36	102.54	136.72	5.77	6.03	6.01
6-0 to 6-6 . . . . (11/1/77)	35.21	70.42	105.63	140.84	5.79	6.02	6.00
6-6 to 7-0 . . . . (5/1/78)	36.27	72.54	108.81	145.08	5.81	6.01	6.00
7-0 to 7-6 . . . . (11/1/78)	37.36	74.72	112.08	149.44	5.82	5.94	6.00
7-6 to 8-0 . . . . (5/1/79)	38.47	76.94	115.41	153.88	5.83	6.08	6.01
8-0 to 8-6 . . . . (11/1/79)	39.64	79.28	118.92	158.56	5.85	5.95	5.99
8-6 to 9-0 . . . . (5/1/80)	40.82	81.64	122.46	163.28	5.85	6.03	6.01
9-0 to 9-6 . . . . (11/1/80)	42.05	84.10	126.15	168.20	5.86	5.99	6.00
9-6 to10-0 . . . . (5/1/81)	43.31	86.62	129.93	173.24	5.87	6.00	6.00
10-0 2/ . . . . . (11/1/81)	44.61	89.22	133.83	178.44	5.88 3/	----	----

1/ Month, day, and year on which issues of May 1, 1967, enter each period.
2/ Extended maturity reached at 14 years 6 months after issue.
3/ Yield on purchase price from issue date to extended maturity date is 5.52 percent.

* For earlier redemption values and yields see appropriate table in Department Circular 653, 8th Revision, as amended and supplemented.

TABLE 2

NOTES BEARING ISSUE DATES FROM JUNE 1 THROUGH NOV. 1, 1967

Issue price / Denomination	$20.25 / 25.00	$40.50 / 50.00	$60.75 / 75.00	$81.00 / 100.00	Approximate investment yield (annual percentage rate)		
Period (years and months after original maturity at 4 years 6 months)	(1) Redemption values during each half-year period (values increase on first day of period)* EXTENDED MATURITY PERIOD				(2) From beginning of current maturity period to beginning of each ½-yr. pd.	(3) From beginning of each ½-yr. period to beginning of next ½-yr. pd.	(4) From beginning of each ½-yr. period to extended maturity
					Percent	Percent	Percent
2-0 to 2-6 . . . 1/(12/1/73)	$27.87	$55.74	$83.61	$111.48	5.51	5.96	6.00
2-6 to 3-0 . . . . (6/1/74)	28.70	57.40	86.10	114.80	5.60	5.99	6.00
3-0 to 3-6 . . . . (12/1/74)	29.56	59.12	88.68	118.24	5.66	6.02	6.00
3-6 to 4-0 . . . . (6/1/75)	30.45	60.90	91.35	121.80	5.71	5.98	6.00
4-0 to 4-6 . . . . (12/1/75)	31.36	62.72	94.08	125.44	5.75	5.99	6.00
4-6 to 5-0 . . . . (6/1/76)	32.30	64.60	96.90	129.20	5.77	6.01	6.00
5-0 to 5-6 . . . . (12/1/76)	33.27	66.54	99.81	133.08	5.80	6.01	6.00
5-6 to 6-0 . . . . (6/1/77)	34.27	68.54	102.81	137.08	5.82	6.01	6.00
6-0 to 6-6 . . . . (12/1/77)	35.30	70.60	105.90	141.20	5.83	6.01	6.00
6-6 to 7-0 . . . . (6/1/78)	36.36	72.72	109.08	145.44	5.85	6.00	6.00
7-0 to 7-6 . . . . (12/1/78)	37.45	74.90	112.35	149.80	5.86	5.98	6.00
7-6 to 8-0 . . . . (6/1/79)	38.57	77.14	115.71	154.28	5.87	6.02	6.01
8-0 to 8-6 . . . . (12/1/79)	39.73	79.46	119.19	158.92	5.88	5.99	6.00
8-6 to 9-0 . . . . (6/1/80)	40.92	81.84	122.76	163.68	5.88	6.01	6.01
9-0 to 9-6 . . . . (12/1/80)	42.15	84.30	126.45	168.60	5.89	5.98	6.01
9-6 to10-0 . . . . (6/1/81)	43.41	86.82	130.23	173.64	5.89	6.04	6.04
10-0 2/ . . . . . (12/1/81)	44.72	89.44	134.16	178.88	5.90 3/	----	----

1/ Month, day, and year on which issues of June 1, 1967, enter each period. For subsequent issue months add the appropriate number of months.
2/ Extended maturity reached at 14 years 6 months after issue.
3/ Yield on purchase price from issue date to extended maturity date is 5.54 percent.

* For earlier redemption values and yields see appropriate table in Department Circular 653, 8th Revision, as amended and supplemented.

TABLE 3

NOTES BEARING ISSUE DATES FROM DEC. 1, 1967, THROUGH MAY 1, 1968

Issue price	$20.25	$40.50	$60.75	$81.00	Approximate investment yield (annual percentage rate)		
Denomination	25.00	50.00	75.00	100.00			
Period (years and months after original maturity at 4 years 6 months)	(1) Redemption values during each half-year period (values increase on first day of period)* EXTENDED MATURITY PERIOD				(2) From beginning of current maturity period to beginning of each ½-yr. pd.	(3) From beginning of each ½-yr. period to beginning of next ½-yr. pd.	(4) From beginning of each ½-yr. period to extended maturity
					Percent	Percent	Percent
1-6 to 2-0 . . . 1/(12/1/73)	$27.12	$54.24	$81.36	$108.48	5.50	6.05	6.00
2-0 to 2-6 . . . . (6/1/74)	27.94	55.88	83.82	111.76	5.64	5.94	6.00
2-6 to 3-0 . . . . (12/1/74)	28.77	57.54	86.31	115.08	5.70	6.05	6.00
3-0 to 3-6 . . . . (6/1/75)	29.64	59.28	88.92	118.56	5.76	6.01	6.00
3-6 to 4-0 . . . . (12/1/75)	30.53	61.06	91.59	122.12	5.79	5.96	5.99
4-0 to 4-6 . . . . (6/1/76)	31.44	62.88	94.32	125.76	5.81	5.98	6.00
4-6 to 5-0 . . . . (12/1/76)	32.38	64.76	97.14	129.52	5.83	5.99	6.00
5-0 to 5-6 . . . . (6/1/77)	33.35	66.70	100.05	133.40	5.85	6.00	6.00
5-6 to 6-0 . . . . (12/1/77)	34.35	68.70	103.05	137.40	5.86	6.06	6.00
6-0 to 6-6 . . . . (6/1/78)	35.39	70.78	106.17	141.56	5.88	5.93	5.99
6-6 to 7-0 . . . . (12/1/78)	36.44	72.88	109.32	145.76	5.88	6.04	6.00
7-0 to 7-6 . . . . (6/1/79)	37.54	75.08	112.62	150.16	5.89	5.97	6.00
7-6 to 8-0 . . . . (12/1/79)	38.66	77.32	115.98	154.64	5.90	6.05	6.00
8-0 to 8-6 . . . . (6/1/80)	39.83	79.66	119.49	159.32	5.91	5.98	5.99
8-6 to 9-0 . . . . (12/1/80)	41.02	82.04	123.06	164.08	5.91	6.00	5.99
9-0 to 9-6 . . . . (6/1/81)	42.25	84.50	126.75	169.00	5.92	6.01	5.99
9-6 to10-0 . . . . (12/1/81)	43.52	87.04	130.56	174.08	5.92	5.97	5.97
10-0 2/ . . . . . (6/1/82)	44.82	89.64	134.46	179.28	5.92 3/	----	----

1/ Month, day, and year on which issues of Dec. 1, 1967, enter each period. For subsequent issue months add the appropriate number of months.
2/ Extended maturity reached at 14 years 6 months after issue.
3/ Yield on purchase price from issue date to extended maturity date is 5.56 percent.

* For earlier redemption values and yields see appropriate table in Department Circular 653, 8th Revision, as amended and supplemented.

TABLE 4

NOTES BEARING ISSUE DATES FROM JUNE 1 THROUGH NOV. 1, 1968

Issue price	$20.25	$40.50	$60.75	$81.00	Approximate investment yield (annual percentage rate)		
Denomination	25.00	50.00	75.00	100.00			
Period (years and months after original maturity at 4 years 6 months)	(1) Redemption values during each half-year period (values increase on first day of period)* EXTENDED MATURITY PERIOD				(2) From beginning of current maturity period to beginning of each ½-yr. pd.	(3) From beginning of each ½-yr. period to beginning of next ½-yr. pd.	(4) From beginning of each ½-yr. period to extended maturity
					Percent	Percent	Percent
1-0 to 1-6 . . . 1/(12/1/73)	$26.70	$53.40	$80.10	$106.80	5.50	5.99	6.00
1-6 to 2-0 . . . . (6/1/74)	27.50	55.00	82.50	110.00	5.66	6.04	6.00
2-0 to 2-6 . . . . (12/1/74)	28.33	56.66	84.99	113.32	5.76	5.93	6.00
2-6 to 3-0 . . . . (6/1/75)	29.17	58.34	87.51	116.68	5.79	6.03	6.00
3-0 to 3-6 . . . . (12/1/75)	30.05	60.10	90.15	120.20	5.83	5.99	6.00
3-6 to 4-0 . . . . (6/1/76)	30.95	61.90	92.85	123.80	5.85	6.01	6.00
4-0 to 4-6 . . . . (12/1/76)	31.88	63.76	95.64	127.52	5.87	5.96	6.00
4-6 to 5-0 . . . . (6/1/77)	32.83	65.66	98.49	131.32	5.88	6.03	6.01
5-0 to 5-6 . . . . (12/1/77)	33.82	67.64	101.46	135.28	5.90	5.97	6.00
5-6 to 6-0 . . . . (6/1/78)	34.83	69.66	104.49	139.32	5.90	6.03	6.01
6-0 to 6-6 . . . . (12/1/78)	35.88	71.76	107.64	143.52	5.92	5.96	6.00
6-6 to 7-0 . . . . (6/1/79)	36.95	73.90	110.85	147.80	5.92	6.01	6.01
7-0 to 7-6 . . . . (12/1/79)	38.06	76.12	114.18	152.24	5.93	6.04	6.01
7-6 to 8-0 . . . . (6/1/80)	39.21	78.42	117.63	156.84	5.93	6.02	6.00
8-0 to 8-6 . . . . (12/1/80)	40.39	80.78	121.17	161.56	5.94	5.99	6.00
8-6 to 9-0 . . . . (6/1/81)	41.60	83.20	124.80	166.40	5.94	5.96	6.00
9-0 to 9-6 . . . . (12/1/81)	42.84	85.68	128.52	171.36	5.94	6.07	6.03
9-6 to10-0 . . . . (6/1/82)	44.14	88.28	132.42	176.56	5.95	5.98	5.98
10-0 2/ . . . . . (12/1/82)	45.46	90.92	136.38	181.84	5.95 3/	----	----

1/ Month, day, and year on which issues of June 1, 1968, enter each period. For subsequent issue months add the appropriate number of months.
2/ Extended maturity reached at 14 years 6 months after issue.
3/ Yield on purchase price from issue date to extended maturity date is 5.66 percent.

* For earlier redemption values and yields see appropriate table in Department Circular 653, 8th Revision, as amended and supplemented.

TABLE 5

NOTES BEARING ISSUE DATES FROM DEC. 1, 1968, THROUGH MAY 1, 1969

Issue price	$20.25	$40.50	$60.75	$81.00	Approximate investment yield (annual percentage rate)		
Denomination	25.00	50.00	75.00	100.00			
Period (years and months after original maturity at 4 years 6 months)	(1) Redemption values during each half-year period (values increase on first day of period)* EXTENDED MATURITY PERIOD				(2) From beginning of current maturity period to beginning of each ½-yr. pd.	(3) From beginning of each ½-yr. period to beginning of next ½-yr. pd.	(4) From beginning of each ½-yr. period to extended maturity
					Percent	Percent	Percent
0-6 to 1-0 . . . 1/(12/1/73)	$25.99	$51.98	$77.97	$103.96	5.54	5.93	6.00
1-0 to 1-6 . . . . (6/1/74)	26.76	53.52	80.28	107.04	5.73	5.98	6.00
1-6 to 2-0 . . . . (12/1/74)	27.56	55.12	82.68	110.24	5.81	6.10	6.00
2-0 to 2-6 . . . . (6/1/75)	28.40	56.80	85.20	113.60	5.88	5.92	6.00
2-6 to 3-0 . . . . (12/1/75)	29.24	58.48	87.72	116.96	5.89	6.02	6.00
3-0 to 3-6 . . . . (6/1/76)	30.12	60.24	90.36	120.48	5.91	6.04	6.00
3-6 to 4-0 . . . . (12/1/76)	31.03	62.06	93.09	124.12	5.93	5.99	6.00
4-0 to 4-6 . . . . (6/1/77)	31.96	63.92	95.88	127.84	5.94	5.94	6.00
4-6 to 5-0 . . . . (12/1/77)	32.91	65.82	98.73	131.64	5.94	6.02	6.01
5-0 to 5-6 . . . . (6/1/78)	33.90	67.80	101.70	135.60	5.95	6.02	6.01
5-6 to 6-0 . . . . (12/1/78)	34.92	69.84	104.76	139.68	5.95	6.01	6.00
6-0 to 6-6 . . . . (6/1/79)	35.97	71.94	107.91	143.88	5.96	5.95	6.00
6-6 to 7-0 . . . . (12/1/79)	37.04	74.08	111.12	148.16	5.96	6.05	6.01
7-0 to 7-6 . . . . (6/1/80)	38.16	76.32	114.48	152.64	5.96	5.97	6.00
7-6 to 8-0 . . . . (12/1/80)	39.30	78.60	117.90	157.20	5.96	6.06	6.01
8-0 to 8-6 . . . . (6/1/81)	40.49	80.98	121.47	161.96	5.97	5.98	6.00
8-6 to 9-0 . . . . (12/1/81)	41.70	83.40	125.10	166.80	5.97	6.00	6.00
9-0 to 9-6 . . . . (6/1/82)	42.95	85.90	128.85	171.80	5.97	6.01	6.01
9-6 to10-0 . . . . (12/1/82)	44.24	88.48	132.72	176.96	5.97	6.01	6.01
10-0 2/ . . . . . (6/1/83)	45.57	91.14	136.71	182.28	5.98 3/	----	----

1/ Month, day, and year on which issues of Dec. 1, 1968, enter each period. For subsequent issue months add the appropriate number of months.
2/ Extended maturity reached at 14 years 6 months after issue.
3/ Yield on purchase price from issue date to extended maturity date is 5.67 percent.

* For earlier redemption values and yields see appropriate table in Department Circular 653, 8th Revision, as amended and supplemented.

TABLE 6

NOTES BEARING ISSUE DATES FROM JUNE 1 THROUGH NOV. 1, 1969

Issue price	$20.25	$40.50	$60.75	$81.00	Approximate investment yield (annual percentage rate)		
Denomination	25.00	50.00	75.00	100.00			
Period (years and months after original maturity at 4 years 6 months)	(1) Redemption values during each half-year period (values increase on first day of period) EXTENDED MATURITY PERIOD**				(2) From beginning of current maturity period to beginning of each ½-yr. pd.	(3) From beginning of each ½-yr. period to beginning of next ½-yr. pd.	(4) From beginning of each ½-yr. period to extended maturity
					Percent	Percent	Percent
0-0 to 0-6 . . . 1/(12/1/73)	$25.29	$50.58	$ 75.87	$101.16	----	6.01	6.00
0-6 to 1-0 . . . . (6/1/74)	26.05	52.10	78.15	104.20	6.01	5.99	6.00
1-0 to 1-6 . . . . (12/1/74)	26.83	53.66	80.49	107.32	6.00	6.04	6.00
1-6 to 2-0 . . . . (6/1/75)	27.64	55.28	82.92	110.56	6.01	5.93	6.00
2-0 to 2-6 . . . . (12/1/75)	28.46	56.92	85.38	113.84	5.99	6.04	6.00
2-6 to 3-0 . . . . (6/1/76)	29.32	58.64	87.96	117.28	6.00	6.00	6.00
3-0 to 3-6 . . . . (12/1/76)	30.20	60.40	90.60	120.80	6.00	5.96	6.00
3-6 to 4-0 . . . . (6/1/77)	31.10	62.20	93.30	124.40	6.00	6.05	6.00
4-0 to 4-6 . . . . (12/1/77)	32.04	64.08	96.12	128.16	6.00	5.99	6.00
4-6 to 5-0 . . . . (6/1/78)	33.00	66.00	99.00	132.00	6.00	6.00	6.00
5-0 to 5-6 . . . . (12/1/78)	33.99	67.98	101.97	135.96	6.00	6.00	6.00
5-6 to 6-0 . . . . (6/1/79)	35.01	70.02	105.03	140.04	6.00	6.00	6.00
6-0 to 6-6 . . . . (12/1/79)	36.06	72.12	108.18	144.24	6.00	5.99	6.00
6-6 to 7-0 . . . . (6/1/80)	37.14	74.28	111.42	148.56	6.00	5.98	6.00
7-0 to 7-6 . . . . (12/1/80)	38.25	76.50	114.75	153.00	6.00	6.01	6.01
7-6 to 8-0 . . . . (6/1/81)	39.40	78.80	118.20	157.60	6.00	5.99	6.00
8-0 to 8-6 . . . . (12/1/81)	40.58	81.16	121.74	162.32	6.00	6.01	6.01
8-6 to 9-0 . . . . (6/1/82)	41.80	83.60	125.40	167.20	6.00	5.98	6.01
9-0 to 9-6 . . . . (12/1/82)	43.05	86.10	129.15	172.20	6.00	6.04	6.02
9-6 to10-0 . . . . (6/1/83)	44.35	88.70	133.05	177.40	6.00	6.00	6.00
10-0 2/ . . . . . (12/1/83)	45.68	91.36	137.04	182.72	6.00 3/	----	----

1/ Month, day, and year on which issues of June 1, 1969, enter each period. For subsequent issue months add the appropriate number of months.
2/ Extended maturity reached at 14 years 6 months after issue.
3/ Yield on purchase price from issue date to extended maturity date is 5.69 percent.

** This table does not apply if the prevailing rate for Series E bonds being issued at the time the extension begins is different from 6.00 percent.

TABLE 7

NOTES BEARING ISSUE DATES FROM DEC. 1, 1969, THROUGH MAY 1, 1970

Issue price / Denomination	$20.25 / 25.00	$40.50 / 50.00	$60.75 / 75.00	$81.00 / 100.00	Approximate investment yield (annual percentage rate)		
Period (years and months after issue)	(1) Redemption values during each half-year period (values increase on first day of period)*				(2) From beginning of current maturity period to beginning of each ½-yr. pd.	(3) From beginning of each ½-yr. period to beginning of next ½-yr. pd.	(4) From beginning of each ½-yr. period (a) to maturity
					Percent	Percent	Percent
4-0 to 4-6 . . . 1/(12/1/73)	$24.36	$48.72	$73.08	$ 97.44	4.67	8.13	8.13
4-6 2/ . . . . . (6/1/74)	25.35	50.70	76.05	101.40	5.05	----	----
(years and months after maturity date)	EXTENDED MATURITY PERIOD**						(b) to extended maturity
0-0 to 0-6 . . . . (6/1/74)	$25.35	$50.70	$ 76.05	$101.40	----	6.00	6.00
0-6 to 1-0 . . . . (12/1/74)	26.11	52.22	78.33	104.44	6.00	5.97	6.00
1-0 to 1-6 . . . . (6/1/75)	26.89	53.78	80.67	107.56	5.99	6.02	6.00
1-6 to 2-0 . . . . (12/1/75)	27.70	55.40	83.10	110.80	6.00	5.99	6.00
2-0 to 2-6 . . . . (6/1/76)	28.53	57.06	85.59	114.12	6.00	6.03	6.00
2-6 to 3-0 . . . . (12/1/76)	29.39	58.78	88.17	117.56	6.00	5.99	6.00
3-0 to 3-6 . . . . (6/1/77)	30.27	60.54	90.81	121.08	6.00	6.01	6.00
3-6 to 4-0 . . . . (12/1/77)	31.18	62.36	93.54	124.72	6.00	5.97	6.00
4-0 to 4-6 . . . . (6/1/78)	32.11	64.22	96.33	128.44	6.00	6.04	6.00
4-6 to 5-0 . . . . (12/1/78)	33.08	66.16	99.24	132.32	6.00	5.99	6.00
5-0 to 5-6 . . . . (6/1/79)	34.07	68.14	102.21	136.28	6.00	5.99	6.00
5-6 to 6-0 . . . . (12/1/79)	35.09	70.18	105.27	140.36	6.00	5.98	6.00
6-0 to 6-6 . . . . (6/1/80)	36.14	72.28	108.42	144.56	6.00	6.03	6.00
6-6 to 7-0 . . . . (12/1/80)	37.23	74.46	111.69	148.92	6.00	5.96	5.99
7-0 to 7-6 . . . . (6/1/81)	38.34	76.68	115.02	153.36	6.00	6.00	6.00
7-6 to 8-0 . . . . (12/1/81)	39.49	78.98	118.47	157.96	6.00	6.03	6.00
8-0 to 8-6 . . . . (6/1/82)	40.68	81.36	122.04	162.72	6.00	6.00	5.99
8-6 to 9-0 . . . . (12/1/82)	41.90	83.80	125.70	167.60	6.00	6.01	5.99
9-0 to 9-6 . . . . (6/1/83)	43.16	86.32	129.48	172.64	6.00	5.98	5.98
9-6 to10-0 . . . . (12/1/83)	44.45	88.90	133.35	177.80	6.00	5.98	5.98
10-0 3/ . . . . . (6/1/84)	45.78	91.56	137.34	183.12	6.00 4/	----	----

1/ Month, day, and year on which issues of Dec. 1, 1969, enter each period. For subsequent issue months add the appropriate number of months.
2/ Maturity reached at 4 years 6 months after issue.
3/ Extended maturity reached at 14 years 6 months after issue.
4/ Yield on purchase price from issue date to extended maturity date is 5.71 percent.

* For earlier redemption values and yields see appropriate table in Department Circular 653, 8th Revision, as amended and supplemented.
** This table does not apply if the prevailing rate for Series E bonds being issued at the time the extension begins is different from 6.00 percent.

TABLE 8

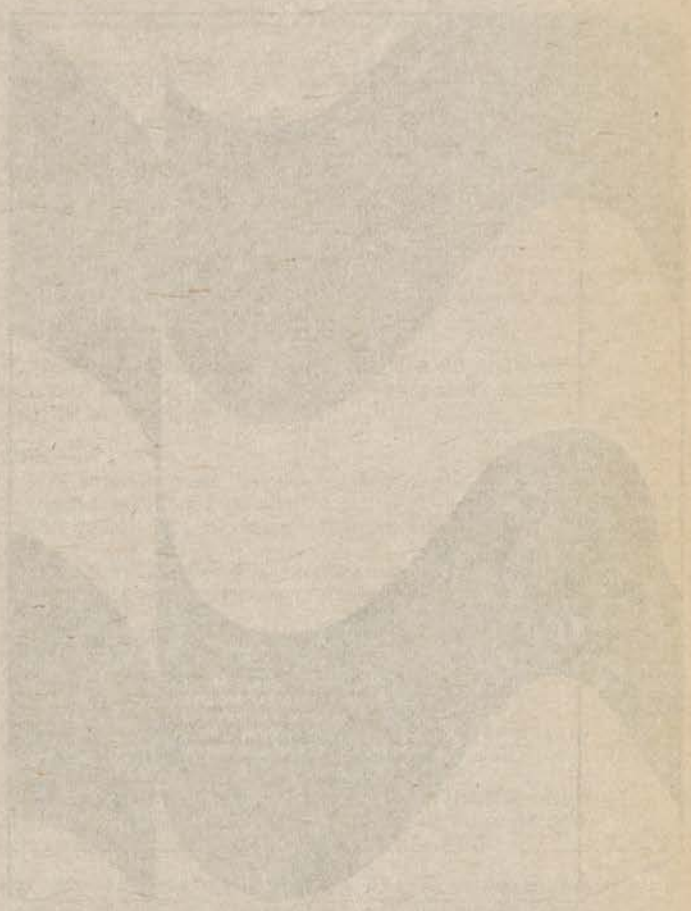
NOTES BEARING ISSUE DATE JUNE 1, 1970

Issue price / Denomination	$20.25 / 25.00	$40.50 / 50.00	$60.75 / 75.00	$81.00 / 100.00	Approximate investment yield (annual percentage rate)		
Period (years and months after issue)	(1) Redemption values during each half-year period (values increase on first day of period)*				(2) From beginning of current maturity period to beginning of each ½-yr. pd.	(3) From beginning of each ½-yr. period to beginning of next ½-yr. pd.	(4) From beginning of each ½-yr. period (a) to maturity
					Percent	Percent	Percent
3-6 to 4-0 . . . 1/(12/1/73)	$23.74	$47.48	$71.22	$ 94.96	4.60	5.73	6.91
4-0 to 4-6 . . . . (6/1/74)	24.42	48.84	73.26	97.68	4.74	8.11	8.11
4-6 2/ . . . . . (12/1/74)	25.41	50.82	76.23	101.64	5.11	----	----
(years and months after maturity date)	EXTENDED MATURITY PERIOD**						(b) to extended maturity
0-0 to 0-6 . . . . (12/1/74)	$25.41	$50.82	$ 76.23	$101.64	----	5.98	6.00
0-6 to 1-0 . . . . (6/1/75)	26.17	52.34	78.51	104.68	5.98	6.04	6.00
1-0 to 1-6 . . . . (12/1/75)	26.96	53.92	80.88	107.84	6.01	6.01	6.00
1-6 to 2-0 . . . . (6/1/76)	27.77	55.54	83.31	111.08	6.01	5.98	6.00
2-0 to 2-6 . . . . (12/1/76)	28.60	57.20	85.80	114.40	6.00	6.01	6.00
2-6 to 3-0 . . . . (6/1/77)	29.46	58.92	88.38	117.84	6.00	5.97	6.00
3-0 to 3-6 . . . . (12/1/77)	30.34	60.68	91.02	121.36	6.00	6.00	6.00
3-6 to 4-0 . . . . (6/1/78)	31.25	62.50	93.75	125.00	6.00	6.02	6.00
4-0 to 4-6 . . . . (12/1/78)	32.19	64.38	96.57	128.76	6.00	5.96	6.00
4-6 to 5-0 . . . . (6/1/79)	33.15	66.30	99.45	132.60	6.00	6.03	6.00
5-0 to 5-6 . . . . (12/1/79)	34.15	68.30	102.45	136.60	6.00	5.97	6.00
5-6 to 6-0 . . . . (6/1/80)	35.17	70.34	105.51	140.68	6.00	6.03	6.00
6-0 to 6-6 . . . . (12/1/80)	36.23	72.46	108.69	144.92	6.00	6.02	6.00
6-6 to 7-0 . . . . (6/1/81)	37.32	74.64	111.96	149.28	6.00	5.95	5.99
7-0 to 7-6 . . . . (12/1/81)	38.43	76.86	115.29	153.72	6.00	6.04	6.00
7-6 to 8-0 . . . . (6/1/82)	39.59	79.18	118.77	158.36	6.00	6.01	5.99
8-0 to 8-6 . . . . (12/1/82)	40.78	81.56	122.34	163.12	6.00	5.98	5.99
8-6 to 9-0 . . . . (6/1/83)	42.00	84.00	126.00	168.00	6.00	6.00	5.99
9-0 to 9-6 . . . . (12/1/83)	43.26	86.52	129.78	173.04	6.00	6.01	5.99
9-6 to10-0 . . . . (6/1/84)	44.56	89.12	133.68	178.24	6.00	5.97	5.97
10-0 3/ . . . . . (12/1/84)	45.89	91.78	137.67	183.56	6.00 4/	----	----

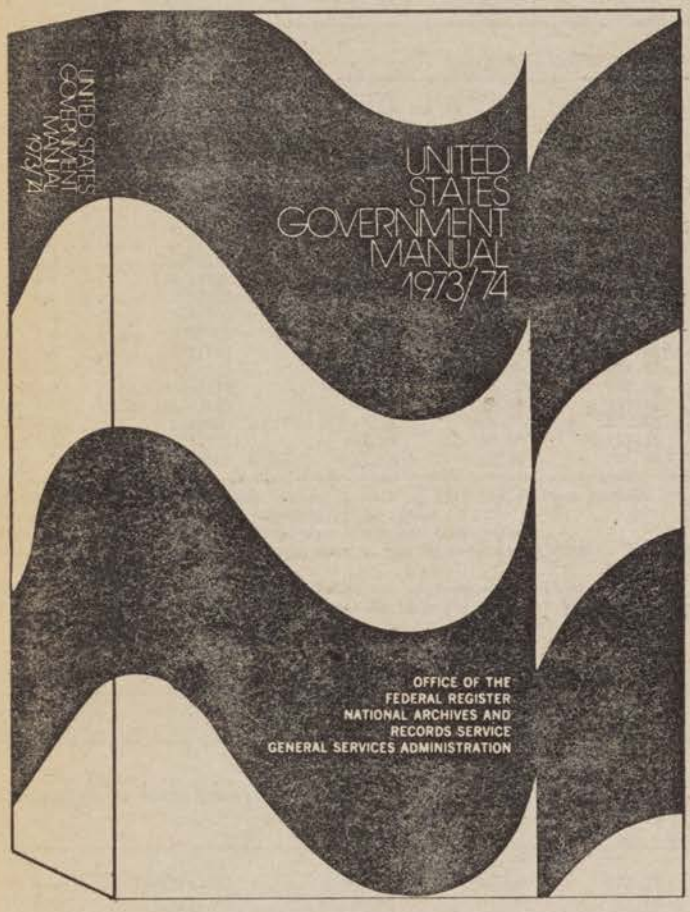
1/ Month, day, and year on which issues of June 1, 1970, enter each period.
2/ Maturity reached at 4 years 6 months after issue.
3/ Extended maturity reached at 14 years 6 months after issue.
4/ Yield on purchase price from issue date to extended maturity date is 5.72 percent.

* For earlier redemption values and yields see appropriate table in Department Circular 653, 8th Revision, as amended and supplemented.
** This table does not apply if the prevailing rate for Series E bonds being issued at the time the extension begins is different from 6.00 percent.

[FR Doc.74-6866 Filed 4-11-74;8:45 am]



"Bureaucrat's Bible" or
"Guerrilla Handbook"?



United States Government Manual

1973/74 Edition

The Manual has been called the "bureaucrat's bible." It has also been called a "guerrilla warfare handbook for citizens tired of jousting with windmills."

As the United States Government Organization Manual, it has been a familiar aid to businessmen, researchers, lawyers, and students seeking current information about the Federal Government. This year, the title has been changed to reflect a broader emphasis on consumer-interest programs, although the agency organization charts are still included.

A fresh, modern format highlights a "Sources of Information" section for most agencies, with addresses and telephone numbers for obtaining information on:

- Employment
- Government contracts
- Environmental programs
- Small business opportunities
- Federal publications
- Speakers and films available to civic and educational groups

$4.95 PER COPY
Paperbound, with charts

MAIL ORDER FORM To:

Superintendent of Documents, Government Printing Office, Washington, D.C. 20402

Enclosed find $..... (check, money order, or Supt. of Documents coupons). Please send me ..... copies of the UNITED STATES GOVERNMENT MANUAL, 1973/74, *at $4.95 per copy. (Catalog No. GS 4.109:973) (Stock No. 2203–00898)*

Please charge this order to my Deposit Account No. .....

Name .....

Street address .....

City and State ..... *ZIP Code* .....

For Use of Supt. Docs.
Enclosed
To be mailed later
Subscription
Refund
Coupon refund
Postage