

# Register

WEDNESDAY, APRIL 24, 1974

WASHINGTON, D.C.

Volume 39 ■ Number 80

Pages 14489-14576



## 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.

<b>EXECUTIVE ORDER</b> —Amending EO 11768, placing certain positions in levels IV and V of the Executive Schedule.....	14497
<b>OIL AND GAS LEASING</b> —Interior Department proposal to improve competition; comments by 7-31-74.....	14511
<b>VETERANS HOME LOANS</b> —VA allows increase in interest rates; effective 4-15-74.....	14505
<b>SLEEPER BERTHS IN TRUCKS</b> —DoT proposes to allow dual occupancy; comments by 6-28-74.....	14517
<b>EMERGENCY LOANS</b> —USDA rules on availability; effective 4-24-74.....	14499
<b>EXPOSURE TO VINYL CHLORIDE</b> —Labor Department to prepare environmental impact statement; comments by 5-17-74.....	14522
<b>NUCLEAR POWER FACILITIES</b> —AEC rules on pre-construction permit activities; effective 4-24-74.....	14506
<b>NATIONAL BANKS</b> —Treasury Department proposes annual disclosure of trust department assets; comments by 6-24-74.....	14510
<b>ORGANIC PEROXIDES</b> —DoT proposal on classification and packaging; comments by 6-24-74.....	14519
<b>BARLEY</b> —USDA proposes marketing standards; comments by 7-24-74.....	14511
<b>NEW ANIMAL DRUGS</b> —FDA approves use of spectinomycin injection for dogs; effective 4-24-74.....	14505
<b>CERTIFICATES OF BENEFICIAL OWNERSHIP</b> —USDA announces current interest rates to investors; effective 4-24-74.....	14505
<b>COTTON TEXTILES</b> —Commerce Department reallocates ex-quota yardage from Columbia.....	14537
<b>NON-BONDED AVIATION FUEL</b> —FEO rules on allocation..	14509
<b>INTERSTATE HIGHWAYS</b> —DoT proposal on construction within incorporated city boundaries; comments by 5-9-74.....	14517

(Continued inside)



# HIGHLIGHTS—Continued

## MEETINGS—

DoD: Army Scientific Advisory Panel, 5-20 and 5-21-74	14524	EPA: Science Advisory Board, Hazardous Materials Advisory Committee, 5-14 and 5-15-74	14542
Board of Visitors, United States Military Academy, 4-24 and 4-25-74	14524	CSC: Federal Employees' Pay Council, 5-1-74	14535
State Department: Advisory Committee on Private International Law; study group on International Sale of Goods, 5-18-74	14524	Commission on the Review of the National Policy towards Gambling (3 documents), 5-8, 5-15 and 5-22-74	14535
DoT: Industry Advisory Committee on Rules of the Road, 6-4-74	14527	Interior Department: Federal Metal and Non-Metal Mine Safety Advisory Committee, 5-15 and 5-16-74	14525
Labor Department: Standards Advisory Committee on Agriculture, 4-30-74	14555	AEC: High Energy Physics Advisory Panel, 5-13 and 5-14-74	14530
National Endowment for the Humanities: Advisory Committee, Educational Panel, 4-25 and 4-26-74	14548	U.S. Nuclear Data Committee, Basic Science Subcommittee, 5-20-74	14530
USDA: Advisory Committee on Hog Cholera Eradication, 5-15-74	14525	U.S. Nuclear Data Committee, Subcommittee on Nuclear Data for Materials Analysis, Safeguards	14531
National Science Foundation: Science Information Council, 5-2-74	14548	Advisory Committee on Reactor Safeguards Subcommittee on Electrical Systems, Control and Instrumentation, 5-8-74	14529
Administrative Council of the United States: Committee on Judicial Review, 4-29-74	14528	CLC: Health Industry Wage and Salary Committee; 4-30-74	14537
HEW: Board of Advisors to the Fund for the Improvement of Postsecondary Education, 5-2 and 5-4-74	14527	NIE: Educational Research Proposal Review Panels, 5-6, 5-7 and 5-8-74	14526

**federal register**

Phone 523-5240

Area Code 202



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.



# Contents

## THE PRESIDENT

### Executive Orders

- Amendment to EO 11768, placing certain positions in levels IV and V of the Executive Schedule ..... 14497

## EXECUTIVE AGENCIES

### ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

#### Notices

- Committee on Judicial Review; meeting ..... 14528

### AGRICULTURAL MARKETING SERVICE

#### Rules and Regulations

- Milk in the Appalachian marketing area ..... 14499

#### Proposed Rules

- Barley; updating of standards ..... 14511  
Irish potatoes grown in southeastern states; expenses and rate of assessment ..... 14516

### AGRICULTURE DEPARTMENT

See Agricultural Marketing Service; Animal and Plant Health Inspection Service; Farmers Home Administration; Forest Service.

### ANIMAL AND PLANT HEALTH INSPECTION SERVICE

#### Notices

- Advisory Committee on Hog Cholera Eradication; meeting ..... 14525

### ARMY DEPARTMENT

#### Notices

- Meetings:  
Army Scientific Panel ..... 14524  
Board of Visitors, United States Military Academy ..... 14524

### ATOMIC ENERGY COMMISSION

#### Rules and Regulations

- Pre-construction permit activities ..... 14506

#### Notices

- Advisory Committee on Reactor Safeguards, Subcommittee on Electrical Systems, Control and Instrumentation; meeting ..... 14529  
Allied-General Nuclear Services; application for facility license ..... 14528  
High Energy Physics Advisory Panel; meeting ..... 14530  
U.S. Nuclear Data Committee; Basic Science Subcommittee; meeting ..... 14530  
U.S. Nuclear Data Committee, Subcommittee for Materials Analysis, Safeguards and Environmental Matters; meeting ..... 14531

### CIVIL AERONAUTICS BOARD

#### Notices

- American Airlines, Inc., et al.; order dismissing complaints ..... 14531  
Bridgeport Service Case; hearing ..... 14533  
Transatlantic, transpacific and Latin American mail rates; order to show cause ..... 14533

### CIVIL SERVICE COMMISSION

#### Notices

- Federal Employees' Pay Council; meeting ..... 14535

### COAST GUARD

#### Rules and Regulations

- Menominee River, Wisc.; draw-bridge operation regulations ..... 14504

#### Notices

- Industry Advisory Committee on Rules of the Road; meeting ..... 14527  
Texasgulf, Inc.; qualification as citizen of U.S. .... 14527

### COMMERCE DEPARTMENT

See Maritime Administration.

### COMMISSION ON THE REVIEW OF THE NATIONAL POLICY TOWARD GAMBLING

#### Notices

- Meetings:  
Department of Justice ..... 14535  
Department of the Treasury and the Internal Revenue Service ..... 14536  
Federal Bureau of Investigation ..... 14536

### COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

#### Notices

- Certain cotton textile products produced or manufactured in Columbia; entry or withdrawal from warehouse for consumption ..... 14537

### COMPTROLLER OF THE CURRENCY

#### Proposed Rules

- Fiduciary powers of national banks and collective investment funds; disclosure of assets held in trust departments ..... 14510

### COST OF LIVING COUNCIL

#### Notices

- Health Industry Wage and Salary Committee; meeting ..... 14537

### DEFENSE DEPARTMENT

See Army Department.

### ENVIRONMENTAL PROTECTION AGENCY

#### Rules and Regulations

- Pesticides; tolerances for 4,6-dinitro-o cresol and its sodium salt; correction ..... 14505

### Proposed Rules

- State implementation plans; compliance schedules for Pennsylvania ..... 14520

#### Notices

- Environmental impact statements; availability of comments and other actions ..... 14539  
Filing of petitions for pesticide chemicals and food additives: Chemago Division of Baychem Corp ..... 14542  
Chevron Chemical Co. .... 14542  
Shell Chemical Co. .... 14542  
Hazardous Materials Advisory Committee; meeting ..... 14542  
Receipt of applications for pesticide registration; data to be considered (2 documents) ..... 14537

### FARMERS HOME ADMINISTRATION

#### Rules and Regulations

- Emergency loans; designation of disaster areas and making of loans ..... 14499  
New abbreviation established; "FmHA" replaces "FHA" ..... 14499

#### Notices

- Certificates of beneficial ownership; interest rates to investors ..... 14526

### FEDERAL AVIATION ADMINISTRATION

#### Rules and Regulations

- Designation of Federal airways, area low routes, controlled airspace, and reporting units; special use airspace; correction (2 documents) ..... 14502  
Standard instrument approach procedures; changes and additions ..... 14502

#### Notices

- Procedures for handling airspace matters; proposed change to FAA handbook ..... 14528

### FEDERAL COMMUNICATIONS COMMISSION

#### Rules and Regulations

- FM broadcast stations; table of assignments ..... 14505

### FEDERAL CROP INSURANCE CORPORATION

#### Notices

- Tobacco; extension of application filing period ..... 14543

### FEDERAL ENERGY OFFICE

#### Rules and Regulations

- Allocation of non-bonded aviation fuel ..... 14509

### FEDERAL HIGHWAY ADMINISTRATION

#### Proposed Rules

- Interstate highway system; construction of segments entirely within the boundaries of incorporated cities ..... 14517  
Motor carrier sleeper berths; dual occupancy ..... 14517

(Continued on next page)

14491



**FEDERAL HOME LOAN BANK BOARD**

Rules and Regulations	
Liquidity; rescission of amendment	14502

**FEDERAL MARITIME COMMISSION**

Notices	
Agreements filed	14543
Galveston Wharves, et al.	14543
Kawasaki Kisen Kaisha, Ltd.	14543

**FEDERAL POWER COMMISSION**

Notices	
Hearings, etc.:	
Boston Edison Co.	14543
California; Project No. 152	14543
Carolina Power and Light Co.	14544
Getty Oil Co.	14545
Gulf States Utilities Co.	14545
Iowa-Illinois Gas and Electric Co.	14545
Lone Star Gas Co.	14546
Nevada Power Co.	14546
Northern Natural Gas Co.	14546
Palm Petroleum Corp.	14547
Panhandle Eastern Pipe Line Co.	14547
Pennsylvania-New Jersey-Maryland Interconnection	14547
Texas Eastern Transmission Corp.	14547
United Gas Pipe Line Co. (2 documents)	14547
Virginia Electric Power Co.	14548

**FEDERAL RAILROAD ADMINISTRATION**

Rules and Regulations	
Box and other house cars; safety appliance standards	14506

**FEDERAL REGISTER OFFICE**

Notices	
Standardization of indexing terms; request for participation	14548

**FOOD AND DRUG ADMINISTRATION**

Rules and Regulations	
Spectinomycin injection veterinary; approved for treatment of dogs	14504
Notices	
Allied Chemical Corp.; withdrawal of petition for food additive	14526

**FOREST SERVICE**

Notices	
Timber Management Plan; Gifford Pinchot National Forest, Washington; environmental statement	14526

**HAZARDOUS MATERIALS REGULATIONS BOARD**

Proposed Rules	
Organic peroxides; classification and packaging	14519

**HEALTH, EDUCATION, AND WELFARE DEPARTMENT**

See also Food and Drug Administration; National Institute of Education; Social Security Administration.	
Notices	
Board of Advisors to the Fund for the Improvement of Postsecondary Education; meeting	14527

**INTERIOR DEPARTMENT**

See also Land Management Bureau; National Park Service.	
Notices	
Federal Metal and Nonmetal Mine Safety Advisory Committee; meeting	14525

**INTERSTATE COMMERCE COMMISSION**

Notices	
Assignment of hearings	14556
Filing of motor carrier intrastate applications	14556
Motor carrier alternate route deviation notices	14556
Motor carrier applications and certain other proceedings	14557
Motor carrier temporary authority applications (2 documents)	14561
National Classification Committee; receipt of application	14572
Petition to amend uniform system of accounts; tank truck carriers	14572

**LABOR DEPARTMENT**

See Occupational Safety and Health Administration; Wage and Hour Division.	
--	--

**LAND MANAGEMENT BUREAU**

Proposed Rules	
Outer Continental Shelf lands; increase in number of bidders on individual tracts	14511

**Notices**

Chief, Branch of Cadastral Survey, Wyoming State Office; re-delegation of authority	14524
---	-------

**MANAGEMENT AND BUDGET OFFICE**

Notices	
Clearance of reports; list of requests	14549

**MARITIME ADMINISTRATION**

Notices	
Construction of tankers of about 40,000 DWT; recomputation of foreign cost	14526

**NATIONAL AERONAUTICS AND SPACE ADMINISTRATION**

Rules and Regulations	
Board of Contract Appeals; revision of authority, duties and membership	14503

**NATIONAL ENDOWMENT FOR THE HUMANITIES**

Notices	
Education Panel; meeting	14548

**NATIONAL INSTITUTE OF EDUCATION**

Notices	
Research grants proposals review panels, meetings	14526

**NATIONAL PARK SERVICE**

Notices	
Mammoth Cave National Park, Kentucky; hearing	14524

**NATIONAL SCIENCE FOUNDATION**

Notices	
Science Information council; meeting	14548

**OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION**

Proposed Rules	
Occupational exposure to vinyl chloride; intent to prepare environmental impact statement	14522

**Notices**

Applications for variance and granting of interim orders:	
Association of Oil Well Servicing Contractors	14551
Quaker Oats Co.	14556
Standards Advisory Committee on Agriculture; meeting	14555
Western Electric Co., Inc.; record-keeping exception	14555

**RENEGOTIATION BOARD**

Notices	
Contracts for transportation by water; extension of time for filing financial statements	14549

**SECURITIES AND EXCHANGE COMMISSION**

Notices	
Beneficial Labs Inc.; temporary suspension of exemption	14549
Suspension of trading:	
BBI, Inc.	14549
Royal Properties Inc.	14550
U.S. Financial Inc.	14550
Winner Industries, Inc.	14550

**SMALL BUSINESS ADMINISTRATION**

Notices	
Disaster relief loan availability:	
Illinois	14550
Michigan	14550
North Carolina	14550
West Virginia	14551
Opportunity Capital Corp.; application for approval	14551

**SOCIAL SECURITY ADMINISTRATION**

Notices	
Deputy Commissioner, et al.; delegations of authority	14527

**STATE DEPARTMENT**

Notices	
Secretary of State's Advisory Committee on Private International Law; Study Group on International Sale of Goods; meeting	14524

**TRANSPORTATION DEPARTMENT**

See Coast Guard; Federal Aviation Administration; Federal Highway Administration; Federal Railroad Administration; Hazardous Materials Regulations Board.	
---	--

**TREASURY DEPARTMENT**

See Comptroller of Currency.	
VETERANS ADMINISTRATION	
Rules and Regulations	
Interest rate increase on new loans	14505

**WAGE AND HOUR DIVISION**

Proposed Rules	
Puerto Rico, the Virgin Islands and American Samoa; wage order procedures	14522



# 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.

<b>3 CFR</b>	<b>14 CFR</b>	<b>38 CFR</b>
EXECUTIVE ORDERS:	71..... 14502	36..... 14505
11768 (amended by EO 11780)..... 14497	73 (2 documents)..... 14502	<b>40 CFR</b>
11780..... 14497	97..... 14502	180..... 14505
<b>7 CFR</b>	1209..... 14503	PROPOSED RULES:
Ch. XVIII..... 14499	<b>21 CFR</b>	52..... 14520
1011..... 14499	135b..... 14504	<b>43 CFR</b>
1832..... 14499	<b>23 CFR</b>	PROPOSED RULES:
PROPOSED RULES:	3300..... 14511	<b>47 CFR</b>
28..... 14512	PROPOSED RULES:	73..... 14505
953..... 14516	476..... 14517	<b>49 CFR</b>
<b>10 CFR</b>	<b>29 CFR</b>	231..... 14506
2..... 14506	PROPOSED RULES:	PROPOSED RULES:
50..... 14506	511..... 14522	172..... 14519
Rulings..... 14509	1999..... 14522	173..... 14519
<b>12 CFR</b>	<b>33 CFR</b>	395..... 14517
523..... 14502	117..... 14504	
PROPOSED RULES:		
9..... 14510		



# 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

NOTE: There were no items published after October 1, 1972, that were eligible.

page no.  
and date

## Next Week's Hearings

### APRIL 29

DoT/FAA—Two-way radio communications failure during IFR operations.

7431; 2-26-74

HEW/FDA—Revocation of erythromycin ethylcarbonate monographs.

7801; 2-28-74

HEW/FDA—Canned green and waxed beans; standards of identity, quality, and fill of container.

3560; 1-28-74; 9992; 3-15-74

CAB—Charter trips by foreign air carriers; terms, conditions, and limitations.

10599; 3-21-74

### APRIL 30

FPC—Arkansas Power and Light Co.; extension of time and postponement of prehearing conference and hearing.

2400; 1-21-74

AEC—Pacific Gas and Electric Co.; energy conservation to be held in San Luis Obispo, California.

12377; 4-5-74

EPA—Pennsylvania; air quality implementation plan; to be held in Philadelphia, Pa.

10917; 3-22-74

## Next Week's Deadline for filing Comments on Proposed Rules

### APRIL 29

Agriculture/APHIS—Importation and inspection of containers for certain animals, poultry and products; requirements for use of import quarantine facilities.

11295; 3-27-74

EPA—Electroplating point source category ferrous and nonferrous materials subcategory.

11515; 3-28-74

Justice/DEA—Etorphine Hydrochloride and diprenorphine, controls.

11555; 3-29-74

DoT/FAA—RNAV Route; proposed alteration.

11561; 3-29-74

12769; 4-8-74

### APRIL 30

Commerce Department/NOAA—Marine mammals; incidental taking in the course of commercial fishing operations.

12356; 4-5-74

DoT/Coast Guard—Bulk dangerous cargoes; inspection of barges.

9455; 3-11-74

DoT/Federal Railroad Administration—Locomotive safety equipment; extension of comment period.

10267; 3-19-74

FHLBB—Federal Savings and Loan Insurance Corp., proposed amendments relating to employment control.

11201; 3-26-74

FHLBB—Federal Savings and Loan Insurance Corporation, proposed amendments relating to employment contracts.

11201; 3-26-74

FHLBB—Federal Savings and Loan Insurance Corporation, loans in excess of 90 percent of value.

11310; 3-27-74

Federal Deposit Insurance Corporation—Public issuance of bank securities; offering circular requirements.

7434; 2-26-74; 10278; 3-19-74

ICC—Equity Method of accounting for certain long-term investments in common stocks.

12876; 4-9-74

SEC—Proposal to permit affiliated persons of registered investment companies to enter into service agreements.

8935; 3-7-74

## Next Week's Meeting

### APRIL 28

DoD—Air Force Department: Air Force Academy Board of Visitors to be held at Colorado Springs, Colorado (closed).

11610; 3-29-74

HEW—NIH: Biochemistry Study Section to be held at Bethesda, Maryland (closed).

11127; 3-25-74

—Neurological Disorders Program—Project Review A Committee to be held at San Francisco, California (closed).

10643; 3-21-74

—Neurological Disorders Program—Project Review B Committee to be held at San Francisco, California (closed).

10643; 3-21-74

—Physiology Study Section to be held at Bethesda, Maryland (closed).

11128; 3-25-74

SBA—National Advisory Council to be held at Colorado Springs, Colorado.

13606; 4-15-74

### APRIL 29

HEW—FDA: Panel on Review of Cardiovascular Devices to be held at Washington, D.C. (open).

13296; 4-12-74

—NIH: Cancer Treatment Advisory Committee to be held at Bethesda, Maryland (open).

10462; 3-20-74

Lung Cancer Segment Advisory Group to be held at Bethesda, Maryland (open with restrictions).

10642; 3-21-74

Reproductive Biology Study Section to be held at Bethesda, Maryland (closed).

11128; 3-25-74

Therapeutic Evaluations Committee to be held at Bethesda, Maryland (open with restrictions).

10643; 3-21-74

Interior Department—Bonneville Power Administration: Draft Supplement to the Fiscal Year 1975 Program Statement Meeting to be held at Port Angeles, Washington (open).

11315; 3-27-74

—Bonneville Power Administration: Draft Supplements to the Fiscal Year 1975 Program Statement to be held at Stevenson, Washington (open).

10633; 3-21-74

SBA—National Advisory Council to be held at Colorado Springs, Colorado.

13606; 4-15-74

State Department—AID: Advisory Committee on Voluntary Foreign Aid to be held at Rosslyn, Virginia (open).

13901; 4-18-74

VA—Surgery Merit Review Board to be held at Washington, D.C. (open with restrictions).

12803; 4-8-74

### APRIL 30

Commerce Department—Semiconductor Technical Advisory Committee to be held at Washington, D.C. (open with restrictions).

13187; 4-11-74

Council of Economic Advisers—Advisory Committee on the Economic Role of Women to be held at Washington, D.C. (open).

13805; 4-17-74

DoD—Air Force Department: Military Airlift Committee of the National Defense Transportation Association to be held at Scott Air Force Base, Illinois (open with restrictions).

13789; 4-17-74

DoD—Defense Advisory Group on Electron Devices, Working Group on Lasers to be held at New York, New York (closed).

13289; 4-12-74

Department of Defense Wage Committee to be held at Washington, D.C. (closed).

10919; 3-22-74

Working Group on Passive Devices to be held at New York, New York (closed).

11611; 3-29-74

FEO—Wholesale Petroleum Advisory Group to be held at Washington, D.C. (open with restrictions).

13586; 4-15-74

HEW—General Research Support Program Advisory Committee to be held at Bethesda, Maryland (open).

12271; 4-4-74

HEW—NIH: Cancer Treatment Advisory Committee to be held at Bethesda, Maryland (open).

10462; 3-20-74

Vision Research Program Committee to be held at Sarasota, Florida (open with restrictions).

12271; 4-4-74

NIH: Heart and Lung Program—Project Committee to be held at Bethesda, Maryland (open with restrictions).

10463; 3-20-74

Hematology Study Section (closed).

12270; 4-4-74



Molecular Biology Study Section to be held at Bethesda, Maryland (open with restrictions)..... 12270; 4-4-74

Neurology B Study Section to be held at Silver Spring, Maryland (closed)..... 12270; 4-4-74

Radiation Study Section (open with restrictions)..... 12270; 4-4-74

Interior Department—Bonneville Power Administration: Draft Supplements to the Fiscal Year 1975 Program Statement to be held at Richland, Washington (open)..... 11934; 4-1-74

Interior Department—Coos Bay District Advisory Board to be held at Coos Bay, Oregon (open with restrictions)..... 12264; 4-4-74

Lakeview District Advisory Board to be held at Lakeview, Oregon (open)..... 12265; 4-4-74

State Department—AID: Agency for International Development: Advisory Committee on Voluntary Foreign Aid to be held at Rosslyn, Virginia (open)..... 13901; 4-18-74

U.S. Advisory Commission on International Educational and Cultural Affairs..... 13011; 4-10-74

Treasury Department—Comptroller of the Currency's Regional Advisory Committee on Banking Policies and Practices of the Sixth National Bank Region to be held at Palm Beach, Florida (closed)..... 13289; 4-12-74

Comptroller of the Currency's Regional Advisory Committee on Banking Policies and Practices of the Fourteenth National Bank Region to be held at Rancho Santa Fe, California (closed)..... 13289; 4-12-74

Treasury Department—Debt Management Advisory Committees to be held at Washington, D.C. (closed)..... 12272; 4-8-74

Transportation Department—National Highway Traffic Safety Administration: National Highway Safety Advisory Committee, Executive Subcommittee to be held at Washington, D.C. (open)..... 13301; 4-12-74

VA—Cardiovascular Studies Merit Review Board to be held at Washington, D.C. (open with restrictions)..... 12803; 4-8-74

Endocrinology Merit Review Board to be held at Essington, Pennsylvania (open with restrictions)..... 12803; 4-8-74

VA—Nephrology Merit Review Board to be held at Washington, D.C. (open with restrictions)..... 12803; 4-8-74

**MAY 1**

Advisory Council on Historic Preservation—to be held at Washington, D.C. (open with restrictions)..... 13802; 4-17-74

AEC—Advisory Committee on Reactor Safeguards Subcommittee on Atlantic Generating Station (AGS) and Floating Nuclear Plant (FNP) to be held at Washington, D.C. (open with restrictions)..... 13706; 4-16-74

General Advisory Committee to be held at Washington, D.C. (open with restrictions)..... 13305; 4-12-74

DoD—Army Corps of Engineers: Advisory Committee for National Dredging Study to be held at Portland, Oregon (open with restrictions)..... 13901; 4-18-74

DDR&E High Energy Laser Review Group (closed)..... 13790; 4-17-74

Defense Advisory Group on Electron Devices, Working Group on Lasers to be held at New York, New York (closed)..... 13289; 4-12-74

HEW—Biomedical Library Review Committee to be held at Bethesda, Maryland (open with restrictions)..... 12270; 4-4-74

General Research Support Program Advisory Committee to be held at Bethesda, Maryland (open)..... 12271; 4-4-74

NIH: National Heart and Lung Institute Epidemiology and Biometry Advisory Committee to be held at Bethesda, Maryland (open with restrictions)..... 13909; 4-18-74

State Department—Study Group 1 of the U.S. National Committee for the International Telegraph and Telephone Consultative Committee (CCITT) to be held at Washington, D.C. (open with restrictions)..... 12363; 4-5-74

Treasury Department—Debt Management Advisory Committees to be held at Washington, D.C. (closed)..... 12272; 4-8-74

VA—Neurobiology Merit Review Board to be held at Washington, D.C. (open with restrictions)..... 12803; 4-8-74

**MAY 2**

Advisory Council on Historic Preservation to be held at Washington, D.C. (open with restrictions)..... 13802; 4-17-74

AEC—General Advisory Committee to be held at Washington, D.C. (open with restrictions)..... 13305; 4-12-74

DoD—Air Force Department: Military Airlift Committee of the National Defense Transportation Association to be held at Scott Air Force Base, Illinois (open with restrictions)..... 13789; 4-17-74

Army Corps of Engineers: Advisory Committee for National Dredging Study to be held at Portland, Oregon (open with restrictions)..... 13901; 4-18-74

DDR&E High Energy Laser Review Group (closed)..... 13790; 4-17-74

U.S. Army Ballistic Research Laboratories Scientific Advisory Committee to be held at Building 328, Aberdeen Proving Ground, Maryland (open)..... 10166; 3-18-74

HEW—Biomedical Library Review Committee to be held at Bethesda, Maryland (closed)..... 12270; 4-4-74

General Research Support Program Advisory Committee to be held at Bethesda, Maryland (closed)..... 12271; 4-4-74

NIH: Hematology Study Section (open with restrictions)..... 12270; 4-4-74

Neurology B Study Section to be held at Silver Spring, Maryland (open with restrictions)..... 12270; 4-4-74

Labor Department—Pacific Northwest Regional Manpower Advisory Committee to be held at Seattle, Washington (open)..... 13217; 4-11-74

**MAY 3**

AEC—General Advisory Committee to be held at Washington, D.C. (open with restrictions)..... 13305; 4-12-74

Advisory Committee on Reactor Safeguards Subcommittee on Grand Gulf Nuclear Station, Units 1 and 2 to be held at Washington, D.C. (open with restrictions)..... 13707; 4-16-74

Agriculture Department—Forest Service: Santa Fe National Forest Livestock Advisory Board to be held at Santa Fe, New Mexico (open)..... 12908; 4-9-74

Commerce Department—Social and Economic Statistics Administration: Census Advisory Committee on State and Local Governments Statistics to be held at Suitland, Maryland (open with restrictions)..... 13908; 4-18-74

**MAY 4**

AEC—Advisory Committee on Reactor Safeguards Subcommittee on Grand Gulf Nuclear Station, Units 1 and 2 to be held at Washington, D.C. (open with restrictions)..... 13707; 4-16-74

HEW—NIH: Heart and Lung Program—Project Committee to be held at Bethesda, Maryland (closed)..... 10463; 3-20-74

Molecular Biology Study Section to be held at Bethesda, Maryland (closed)..... 12270; 4-4-74

VA—Gastroenterology Merit Review Board to be held at Essington, Pennsylvania (open with restrictions)..... 12803; 4-8-74

**Weekly List of Public Laws**

This is a listing of public bills enacted by Congress and approved by the President, together with the law number, the date of approval, and the U.S. Statutes citation. Subsequent lists will appear every Wednesday in the FEDERAL REGISTER and copies of the laws may be obtained from the U.S. Government Printing Office.

H.R. 6186..... Pub. Law 93-268

District of Columbia, insurance company dividends, taxability (April 17, 1974; 88 Stat. 85)



- |   |   |   |
|---|---|---|
| <p>H.R. 12253..... Pub. Law 93-269<br/>Office of Education, program funds for<br/>fiscal year 1974 remain available for<br/>succeeding fiscal year, provision<br/>(April 18, 1974; 88 Stat. 87)</p> <p>H.R. 12341..... Pub. Law 93-264<br/>State Department, sale of property to<br/>Wake Forest University<br/>(April 12, 1974; 88 Stat. 84)</p> | <p>H.R. 12465..... Pub. Law 93-263<br/>Foreign Service Buildings Act, 1926,<br/>amendments<br/>(April 12, 1974; 88 Stat. 83)</p> <p>S. 969..... Pub. Law 93-265<br/>Indians, Constitutional rights, publica-<br/>tion of materials<br/>(April 12, 1974; 88 Stat. 84)</p> <p>S. 1341..... Pub. Law 93-262<br/>Indian Financing Act of 1974<br/>(April 12, 1974; 88 Stat. 77)</p> | <p>S. 1836..... Pub. Law 93-266<br/>American Hospital of Paris, Board of<br/>Governors, membership<br/>(April 12, 1974; 88 Stat. 85)</p> <p>S. 2441..... Pub. Law 93-267<br/>To amend the act of February 24, 1925,<br/>incorporating the American War<br/>Mothers, to permit certain stepmothers<br/>and adoptive mothers to be members<br/>of that organization<br/>(April 12, 1974; 88 Stat. 85)</p> |
|---|---|---|



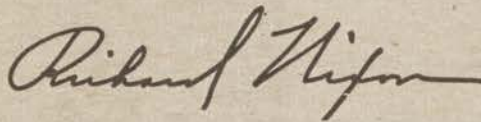
# Presidential Documents

## Title 3—The President

### EXECUTIVE ORDER 11780

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

By virtue of the authority vested in me by section 5317 of title 5 of the United States Code, as amended, section 2 of Executive Order No. 11768, of February 20, 1974, placing certain positions in level V of the Executive Schedule, is amended by adding at the end thereof "(10) Principal Deputy Assistant Secretary (International Security Affairs), Department of Defense."



THE WHITE HOUSE,  
April 22, 1974.

[FR Doc. 74-9477 Filed 4-22-74; 12:21 pm]



# President's Documents

THE PRESIDENT'S DOCUMENTS

OF THE UNITED STATES OF AMERICA

FOR THE YEAR 1892

BY THE PRESIDENT OF THE UNITED STATES

OF AMERICA

AND THE SECRETARY OF THE WAR

OF THE UNITED STATES OF AMERICA

FOR THE YEAR 1892

BY THE PRESIDENT OF THE UNITED STATES

OF AMERICA

AND THE SECRETARY OF THE WAR

OF THE UNITED STATES OF AMERICA

FOR THE YEAR 1892

BY THE PRESIDENT OF THE UNITED STATES

OF AMERICA

AND THE SECRETARY OF THE WAR

OF THE UNITED STATES OF AMERICA

FOR THE YEAR 1892

BY THE PRESIDENT OF THE UNITED STATES

OF AMERICA

AND THE SECRETARY OF THE WAR

OF THE UNITED STATES OF AMERICA

FOR THE YEAR 1892

BY THE PRESIDENT OF THE UNITED STATES

OF AMERICA

AND THE SECRETARY OF THE WAR

OF THE UNITED STATES OF AMERICA

FOR THE YEAR 1892

BY THE PRESIDENT OF THE UNITED STATES

OF AMERICA

AND THE SECRETARY OF THE WAR

OF THE UNITED STATES OF AMERICA

FOR THE YEAR 1892

BY THE PRESIDENT OF THE UNITED STATES

OF AMERICA



# 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

### CHAPTER X—AGRICULTURAL MARKETING SERVICE (MARKETING AGREEMENTS AND ORDERS; MILK), DEPARTMENT OF AGRICULTURE

[Docket No. A0-251-A16; Milk Order No. 11]

#### PART 1011—MILK IN THE APPALACHIAN MARKETING AREA Order Amending Order

**Findings and Determinations.** The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of the said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) **Findings upon the basis of the hearing record.** 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), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Appalachian marketing area.

Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of Act;

(2) The parity prices of milk as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) **Additional findings.** It is necessary in the public interest to make this order amending the order effective not later than May 1, 1974. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the marketing area.

The provisions of this order are known to handlers. The recommended decision of the Deputy Administrator, Regulatory Programs, was issued March 20, 1974, and the decision of the Assistant Secretary containing all amendment provisions of this order was issued April 12, 1974. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective May 1, 1974, and that it would be contrary to the public interest to delay the effective date of this amendment for 30 days after its publication in the FEDERAL REGISTER. (Sec. 553(d), Administrative Procedure Act, 5 U.S.C. 551-559)

(c) **Determinations.** It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in sec. 8c (9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as hereby amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who participated in a referendum and who during the determined representative period were engaged in the production of milk for sale in the marketing area.

#### ORDER RELATIVE TO HANDLING

It is therefore ordered, That on and after the effective date hereof, the handling of milk in the Appalachian marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, as follows:

In § 1011.51, paragraph (b) is revised as follows:

#### § 1011.51 Class prices.

(b) **Class II milk price.** The Class II milk price shall be the basic formula price for the month.

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

Effective date: May 1, 1974.

Signed at Washington, D.C., on: April 19, 1974.

J. PHIL CAMPBELL,  
Acting Secretary.

[FR Doc. 74-9367 Filed 4-23-74; 8:45 am]

### CHAPTER XVIII—FARMERS HOME ADMINISTRATION, DEPARTMENT OF AGRICULTURE

#### EDITORIAL CHANGE

There is hereby established a new abbreviation for the Farmers Home Administration. Effective immediately, in all internal and external matters involving an abbreviation, "FmHA" will be used replacing "FHA". Until all references are revised, FHA will be construed to mean FmHA.

Dated: April 18, 1974.

FRANK W. NAYLOR,  
Acting Administrator,  
Farmers Home Administration.

[FR Doc. 74-9308 Filed 4-23-74; 8:45 am]

#### SUBCHAPTER C—LOANS PRIMARILY FOR PRODUCTION PURPOSES

[FHA Instruction 441.2]

#### PART 1832—EMERGENCY LOANS

##### Subpart A—Emergency Loan Policies and Authorizations

#### DESIGNATION OF DISASTER AREAS AND MAKING OF EMERGENCY LOANS

Sections 1832.1 and 1832.3 of Chapter XVIII of Title 7 of the Code of Federal Regulations (37 FR 7293; 38 FR 20243) are revised. Section 1832.1(a) (4) and (5) are revised to correct the reference to the Office of Emergency Preparedness (OEP) which is now the Federal Disaster Assistance Administration (FDAA); § 1832.1(a) (6) is revised to reflect a change in the "qualifying disaster." Section 1832.3 is revised to change the procedure for designation by the Secretary of Agriculture of disaster areas as provided under Pub. L. 93-237; to remove the authority to make subsequent Emergency loans; and to clarify the procedure in making other Emergency loans available.



In accordance with (5 U.S.C. 553), this revision is being published without notice of proposed rulemaking since it incorporates and implements the provisions of Pub. L. 93-237 and because a delay in implementing the provisions of the Pub. L. by this regulation would be contrary to the public interest.

**Effective date.** This revision is effective on April 24, 1974.

As revised, §§ 1832.1 and 1832.3 read as follows:

#### § 1832.1 General.

##### (a) As used in this subpart:

(4) "Designated counties" means counties in which EM loans may be made under designations by the Federal Disaster Assistance Administration (FDAA) pursuant to a Presidential declaration of a major disaster and by the Secretary of Agriculture based on damage caused by a natural disaster.

(5) "Nondesignated counties" means counties in which the State Director authorizes County Supervisors to receive applications for EM loans, based on natural disasters determined by him, without designations by FDAA or the Secretary.

(6) "Qualifying disaster" means the major disaster or the natural disaster for which EM loans were made available.

#### § 1832.3 Making EM loans available.

EM loans will be made available in counties named by Federal Disaster Assistance Administration (FDAA) as eligible for Federal assistance under a major disaster declaration by the President; in counties designated by the Secretary; and in counties authorized by State Directors for isolated production loss loans. On becoming aware of the occurrence of a natural disaster, the County Supervisor in whose area the disaster has occurred will gather all available information and immediately notify the county governing body, or its authorized representative, and the Farmers Home Administration (FHA) State Director by phone, followed by a written report on Form FHA 441-27, "Report of Natural Disaster." The procedure for reporting natural disasters is covered in paragraph (d) of this section.

(a) **Designation by the President.** Designation by the Secretary is not necessary for making EM loans available in counties determined by FDAA to be eligible for Federal assistance under a major disaster declared by the President. Therefore, when there is a Presidential major disaster declaration, the National Office will notify the State Director and the Director of the Finance Office. The notification will specify the names of the counties determined by FDAA to be eligible for Federal assistance; the termination dates for receiving EM applications; the Major Disaster Designation Number; the date loan activity reporting will commence; and the incidence period for the disaster. Each Senator and Congressman repre-

senting the area involved and the appropriate U.S. Department of Agriculture (USDA) Regional Representative on the Federal Regional Council will be notified simultaneously of the designations and dates of termination.

(1) The State Director will notify the appropriate County Supervisors immediately and instruct them to make EM loans available. Notification will be confirmed as soon as possible by a State regulation or a revision thereof. The State Director will also notify the State USDA Emergency Board Chairman in writing and will make such public announcements as appear to be appropriate.

(2) Immediately upon receiving notice about counties under his jurisdiction, the County Supervisor will notify the county governing body, or its authorized representative, the appropriate County USDA Emergency Board Chairman, and make such public announcements as appear to be appropriate. Also, the County Supervisor will explain the assistance available under this program to other agricultural lenders and leaders in the area.

##### (b) Designation by the Secretary.

(1) The Secretary of Agriculture may designate a county as an EM loan area when:

(i) Unusual and adverse weather conditions have resulted in severe production losses and/or damage or losses to livestock, farm machinery, farmland, or buildings.

(ii) There exists in the county a general need for agricultural credit due to the natural disaster and there are more than 25 farmers who have had losses resulting from such disaster.

(iii) A formal written request of the county governing body, or its authorized representative, has been transmitted through the Governor of the state with his endorsement to the Secretary.

(iv) Recommended to the Secretary by his Emergency Review Committee.

(2) Designations may be based on damages caused by hurricanes, tornadoes, excessive rainfall and floods, earthquakes, blizzards, freezes, electrical storms, snowstorms, drought, excessively high temperatures, and hail; insects where abnormal weather contributed substantially to the spreading and flourishing of such insects; fires resulting from lightning, and fires of other origins which could not be controlled because of abnormal weather; and plant and animal diseases where abnormal weather contributed substantially to such diseases spreading into epidemic stages.

(3) The County Supervisor will report immediately the occurrence of a natural disaster to the State Director and to the county governing body, or its authorized representative, in accordance with paragraph (d) of this section. When the County Supervisor can obtain complete information on the actual damage and losses caused by the natural disaster he will report this information to the county governing body, or its authorized representative, using Form FHA 441-28, "Report of Natural Disaster for Consid-

eration in Designating Emergency Loan Area." Form FHA 441-28 will be based on information obtained from his personal knowledge and from farmers, agricultural and community leaders, representatives of other agricultural agencies, agricultural lenders, and from any other reliable source. When letters or copies of reports are received from the sources contacted, they also will be submitted with Form FHA 441-28. Form FHA 441-28 will be prepared in accordance with prescribed guidelines available in all FHA offices. The original and one copy will be sent to the county governing body or its authorized representative. One copy of each will be sent to the State Director and the Chairman of the County USDA Emergency Board.

(4) The State Director will evaluate each Form FHA 441-28 received from the County Supervisor to determine if the information provided is adequate, justifies the County Supervisor's analysis of the situation, and has been prepared in accordance with the guidelines for Form FHA 441-28. Any Form FHA 441-28 which is inadequate or not prepared in accordance with these guidelines will be returned by the State Director to the County Supervisor for revision of completion as necessary.

(5) The County Supervisor will advise the State Director when a formal written request for designation of the county as an EM loan area has been made by the county governing body, or its authorized representative, and sent to the Governor of the state. The County Supervisor will send the State Director a copy of the formal request, and also advise the Chairman of the County USDA Emergency Board that the request has been made.

(6) The State Director will enter his comments on Form FHA 441-28. His comments should indicate his views on the entire situation as it relates to need of loans and credit as a direct result of the natural disaster. If he has additional supporting information not submitted by the County Supervisor, he should present this information briefly. The State Director will not enter his comments on a Form FHA 441-28 which does not contain justifying information or which has not been prepared in accordance with the guidelines for Form FHA 441-28. After the State Director has entered his comments on Form FHA 441-28, he will send a copy of the form with any attachments thereto, and a copy of the formal written request from the county governing body, or its authorized representative, to the National Office and the USDA Regional Representative. Also, a copy of the Governor's letter to the Secretary should be attached when available. He will send this information even though he does not concur in the request from the county governing body or its authorized representative.

(7) The National Office will review each Form FHA 441-28 received from the State Director. If the information provided is not completed in accordance with the guidelines for preparation of Form FHA 441-28, it will be returned to the State Director.



(8) The National Office will advise the State Director when the Governor of the state has requested the Secretary for a designation of an EM loan area.

(9) When a county is designated by the Secretary, the National Office will notify the State Director and the Director of the Finance Office. The notification will specify the county designated; the termination dates for receiving EM loan application; the Secretarial Disaster Designation Number; the date loan activity reporting will commence; and the incidence period for the disaster. The Governor, each Senator and Congressman representing the area involved, and the USDA Regional Representative will be notified simultaneously of the designations and dates of termination.

(i) The State Director will immediately notify the appropriate County Supervisors. This notification will be confirmed as soon as possible by a State regulation or a revision thereof. The State Director will also notify in writing the State USDA Emergency Board Chairman and the county governing body, or its authorized representative, who will make such public announcements as appear to be appropriate.

(ii) Immediately upon receiving notice of the designation of the county or counties under his jurisdiction, the County Supervisor will notify the appropriate County USDA Emergency Board Chairman and also explain the assistance available under the EM loan program to other agricultural lenders and leaders in the area.

(10) A need for EM loans resulting from a subsequent natural disaster which occurs in any area presently designated for EM loans cannot be met under that designation. The area must be redesignated in accordance with provisions of paragraphs (a), (b), or (c) of this section.

(c) *Isolated production losses.* If the State Director finds in any county that the requirements of paragraph (b) (1) and (b) (2) of this section are met, and that 25 or less farmers have had severe production losses resulting from the disaster, EM loans may be authorized by the State Director. The authority to make EM loans available by the State Director will only be exercised after the county governing body, or its authorized representative, has made a formal written request for such action to the State Director and he has given prior notice to the National Office by telephone. This authorization may not be used to make EM loans available immediately in anticipation of a later designation by the Secretary based on the same natural disaster.

(1) The isolated production loss designation number, termination dates for receiving EM loan applications, the date loan reporting will commence, and the incidence period for the disaster will be established by the National Office when the prior telephone notice is given.

(2) Applications for EM loans will be received by County Supervisors only after authorization by the State Director.

(3) The State Director will send to the National Office of copy of his authorization letter written to the County Supervisor, Form FHA 441-28, and the formal written request from the county governing body or its authorized representative.

(4) The National Office will notify the Secretary, the Director of the Finance Office, and the USDA Regional Representative of the action taken by the State Director.

(5) The State Director will direct appropriate County Supervisors to take EM loan applications in counties he has authorized. Simultaneously, he will notify the State USDA Emergency Board Chairman, and the county governing body or its authorized representative. The State Director will immediately request the county governing body, or its authorized representative, to make appropriate public announcements.

(6) Immediately upon receiving notice of the authorizations of isolated production loss loans for a county or counties under his jurisdiction, the County Supervisor will notify the appropriate County USDA Emergency Board Chairman and also explain the assistance available under the EM loan program to other agricultural lenders and leaders in the area.

(d) *Reporting natural disasters.* (1) *Purpose.* The purpose of reporting natural disasters is to provide a systematic procedure for rapid reporting of natural disasters which may result in a request for designation by the Secretary from local governing bodies, or their authorized representatives, and the Governor of the state.

(2) *Background.* It is important that adequate information on the nature and scope of a natural disaster be available as soon as possible both in the State and National Offices. It is equally important to know what steps are being taken or considered by FHA to alleviate the disaster effects.

(3) *Action.* The following action will be taken:

(i) *County Supervisor.* The County Supervisor will report immediately using Form FHA 441-27 to the State Director and to the county governing body, or its authorized representative, the occurrence of any natural disaster causing substantial property loss, damage, or injury, including severe production losses in his County Office area, regardless of whether EM loans will be needed. In urgent situations the report may be made by telephone, followed by Form FHA 441-27. Form FHA 441-27 will be based on information obtained from his personal knowledge and from farmers, agricultural and community leaders, representatives of other agricultural agencies, agricultural lenders, and from any other reliable sources. The County Supervisor will advise the Chairman of the County USDA Emergency Board of any information he has on the disaster, and also provide him with a copy of Form FHA 441-27.

(ii) *State Director.* The State Director will inform the National Office and the

USDA Regional Representative of each natural disaster as soon as possible. He will forward copies of the County Supervisor's report, Form FHA 441-27, with any attachments to the National Office and the USDA Regional Representative. Form FHA 441-27 will be supplemented by his comments, including any additional information he may have, and his recommendation as to the need for EM loans. In urgent situations he should report to the National Office by telephone and immediately thereafter send a written report to the National Office and the USDA Regional Representative. The State Director will advise the Chairman of the State USDA Emergency Board of any information he receives on the natural disaster and also provide him with a copy of Form FHA 441-27 and any attachments thereto.

(iii) *National Office.* When the National Office is advised by a State Director of the occurrence of a natural disaster, the Division responsible for EM loans will advise the Executive Secretary of the USDA Emergency Review Committee of the natural disaster and of any action taken or planned by the FHA. The National Office will also provide the same information to members of Congress and FDAA, if so requested.

(iv) *Inquiry received from the public.* When inquiries are received from victims of natural disasters before the area is designated by the Secretary or before EM loans are authorized by a State Director, the individuals making inquiry will be advised as follows:

(A) That EM loans are not available at this time.

(B) What assistance would be available if EM loans are authorized for the area.

(C) That the credit needs of an individual can frequently be met under regular FHA programs, and that he may file an application for such a loan, or wait to file if EM loans are authorized at a later date.

(D) If the inquiry is received in a State Office, the State Director will advise the individual in accordance with (A), (B), and (C) of this subdivision, and refer him to the appropriate County Office.

(E) If the inquiry is received in the National Office, the individual will be referred to the appropriate State Office for advice in accordance with (D) of this subdivision.

(v) *Pending major disaster request.* The action stated in this section will be taken even if the Governor of the state has requested the President to declare the county a major disaster area.

(7 U.S.C. 1989; 42 U.S.C. 1480; delegation of authority by the Sec. of Agri., 38 FR 14944, 14948, 7 CFR 2.23; delegation of authority by the Asst. Sec. for Rural Development, 38 FR 14944, 14952, 7 CFR 2.70.)

Dated: April 16, 1974.

FRANK B. ELLIOTT,  
Administrator,  
Farmers Home Administration.

[FR Doc.74-9309 Filed 4-23-74; 8:45 am]



## Title 12—Banks and Banking

## CHAPTER V—FEDERAL HOME LOAN BANK BOARD

## SUBCHAPTER B—FEDERAL HOME LOAN BANK SYSTEM

[No. 74-342]

## PART 523—MEMBERS OF BANKS

## Rescission of Amendment Relating to Liquidity

APRIL 17, 1974.

FR Doc. 74-6855 was published at page 11080 on the Monday, March 25, 1974, issue of the FEDERAL REGISTER (39 FR 11080). This document is notice that the Federal Home Loan Bank Board, by Resolution No. 74-205 (dated March 19, 1974), adopted, effective June 1, 1974, a revision of § 523.11 of the regulations for the Federal Home Loan Bank System (12 CFR 523.11) for the purposes of increasing the overall liquidity requirement of each Federal Home Loan Bank member from 5½ percent to 6½ percent of its liquidity base and of increasing each member's short-term liquidity requirement from 1½ percent to 2½ percent of such base.

The Federal Home Loan Bank Board has reconsidered such liquidity requirements in the context of current economic conditions and has determined that the above-mentioned change in liquidity requirements should not be put in effect. Accordingly, said Board hereby rescinds said Resolution No. 74-205 (FR Doc. 74-6855), effective April 17, 1974. This rescission means that said paragraph (a) of said § 523.11 shall continue to read as set forth below.

The Federal Home Loan Bank Board hereby finds that notice and public procedure on the rescission of said Federal Home Loan Bank Board Resolution 74-205 are impracticable, unnecessary and not in the public interest under the provisions of 12 CFR 508.11 and 5 U.S.C. 553 (b). Said Board hereby provides that such rescission shall become effective as hereinbefore set forth.

## § 523.11 Liquidity requirements.

(a) General. For each calendar month, each member, other than a mutual savings bank as to which there is in effect the election provided for in paragraph (e) of this section, shall maintain an average daily balance of liquid assets in an amount not less than 5½ percent of the average daily balance of the member's liquidity base during the preceding calendar month, except as otherwise provided in paragraphs (b) and (d) of this section. For each calendar month, each member, other than a mutual savings bank or an insurance company, shall maintain an average daily balance of short-term liquid assets in an amount not less than 1½ percent of the average daily balance of the member's liquidity base during the preceding calendar month, except as otherwise provided in paragraphs (b) and (d) of this section.

(Sec. 5A, 47 Stat. 727, as added by sec. 1, 64 Stat. 256, as amended, sec. 17, 47 Stat. 736, as amended; 12 U.S.C. 1425a, 1437. Reorg. Plan

No. 3 of 1947, 12 FR 4981, 3 CFR, 1943-48, Comp., p. 1071)

By the Federal Home Loan Bank Board.

[SEAL] GRENVILLE L. MILLARD, JR.,  
Assistant Secretary.

[FR Doc. 74-9368 Filed 4-23-74; 8:45 am]

## Title 14—Aeronautics and Space

## CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Airspace Docket No. 74-WA-9]

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

## PART 73—SPECIAL USE AIRSPACE

## Correction

The purpose of these amendments to the Federal Aviation Regulations is to correct errors in the description of Control Areas, Control Zones, Transition Areas and Restricted Areas.

On January 2, 1974, FEDERAL REGISTER document 73-27023, comprising a compilation of Parts 71, 73, and 75 of the Federal Aviation Regulations, was published as Part II of the FEDERAL REGISTER of that date. All amendments to these parts which had been published prior to December 6, 1973, were included. Certain typographical errors and omissions occurred in the preparation of that document which, when it was issued and published, had the effect of codifying those errors and omissions in the Federal regulations. This document corrects those mistakes.

Since these corrections are editorial in nature and no substantive changes in the regulations are effected, notice and public procedure are unnecessary, and good cause exists for making these amendments effective on less than 30 days notice.

In consideration of the foregoing, Parts 71 and 73 of the Federal Aviation Regulations are amended, effective April 24, 1974.

Section 71.171 (39 FR 354) is amended as follows:

In Meridian, Miss. (NAS Meridian) "1,200 to 2,200 hours." is deleted and "1200 to 2200 hours." is substituted therefor.

Section 71.181 (39 FR 440) is amended as follows:

(a) Eglin AFB, Fla., "R-2909," is deleted.

(b) Butte, Mont., is revised to read as follows:

## BUTTE, MONT.

That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Butte VORTAC and within 6 miles southwest and 10 miles northeast of the VORTAC 325° radial, extending from the VORTAC to 11 miles northwest of the VORTAC; and that airspace extending upward from 1,200 feet above the surface within 4½ miles southwest and 9½ miles northeast of the VORTAC 325° radial extending from the VORTAC to 18.5 miles northwest of the VORTAC, within 4½ miles west and

9½ miles east of the VORTAC 002° radial extending from the VORTAC to 18.5 miles north of the VORTAC, and within 10 miles north and 7 miles south of the Whitehall, Mont., VOR 096° and 276° radials, extending from 20 miles east to 19 miles west of the VOR.

(c) In Nashville, Tenn., "86°40'59" W." is deleted, and "86°40'50" W. is substituted therefor.

(d) In Ahsoskie, N.C., "Cofield" is deleted and "Cofield" is substituted therefor.

Section 71.163 (39 FR 346) is amended as follows:

In Control 1316 "5,000 feet MSL within W-289" is added at the end.

Section 73.66 (39 FR 690) is amended as follows:

In R-6609 Tangier Island, Va., Controlling agency, Federal Aviation Administration, Washington ARTC Center is added between "48 hours in advance" and "Using agency."

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

Issued in Washington, D.C., on April 17, 1974.

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

[FR Doc. 74-9282 Filed 4-23-74; 8:45 am]

[Docket No. 13666; Amdt. No. 913]

## PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

## Recent Changes and Additions

This amendment to Part 97 of the Federal Aviation Regulations incorporates by reference therein changes and additions to the Standard Instrument Approach Procedures (SIAPs) that were recently adopted by the Administrator to promote safety at the airports concerned.

The complete SIAPs for the changes and additions covered by this amendment are described in FAA Forms 3139, 8260-3, 8260-4, or 8260-5 and made a part of the public rule making dockets of the FAA in accordance with the procedures set forth in Amendment No. 97-696 (35 FR 5609).

SIAPs are available for examination at the Rules Docket and at the National Flight Data Center, Federal Aviation Administration, 800 Independence Avenue SW., Washington, D.C. 20591. Copies of SIAPs adopted in a particular region are also available for examination at the headquarters of that region. Individual copies of SIAPs may be purchased from the FAA Public Document Inspection Facility, HQ-405, 800 Independence Avenue, SW., Washington, D.C. 20591 or from the applicable FAA regional office in accordance with the fee schedule prescribed in CFR 7.85. This fee is payable in advance and may be paid by check, draft or postal money order payable to the Treasurer of the United States. A weekly transmittal of all SIAP changes and additions may be obtained by subscription at an annual



rate of \$150 per annum from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. Additional copies mailed to the same address may be ordered for \$30 each.

Since a situation exists that requires immediate adoption of this amendment, I find that further notice and public procedure hereon is impracticable and good cause exists for making it effective in less than 30 days.

In consideration of the foregoing, Part 97 of the Federal Aviation Regulations is amended as follows, effective on the dates specified:

1. Section 97.23 is amended by originating, amending, or canceling the following VOR-VOR/DME SIAPs, effective June 6, 1974.

Almyra, Ark.—Almyra Municipal Arpt., VOR/DME-A, Amdt. 1.  
Cheyenne, Wyo.—Cheyenne Municipal Arpt., VOR-A, Amdt. 3.  
Chicago, Ill.—Chicago O'Hare Int'l. Arpt., VOR Rwy 9L, Orig.  
Highgate, Vt.—Franklin County Arpt., VOR-A, Orig.  
Knoxville, Tenn.—McGhee Tyson Arpt., VOR Rwy 22R, Amdt. 17.  
Knoxville, Tenn.—Downtown Island Arpt., VOR-A, Amdt. 1.  
Knoxville, Tenn.—Downtown Island Arpt., VOR/DME-B, Orig.  
Lake Village, Ark.—Lake Village Municipal Arpt., VOR/DME-A, Amdt. 1.  
Memphis, Tenn.—Memphis Int'l. Arpt., VOR Rwy 35R, Amdt. 28.  
Monticello, Ark.—Monticello Municipal Arpt., VOR-A, Amdt. 2.  
Mosinee, Wis.—Central Wisconsin Arpt., VORTAC Rwy 35, Orig.  
Pine Bluff, Ark.—Grider Field, VOR Rwy 17, Amdt. 12.  
Pine Bluff, Ark.—Grider Field, VOR/DME Rwy 35, Amdt. 3.  
Pocatello, Idaho—Pocatello Municipal Arpt., VOR/DME Rwy 21, Amdt. 5.  
Shreveport, La.—Shreveport Downtown Arpt., VOR Rwy 14, Amdt. 10.  
Sioux City, Iowa—Sioux City Municipal Arpt., VOR Rwy 31, Amdt. 1, canceled.  
Sioux City, Iowa—Sioux City Municipal Arpt., VOR Rwy 31 (TAC), Amdt. 19.  
Sioux City, Iowa—Sioux City Municipal Arpt., VORTAC Rwy 13, Amdt. 10.  
Warren, Ark.—Warren Municipal Arpt., VOR/DME-A, Amdt. 1.

\*\*\* effective May 9, 1974:

Dublin, Va.—New River Valley Arpt., VOR/DME Rwy 6, Amdt. 4.

\*\*\* effective April 12, 1974:

Sault Ste. Marie, Mich.—Sault Ste. Marie Municipal Arpt., VOR Rwy 32, Amdt. 8.

2. Section 97.25 is amended by originating, amending, or canceling the following SDF-LDC-LDA SIAPs, effective June 6, 1974.

Memphis, Tenn.—Memphis Int'l. Arpt., LOC (BC) Rwy 17L, Amdt. 7.

\*\*\* effective May 23, 1974:

Chicago, Ill.—Chicago O'Hare Int'l. Arpt., LOC Rwy 4R, Orig.

\*\*\* effective May 9, 1974:

Dublin, Va.—New River Valley Arpt., LOC Rwy 5, Amdt. 1, canceled.

3. Section 97.27 is amended by originating, amending, or canceling the following NDB/ADF SIAPs, effective June 6, 1974.

Cheyenne, Wyo.—Cheyenne Municipal Arpt., NDB Rwy 26, Amdt. 7.  
Cookeville, Tenn.—Putnam County Arpt., NDB Rwy 17, Amdt. 1.  
Memphis, Tenn.—Memphis Int'l. Arpt., NDB Rwy 35R, Amdt. 14.  
Pocatello, Idaho—Pocatello Municipal Arpt., NDB Rwy 21, Amdt. 15.  
Salina, Kans.—Salina Municipal Arpt., NDB Rwy 35, Amdt. 6.  
Stuttgart, Ark.—Stuttgart Municipal Arpt., NDB Rwy 18, Amdt. 2.

\*\*\* effective May 9, 1974:

Washington, D.C.—Washington National Arpt., NDB Rwy 36, Amdt. 2.

4. Section 97.29 is amended by originating, amending, or canceling the following ILS SIAPs, effective June 6, 1974.

Cheyenne, Wyo.—Cheyenne Municipal Arpt., ILS Rwy 26, Amdt. 26.  
Memphis, Tenn.—Memphis Int'l. Arpt., ILS Rwy 17L, Amdt. 2.  
Memphis, Tenn.—Memphis Int'l. Arpt., ILS Rwy 35R, Amdt. 16.  
Pocatello, Idaho—Pocatello Municipal Arpt., ILS Rwy 21, Amdt. 18.  
Salina, Kans.—Salina Municipal Arpt., ILS Rwy 35, Amdt. 8.

\*\*\* effective May 9, 1974:

Dublin, Va.—New River Valley Arpt., ILS Rwy 6, Orig.  
Washington, D.C.—Washington National Arpt., ILS Rwy 36, Amdt. 26.

5. Section 97.31 is amended by originating, amending, or canceling the following RADAR SIAPs, effective June 6, 1974.

Atlanta, Ga.—The William B. Hartsfield Atlanta Int'l. Arpt., RADAR-1, Amdt. 21.  
Memphis, Tenn.—Memphis Int'l. Arpt., RADAR-1, Amdt. 26.

# Corrections

In Docket No. 13590, Amendment 910, to Part 97 of the Federal Aviation Regulations, published in the FEDERAL REGISTER dated April 5, 1974, on page 12730, under Sections 97.27 and 97.23 effective May 16, 1974—Change effective date of Statesville, N.C.—Statesville Municipal Arpt., NDB Rwy 20, Amdt. 1 and VOR-1, Orig., canceled, to July 18, 1974.

In Docket No. 13605, Amendment 912, to Part 97 of the Federal Aviation Regulations, published in the FEDERAL REGISTER dated April 19, 1974, under Section 97.23 effective May 30, 1974—Change effective dates of Hickory, N.C.—Hickory Municipal Arpt., VOR Rwy 24, Amdt. 15 to July 18, 1974.

(Secs. 307, 313, 601, 1110, Federal Aviation Act of 1948; 49 U.S.C. 1438, 1354, 1421, 1510, Sec. 6(c) Department of Transportation Act, 49 U.S.C. 1655(c) and 5 U.S.C. 552(a) (1)).

Issued in Washington, D.C., on April 18, 1974.

NOTE: Incorporation by reference provisions in §§ 97.10 and 97.20 (35 FR 5610),

approved by the Director of the FEDERAL REGISTER on May 12, 1969.

JAMES M. VINES,  
Chief,

Aircraft Programs Division.

[FR Doc.74-9283 Filed 4-23-74; 8:45 am]

## PART 73—SPECIAL USE AIRSPACE

### Establishment of Restricted Area

#### Correction

The amendment to 73.34 of Chapter I of Title 14, Code of Federal Regulations, published in the FEDERAL REGISTER on April 12, 1974 at 39 FR 13258, is corrected by changing the entry in Table R-3401B on page 13259, beginning with "Long. 86°00'50" W." to read: "Long. 86°09'50" W.; to Lat. 39°19'00" N.."

## CHAPTER V—NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

### PART 1209—BOARDS AND COMMITTEES

#### Board of Contract Appeals

Subpart 1 revised in its entirety as follows:

#### Subpart 1—Board of Contract Appeals

Sec.  
1209.100 Scope.  
1209.101 Establishment.  
1209.102 Authority and duties of the Board.  
1209.103 Membership.  
1209.104 Responsibilities of the chairman.  
1209.105 NASA legal representation.

AUTHORITY: 42 U.S.C. 2473.

#### § 1209.100 Scope.

This subpart establishes the NASA Board of Contract Appeals as a full-time Board and prescribes its authority, duties, and membership.

#### § 1209.101 Establishment.

The NASA Board of Contract Appeals was established by NASA Management Manual Instruction 2-4-1, June 25, 1959, and was subsequently continued in effect by NASA Management Instruction 1152.1A, April 1, 1968, and NASA Management Instruction 1152.1B, October 28, 1970. The Board is continued in effect by this subpart.

#### § 1209.102 Authority and duties of the Board.

(a) The Board, located at NASA Headquarters, Washington, D.C., acts for and exercises the full authority of the Administrator in hearing and deciding all cases in which, by the terms of a contract, the contractor may appeal to the Administrator from decisions of the contracting officer. There shall be no administrative appeal from decisions rendered by the Board.

(b) The Board shall have all customary powers necessary for the performance of its duties, including, but not limited to, the authority to issue rules of procedure, to conduct hearings, dismiss appeals or other proceedings,



call witnesses, order the production of documents or other evidence, take official notice of facts within general knowledge, and decide all questions of fact or law raised by the appeal.

(c) The member or members of the Board assigned to hear an appeal shall have authority to conduct prehearing conferences, hold hearings, examine witnesses, receive evidence and argument, and report the evidence and argument to a designated panel of the Board. A single member of a panel may be assigned to hear and decide motions which are not dispositive of the appeal.

(d) An appeal shall be adjudicated by a panel of two or more members, which may include ad hoc members. If a panel of two members is unable to agree upon a decision, the Chairman may assign a third member to consider the appeal.

#### § 1209.103 Membership.

(a) The Board shall consist of three members appointed by the Administrator, one of whom shall be designated as Chairman. Members may perform other quasijudicial duties as assigned by the Administrator. The Board is responsible directly to the Administrator.

(b) Members of the Board are hereby designated Administrative Judges.

(c) Members must be qualified attorneys who have been admitted to practice before the highest court of any state or the District of Columbia and who have significant experience in Government procurement law.

(d) Additional members, meeting the requirements of paragraph (c) of this section, but not currently serving as attorneys for NASA, may be designated by the Administrator to serve on the Board on an ad hoc basis for the adjudication of particular appeals.

(e) No member of the Board shall consider an appeal if he has participated in any aspect of the award or administration of a contract in dispute.

#### § 1209.104 Responsibilities of the chairman.

The Chairman of the Board of Contract Appeals shall be responsible for:

(a) The administration of the Board;  
(b) The assignment of a member or members of the Board to act for the Board in each appeal and the assignment of the panel of Board members to decide each appeal;

(c) The receipt and custody of all papers and material relating to contract appeals;

(d) The designation of an acting Chairman during his absence, disqualification, or disability, who is empowered to exercise the powers of the Chairman;

(e) The submission of a report, not less often than annually, to the Administrator on the status of the Board's activities.

#### § 1209.105 NASA legal representation.

The NASA General Counsel shall designate counsel to represent the interests of the Government in proceedings before the Board.

**Effective date:** The provisions of this Subpart 1209.1 are effective April 24, 1974.

JAMES C. FLETCHER,  
Administrator.

[FR Doc.74-9337 Filed 4-23-74; 8:45 am]

#### Title 21—Food and Drugs

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

##### SUBCHAPTER C—DRUGS

#### PART 135b—NEW ANIMAL DRUGS FOR IMPLANTATION OR INJECTION

##### Spectinomycin Injection Veterinary

The Commissioner of Food and Drugs has evaluated a new animal drug application (93-483V) filed by Agricultural and Veterinary Products Division, Abbott Laboratories, Abbott Park, North Chicago, IL 60064, providing for the safe and effective use of spectinomycin injection for the treatment of dogs. The application is approved. Section 135b.23 is therefore being amended to reflect this approval and is also being amended in paragraph (a) to indicate the amount of drug in each milliliter, rather than specifying the amount in terms of cubic centimeters, in line with current practice.

Therefore pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347; (21 U.S.C. 360b(i))) and under authority delegated to the Commissioner (21 CFR 2.120), Part 135b is amended in § 135b.23 by revising the introductory text of paragraph (a) and by adding new paragraphs (a) (3) and (d) (3), as follows:

#### § 135b.23 Spectinomycin injection veterinary.

(a) *Specifications.* The spectinomycin dihydrochloride pentahydrate used in manufacturing the drug is the antibiotic substance produced by the growth of *Streptomyces flavopersicus* (var. Abbott) or the same antibiotic substance produced by any other means. Each milliliter of the drug contains the following amount of spectinomycin activity from spectinomycin dihydrochloride pentahydrate:

(3) 100 milligrams when used as provided in paragraph (d) (3) of this section.

(3) Intramuscularly in the treatment of dogs:

(i) At a dosage level of 2.5 milligrams to 5.0 milligrams per pound of body weight twice daily. Treatment may be continued for 4 days. For treatment of infections caused by gram-negative and gram-positive organisms susceptible to spectinomycin.

(ii) Federal law restricts this drug to use by or on the order of a licensed veterinarian.

**Effective date.** This order shall be effective April 24, 1974.

(Sec. 512(i), 82 Stat. 347; (21 U.S.C. 360b(i)))  
Dated: April 17, 1974.

C. D. VAN HOUWELING,  
Director, Bureau of  
Veterinary Medicine.

[FR Doc.74-9312 Filed 4-23-74; 8:45 am]

#### Title 33—Navigation and Navigable Waters

#### CHAPTER I—COAST GUARD, DEPARTMENT OF TRANSPORTATION

[CGD 73-12R]

#### PART 117—DRAWBRIDGE OPERATION REGULATIONS

##### Menominee River, Wisconsin

This amendment changes the regulations for the Ogden-First Street bridge across the Menominee River, mile 0.37 at Marinette, Wisconsin and Menominee, Michigan to require the draw to open on signal from May 1 through October 31 and on signal if at least 12 hours notice is given from November 1 through April 30. This amendment was circulated as a public notice dated January 29, 1973 by the Commander, Ninth Coast Guard District and was published in the FEDERAL REGISTER as a notice of proposed rule making (CGD 73-12P) on January 26, 1973 (38 FR 2466). The original proposal was that the draw shall open on signal:

(1) From April 15 through December 15 from 8 a.m. to 12 midnight.

(2) From April 15 through December 15 from 12 midnight to 8 a.m. if at least 2 hours notice is given to the authorized representative.

(3) From December 16 through April 14 if at least 12 hours notice is given to the authorized representative.

A number of objections were received to these opening times and after a conference between the Wisconsin Highway Commission and those objecting, it was agreed that if the draw would open on signal from May 1 through October 31 and after 12 hours notice is given from November 1 through April 30, all objections would be withdrawn. This was done and the resulting regulation satisfies all those involved.

Accordingly, Part 117 of the Code of Federal Regulations is amended by adding a new § 117.644a immediately after § 117.644 to read as follows:

#### § 117.644a Ogden-First Street Bridge, Menominee River, Wisconsin.

(a) The draw shall open on signal from May 1 through October 31 and shall open on signal from November 1 through April 30 if at least 12 hours notice is given.

(b) Signals:

(1) The opening signal is one long blast followed by one short blast.

(2) The acknowledging signal is:

(i) One long blast followed by one short blast when the draw will open immediately.

(ii) Five short blasts when the draw cannot open immediately. When the draw will open the drawtender shall sound one long blast followed by one short blast.



(c) The draw need not open for the passage of vessels carrying appurtenances unessential to navigation which extend above the normal superstructure. Upon request, the District Commander will cause an inspection to be made of the superstructure and appurtenances of any vessel habitually frequenting this waterway.

(d) The owner of or agency controlling this bridge shall conspicuously post the provisions of this regulation both upstream and downstream in such a manner that it may be easily read at any time from an approaching vessel. The posted provisions shall state exactly how the authorized representative may be reached at any time.

(Sec. 5, 28 Stat. 362, as amended, sec. 6(g) (2), 80 Stat. 937; 33 U.S.C. 499, 49 U.S.C. 1655(g) (2); 49 CFR 1.46(c) (5), 33 CFR 1.05(c) (4)).

Effective date. This revision shall become effective on May 24, 1974.

By direction of the Commandant.

Dated: April 18, 1974.

R. I. PRICE,  
Captain, U.S. Coast Guard, Deputy  
Chief, Office of Marine  
Environment and Systems.

[FR Doc. 74-9341 Filed 4-23-74; 8:45 am]

# Title 38—Pensions, B~nuses and Veterans' Relief

## CHAPTER I—VETERANS ADMINISTRATION PART 36—LOAN GUARANTY Interest Rate Change

The Veterans Administration is amending §§ 36.4212(a) (2) and (3), 36.4311 and 36.4503, Title 38 of the Code of Federal Regulations to increase the maximum allowable interest rates on new loans.

Sections 36.4311 and 36.4503, Title 38 of the Code of Federal Regulations are being amended to increase the maximum interest rate on new guaranteed, insured and direct loans from 8¼ to 8½ percent. Section 36.4212(a) (2) and (3), Title 38 of the Code of Federal Regulations relating to that portion of a mobile home loan which finances the purchase of a lot and the cost of necessary site preparation is amended to increase the maximum interest rate from 8¼ to 8½ percent, except for that portion of § 36.4212(a) (3) which relates to loans that do not exceed \$2,500 made for site preparation to a lot owned by the veteran where no change is made. Thus, the interest rate on such loans will be consistent with that in effect on other guaranteed and insured loans for real estate purposes.

Compliance with the provisions of § 1.12 of this chapter is waived in this instance. The availability of mortgage funds from the private sector is dependent upon the interest rate being competitive with other available investments. Compliance with § 1.12 would create an

acute shortage of mortgage funds pending the effective date of the amendments, which would necessarily be more than 30 days after it was published in proposed form.

1. In § 36.4212(a), the introductory portion preceding paragraph (1) and paragraphs (2) and (3) are amended to read as follows:

### § 36.4212 Interest rates and late charges.

(a) The interest rate charged the borrower on a loan guaranteed pursuant to 38 U.S.C. 1819 may not exceed the following maxima:

(2) 8½ percent simple interest per annum for that portion of the loan which finances the purchase of a lot and the cost of necessary site preparation, if any.

(3) 8½ percent simple interest per annum on that portion of a loan which will finance the cost of the site preparation necessary to make a lot owned by the veteran acceptable as the site for the mobile home purchased with the proceeds of the loan except that a rate of not to exceed 12 percent may be charged if the portion of the loan to pay for the cost of such necessary site preparation does not exceed \$2,500.

2. In § 36.4311, paragraph (a) is amended to read as follows:

### § 36.4311 Interest rates.

(a) Excepting non-real-estate loans insured under 38 U.S.C. 1815, effective April 15, 1974, the interest rate on any loan guaranteed or insured wholly or in part on or after such date may not exceed 8½ per centum per annum on the unpaid principal balance.

3. In § 36.4503, paragraph (a) is amended to read as follows:

### § 36.4503 Amount and amortization.

(a) The original principal amount of any loan made on or after May 7, 1968, shall not exceed an amount which bears the same ratio to \$25,000 as the amount of the guaranty to which the veteran is entitled under 38 U.S.C. 1810 at the time the loan is made bears to \$12,500. This limitation shall not preclude the making of advances, otherwise proper, subsequent to the making of the loan pursuant to the provisions of § 36.4511. Loans made by the Veterans Administration shall bear interest at the rate of 8½ percent per annum.

These VA regulations are effective April 15, 1974.

Approved: April 12, 1974.

By direction of the Administrator.

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

[FR Doc. 74-9340 Filed 4-23-74; 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

#### 4,6-Dinitro-o Cresol and Its Sodium Salt

#### Correction

In FR Doc. 74-7516 appearing on page 12008 in the issue of Tuesday, April 2, 1974, in the sixteenth and twenty-second lines of the first paragraph, the figures "4.6" should read "4.6."

## Title 47—Telecommunication

### CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 19800; RM-2012; FCC 74-366]

#### PART 73—RADIO BROADCAST SERVICES

#### Table of Assignments, FM Broadcast Stations; Merced, Ca.

1. The Commission has before it for consideration its notice of proposed rule making issued on August 7, 1973 (FCC 73-840), and published in the FEDERAL REGISTER on August 14, 1973 (38 FR 21940), inviting comments on a proposal to assign Channel 248 to Merced, California, as a second Class B assignment to that community. The notice was issued in response to a petition for rule making filed by Radio One, Inc. ("Radio One"), on July 12, 1972. Interested parties were requested to file comments and reply comments by September 14, 1973, and September 25, 1973, respectively. The only comment received was filed by the petitioner on September 14, 1973, and an informal statement in support filed by the Merced Chamber of Commerce on September 5, 1973. There were no comments or reply comments filed in opposition.

2. Merced, population 22,670,<sup>1</sup> is the seat of Merced County, population 104,629. Since 1960, the population of Merced and its county have increased 13 percent and 15.7 percent, respectively. There are presently four aural broadcast services at Merced: FM Station KAMB Channel 268, AM Stations WDIOS and KWIP (daytime-only), and educational FM Station KBDR (licensed to Merced Community College). Other aural broadcast stations in the county are Stations KLBS (daytime-only) and KLBS-FM (Channel 240A) licensed to Los Banos, population 9,188.

3. The Commission, in its notice of proposed rulemaking requested Radio One to furnish additional information as to the availability of FM channels to three sizeable communities that would be

<sup>1</sup> All population statistics cited are from the 1970 U.S. Census unless otherwise indicated.



affected by preclusion if Channel 248 were assigned to Merced. They are Coalinga, population 6,161, which has only a daytime AM station, Avenal, population 3,035, which has no radio broadcast facilities, and Atwater, population 11,640, which also has no radio broadcast facilities. Petitioner, in its further engineering analysis accompanying its comments, shows that there are six channels available for assignment to Coalinga and Avenal (Channels 223, 224A, 261A, 269A, 272A and 292A) and four channels for Atwater (Channels 232A, 261A, 288A, and 296A). It also submits a revised tabulation of service to unserved and underserved areas, stating that a station operating on Channel 248 at Merced would provide a first FM service to 1,234 persons in an area of 30 square miles and a second FM service to 36,414 persons in an area of 326 square miles. Radio One also reasserts its intention to apply for the channel if assigned and to promptly construct the station if the application is granted.

4. We believe the assignment of Channel 248 to be in the public interest. It would provide Merced with a second local FM broadcast facility, which would be in accordance with the FM allocation criteria as to population, as well as provide for a first and a second FM service to some areas. Although there would be few communities located within the precluded areas, it has been shown that there are a number of other FM channels presently available for assignment to these communities.

5. Authority for the amendment adopted herein is found in sections 4(i), 303, and 307(b) of the Communications Act of 1934, as amended, and § 0.281 (b) (6) of the Commission's rules and regulations.

6. Accordingly, it is ordered, That effective May 23, 1974, the Table of Assignments contained in § 73.202(b) of the Commission's rules and regulations is amended, insofar as the community named below is concerned, to read as follows:

City:	Channel No.
Merced, Calif.	248, 268

7. It is further ordered, That this proceeding is terminated.

(Secs. 4, 303, 307, 48 Stat., as amended, 1066, 1082, 1083; 47 U.S.C. 154, 303, 307.)

Adopted: April 9, 1974.

Released: April 16, 1974.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] VINCENT J. MULLINS,  
Secretary.

[FR Doc. 74-9306 Filed 4-23-74; 8:45 am]

#### Title 49—Transportation

#### CHAPTER II—FEDERAL RAILROAD ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. SA-3]

#### PART 231—RAILROAD SAFETY APPLIANCE STANDARDS

##### Box and Other House Cars

On March 11, 1974, a notice of proposed rule making (NPRM) was published

in the FEDERAL REGISTER (39 FR 9457) stating that the Federal Railroad Administration (FRA) was considering an amendment to Part 231, Railroad Safety Appliance Standards, that would extend the period within which running boards must be removed from box and other house cars built after April 1, 1966 or under construction prior to that date and placed in service before October 1, 1966 in accordance with §§ 231.1, 231.27, 231.28 of the Safety Appliance Standards (49 CFR 231.1, 231.27 and 231.28).

Interested persons were invited to participate in this rule-making proceeding by submitting written comments before March 22, 1974. Comments were received from representatives of labor organizations, the railroad industry and shippers. These comments have been of considerable assistance in development of the final rule.

One commenter opposed linking removal of running boards to the initial periodic inspection of freight cars under § 215.27 pursuant to a program approved by the Administrator under § 215.25(c) of the FRA Freight Car Safety Standards (49 CFR 215.27, 215.25(c)). The basis for this opposition was that to require removal of running boards and related safety appliance modifications to be made simultaneously with the initial periodic inspection would unduly increase the time that freight cars would be out of service thereby reducing freight car utilization and further aggravating the current national freight car shortage. The commenter also pointed out that proper tools for this modification were not available at many locations where initial periodic inspections are made. Accordingly, FRA has dropped the proposed requirement that running boards be removed when cars receive their initial periodic inspection. The final rule requires that all cars be modified by January 1, 1977. FRA has also adopted the suggestion of semi-annual progress reports of the number of cars modified and remaining to be modified.

Two commenters were concerned about the loss of freight car utilization which may occur if all cars are required to be modified by January 1, 1977, instead of April 1, 1978 as requested by the Association of American Railroads (AAR) its petition (FRA Pet. No. 88). FRA believes that "lost time" can be minimized and perhaps eliminated entirely if each railroad and car owner develops a modification time schedule tailored to fit its particular situation. Accordingly, the final rule requires each railroad to submit to the FRA its modification program before July 1, 1974 and also to file semi-annual progress reports.

One commenter stated that railroads and car owners have already had more than sufficient time to modify their freight car fleets but nevertheless reluctantly agreed with the proposed rule. This commenter suggested that FRA should also require uniform location of hand brakes. This suggestion is under consideration and may be included in a future rule-making proceeding.

In consideration of the foregoing, § 231.1 is amended effective immediately

to read as set forth below. Because of the current national freight car shortage, good cause exists for making this amendment effective less than 30 days after publication.

#### § 231.1 Box and Other House Cars (Does not include cars with roofs 16 feet 10 inches or more above top of rail).

NOTE: After December 31, 1976, cars of this type built on or before April 1, 1966, or under construction prior to that date and placed in service before October 1, 1966, must be equipped as nearly as possible with the same complement of safety appliances, depending upon type, as specified in § 231.27 for box and other house cars without roof hatches, or in § 231.28 for box and other house cars with roof hatches. Cars built after April 1, 1966, or under construction prior thereto and placed in service after October 1, 1966, must be equipped, depending upon type, as specified in § 231.27 for box and other house cars without roof hatches, or in § 231.28 for box and other house cars with roof hatches.

Before July 1, 1974, each railroad shall submit to the Federal Railroad Administrator the total number and type of cars to be modified, and its time schedule for the modification of these cars. In addition, semi-annual progress reports on the status of compliance must be submitted before: February 1, 1975 (for the period July 1, 1974 through December 31, 1974); August 1, 1975 (for the period January 1, 1975 through June 30, 1975); February 1, 1976 (for the period July 1, 1975 through December 31, 1975); and August 1, 1976 (for the period January 1, 1976 through June 30, 1976). These progress reports must contain the number and type of cars in each railroad's ownership that remain to be modified. Before February 1, 1977, each railroad must submit a final report stating the status of compliance of all its cars as of January 1, 1977.

(Secs. 2, 4, and 6, 27 Stat. 531, as amended; secs. 1-6, 36 Stat. 298-299, as amended; sec. 6 (e) and (f), 80 Stat. 939; (45 U.S.C. 2, 4, 6, 8, 10, 11-16); (49 U.S.C. 1655).)

Issued in Washington, D.C. on April 19, 1974.

JOHN W. INGRAM,  
Administrator.

[FR Doc. 74-9365 Filed 4-23-74; 8:45 am]

#### Title 10—Energy

#### CHAPTER I—ATOMIC ENERGY COMMISSION

#### PART 2—RULES OF PRACTICE

#### PART 50—LICENSING OF PRODUCTION AND UTILIZATION FACILITIES

##### Pre-Construction Permit Activities

On February 5, 1974, the Atomic Energy Commission published in the FEDERAL REGISTER (39 FR 4582) proposed amendments to its regulations, 10 CFR Part 2, Rules of Practice, and 10 CFR Part 50, Licensing of Production and Utilization Facilities, which would provide for a procedure different from that set forth in § 50.12(a) of the Commission's present regulations in 10 CFR Part 50 whereby site preparation and excavation and



certain other on-site activities could be undertaken prior to issuance of a construction permit for a nuclear power reactor. Interested persons were invited to submit comments within 30 days following publication, and a number of comments were received.

After consideration of the comments received, and other factors involved, the Commission has adopted the amendments in the form set out below. The significant differences from the amendments published for comment are the following: (1) Whichever part of the application and material to accompany the application is filed first must include the general information required by § 50.33 and the technical information required by § 50.34(a) (1) of 10 CFR Part 50 in addition to the license fee and restricted data agreement as required under the proposed amendments. (2) In response to several comments, the amendments adopted provide that separate hearings and decisions on issues covered by Appendix D of Part 50 of the Commission's regulations and site suitability need not be held and issued if the parties agree otherwise or the rights of any party would be prejudiced thereby. Also, unless the parties agree otherwise or the rights of any party would be prejudiced, any separate hearing on issues covered by Appendix D of Part 50 and site suitability must be commenced no later than 30 days after issuance by the regulatory staff of its final environmental impact statement. (3) A provision has been added to § 2.761a of 10 CFR Part 2 in response to a comment to make it clear that the section does not preclude separate hearings and decisions on other particular issues. (4) In response to several comments the term "site exploration" has been deleted from § 50.10(e) (1) of 10 CFR Part 50 to avoid a possible conflict with § 50.10(c) (1). (5) The amendment to § 50.12 of 10 CFR Part 50 has been deleted as unnecessary in light of the Commission's policy of granting exemptions from § 50.10(c) sparingly and only in cases of undue hardship. (6) The definition of "commencement of construction" in 10 CFR 50.10(c) has been clarified and simplified by deleting the reference to "nonnuclear facilities." The Commission believes that on-site construction of "nonnuclear facilities" would constitute "substantial action that would adversely affect the natural environment of a site" and that specific reference to "nonnuclear facilities" is unnecessary to effectuate the purposes of the prohibition. (7) The scope of work that may be routinely authorized under § 50.10(e) (1) has been clarified and limited to exclude the driving of piles and installation of foundation walls and slabs for structures, systems, and components subject to Appendix B to 10 CFR Part 50 (Quality Assurance Criteria). Provision has been made for consideration by atomic safety and licensing boards of the safety-related aspects of site suitability as a prerequisite to routine authorizations and § 2.101 (a) of 10 CFR Part 2 has been modified to assure filing of the necessary data.

Additional on-site work could be authorized by a supplemental authorization under appropriate circumstances but only after a determination by the hearing board that there were no unresolved safety issues relating to the additional work that would constitute good cause for withholding authorization. The changes described in (7) above have been adopted by the Commission to ensure that there would be full public participation with respect to the review of site suitability issues which are related to both environment and safety, and other safety issues directly related to any one-site work on safety related structures, systems and components that may be authorized beyond excavation, prior to grant of any authorization to conduct on-site work.

The limitation of the scope of work that would be authorized is also responsive to one of the comments which suggested that the Commission should not allow any on-site work related to radiological safety matters prior to a hearing and decision on those matters. The Atomic Energy Act of 1954, as amended, does not by its terms prohibit commencement of construction of a nuclear facility prior to receipt of a construction permit, although the Act does provide that a permit authorizing construction of the facility must be obtained. The Commission is thus authorized to apply its technical expertise and develop a practical administrative interpretation of the Act as a whole in determining at what point in time a construction permit must be obtained. Prior to the enactment of the National Environmental Policy Act of 1969 (NEPA) and the amendments to § 50.10 adopted by the Commission on March 21, 1972 (37 FR 5745), site excavation for safety-related structures was generally permitted to be undertaken by applicants without any prior Commission review. The essential distinction between the past situation and the present one is that NEPA now applies to certain Commission actions. However, this essential difference is accommodated in the amendments by the requirement that there be a full NEPA review and hearing on NEPA issues covered by the Commission's NEPA regulations prior to authorizing any on-site work otherwise generally prohibited by § 50.10 (c). The approach in the instant rule, with its provisions for full review of and public participation on relevant issues and limitation of allowable work so as to include excavation for safety-related structures but not installation of safety-related structures (structures subject to the Commission's "Quality Assurance Criteria") except upon consideration by the atomic safety and licensing board of specified additional safety matters, is consistent with the Commission's past practice as described above. The Commission believes that this approach reflects a reasonable approach toward timely decisionmaking within the framework of the present Act.

Under the instant rule, the hearing on site suitability issues prior to grant of an authorization under § 50.10(e) (1) would

be confined to whether, based upon the available information and review to date, there is reasonable assurance that the proposed site is a suitable location for a nuclear power reactor of the general size and type proposed from the standpoint of radiological health and safety considerations under the Act and the Commission's rules and regulations promulgated pursuant thereto. It should be noted in this respect that the amendments specifically provide that any activities undertaken would be entirely at the risk of the applicant and, except for the hearing and decision on safety issues described above, the grant of authorization would have no bearing on the issuance of a construction permit with respect to the requirements of the Atomic Energy Act of 1954, as amended, and rules, regulations, or orders promulgated pursuant thereto. Thus, while the conduct of some of the on-site activities may produce information that would have a bearing on the Commission's radiological safety review, any grant of authorization to conduct on-site activities could not serve to prejudice the outcome of the radiological safety review itself.

The rules adopted herein would not preclude the presiding officer from reopening the NEPA and limited safety hearing after grant of authorization under § 50.10(e) to consider new information upon motion by an interested party or on its own initiative. In the event the presiding officer determined that the record should be reopened, the resolution of any issues that may be raised regarding whether the outstanding authorization should continue in effect would be governed by principles similar to those that apply in the case of reopened proceedings on licenses and permits. Of course, nothing in the instant amendments would preclude the presiding officer from declining to make a favorable initial decision on NEPA and the limited safety issues immediately effective at the outset, or preclude the Commission or Atomic Safety and Licensing Appeal Board on review pursuant to 10 CFR 2.730 and 2.787(b), or 2.762, from staying the effectiveness of the initial decision, and thereby in effect stay any issuance of an authorization to conduct on-site work that could otherwise have been issued pursuant to an immediately effective initial decision on these issues. It should also be clear that sufficient information regarding the proposed plant is required to be included in the applicant's environmental report and the record of the NEPA hearing in order to conduct a reasonable cost-benefit analysis as required by NEPA.

A number of comments suggested that the Commission should adopt a more liberal policy regarding granting of exemptions from § 50.10(c) pursuant to § 50.12(a). The Commission has rejected this suggestion and will continue the present policy of granting such exemptions sparingly and only in cases of undue hardship. A number of comments also suggested that the provisions in § 50.10(e) requiring a full NEPA review and hearing



prior to grant of authorization were unnecessary and would unduly delay plant construction. The Commission believes, however, that such provisions, which facilitate public participation and ensure appropriate consideration of NEPA matters, are in the public interest and should be retained in the rule.

Consideration of the instant amendments arises at a time of deep national concern over energy sources and supply—a concern which the Commission fully shares. The amendments should reduce the time required to bring on line nuclear power plants which satisfy all environmental and safety requirements. Pursuant to the Atomic Energy Act of 1954 as amended, NEPA, and sections 552 and 553 of Title 5 of the United States Code, the following amendments to Title 10, Chapter I, Code of Federal Regulations, Parts 2 and 50 are published as a document subject to codification. Because of the public interest in removing unnecessary obstacles to the construction of power plants needed to meet the nation's energy needs, and the fact that the amendments are of a procedural nature, the Commission has found that good cause exists for making the amendments effective without the customary 30-day notice.

1. Paragraph 2.101(a) of 10 CFR Part 2 is amended by adding the following at the end thereof:

**§ 2.101 Filing of application.**

(a) \* \* \* An applicant for a construction permit for a nuclear power reactor subject to Paragraph A of Appendix D of Part 50 of this chapter may tender the information required of applicants by Part 50 of this chapter in two parts. One part shall be accompanied by the information required by § 50.30(f) of this chapter, and the other part shall include any information required by §§ 50.33a, 50.34(a), and 50.34a of this chapter. Tendering of one part may precede or follow the tendering of the other by no longer than six (6) months. The regulatory staff may return the later tendered information to the applicant, informing it in what respects the information is incomplete, if the information is not complete or in conformance with the requirements of this chapter. Such a determination of completeness will generally be made within a period of thirty (30) days. Whichever part is tendered first shall also include the fee required by §§ 50.30(e) and 170.21 of this chapter and the information required by §§ 50.33, 50.34(a)(1), and 50.37 of this chapter. The Commission will accept for docketing an application for a construction permit for a nuclear power reactor subject to Paragraph A of Appendix D of Part 50 of this chapter where one part of the application described above is complete and conforms to the requirements of Part 50 of this chapter.

2. A new § 2.761a is added to 10 CFR Part 2 to read as follows:

**§ 2.761a Separate hearings and decisions.**

In a proceeding on an application for a construction permit for a nuclear

power reactor subject to Paragraph A of Appendix D of Part 50 of this chapter, the presiding officer shall, unless the parties agree otherwise or the rights of any party would be prejudiced thereby, commence a hearing on issues covered by § 50.10(e)(2)(ii) and Appendix D of Part 50 of this chapter as soon as practicable after issuance by the regulatory staff of its final environmental impact statement but no later than thirty (30) days after issuance of such statement, and complete such a hearing and issue an initial decision on such matters. Prehearing procedures regarding issues covered by Appendix D of Part 50 and § 50.10(e)(2)(ii) of this chapter, including any discovery and special prehearing conferences and prehearing conferences as provided in §§ 2.740, 2.740a, 2.740b, 2.741, 2.742, 2.751a, and 2.752, shall be scheduled accordingly. The provisions of §§ 2.754, 2.755, 2.760, 2.762, 2.763, and 2.764(a) shall apply to any proceeding conducted and any initial decision rendered in accordance with this section. Paragraph 2.764(b) shall not apply to any partial initial decision rendered in accordance with this section. This section shall not preclude separate hearings and decisions on other particular issues.

3. Paragraph I(c) of Appendix A to 10 CFR Part 2 is amended by adding the following at the end thereof: "In a proceeding relating to the issuance of a construction permit for a nuclear power reactor subject to the environmental impact statement requirements of section 102(2)(C) of the National Environmental Policy Act of 1969, and Appendix D of Part 50 of this chapter, separate hearings and decisions on National Environmental Policy Act and site suitability issues and certain other possible issues may be held as provided by § 2.761a."

4. In § 50.10, the language in paragraph (c) is amended and a new paragraph (e) is added to read as follows:

**§ 50.10 License required.**

(c) Notwithstanding the provisions of paragraph (b) of this section, and subject to paragraphs (d) and (e) of this section, no person shall effect commencement of construction of a production or utilization facility subject to the provisions of Paragraph A of Appendix D of Part 50 of this chapter on a site on which the facility is to be operated until a construction permit has been issued. As used in this paragraph, the term "commencement of construction" means any clearing of land, excavation or other substantial action that would adversely affect the environment of a site, but does not mean:

(e)(1) The Director of Regulation may authorize an applicant for a construction permit for a nuclear power reactor subject to the provisions of Paragraph A of Appendix D of Part 50 of this chapter to conduct the following activities: (i) Preparation of the site for construction of the facility (including such activities as clearing, grading, construction of temporary access roads and bor-

row areas); (ii) installation of temporary construction support facilities (including such items as warehouse and shop facilities, utilities, concrete mixing plants, docking and unloading facilities, and construction support buildings); (iii) excavation for facility structures; (iv) construction of service facilities (including such facilities as roadways, paving, railroad spurs, fencing, exterior utility and lighting systems, transmission lines, and sanitary sewerage treatment facilities); and (v) the construction of structures, systems, and components which are not subject to the provisions of Appendix B. No such authorization shall be granted unless the regulatory staff has completed a final environmental impact statement on the issuance of the construction permit as required by Appendix D of Part 50 of this chapter.

(2) Such an authorization shall be granted only after the presiding officer in the proceeding on the construction permit application (i) has made all the findings required by Paragraph A11 of Appendix D of Part 50 of this chapter to be made prior to issuance of the construction permit for the facility, and (ii) has determined that, based upon the available information and review to date, there is reasonable assurance that the proposed site is a suitable location for a nuclear power reactor of the general size and type proposed from the standpoint of radiological health and safety considerations under the Act and rules and regulations promulgated by the Commission pursuant thereto.

(3) (i) The Director of Regulation may authorize an applicant for a construction permit for a nuclear power reactor subject to the provisions of Paragraph A of Appendix D of Part 50 of this chapter to conduct, in addition to the activities described in paragraph (e)(1) of this section, the installation of structural foundations, including any necessary subsurface preparation, for structures, systems and components which are subject to the provisions of Appendix B.

(ii) Such an authorization, which may be combined with the authorization described in paragraph (e)(1) of this section, or may be granted at a later time, shall be granted only after the presiding officer in the proceeding on the construction permit application has, in addition to making the findings and determinations required by paragraph (e)(2) of this section, determined that there are no unresolved safety issues relating to the additional activities that may be authorized pursuant to this paragraph that would constitute good cause for withholding authorization.

(4) Any activities undertaken pursuant to an authorization granted under this paragraph shall be entirely at the risk of the applicant and, except as to matters determined under paragraphs (e)(2) and (e)(3)(ii), the grant of the authorization shall have no bearing on the issuance of a construction permit with respect to the requirements of the Act, and rules, regulations, or orders promulgated pursuant thereto.

**Effective date:** The foregoing amendments become effective on April 24, 1974.



(Sec. 102, Pub. Law 91-190, 83 Stat. 853; Secs. 101, 161, 185, Pub. Law 83-703, 68 Stat. 936, 945, 955, as amended (42 U.S.C. 2131, 2201, 2235, 4332))

Dated at Germantown, Maryland, this 19th of April, 1974.

For the Atomic Energy Commission.

PAUL C. BENDER,  
Secretary of the Commission.

[FR Doc. 74-9398 Filed 4-23-74; 10:00 am]

## CHAPTER II—FEDERAL ENERGY OFFICE

[Ruling 1974-8]

### ALLOCATION OF NON-BONDED AVIATION FUEL

Questions have arisen concerning interpretation of § 211.145(c)(5) of the Mandatory Petroleum Allocation Regulations (10 CFR 211.145 as amended at 39 FR 12995 and 39 FR 13549) regarding allocation of non-bonded aviation fuel. Section 211.145(c)(5) provides: "None of the provisions of this paragraph shall

affect existing contracts for the purchase of bonded aviation fuels."

This provision means that § 211.145(c), concerning allocation of non-bonded fuel to international air carriers in specified circumstances, does not supersede existing contracts for supply of bonded aviation fuel and does not relieve the parties of any contractual obligations thereunder. Bonded fuel is not subject to allocation under the Regulations (10 CFR 210.33). Accordingly, there is no basis for preemption of existing contracts for such fuel under § 210.77 of the regulations. The sentence in § 211.145(c)(5) simply makes this point explicit. At the same time, a carrier's contractual obligation (1) to purchase bonded fuel from a supplier other than its base period supplier or (2) to purchase bonded fuel at a price higher than the lawful price of non-bonded fuel, cannot be the basis for a refusal by a supplier to honor timely certification by that carrier for non-bonded fuel pursuant to § 211.145.

Under the regulation, international carriers are required to certify to their

base period suppliers (1) the volumes of bonded aviation fuel which can be obtained from the base period suppliers at the lawful price for non-bonded fuel, and (2) the additional volumes of bonded fuel which the carrier intends to obtain for a month regardless of price, under contract or otherwise. Once the carrier has so certified, the supplier is obligated to provide non-bonded fuel in such amounts as determined under the regulations. It is anticipated that a carrier which has a contractual obligation to purchase bonded fuel (at any price) would include such amounts in its certification. However, the regulations do not require the carrier to certify amounts which it has determined not to accept from the contract supplier on the basis of a contract dispute. The base period supplier must accept such a certification. The contract supplier is left to its normal contractual remedies for any breach.

WILLIAM N. WALKER,  
General Counsel.

APRIL 23, 1974.

[FR Doc. 74-9557 Filed 4-23-74; 10:53 am]



# Proposed Rules

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

## DEPARTMENT OF THE TREASURY

### Comptroller of the Currency

#### [12 CFR Part 9]

### NATIONAL BANKS AND COLLECTIVE INVESTMENT FUNDS

#### Notice of Proposal on Fiduciary Powers

Notice is hereby given that the Comptroller of the Currency pursuant to the authority contained in section 1(j) of Pub. L. 87-722, 76 Stat. 668, 12 U.S.C. 92a, and R.S. 5240, as amended, 12 U.S.C. 481, is considering the adoption of revisions of and additions to Part 9 relating to the fiduciary powers of national banks.

The proposed amendments are intended to continue the confidence of the public in the operation of national bank trust departments. They are designed to provide to the public as much information concerning bank trust department asset holdings and transactions as is consistent with the protection of the confidentiality of individual holdings and investment strategies. The proposed additions would require national bank having trust departments of a significant size annually to disclose the assets held in such departments. In addition, such banks would be required to report, on a quarterly basis, significant transactions in any of their equity security holdings. These reports made pursuant to the proposed amendment would be available to the public through the Office of the Comptroller of the Currency in Washington, D.C.

In addition, the proposed amendments would give regulatory recognition to the emerging principle of law which prohibits the actual use of non-public information in securities transactions. Banks may not make trust department investment decisions on the basis of pertinent information that is available to their commercial departments, directors, or any other source. This proposed amendment would require national banks to establish policies and practices to ensure that such information was not being used in this manner.

Persons desiring to comment on these proposed amendments should do so in writing no later than June 24, 1974. Comments should be addressed to Dean E. Miller, Deputy Comptroller of the Currency for Trusts, Comptroller of the Currency, Treasury Department, Washington, D.C. 20220.

Part 9, Chapter I, Title 12 of the Code of Federal Regulations would be amended as follows:

1. In § 9.1 new paragraphs (b) and (g) would be added, paragraphs (b) through (e) would be redesignated as paragraphs

(c) through (f) and paragraphs (f) through (i) would be redesignated as paragraphs (h) through (k);

2. In § 9.7 paragraph (d) would be revised; and

3. Sections 9.101, 9.102, 9.103 and 9.104 would be added.

Changes in the text would be as follows:

Sec.

- 9.101 Policy on disclosure of assets.
- 9.102 Reports to the Comptroller of the Currency.
- 9.103 Exemptions.
- 9.104 Information filed with the Comptroller of the Currency.

AUTHORITY: Sec. 1, 76 Stat. 668; (12 U.S.C. 92a); and R.S. 5240, as amended, (12 U.S.C. 481).

#### § 9.1 Definitions.

(b) "Equity security" means an equity security as defined in section 3(a)(11) of the Securities Exchange Act of 1934 (15 U.S.C. 78j);

(g) "Investment authority" means the power of the bank, its subsidiary or affiliate to make, select or change investments, review investment decisions made by others or to provide investment advice or counsel to others;

#### § 9.7 Administration of fiduciary powers.

(d) The trust department may utilize personnel and facilities of other departments of the bank, and other departments of the bank may utilize the personnel and facilities of the trust department; however, the trust department shall establish appropriate policies and procedures to ensure that investment decisions of the trust department are not based upon non-public information, regardless of how that information may be obtained.

#### § 9.101 Policy on disclosure of assets.

In order to facilitate the collection and public dissemination of information concerning the holdings of and transactions in assets held by national banks or their subsidiaries or affiliates in a fiduciary capacity and to assist the Comptroller in discharging the responsibilities entrusted to him with regard to the fiduciary activities of national banks, the regulations contained in this part require the submission of periodic reports to the Comptroller of the Currency. The infor-

mation contained in all reports filed with the Comptroller of the Currency pursuant to this Regulation shall be available for public inspection; except that information which would tend to identify the holdings of assets of any natural person, trust or estate, which is filed with the Comptroller of the Currency pursuant to this part, shall be confidential. In addition, upon prior request, the Comptroller of the Currency may designate any transactional data reported pursuant to this part as temporarily confidential where disclosure of such information would tend to reveal an investment strategy, public knowledge of which might adversely affect the account or accounts for which the strategy was undertaken. In no event will such data be withheld from the public record for a period in excess of that which is reasonable.

#### § 9.102 Reports to the Comptroller of the Currency.

Any bank, or subsidiary or affiliate of any bank subject to the jurisdiction of the Comptroller of the Currency having total assets with an aggregate fair market value of \$100 million or more reflected in its Trust Department Annual Report (Form CC-7510-03), or the report required under this section, for the preceding year shall prepare and file with the Comptroller of the Currency:

(a) A report, prepared as of December 31 or the last preceding date on which the New York Stock Exchange transacted business, indicating the name of the issuer, the title and class, the number of shares and the aggregate fair market value of each equity security, and designated by asset category, the aggregate fair market value of all other assets held in accounts for which it acts as trustee, executor, administrator or guardian whether or not it has investment authority, and any other accounts over which it has investment authority either alone or with others, whether or not it has actual custody of the assets. This report shall also indicate the amount of all such assets described in the preceding sentence for which the reporting entity exercises sole investment authority; those for which it shares investment authority with others; and those for which it exercises no investment authority. In addition, with respect to shares of stock, the report shall indicate the total number of shares of each issue for which the bank, its subsidiary or affiliate possesses the sole authority to exercise the voting rights of such shares. Such report shall be filed with the Comptroller of the Currency no later than February 1 of each year.



(b) A report, prepared as of March 31, June 30, September 30 and December 31 or the last preceding date on which the New York Stock Exchange transacted business, indicating, with respect to any purchase or sale in any equity security having a fair market value of \$500,000 or more, or involving 10,000 shares or more, during the calendar quarter effected for any fiduciary account or accounts over which it has investment authority either alone or with others:

(1) The trade date or settlement date of each transaction, as long as such transactions are reported on the same basis, and whether it involved a purchase or sale.

(2) The name of the issuer, the title and class.

(3) The price at which the asset was bought or sold.

(4) The number of shares of the security traded.

(5) The market in which the transaction was executed.

(6) The name of the brokers or dealers through which the transaction was executed.

(c) Such reports shall be filed with the Comptroller of the Currency no later than 30 calendar days after each of the herein designated quarterly reporting dates.

(d) A copy of the reports required to be made to the Comptroller of the Currency by the provisions of paragraphs (a) and (b) of this section shall be available for public inspection at the Office of the Comptroller of the Currency in Washington, D.C., during regular business hours. In addition, such reports may also be made available to any person at such reasonable charge and under such reasonable limitations as the Comptroller of the Currency may prescribe, consistent with the purposes of this part as expressed at § 9.101(b).

#### § 9.103 Exemptions.

For the purposes of this part:

(a) Any equity security, the aggregate holding of which is 10,000 shares or less, need not be included in the report to the Comptroller of the Currency required to be made by the provisions of § 9.103(a).

(b) The assets of any investment company, as that term is defined in the Investment Company Act of 1940, as amended, which is subject to the regulations of the United States Securities and Exchange Commission, for which the reporting institution provides investment advice or counsel, need not be included in the reports to the Comptroller of the Currency required to be made by § 9.103.

(c) The Comptroller of the Currency may, in his discretion, exempt any bank, subsidiary or affiliate, from the requirements of this part, or any portion thereof upon the prior request of such bank, subsidiary or affiliate.

#### § 9.104 Information filed with the Comptroller of the Currency.

Any bank, or subsidiary or affiliate of any bank required to file reports with the Comptroller of the Currency pursuant to this Regulation may make written request to the Comptroller of the Currency that any information contained in such reports be designated by the Comptroller of the Currency as confidential. The Comptroller of the Currency may, in such cases, make available to the public the information contained in any such report only when in his judgment a disclosure of such information is in the public interest and consistent with the purposes of this part as expressed at § 9.101(b).

Dated: April 10, 1974.

[SEAL]

JAMES E. SMITH,  
Comptroller of the Currency.

[FR Doc.74-9360 Filed 4-23-74;8:45 am]

## DEPARTMENT OF THE INTERIOR

Office of the Secretary

[ 43 CFR Part 3300 ]

### OUTER CONTINENTAL SHELF LANDS ACT

#### Proposal on Oil and Gas Leases

The Department of the Interior is considering amending the regulations issued pursuant to the Outer Continental Shelf Lands Act (OCS Act) (43 U.S.C. §§ 1331-1343) with the objective of improving competition for oil and gas leases under that statute by increasing the number of bidders on individual tracts. To that purpose the Department has under consideration the amendment of 43 CFR 3300.1; a draft of such a regulation is set forth below.

A public hearing will be held in the Auditorium, Department of the Interior, Washington, D.C., beginning at 9:30 a.m., Tuesday, June 25, 1974, and continuing, if necessary, through June 26, 1974. Requests to appear at the hearing should be submitted to the Director, Bureau of Land Management (attention: 700), Washington, D.C. 20240, by June 18, 1974. A notice announcing procedures to be followed at the hearing and information which must be filed with the requests to appear will be published in the FEDERAL REGISTER on May 24, 1974.

Written comments, including suggested modifications of, or amendments to, the draft regulation or alternative proposals, should be submitted to the Director, Bureau of Land Management (attention: 700), Washington, D.C. 20240, by the close of business, June 18, 1974. The purpose of requesting such comments prior to the hearing is to assist the Department in the conduct of the hearing. Written comments may be submitted to the same officer after the hearing and will be received until the close of business on Wednesday, July 31, 1974.

At the hearing and in the written comments the Department particularly wishes to receive both comments on the draft regulation and recommendations as to alternative methods of achieving the goal of increased competition for oil and gas leases under the OCS Act. After all comments and recommendations have been received and studied the Department will publish a proposed regulation for comment.

The draft amendment of 43 CFR 3300.1 is as follows:

#### § 3300.1 Persons qualified to hold leases.

(a) Mineral leases issued pursuant to section 8 of the act may be held only by citizens, States, political subdivisions of a State, or private, public, or municipal corporations organized under the laws of the United States or of any State or Territory thereof, all of which are referred to in this Part as a person or persons.

(b) In order to be authorized to submit a bid for an oil and gas lease jointly with another person, any person otherwise qualified under 43 CFR 3300.1(a) must be on the effective "List of Qualified Joint Bidders" issued by the Director and published in the FEDERAL REGISTER. The Director shall issue a List of Qualified Joint Bidders semiannually on December 1 and June 1, to be effective on January 1 and July 1, respectively. The List issued on December 1 shall be based on a statement submitted by the preceding October 1 and that issued on June 1 on a statement submitted by the preceding April 1. To be placed on the List of Qualified Joint Bidders, a person must file with the Director a sworn statement on a form approved by the Director stating whether the person filing maintains, as of September 1 and March 1, respectively, the power of disposition, either individually or in concert with others, over five billion barrels of oil, both onshore and offshore, domestic and foreign, which is in storage or transit, or, if it is not yet produced, which is capable of commercial production.



(1) The term "person" as used in paragraphs (b), (c), or (d) of this section shall include not only the person legally holding the power of disposition, but also, if that person is a corporation, any parent corporation or subsidiary corporation of that person, or any other corporation which is a subsidiary of a parent of that person; if the person owns or controls stock in any corporation having such power of disposition, the person shall be charged with the number of barrels subject to that corporation's power of disposition proportionate to the person's stock ownership or control in the corporation.

(c) No person having the power of disposition, either individually or in concert with other persons, over more than 5 billion barrels of oil, as determined from the statements submitted pursuant to paragraph (b) of this section shall be permitted to join in bidding with any other person having the power of disposition, either individually or in concert with others, over more than 5 billion barrels of oil. However, there shall be no prohibition on such a person joining in bidding with any other person not having the power of disposition over such an amount of oil. When the Director publishes the semiannual List of Qualified Joint Bidders, he shall indicate on that List which persons are, because of their power of disposition, either individually or in concert with other persons, over more than 5 billion barrels of oil, restricted as to the persons with whom they may join in bidding, and all persons so indicated shall remain subject to such restrictions until a new List of Qualified Joint Bidders is made effective.

(d) To verify the accuracy of the statement submitted on the approved form pursuant to 30 CFR 3300.1(b), the Director may require the person submitting the statement to permit the inspection and copying by an official of the Department of the Interior of such documents, records, well logs, analyses, and other material as are necessary to demonstrate the accuracy of the statement submitted and the manner in which the figures on which it is based were derived. Where there is a question of whether oil is capable of production, the determination of the Secretary shall be final.

JOHN C. WHITAKER,  
Acting Secretary,  
of the Interior.

APRIL 18, 1974.

[FR Doc. 74-9284 Filed 4-23-74; 8:45 am]

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

#### [ 7 CFR Part 26 ]

#### BARLEY

#### Proposed Revision of Standards

Pursuant to section 4 of the United States Grain Standards Act, as amended (82 Stat. 762, 7 U.S.C. 76), notice is hereby given according to the administrative procedure provisions of section 553 of

Title 5, United States Code, that the U.S. Department of Agriculture has under consideration a proposed revision of the United States Standards for Barley (7 CFR 26.201 et seq.).

*Statement of considerations.* The United States Grain Standards Act provides for official U.S. standards to designate the levels of quality of grain for voluntary use by producers, merchandisers, and consumers in the domestic marketing of grain and for mandatory use in the export marketing of grain. Official grading service is provided under the Act upon request of the applicant and payment of a fee to cover the cost of the service.

The Department has completed a study of the U.S. standards for barley which were last revised in 1962 (27 FR 2551). Informal discussions have been held with segments of the grain industry to obtain recommendations and suggestions for updating the barley standards. Also, comments and recommendations from importers of U.S. barley have been received and considered.

Under the present standards barley grown east of the Rocky Mountains and in the State of Alaska is classed as "Barley," whereas barley grown west of the Rocky Mountains is classed as "Western Barley." Accurate classing of "Barley" and "Western Barley" is often difficult, if not impossible. In addition, the area of production is not considered an accurate criterion for identifying the end-use qualities of barley. For example, under the current standards, some malting varieties, when grown west of the Rocky Mountains, are classed as malting barley; whereas, the same varieties, when grown east of the Rocky Mountains, are not classed as malting barley even though they may perform well for malting purposes.

Accordingly, it is proposed that classes of barley be based upon visual kernel characteristics rather than by area of production. The present classes Barley, Western Barley, and Mixed Barley would be replaced by the new classes Six-rowed Barley, Two-rowed Barley, and Barley.

The ability of malting barley to germinate is of prime concern to malsters. It is important that most, if not all, of the kernels germinate and that they do so at a uniform rate. Mechanically damaged kernels; i.e., skinned and broken kernels, may not germinate properly or may do so at an erratic rate. Skinned and broken kernels are caused principally by overthreshing at harvest time. Overthreshing often increases the test weight per bushel of barley and thus may increase the monetary return for the crop. A reduction in the test weight per bushel requirement should tend to reduce the practice of overthreshing and, as a result, improve the germination potential of the barley.

Accordingly, it is proposed that the minimum test weight per bushel for U.S. No. 1 Choice Two-rowed Malting Barley be reduced from 52.0 pounds to 50.0 pounds, and the minimum test weight

per bushel for Two-rowed Malting Barley in U.S. Grade Nos. 1, 2, and 3 be reduced from 50.0 pounds to 48.0 pounds. If this reduction in test weight per bushel requirement does not result in the desired improvement, consideration will be given to reinstating the present limits.

The special grade "Ergoty" is presently applied to barley containing ergot in excess of 0.3 percent. Livestock feeding trials have shown significant symptoms of toxicity in animals regularly consuming feed containing as little as 0.06 percent of ergot. The incidence of barley containing ergot is not significant. Accordingly, it appears there is sufficient justification for reducing the allowable limits for this toxic substance and proposing that the designation "Ergoty" be applied to barley containing ergot in excess of 0.10 percent.

Malting barley containing large amounts of plump kernels is of interest to malsters because it reportedly yields more malt extract. Also, they state that there is a relationship between plumpness and steeping time. As a result, buyers and sellers recognize plumpness as a quality factor and often pay premiums for malting barley with more than 50 percent plump kernels.

Plump kernels are not defined in the present standards. Plump kernels are identified by the trade as kernels which remain on top of a  $\frac{1}{16} \times \frac{3}{4}$  inch slotted-hole sieve.

To be meaningful to buyers and sellers, the U.S. standards should identify and measure the more important end-use properties of grain. Plump kernels are a measure of one or more important end-use properties in malting barley.

Some end-use properties, such as plump kernels, are subject to wide variations in economic value from crop year to crop year. Such properties can be better stated as special grades than as grading factors.

Accordingly, it is proposed that "plump kernels" be defined in the grade standards as barley that remains on top of a  $\frac{1}{16} \times \frac{3}{4}$  slotted-hole sieve after sieving in an approved manner, and that the percentage of plump kernels be shown on grade certificates as a part of the grade for malting barley so that buyers and sellers can be better informed as to the quality of the barley. Since the determinations for the "thin barley" and "plump barley" may be made simultaneously, by nesting the sieves, the amount of "plump barley" can be determined at little or no additional inspection cost.

Trade quotations usually refer to "plump barley" in increments, such as "65 percent to 70 percent." Further, showing inspection results in increments is statistically more desirable and less apt to be misinterpreted than showing the results in whole and tenths of a percent. Accordingly, it is proposed that the amount of "plump barley" in malting barley be certificated in terms of 5 percent increments when found to occur above the 50 percent level.



The proposed changes in the United States Standards for Barley would:

1. Provide that the class of barley be determined on the basis of kernel characteristics rather than by area of production and the classes and subclasses be revised as follows:

*Present classes and subclasses:*

Barley:  
Malting Barley.  
Blue Malting Barley.  
Barley.  
Western Barley.  
Mixed Barley.

*Proposed classes and subclasses:*

Six-rowed Barley:  
Six-rowed Malting Barley.  
Six-rowed Blue Malting Barley.  
Six-rowed Barley.  
Two-rowed Barley:  
Two-rowed Malting Barley.  
Two-rowed Barley.

Comparison of Present limits for the classes barley and western barley and Proposed limits for the class barley, and subclasses two-rowed barley and six-rowed barley.

Grade	Minimum limits for—			Maximum limits for—					
	Sound barley			Foreign material		Broken kernels			
	Present	Proposed		Present	Proposed	Present	Proposed	Present	Proposed
	Percent <sup>1</sup>	Percent <sup>2</sup>	Percent	Percent <sup>1</sup>	Percent <sup>2</sup>	Percent <sup>1</sup>	Percent <sup>2</sup>	Percent <sup>1</sup>	Percent <sup>2</sup>
U.S. No. 1.....	97.0	98.0	97.0	1.0	0.5	1.0	5.0	3.0	4.0
U.S. No. 2.....	94.0	96.0	94.0	2.0	1.0	2.0	10.0	6.0	8.0
U.S. No. 3.....	90.0	93.0	90.0	3.0	2.0	3.0	15.0	10.0	12.0
U.S. No. 4.....	80.0	88.0	85.0	4.0	3.0	4.0	20.0	15.0	18.0
U.S. No. 5.....	70.0	80.0	75.0	6.0	4.0	5.0	30.0	25.0	28.0

<sup>1</sup> Present limits for the class barley.

<sup>2</sup> Present limits for the class western barley.

4. Revise the format of the standards by:

a. Showing the definition for barley, then subsequently listing all other definitions in alphabetical order—for ease in use.

b. Deleting the definition for "Grades" from "Terms defined"—the term is adequately defined under "Grades, Grade Requirements, and Grade Designations."

c. Including "Moisture" and "Test weight per bushel" under "Terms Defined"—these terms were previously included in "Principles Governing Application of Standards."

d. Incorporating the term "crotalaria seed" under U.S. Sample grade (§ 26.208) and showing numerical limits for crotalaria seed and stones—to more clearly define the grade.

e. Deleting the listing of types of damaged kernels from the definition for "Sound barley" because they appear in the definitions for "damaged kernels" and "heat-damaged kernels."

5. Add to the definition for "other grains" the following grains: guar, non-grain sorghum, popcorn, rice, sweet corn, sunflower seed, and triticale—to provide for designation of those grains likely to be found in barley.

6. Add the terms "insect-bored" and "germ damaged" to the definition for damaged kernels—to clearly identify insect-bored kernels and kernels with dead germs as damaged kernels.

7. State limits for, and redesignate the terms "frost-damaged" to "frost-damaged kernels (major)" and "injured by frost" to

Barley (a mixture of two-rowed and six-rowed barley or barley containing more than 10 percent of black barley).

2. Delete the following special grades:

Test weight for Western Barley.  
Two-rowed Barley.  
Choice Malting Two-rowed Barley.  
Malting Two-rowed Barley.

3. Provide that the grade requirements for the proposed class Barley and the subclasses Six-rowed Barley and Two-rowed Barley be identical to the requirements in the present grade table for the subclass Barley of the class Barley, except for the limits of sound barley, foreign material, and broken kernels. Provide that the proposed limits for these three factors be either identical to or between the limits for the present class Barley or Western Barley. (See following comparison table.)

"frost-damaged kernels (minor)"—to provide a more meaningful description of the degrees of damage and for ease in applying these factors. The proposed limits have been followed by the Board of Appeals and Review (Grain) for the past several years.

8. State limits for, and redesignate the terms "mold-damaged" to "mold-damaged kernels (major)" and "injured by mold" to "mold damaged kernels (minor)"—to provide a more meaningful description of the degrees of damage and for ease in applying these factors. The proposed limits have been followed by the Board of Appeals and Review (Grain) for the past several years.

9. State limits for, and redesignate the terms "heat-damaged" to "heat-damaged kernels (major)" and "injured by heat" to "heat-damaged kernels (minor)"—to provide a more meaningful description of the degrees of damage and for ease in applying these factors.

10. Define "suitable malting type" and "distinctly low quality"—to more clearly identify these terms.

11. Provide that the moisture content of barley be determined before the removal of dockage—to allow more accurate measurement of the moisture content.

12. Redefine "Dockage," "Moisture," "Test weight per bushel," "Thin Barley," and "Basis of determination"—to show additional information (e.g., approved equipment for determining such factors) that is considered significant to the

meaning and application of the standards.

13. Express test weight per bushel in terms of whole and half pounds—to conform with approved inspection practices.

14. Provide for a reduction in test weight per bushel from 52.0 to 50.0 pounds for grade U.S. No. 1 Choice Two-rowed Malting Barley; and from 50.0 to 48.0 pounds for grades U.S. Nos. 1, 2, and 3, Two-rowed Malting Barley—to discourage the practice of overthreshing and thereby promote improvement in the quality of malting barley.

15. Clarify the definition for percentages—to provide for uniformity in expressing percentage for grade determinations.

16. Add the section "Temporary modifications in equipment and procedures" (§ 26.204) to "Principles Governing Application of Standards"—to provide for instances when adverse growing or harvesting conditions warrant minor modifications in equipment and procedures.

17. Provide that any barley containing more than 14.0 percent of moisture be graded "tough" and discontinue the application of Sample grade on account of moisture content.

18. Delete the factor "mellow kernels" from the subclass Two-rowed Malting Barley—it is a factor that is difficult to apply and is seldom, if ever, used.

19. Redefine "Ergoty barley" as barley containing ergot in excess of 0.10 percent—to further restrict the allowance of this toxic material.

20. Define "Plump barley" in the standards—to define and give official meaning to a term that is widely used in commerce for describing barley quality and provide that "plump barley" be included as a part of the grade for malting barley.

21. Provide minor procedural and editorial changes.

The Department proposes that the United States Standards for Barley be revised to read as follows:

UNITED STATES STANDARDS FOR BARLEY

TERMS DEFINED

Sec.  
26.201 Definitions of barley.  
26.202 Definitions of other terms.

PRINCIPLES GOVERNING THE APPLICATION OF THE STANDARDS

26.203 Basis of determination.  
26.204 Temporary modification in equipment and procedures.  
26.205 Percentages.

GRADES, GRADE REQUIREMENTS, AND GRADE DESIGNATIONS

26.206 Grades and grade requirements for the subclasses Six-rowed Malting Barley and Six-rowed Blue Malting Barley (See also § 26.202(c) (1) (i) and (ii); § 26.210(a) through (h); and § 26.211.)  
26.207 Grades and grade requirements for the subclass Two-rowed Malting Barley. (See also § 26.202(c) (2) (i); § 26.210(a) through (h); and § 26.211.)



26.208 Grades and grade requirements for the subclasses Six-rowed Barley, Two-rowed Barley, and the class Barley. (See also § 26.202(c) (1) (iii), (2) (ii), § 26.210(a) through (h) and § 26.211.)

26.209 Grade designations.

SPECIAL GRADES, SPECIAL GRADE REQUIREMENTS, AND SPECIAL GRADE DESIGNATIONS

26.210 Special grades and special grade requirements.

26.211 Special grade designations.

UNITED STATES STANDARDS FOR BARLEY<sup>1</sup>  
TERMS DEFINED

### § 26.201 Definition of barley.

Grain which, before the removal of dockage, consists of 50 percent or more of whole kernels of cultivated barley (*Hordeum vulgare* L. and *H. distichum* L.) and not more than 25 percent of other grains for which standards have been established under the United States Grain Standards Act. The term "barley" as used in these standards shall not include hull-less barley.

### § 26.202 Definitions of other terms.

For the purposes of these standards the following terms shall have the meanings stated below:

(a) *Black barley.* Barley with black hulls.

(b) *Broken kernels.* Barley with more than 1/4 of the kernel removed.

(c) *Classes.* Barley shall be divided into the following three classes: Six-rowed Barley, Two-rowed Barley, and Barley.

(1) *Six-rowed Barley.* Barley of the six-rowed type with white hulls which contains not more than 10.0 percent of two-rowed barley or black barley, either singly or combined. This class shall be divided into the following three subclasses:

(i) *Six-rowed Malting Barley.* Six-rowed barley of a suitable malting type which has 90.0 percent or more of kernels with white aleurone layers; which is not semisteely in mass; which is not badly stained or materially weathered, bleached, blighted, ergoty, garlicky, smutty, or weevily, and which otherwise meets the requirements of the grades for the subclass Six-rowed Malting Barley (see § 26.206).

(ii) *Six-rowed Blue Malting Barley.* Six-rowed barley of a suitable malting type which has 90.0 percent or more of kernels with blue aleurone layers, and which otherwise meets the requirements of the subclass Six-rowed Malting Barley (see § 26.206).

(iii) *Six-rowed Barley.* Any barley of the class Six-rowed Barley which does not meet the requirements of the subclass Six-rowed Malting Barley or Six-rowed Blue Malting Barley.

(2) *Two-rowed Barley.* Barley of the two-rowed type with white hulls which contain not more than 10.0 percent of six-rowed barley or black barley, either

singly or combined. This class shall be divided into the following two subclasses:

(i) *Two-rowed Malting Barley.* Two-rowed barley of a suitable malting type, which is not semisteely in mass; which is not badly stained or materially weathered, bleached, blighted, ergoty, garlicky, smutty, or weevily, and which otherwise meets the requirements of the grades for the subclass Two-rowed Malting Barley (see § 26.207).

(ii) *Two-rowed Barley.* Two-rowed barley which does not meet the requirements of the subclass Two-rowed Malting Barley.

(3) *Barley.* Barley which does not meet the requirements for any of the classes Six-rowed Barley, Two-rowed Barley, or which contains more than 10 percent of black barley.

(d) *Damaged kernels.* Kernels and pieces of kernels of barley, other grains, and wild oats which are:

Blight-damaged, mold-damaged (major and minor), sprout-damaged or malted, frost-damaged (major and minor), germ-damaged, badly ground-damaged, badly weather-damaged, insect-bored, or otherwise materially damaged.

(e) *Distinctly low quality.* Barley which is obviously of inferior quality because it contains foreign substances or because it is in an unusual state or condition, and which cannot be properly graded by use of the other grading factors provided in the standards.

(f) *Dockage.* Weed seeds, weed stems, chaff, straw, grain other than barley, sand, dirt, and any material other than barley which can be removed readily from a test portion of the original sample by use of an approved device in accordance with procedures prescribed in the Grain Inspection Manual.<sup>2</sup> Dockage shall include underdeveloped, shriveled, and small pieces of barley kernels removed in properly separating the material other than barley and which cannot be recovered by properly rescreening or recleaning. For the purpose of this paragraph "approved device" shall include the Carter Dockage Tester and any other equipment that is approved by the Administrator as giving equivalent results.<sup>3</sup>

(g) *Foreign material.* All matter other than barley, other grains, and wild oats, which is not separated from the barley in the determination of dockage.

(h) *Frost-damaged kernels (major).* Kernels and pieces of kernels of barley which are badly shrunk and distinctly discolored black or brown by frost.

<sup>2</sup> Grain Inspection Manual, GR Instruction 918-6, effective August 28, 1972, as amended, U.S. Department of Agriculture, Agricultural Marketing Service. Copies may be obtained from the Grain Division, Agricultural Marketing Service, U.S. Department of Agriculture, 6525 Belcrest Road, Hyattsville, Maryland 20782.

<sup>3</sup> Requests for information concerning approved devices and procedures, criteria for approved devices, and request for approval of devices should be directed to the Grain Division, Agricultural Marketing Service, U.S. Department of Agriculture, 6525 Belcrest Road, Hyattsville, Maryland 20782.

(i) *Frost-damaged kernels (minor).* Kernels and pieces of kernels of barley which are distinctly indented, immature or shrunk in appearance; or which are light green in color as a result of frost before maturity.

(j) *Germ-damaged kernels.* Kernels and pieces of kernels of barley that have dead germs or discolored germ ends indicative of dead germs.

(k) *Heat-damaged kernels (major).* Kernels and pieces of kernels of barley, other grains and wild oats, which are materially discolored and damaged by heat.

(l) *Heat-damaged kernels (minor).* Kernels and pieces of kernels of barley which are slightly discolored as a result of heating.

(m) *Mold-damaged kernels (major).* Kernels and pieces of kernels of barley which are weathered and contain considerable evidence of mold.

(n) *Mold-damaged kernels (minor).* Kernels and pieces of kernels of barley containing slight evidence of mold.

(o) *Moisture.* Water content in barley as determined by an approved device in accordance with procedures prescribed in the Grain Inspection Manual.<sup>2</sup> For the purpose of this paragraph "approved device" shall include the Motomco moisture meter and any other equipment that is approved by the Administrator as giving equivalent results.<sup>3</sup>

(p) *Other grains.* Corn, cultivated buckwheat, einkorn, emmer, flaxseed, sorghum, guar, hull-less barley, non-grain sorghum, oats, Polish wheat, popcorn, poulard wheat, rice, rye, soybeans, spelt, sweet corn, sunflower, triticale, and wheat.

(q) *Plump barley.* Barley that remains on top of a 6/64 x 3/4 slotted-hole sieve after serving in accordance with procedures prescribed in the Grain Inspection Manual.<sup>2</sup>

(r) *Sieves.* (1) 5/64 x 3/4 slotted-hole sieve. A metal sieve 0.032 inch thick with slotted perforations 0.0781 (5/64) inch by 0.750 (3/4) inch.

(2) 5 1/2/64 x 3/4 slotted-hole sieve. A metal sieve 0.032 inch thick with slotted perforations 0.0859 (5 1/2/64) inch by 0.750 (3/4) inch.

(3) 6/64 x 3/4 slotted-hole sieve. A metal sieve 0.032 inch thick with slotted perforations 0.0937 (6/64) inch by 0.750 (3/4) inch.

(s) *Skinned and broken kernels.* Barley kernels from which one-third or more of the hull has been removed, or in which the hull is loose or missing over the germ, or broken kernels, or whole kernels in which part or all of the germ is missing.

(t) *Sound barley.* Kernels and pieces of kernels of barley, except for frost-damaged kernels (minor) and mold-damaged kernels (minor), which are not damaged, as defined under (d) of this section.

(u) *Stones.* Concreted earthy or mineral matter and other substances of similar hardness that do not disintegrate readily in water.

(v) *Suitable malting type.* The following varieties of barley have been designated as being a suitable malting type:

<sup>1</sup> Compliance with the provisions of these standards does not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act, or other Federal laws.



**TWO-ROWED**

Betzes  
Firlbecks III  
Hannechen  
Hanna  
Klages

Moravian  
Piroline  
Shabet  
Vanguard

**SIX-ROWED**

Beacon  
Dickson  
Larker

Trall  
Trophy

**SIX-ROWED BLUE**

Bonanza

Conquest

(w) **Test weight per bushel.** (1) Test weight per bushel shall be the weight per Winchester bushel (2,150.42 cubic inch capacity) as determined on a test portion of the original sample by an approved device in accordance with instructions in the Grain Inspection Manual.<sup>2</sup> For the purpose of this paragraph "approved device" shall include the Fairbanks-Morse or Ohaus Test Weight Per Bushel Apparatus and any other equipment that is approved by the Administrator as giving equivalent results.<sup>2</sup>

(2) Test weight per bushel shall be stated in terms of whole and half pounds; a fraction of a pound when equal to or greater than one-half shall be stated as one-half and when less than one-half shall be disregarded; e.g., 51.1 through 51.4 shall be 51.0 and 51.5 through 51.9 shall be 51.5.

(x) **Thin barley.** Barley and other matter which may be removed from a test portion of the original sample by an approved device in accordance with procedures prescribed in the Grain Inspection Manual.<sup>2</sup> For the purpose of this paragraph "approved device" shall be the 5 1/2/64 x 3/4 slotted-hole sieve for the class Two-rowed Barley and the 5/64 x 3/4 slotted-hole sieve for the class Six-rowed Barley.

(y) **Wild brome grasses.** Seeds of brome grasses such as *Bromus rigidus* which have harsh awns and which are injurious when fed to livestock.

(z) **Wild oats.** Seeds of *Avena fatua* and *A. sterilis*.

(aa) **Whole kernels.** Barley with 1/4 or less of the kernel removed.

**PRINCIPLES GOVERNING THE APPLICATION OF THE STANDARDS**

**§ 26.203 Basis of determination.**

Each determination of dockage, moisture, temperature, odor, garlic, live weevils or other insects injurious to stored grain, crotalaria seeds, large stones, castor beans, broken glass, animal filth, an unknown foreign substance, a commonly recognized harmful or toxic substance, and otherwise distinctly low quality shall be upon the basis of the grain as a whole. Each determination of heat-damaged kernels, white aleurone layers in Six-rowed Malting Barley; and blue aleurone layers in Six-rowed Blue Malting Barley shall be determined on a test portion of pearled, dockage-free barley. All other determinations shall be on a test portion of barley when free from dockage.

**§ 26.204 Temporary modifications in equipment and procedures.**

The equipment and procedures referred to in the barley standards are applicable to barley produced and harvested under normal environmental conditions. Abnormal environmental conditions during the production and harvesting of barley may require minor temporary modifications in the equipment or procedures to obtain results expected under normal conditions. When these adjustments are necessary, Grain Division Field Offices, official inspection agencies, and interested parties in the grain trade will be notified promptly in writing of the modification. These modifications shall not include changes in interpretations of identity, class, quality, or condition.

**§ 26.205 Percentages.**

(a) Percentages shall be determined on the basis of weight and shall be rounded off as follows:

(1) When the figure to be rounded is followed by a figure greater than 5, round to the next higher figure; e.g., 0.46, report as 0.5.

(2) When the figure to be round is followed by a figure less than 5, round to the next lowest figure; e.g., 0.54, report as 0.5.

(3) When the figure to be rounded is even and it is followed by the figure 5, retain the even figure. When the figure to be rounded is odd and it is followed by 5, round the figure to the next higher number; e.g., 0.45, report as 0.4; 0.55, report as 0.6.

(b) Percentages shall be stated in whole and tenth percent to the nearest tenth of a percent, except for dockage, the identity of barley, classes, and for plump barley. The percentage of dockage, when equal to one percent or more, shall be stated as a whole percent; a fraction of a percent shall be disregarded. The percentage, when determining the identity of barley and the classes in the class "Barley," shall be stated to the nearest whole percent. The percentage of plump barley shall be determined to the nearest whole percent and expressed in terms of the range in which it falls. Ranges shall be: Below 50 percent, 50 percent to 55 percent, 55 percent to 60 percent, 60 percent to 65 percent, 65 percent to 70 percent, 70 percent to 75 percent, 75 percent to 80 percent, 80 percent to 85 percent, 85 percent to 90 percent, 90 percent to 95 percent, and 95 percent to and including 100 percent.

**GRADES, GRADE REQUIREMENTS, AND GRADE DESIGNATIONS**

**§ 26.206 Grades and grade requirements for the subclasses Six-rowed Malting Barley and Six-rowed Blue Malting Barley. (See also § 26.202(c) (1) (i) and (ii); § 26.210 (a) through (h); and § 26.211.)**

Grade	Minimum limits of—			Maximum limits of—					
	Test weight per bushel	Suitable malting type	Sound barley	Damaged kernels <sup>1</sup>	Foreign material	Other grains	Skinned and broken kernels	Thin barley	Black barley
	Pounds	Percent	Percent	Percent	Percent	Percent	Percent	Percent	Percent
U.S. No. 1	47.0	95.0	97.0	2.0	1.0	2.0	4.0	7.0	0.5
U.S. No. 2	45.0	95.0	94.0	3.0	2.0	3.0	6.0	10.0	1.0
U.S. No. 3	43.0	95.0	90.0	4.0	3.0	5.0	8.0	15.0	2.0

<sup>1</sup> Six-rowed Malting Barley and Six-rowed Blue Malting Barley may contain a maximum of 1.9 percent of frost-damaged kernels of which not more than 0.4 percent may be frost-damaged kernels (major), may contain a maximum of 0.2 percent of heat-damaged kernels of which not more than 0.1 percent may be heat-damaged kernels (major), and may contain unlimited amounts of mold-damaged kernels (minor).

NOTE: Six-rowed barley that meets the requirements of U.S. No. 1 to U.S. No. 3, inclusive, for the subclasses Six-rowed Malting Barley and Six-rowed Blue Malting Barley shall be classified and graded according to the requirements in this section. Otherwise, it shall be graded according to the requirements in § 26.208.

**§ 26.207 Grades and grade requirements for the subclass Two-rowed Malting Barley. (See also § 26.202(c) (2) (i); § 26.210 (a) through (h); and § 26.211.)**

Grade	Minimum limits of—			Maximum limits of—				
	Test weight per bushel	Suitable malting types	Sound barley <sup>1</sup>	Wild oats	Foreign material	Skinned and broken kernels	Thin barley	Black barley
	Pounds	Percent	Percent	Percent	Percent	Percent	Percent	Percent
U.S. No. 1 choice..	50.0	97.0	98.0	1.0	0.5	5.0	5.0	0.5
U.S. No. 1.....	48.0	97.0	98.0	1.0	0.5	7.0	7.0	0.5
U.S. No. 2.....	48.0	96.0	96.0	2.0	1.0	10.0	10.0	1.0
U.S. No. 3.....	48.0	95.0	93.0	3.0	2.0	10.0	10.0	2.0

<sup>1</sup> Two-rowed Malting Barley may contain a maximum of 1.9 percent of frost-damaged kernels of which not more than 0.4 percent may be frost-damaged kernels (major), may contain a maximum of 0.2 percent of heat-damaged kernels of which not more than 0.1 percent may be heat-damaged kernels (major), and may contain a maximum of 1.9 percent of mold-damaged kernels of which not more than 0.4 percent may be mold-damaged (major).

NOTE: Two-rowed barley that meets the requirements of U.S. No. 1 Choice to U.S. No. 3, inclusive, for the subclass Two-rowed Malting Barley shall be classified and graded according to the requirements in this section. Otherwise, it shall be graded according to the requirements in § 26.208.



§ 26.208 Grades and grade requirements for the subclasses Six-rowed Barley, Two-rowed Barley, and the class Barley. (See also § 26.202(c) (1) (iii), (2) (ii); § 26.210 (a) through (h) and § 26.211.)

Grade	Minimum limits of—			Maximum limits of—				
	Test weight per bushel	Sound barley	Damaged kernels <sup>1</sup>	Heat-damaged kernels (Major)	Foreign material	Broken kernels	Thin barley	Black barley <sup>2</sup>
	Pounds	Percent	Percent	Percent	Percent	Percent	Percent	Percent
U.S. No. 1.....	47.0	97.0	2.0	0.2	1.0	4.0	10.0	0.5
U.S. No. 2.....	45.0	94.0	4.0	0.3	2.0	8.0	15.0	1.0
U.S. No. 3.....	43.0	90.0	6.0	0.5	3.0	12.0	25.0	2.0
U.S. No. 4.....	40.0	85.0	8.0	1.0	4.0	18.0	35.0	5.0
U.S. No. 5.....	36.0	75.0	10.0	3.0	5.0	28.0	75.0	10.0
U.S. Sample grade	U.S. Sample grade shall be barley which—							
	(a) Does not meet the requirements for the grades U.S. Nos. 1, 2, 3, 4, or 5.							
	(b) Contains a quantity of smut so great that one or more of the grade requirements cannot be determined accurately.							
	(c) Contains more than 7 stones or more than 2 <i>Crotalaria</i> seeds ( <i>Crotalaria</i> spp.) per 1,000 grams of barley.							
	(d) Has a musty, sour, or commercially objectionable foreign odor (except smut or garlic odor), or							
	(e) Contains the seeds of wild brome grasses, or							
	(f) Is heating or otherwise of distinctly low quality.							

<sup>1</sup> Includes heat-damaged kernels (major). Frost-damaged kernels (minor) and mold-damaged kernels (minor) shall not be considered as damaged kernels.

<sup>2</sup> These limits do not apply to the class Barley.

<sup>3</sup> Barley that is badly stained or materially weathered shall be graded not higher than U.S. No. 4.

#### § 26.209 Grade designations.

The grade designation for barley shall include, in the following order: (a) The letters "U.S.," (b) the number of the grade or the words "Sample grade," (c) the special grade "Bright," if applicable (see § 26.211), (d) the name of the applicable subclass, or in the case of the class Barley, the name of the class; (e) the name of each applicable special grade (see § 26.211), (f) when applicable, the word "dockage" together with the percentage thereof; and (g) for malting barley, the words "Plump Barley" together with the applicable percentage range. If requested by the applicant, the grade designation for the class Barley shall include, following the word "Barley," the approximate percentage of each class and of black barley in the mixture, in order of predominance.

SPECIAL GRADES, SPECIAL GRADE REQUIREMENTS, AND SPECIAL GRADE DESIGNATIONS

#### § 26.210 Special grades and special grade requirements.

A special grade, when applicable, is supplemental to the grade assigned under § 26.206, § 26.207, or § 26.208. Such special grades are established and determined as follows:

(a) *Bleached barley.* Barley which, in whole or in part, has been treated with sulphurous acid or any other bleaching agent.

(b) *Blighted barley.* Barley which contains more than 4.0 percent of blight-damaged and/or mold-damaged kernels (major).

(c) *Bright barley.* Barley, except bleached barley, that is of exceptionally good natural color.

(d) *Ergoty barley.* Barley which contains ergot in excess of 0.10 percent.

(e) *Garlicky barley.* Barley which contains three or more green garlic bulbets, or an equivalent quantity of dry or partly dry bulbets, in 500 grams of barley.

(f) *Smutty barley.* Barley which has kernels covered with smut spores to give

a smutty appearance in mass, or which contains 0.20 percent or more of smut masses.

(g) *Tough barley.* Barley which contains more than 14.0 percent moisture.

(h) *Weevily barley.* Barley which is infested with live weevils or other insects injurious to stored grain. As applied to barley the meaning of the term "infested" is set forth in chapter V of the Grain Inspection Manual.<sup>3</sup>

#### § 26.211 Special grade designations.

The grade designation for bright barley shall include, preceding the class or subclass, the word "Bright." The grade designation for bleached, blighted, ergoty, garlicky, smutty, tough, or weevily barley shall include, following the class or subclass, the word(s) "Bleached," "Blighted," "Ergoty," "Garlicky," "Smutty," "Tough," or "Weevily," as warranted, and all other information prescribed in § 26.209.

*Comments and proposed effective date.* The United States Grain Standards Act, as amended, requires that public notice shall be given on any amendment of the standards and that no changes shall become effective less than 1 year after promulgation thereof, unless, in the judgment of the Secretary, the public health, interest, or safety requires that they become effective sooner. It is desirable that new standards become effective before the beginning of harvest to minimize possible disruption of normal marketing procedures. If the proposed revision as set forth herein is adopted in whole or in part, it is intended that the revision would be made effective on or about June 1, 1975.

Public hearings on the proposed revision will not be held, but all persons who desire to submit written data, views, or arguments on this proposal should file them in duplicate with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than July 24, 1974. Any persons who desire to submit their views orally in an informal

manner should so inform the Director, Grain Division, Agricultural Marketing Service, U.S. Department of Agriculture, 6525 Belcrest Road, Hyattsville, Maryland 20782 [telephone (301) 436-8776] so that arrangements may be made for such submission by July 24, 1974.

A summary of such views will be made and furnished for verification to the person making the submission and if approved may be filed by him in the Office of the Hearing Clerk. All comments so filed will be available for public inspection during official hours of business (7 CFR 1.27(b)). Consideration will be given to all comments filed with the Hearing Clerk, and to all other information available to the U.S. Department of Agriculture, in arriving at a decision on the proposed revision of the barley standards.

Copies of the current barley standards may be obtained from the Director, Grain Division, Agricultural Marketing Service, 6525 Belcrest Road, Hyattsville, Maryland 20782, or from any field office of the Grain Division.

For a period of 6 months after adoption of proposed amendments, grain inspectors would, upon request, show on inspection certificates of grade, the grade under both the old and new standards.

Done at Washington, D.C., on: April 18, 1974.

E. L. PETERSON,  
Administrator.

[FR Doc. 74-9277 Filed 4-23-74; 8:45 am]

#### [7 CFR Part 953]

#### IRISH POTATOES GROWN IN SOUTHEASTERN STATES

#### Proposed Expenses and Rate of Assessment

Consideration is being given to authorizing the Southeastern Potato Committee to spend not more than \$11,125 for its operations during the fiscal period ending March 31, 1975, and to collect \$0.0025 per hundredweight on assessable potatoes handled by first handlers under the program.

The committee is the administrative agency established under Marketing Agreement No. 104 and Order No. 953, both as amended (7 CFR Part 953), regulating the handling of Irish potatoes grown in certain designated counties of Virginia and North Carolina. This program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

All persons who desire to submit written data, views, or arguments in connection with this proposal should file the same, in quadruplicate, with the Hearing Clerk, Room 112-A, U.S. Department of Agriculture, Washington, D.C. 20250, not later than May 6, 1974. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)). The proposals are as follows:



**§ 953.211 Expenses and rate of assessment.**

(a) The expenses the Secretary finds may be necessary to be incurred during the fiscal period ending March 31, 1975, by the Southeastern Potato Committee for its maintenance and functioning will amount to \$11,125.

(b) The rate of assessment to be paid by each handler in accordance with the amended Marketing Agreement and this part shall be one-fourth cent (\$0.0025) per hundredweight of potatoes handled by him as the first handler thereof during the said fiscal period: *Provided*, That potatoes for canning, freezing, and other processing shall be exempt.

(c) Unexpended income in excess of expenses for the fiscal period may be carried over as a reserve.

(d) Terms used in this section shall have the same meaning as when used in the said amended marketing agreement and this part.

Dated: April 19, 1974.

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

[FR Doc.74-9376 Filed 4-23-74;8:45 am]

**DEPARTMENT OF  
TRANSPORTATION**

**Federal Highway Administration**

**[ 49 CFR Part 395 ]**

[Docket No. MC-57; Notice 74-5]

**SLEEPER BERTHS**

**Advance Notice of Proposal on Dual  
Occupancy**

The Director of the Bureau of Motor Carrier Safety is considering an amendment to § 395.6 of the Federal Motor Carrier Safety Regulations to permit two persons simultaneously to occupy a sleeper berth under certain conditions. At present, § 395.6 provides that "No sleeper berth shall be occupied by more than one person at any time."

The Bureau of Motor Carrier Safety has received a number of requests to modify the absolute prohibition against dual occupancy of sleeper berths. A petition for rulemaking on this subject filed by a motor carrier last year was denied on the ground that it was inadequately substantiated. More recently, the Bureau has received similar petitions from eight husband-wife driving teams.

The use of sleeper berths was originally permitted solely for the purpose of permitting motor carriers using two or more drivers per vehicle to keep their equipment moving over long distances without requiring the drivers to stop when each exhausted the maximum driving and on-duty time permitted by the hours-of-service limitations of the Federal Motor Carrier Safety Regulations, 49 CFR 395.3. Initially, no one thought of the sleeper berth as a place of lodging at times when

the vehicle was stopped. Over the years, however, changes have occurred in patterns of operation, including an increase in the number of husband-and-wife driving teams. These teams are principally owner-operators; like other owner-operators, they want to use the sleeper berths with which their vehicles are equipped as places of lodging to obtain the required eight hours off duty. In all probability, the desire to use the sleeper berth is motivated by a desire to save the expense of a motel or hotel room.

This motive runs squarely into conflict with § 395.6, prohibiting dual occupancy of a sleeper berth, regardless of whether the vehicle is in motion. That prohibition is not the product of any moral convictions; rather, it stems from the belief that sleeper berths are too narrow and confined to permit more than one person to secure proper rest in them. If a driver fails to obtain sufficient rest, of course, he is in no condition to resume driving safely, and § 395.6 is therefore, aimed at preventing unsafe operations.

It is implicit in the foregoing, however, that if there are circumstances in which more than one person can secure proper rest in a sleeper berth of increased dimensions, the prohibition against dual occupancy should not apply. Accordingly, the Director is soliciting comments on the minimum size of berth that can permit two occupants to obtain adequate rest in an eight-hour off-duty status to enable them, as drivers, to operate a commercial motor vehicle safely. The Director contemplates that the specifications would include minimum width, length, and height measured from the top of the mattress when the berth is occupied.

The Director contemplates that any relaxation of the current rule would apply only when the vehicle is parked in a safe place, since dual occupancy of a berth in a moving vehicle could be unsafe in the event of a crash or other sudden deceleration of the vehicle. He also contemplates permitting dual occupancy by drivers only with the written permission of the motor carrier. Finally, the Director does not now intend to authorize drivers who contemporaneously share a berth to accumulate the required eight hours off duty in two separate periods under the proviso to § 395.3(a) of the Federal Motor Carrier Safety Regulations.

Interested persons are invited to submit written data, views, or arguments pertaining to the proposed amendment. All comments submitted should refer to the docket number and notice number appearing at the top of this document. Comments should be submitted in three copies to the Director, Bureau of Motor Carrier Safety, Washington, D.C. 20590. All comments received before the close of business on June 28, 1974 will be considered before further action is taken. Comments will be available for examination by any interested person in the docket room of the Bureau of Motor Carrier Safety, Room 4136, 400 Seventh

Street, SW., Washington, D.C., both before and after the closing date for comments.

This advance notice of proposed rule making is issued under the authority of section 204 of the Interstate Commerce Act, 49 U.S.C. 304, section 6 of the Department of Transportation Act, 49 U.S.C. 1655, and the delegations of authority by the Secretary of Transportation and the Federal Highway Administrator at 49 CFR 1.48 and 389.4, respectively.

Issued on April 16, 1974.

ROBERT A. KAYE,  
Director, Bureau of  
Motor Carrier Safety.

[FR Doc.74-9294 Filed 4-23-74;8:45 am]

**[ 23 CFR Part 476 ]**

**INTERSTATE HIGHWAY SYSTEM**

**Proposed Regulations for Construction of  
Interstate Segments Entirely Within  
Boundaries of Incorporated Cities**

The Federal Highway Administration is considering issuing regulations to implement 23 U.S.C. 103(h) as added by the Federal Aid Highway Act of 1973 (August 13, 1973, Pub. L. 93-87, Title I, 82 Stat. 250). 23 U.S.C. 103(h) authorizes the construction of a segment of the Interstate System which was a designated part of such System on June 1, 1973 and is entirely within the boundaries of an incorporated city when such city enters into an agreement with the Federal Highway Administrator to pay all non-Federal costs of construction of such segment.

The regulations in this subpart recognize the paramount role of the State in constructing Federal-aid highways. (23 U.S.C. 145 (section 123 of the Federal-aid Highway Act of 1973).) No provision of title 23 permits a city to construct Federal-aid highways. (23 U.S.C. 101, et seq.) In order for a State to avail itself of the provisions of title 23, it must have a State highway department that has adequate powers and is suitably equipped and organized to discharge to the satisfaction of the Secretary the duties required by title 23. (23 U.S.C. 302(a).) The proviso in 23 U.S.C. 103(h) that a city may enter into an agreement with the Secretary to pay non-Federal costs of construction is a unique exception to title 23 provisions. Normally, the State handles payment of the non-Federal costs to the contractors.

Therefore, these regulations, in accordance with title 23, place upon the State responsibility for actually constructing the Interstate segment. They also make clear that construction is to be in accordance with the provisions of title 23 and other applicable Federal laws, which means, for example, that an environmental impact statement must be prepared, public hearings held, and the standards of 23 U.S.C. 109 complied with.

These regulations also reflect the requirement in 23 U.S.C. 103(g) that:



Any segment of the Interstate System, with respect to which a State has not submitted by July 1, 1975, a schedule for the expenditure of funds for completion of construction of such segment or alternative segment within the period of availability of funds authorized to be appropriated for completion of the Interstate System, and with respect to which the State has not provided the Secretary with assurances satisfactory to him that such schedule will be met, shall be removed from designation as a part of the Interstate System.

The regulations recognize that all Federal-aid funds are apportioned to the States pursuant to the provisions of 23 U.S.C. 104, and that programming all Federal-aid projects within the period of availability of funds is a State responsibility. (23 U.S.C. 105.) If, for example, two or more cities within a State decide avail themselves of the benefits of 23 U.S.C. 103(h), the State would have to resolve the priority issues. The regulations clearly place these responsibilities upon the State. The regulations refer to assurances which would be required by 23 CFR 476.108, as proposed in the FEDERAL REGISTER of March 11, 1974 (39 FR 9522). These assurances are required of all States with respect to all uncompleted segments of Interstate, whether within or outside city boundaries.

The regulations also recognize the possibility of joint performance by a State and a city. The intent of § 476.612(b) is to give each State the option of permitting a city to construct the project under State supervision. Under § 476.612(b), a State would still be fully responsible to the Federal Government, since the law does not permit otherwise.

The regulations recognize that a State may also intend to construct an Interstate segment entirely within the boundaries of a city and to pay the non-Federal costs. In that event, such State should promptly so notify the city involved and thereby relieve it of exercising its options under 23 U.S.C. 103(h). Conversely, this requirement also recognizes that a State may not desire to have such an Interstate segment constructed, while the city involved may want it constructed and be willing to pay the non-Federal costs. In these circumstances, a city might be prevented from exercising its options under 23 U.S.C. 103(h) by a State's failure to make a decision before July 1, 1974. Therefore, the regulations compel the States to notify each applicable city of their intentions in time for such cities to consider the matter of paying non-Federal costs and the submission of a request to the Federal Highway Administrator pursuant to these regulations. This requirement (§ 476.608) would not preclude a city, if it chooses to do so, from assuming the non-Federal costs and promptly filing a request for an agreement with the Federal Highway Administrator.

23 U.S.C. 103(h) confers upon a city the right to make a decision (whether a segment of Interstate shall be constructed) that is normally made by a State. Accordingly, the regulations subject each city to the same time con-

straints applicable to the States by virtue of 23 U.S.C. 103(g), (quoted above).

When a city notifies the Federal Highway Administrator of its intention to pay for the construction of a segment of Interstate, it is not necessary for the State to notify the Federal Highway Administrator since, by its own terms, 23 U.S.C. 103(h) is an exception to 23 U.S.C. 103(g). Therefore, the regulations relieve the State of this responsibility and thereby eliminate the possibility that the segment of Interstate will be deleted as a result of State nonaction. The regulations (§ 476.610(c)) do require that the city notify the State of its intention to pay the non-Federal costs because city actions under these regulations would affect State plans.

The regulations also require that information necessary to establish an administrative record for a proper decision is furnished to the Federal Highway Administrator. The Federal Highway Administrator will review the city's notice of intention to pay for construction to determine that a proper foundation exists for an agreement.

The regulations would not prohibit construction of an "Interstate spur" if it connects with the Interstate system at one end, but § 476.604 would prohibit the construction of Interstate segments that are isolated and could not connect with the System because of substitutions or deletions in contiguous cities or areas.

Interested parties are invited to submit comments on these regulations to the Federal Highway Administration, Docket 74-5, Room 4226, 400 7th Street, SW., Washington, D.C. 20590. All written communications received on or before May 9, 1974, will be considered before final action is taken on this proposal. Copies of all written communications received will be available for examination from 7:45 a.m. to 4:15 p.m. at the foregoing address.

In consideration of the foregoing, it is proposed to amend Part 476 of Subchapter E of Chapter I of Title 23, Code of Federal Regulations, by adding a new Subpart G as set forth below.

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

NORBERT T. TIEMANN,  
Federal Highway Administrator.

Subpart G—Regulations for State Construction of Interstate Segments Entirely Within the Boundaries of an Incorporated City

- SEC.  
476.600 Purpose.  
476.602 Applicability.  
476.604 Interstate segments must connect to the System.  
476.608 State must notify city of intentions regarding construction.  
476.610 City's notice of intent to construct Interstate segment.  
476.612 State Responsibility.

AUTHORITY: (23 U.S.C. 103(h), 23 U.S.C. 315), and 49 CFR 1.48(b)

#### § 476.600 Purpose.

The purpose of this part is to implement section 103(h) of title 23, United States Code.

#### § 476.602 Applicability.

The regulations in this Subpart shall be applicable to any interstate segment that was, on June 1, 1973, a designated part of the integrated and connected highway system described in 23 U.S.C. 103(e) (1) of substantial length between logical termini (major crossroads, population centers, major traffic generators, or similar major highway control elements) as normally included in a single location study.

#### § 476.604 Interstate segments must connect to the system.

Individual segments that cross the boundary line between contiguous States or cities are to connect at the boundary line.

#### § 476.608 State must notify city of intentions regarding construction.

Each State must notify, on or before June 1, 1974, those incorporated cities which have Interstate segments entirely within their boundaries whether the State intends to construct those segments.

#### § 476.610 City's notice of intent to construct Interstate segment.

(a) An incorporated city desiring to avail itself of the benefits of section 103(h) of title 23, United States Code must, on or before July 1, 1974, submit to the Federal Highway Administration for approval a notice of intent to pay for construction of Interstate segments entirely within the city's boundaries.

(b) The city's notice must contain the following information:

(1) Opinion of the incorporated city's legal counsel that the appropriate city officials are empowered and have lawfully made or approved the decision to pay for construction of the segment.

(2) General description of the Interstate segment and city boundaries (appropriate maps may satisfy this requirement).

(3) Satisfactory assurances that the city will promptly enter into an agreement with the Federal Highway Administration to pay all non-Federal costs of construction of such segment and of the availability and source of funds for this purpose.

(4) Any other pertinent information on the status of the Interstate segment as may be required by the Federal Highway Administrator.

(c) The city shall furnish to the State highway department a copy of its notice at the same time it is transmitted to the Federal Highway Administration.

#### § 476.612 State responsibility.

(a) Upon agreement between a city and the Federal Highway Administration with respect to payment of the non-Federal costs of construction, the State in which the interstate segment is located shall:

(1) Undertake construction in accordance with the provisions of title 23, United States Code, and other applicable Federal laws and regulations, and



(2) On or before July 1, 1975, submit a schedule for the expenditure of funds for completion of construction of such segment within the period of availability of funds authorized to be appropriated for completion of the Interstate System and provide assurances that such segment will be constructed as required by 23 CFR 476.108.

(b) The State may delegate the responsibility of construction to the city, subject to the approval of the Federal Highway Administration.

[FR Doc. 74-952 Filed 4-23-74; 8:45 am]

# Hazardous Materials Regulations Board [49 CFR Parts 172, 173]

[Docket No. HM-112; Notice 74-7]

## TRANSPORTATION OF HAZARDOUS MATERIALS

### Classification and Packaging of Organic Peroxides

On January 24, 1974, the Hazardous Materials Regulations Board ("the Board") proposed a consolidation of the hazardous materials regulations now found in 14 CFR Part 103, 46 CFR Part 146, and 49 CFR Parts 170 to 179. See

Docket HM-112, Notice 73-9, 39 FR 3021. In this notice of proposed rule making, the Board stated that the consolidation of the organic peroxide regulations would be the subject of separate rule making to be introduced in a notice before action was completed on Notice 73-9.

The Board had hoped that its organic peroxides proposal would include changes to the present listings and packagings now prescribed in the regulations cited above. These changes were to be based on extensive work done under the auspices of the United Nations Committee of Experts on the Transport of Dangerous Goods. It now has become obvious to the Board that the results of this work will not be ready to permit processing in a timely fashion in Notice 73-9. As a result, the Board has decided to withhold any new proposals for listing and packaging of organic peroxides until a later date.

The listings for organic peroxides shown in Notice 73-9 are hereby withdrawn. Instead, the proposals set forth herein complete the presentation in Docket HM-112 of the Board's intent on handling of these materials until the United Nations work is completed. Consequently, the specific item descriptions

and packagings proposed in this notice are essentially a restatement of the present descriptions and packagings in 46 CFR Part 146 and 49 CFR Parts 172 and 173. Also, succinic acid peroxide, and organic peroxides not otherwise specified would not be permitted on passenger-carrying aircraft. It is also proposed to change § 173.119(m) to cover flammable liquids which are also highly toxic.

Flammable liquids which are also corrosive or organic peroxides would continue to be covered as is presently provided in § 173.119(m).

It should be noted also that § 172.602, in Docket HM-103, Notice No. 73-10, 39 FR 3163, would require that any shipper wishing to ship an organic peroxide not assigned a hazard information number in § 172.101 would be required to obtain a written designation of the hazard information number from the Department before making the initial shipment.

### PART 172—LIST OF HAZARDOUS MATERIALS AND HAZARDOUS MATERIALS COMMUNICATIONS REGULATIONS

I. In § 172.101, the List of Hazardous Materials would be amended as follows:

#### § 172.101 List of hazardous materials.

(a) \* \* \*

(1) Hazardous Material	(3) Classification and Hazard Information number	(3) Label(s) required (if not exempt)	(4) UN class and label(s)	(5) Exemptions and packaging (see sec.)	(6) Maximum quantity in one package			(7) Vessels; Stowage, special handling and special segregation
					(a) Express rail car	(b) Passenger carrying rail car or aircraft	(c) Cargo only aircraft	
(add)								
Acetyl benzoyl peroxide, solid.				Not permitted.				
Acetyl benzoyl peroxide solution.	Organic peroxide 57.	Organic peroxide.	Organic peroxide.	No exemption 173.222.	1 quart.	Not permitted.	1 quart.	1, 2. Passenger vessels: 1. Stow separate from combustible materials, explosives or acids.
Acetyl peroxide, solid.				Not permitted.				
Acetyl peroxide solution.	Organic peroxide 57.	Organic peroxide.	Organic peroxide.	173.153, 173.222.	1 quart.	Not permitted.	1 quart.	Do.
Benzoyl peroxide, dry.	Organic peroxide.	do.	Check country for label, class	No exemption 173.158.	25 pounds.	do.	25 pounds.	1. Keep cool and dry. Stow separate from combustible materials, explosives, or acids.
Benzoyl peroxide, wet.	do.	do.	Organic peroxide.	No exemption 173.157.	do.	do.	do.	1, 2. Passenger vessels: 1. Stow separate from combustible materials, explosives, or acids.
Caprylyl peroxide solution.	do.	do.	do.	173.153, 173.221.	1 quart.	1 quart.	1 quart.	1, 2. Not permitted on passenger vessels. Keep cool. Stow separate from combustible materials, explosives, or acids.
Chlorobenzoyl peroxide, pure, dry.	do.	do.	Check country for label, class	No exemption 173.158.	25 pounds.	Not permitted.	25 pounds.	1. Keep cool and dry. Stow separate from combustible materials, explosives, or acids.
Chlorobenzoyl peroxide, pure, wet.	Organic peroxide 57.	do.	Organic peroxide.	No exemption 173.157.	do.	do.	do.	1, 2. Passenger vessels: 1. Stow separate from combustible materials, explosives, or acids.
Cumene hydroperoxide.	do.	do.	do.	173.153, 173.224.	1 quart.	1 quart.	1 quart.	1, 2. Not permitted on passenger vessels. Stow separate from combustible materials, explosives, or acids.
Cyclohexanone peroxide, not over 50 percent concentration.	do.	do.	do.	173.153, 173.154.	25 pounds.	2 pounds.	25 pounds.	1, 2. Keep cool. Stow separate from combustible materials, explosives, or acids.
Cyclohexanone peroxide, over 50 percent but not exceeding 85 percent concentration.	do.	do.	do.	173.157, 173.158.	do.	Not permitted.	do.	1. Keep cool. Stow separate from combustible materials, explosives, or acids.
Dicumyl peroxide, solid.	do.	do.	do.	173.153, 173.154, 173.158, 173.224.	do.	2 pounds.	do.	1, 2. Stow separate from combustible materials, explosives, or acids.
Dicumyl peroxide, 50 percent solution.	do.	do.	do.		1 quart.	1 quart.	1 quart.	1, 2. Not permitted on passenger vessels. Keep cool. Stow separate from combustible materials, explosives, or acids.



(1) Hazardous Material	(2) Classification and Hazard Information number	(3) Label(s) required (if not exempt)	(4) Un class and label(s)	(5) Exemptions and packaging (see sec.)	(6) Maximum quantity in one package			Vessels; Stowage, special handling and special segregation
					(a) Express rail car	(b) Passenger carrying or aircraft	(c) Cargo only aircraft	
Diisopropylbenzene hydroperoxide.	Organic peroxide 59.	do.	do.	173.153 173.224	do.	do.	do.	Do.
Dimethylhexane dihydroperoxide, dry.	Organic peroxide 59.	do.	do.	Not permitted.	25 pounds.	Not permitted.	25 pounds.	1,2. Passenger vessels: 1. Stow separate from combustible materials, explosives, or acids.
Dimethylhexane dihydroperoxide, wet.	Organic peroxide 59.	do.	do.	No exemption 173.157	do.	2 pounds.	do.	1,2. Passenger vessels: 1. Keep cool and dry. Stow separate from combustible materials, explosives, or acids.
Lauroyl peroxide, dry.	Organic peroxide 57.	do.	do.	173.153 173.158	do.	do.	do.	1,2. Passenger vessels: 1. Stow separate from combustible materials, explosives, or acids.
Lauroyl peroxide, wet.	do.	do.	do.	173.153 173.157	do.	do.	do.	1,2. Passenger vessels: 1. Stow separate from combustible materials, explosives, or acids.
Para chlorobenzoyl peroxide. See Chlorobenzoyl peroxide, para.	do.	do.	do.	173.153 173.224	1 quart.	1 quart.	1 quart.	1,2. Not permitted on passenger vessels. Keep cool. Stow separate from combustible materials, explosives, or acids.
Paramenthane hydroperoxide.	do.	do.	do.	173.153 173.224	1 quart.	1 quart.	1 quart.	1,2. Not permitted on passenger vessels. Stow separate from combustible materials, explosives, or acids.
Peracetic acid.	do.	do.	Organic peroxide; Organic peroxide and corrosive.	No exemption 173.223.	5 pints.	do.	5 pints.	Do.
*Peroxide, organic, liquid or solution, n.o.s.	Organic peroxide.	Organic peroxide and flammable liquid.	Organic peroxide.	No exemption 173.119 (m).	1 quart.	Not permitted.	1 quart.	1,2. Stow separate from combustible materials, explosives, or acids.
*Peroxide, organic, liquid or solution, n.o.s.	do.	Organic peroxide.	do.	173.153 173.221	do.	do.	do.	Do.
Peroxide, organic, solid, n.o.s.	do.	do.	do.	173.153 173.154	25 pounds.	do.	25 pounds.	1,2. Stow separate from combustible materials, explosives, or acids.
Succinic acid peroxide, dry.	Organic peroxide 59.	do.	Check country for label, class.	173.153 173.158	do.	do.	do.	1. Keep cool. Stow separate from combustible materials, explosives, or acids.
Succinic Acid peroxide, wet.	do.	do.	do.	173.153 173.157	do.	do.	do.	1,2. Passenger vessels: 1. Keep cool. Stow separate from combustible materials, explosives, or acids.
Tertiary butylisopropyl benzene hydroperoxide.	Organic peroxide 57.	do.	Organic peroxide.	173.153 173.224	1 quart.	1 quart.	1 quart.	1,2. Not permitted on passenger vessels. Keep cool. Stow separate from combustible materials, explosives, or acids.
Urea peroxide.	do.	do.	do.	173.153 173.227	25 pounds.	2 pounds.	25 pounds.	1. Not permitted on passenger vessels. Keep cool and dry. Stow separate from combustible materials, explosives, or acids.

## PART 173—SHIPPERS

II. In § 173.119, the introductory text of paragraph (m) would be amended to read as follows:

§ 173.119 Flammable liquids not specifically provided for.

(m) Flammable liquids which are also organic peroxides, or have the hazard information number 31, 32, 35, or 36. Flammable liquids which are also organic peroxides, oxidizing materials, corrosive liquids, or highly toxic liquids must be packed as follows:

Interested persons are invited to give their views on these proposals. Communications should identify the docket number and be submitted in duplicate to the Secretary, Hazardous Materials Regulations Board, Department of Transportation, Washington, D.C. 20590. Communications received on or before June 25, 1974 will be considered before final action is taken on these proposals. All comments received will be available for examination by interested persons at the Office of the Secretary, Hazardous Materials Regulations Board, room 6215 Trans Point Building, Second and V Streets, SW, Washington, D.C., both before and after the closing date for comments.

fore and after the closing date for comments.

AUTHORITY: Transportation of Explosives Act, 18 U.S.C. 831-835, section 6 of the Department of Transportation Act, 49 U.S.C. 1655; Title VI and section 902(h) of the Federal Aviation Act of 1958, 49 U.S.C. 1421-1430, 1472(h), and 1655(c); Dangerous Cargo Act, as amended, 46 U.S.C. 170; Tank Vessel Act of 1936, 46 U.S.C. 391a, 46 U.S.C. 375, 46 U.S.C. 416, 49 U.S.C. 1655(b)(1), 49 CFR 1.46(b).

Issued in Washington, D.C., on April 18, 1974.

For the Federal Aviation Administration:

C. R. MELUGIN, Jr.,  
Alternate Board Member.

For the Federal Highway Administration:

ROBERT A. KAYE,  
Board Member.

For the Federal Railroad Administration:

MAC. E. ROGERS,  
Board Member.

For the United States Coast Guard:

W. F. REA, III,  
Rear Admiral,  
Board Member.

[FR Doc. 74-9274 Filed 4-23-74; 8:45 am]

## ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 52]

## APPROVAL AND PROMULGATION OF STATE IMPLEMENTATION PLANS

## Proposed Compliance Schedules for Pennsylvania

Section 110 of the Clean Air Act, as amended, and the implementing regulations of 40 CFR Part 51, require each State to submit a plan which provides for the attainment and maintenance of the national ambient air quality standards throughout the State. Each such plan is to contain legally enforceable compliance schedules setting forth the dates by which all stationary and mobile sources must be in compliance with any applicable requirement of the plan.

On May 31, 1972 (37 FR 10842), pursuant to section 110 of the Clean Air Act and 40 CFR Part 51, the Administrator approved portions of Pennsylvania's State Implementation Plan.

Pursuant to 40 CFR 51.6, the Commonwealth of Pennsylvania has submitted for the Environmental Protection Agency's approval, revisions to the compliance schedule portion of its plan. This publication proposes that certain of these re-



visions be approved. Others are still undergoing review and cannot be proposed for approval at this time. Each proposed revision established a date by which an individual air pollution source must attain compliance with an emission limitation of the State Implementation Plan. This date is indicated in the attached table under the heading "Final Compliance Date." In many cases, the schedule includes incremental steps toward compliance with interim dates for achieving those steps. While the table below does not list these interim dates, the actual compliance schedules do. All of the compliance schedules listed here are available for public inspection at the following locations:

Environmental Protection Agency  
Region III  
Curtis Building  
Sixth and Walnut Streets  
Philadelphia, Pennsylvania 19106  
Bureau of Air Quality and Noise Control  
Fulton National Building  
208 North Third Street  
Harrisburg, Pennsylvania 17120  
Freedom of Information Center  
Environmental Protection Agency  
401 M Street, SW.  
Washington, D.C. 20460

Each compliance schedule has been adopted by the Pennsylvania Bureau of Air Quality and Noise Control and submitted to EPA after notice and public hearing in accordance with the procedural requirements of 40 CFR Part 51.

This notice is issued to advise the public that comments may be submitted on whether the proposed revisions to the Pennsylvania State Implementation Plan should be approved or disapproved as required by section 110 of the Clean Air Act. Only comments received by May 24, 1974, will be considered. Public comments received on the proposed revisions will be available for public inspection at the Regional Office in Philadelphia, Pennsylvania, and the Freedom of Information Center in Washington, D.C. The Administrator's decision to approve or disapprove the proposed revisions is based upon the requirements of section 110(a)(2)(A-H) of the Clean Air Act and Environmental Protection Agency regulations published in 40 CFR, Part 51. Comments should be directed to Environmental Protection Agency, Region III, Curtis Building, Sixth and Walnut Streets, Philadelphia, Pennsylvania 19106, Attention: Benjamin Stonelake.

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

Dated: April 17, 1974.

JOHN QUARLES,  
Acting Administrator.

It is proposed to amend Part 52 of Chapter I, Title 40 of the Code of Federal Regulations as follows:

#### Subpart NN—Pennsylvania

Section 52.2036(a) is amended by adding new lines to the table in paragraph (a) as follows:

#### § 52.2036 Compliance schedules.

(a) \* \* \*

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Truxell Foundry Co., State Order No.: 73-870-V.	Jeanette	123.13	Dec. 12, 1973	Immediately	Dec. 31, 1974
Jeannette Corp., State Order No.: 73-871-V.	do	123.1 123.41	Dec. 21, 1973	do	June 30, 1974
Mount Pleasant Foundry, State Order No.: 73-869-V.	Mount Pleasant	123.13	Dec. 14, 1973	do	Dec. 31, 1974
Reading Metals Refining Corp., State Order No.: 74-893-V.	Ontelaunce township.	123.13 123.4	Feb. 1, 1974	do	May 21, 1975
Witeco Chemical Co., State Order No.: 74-891-V.	Bradford	123.13	Jan. 29, 1974	do	Mar. 19, 1975
Witeco Chemical Co., State Order No.: 74-890-V.	do	123.41	do	do	Do.
Witeco Chemical Co., State Order No.: 74-895-V.	do	123.11 123.22	Jan. 31, 1974	do	Do.
Witeco Chemical Co., State Order No.: 74-897-V.	do	123.13	Jan. 30, 1974	do	Do.
Sun Oil Co., State Order No.: 74-921-V.	Marcus Hook	123.41	Feb. 27, 1974	do	Sept. 19, 1974
B. F. Goodrich Tire Co., State Order No.: 74-942-V.	Upper Providence township.	123.11 123.22 123.41	Feb. 27, 1974	do	Sept. 30, 1974
Firestone Tire and Rubber Co., State Order No.: 73-831-V.	Lower Pottsgrove township.	123.22 123.31 123.41	Nov. 19, 1973	do	May 31, 1975
American Can Co., State Order No.: 73-846-V.	Falls township	123.31	Nov. 21, 1973	do	June 1, 1975
Glass Containers Corp., State Order No.: 73-850-V.	Marienville	123.13	do	do	June 30, 1975
National Can Corp., State Order No.: 73-833-V.	Falls township	123.1 123.31 123.41	do	do	May 31, 1975
Medusa Corp., State Order No.: 73-819-V.	Wampum	123.13 123.41	Nov. 7, 1973	do	Apr. 1, 1975
Scott Paper Co., State Order No.: 73-830-V.	Eddystone	123.22	Nov. 19, 1973	do	May 31, 1975
Scott Paper Co., State Order No.: 73-829-V.	Chester city	123.22	do	do	Do.
Universal Container Steel Drum Corp., State Order No.: 73-826-V.	Trainer	123.31	do	do	June 30, 1974
Synthane Taylor Corp., State Order No.: 73-845-V.	West Norriton township	123.31(a)(1) 123.31(b)	Nov. 23, 1973	do	May 31, 1975
Wolf's Head Oil Refining Co., Inc., State Order No.: 73-821-V.	Reno	123.11 123.22 123.41	Nov. 8, 1973	do	Dec. 31, 1974
Westinghouse Electric Corp., State Order No.: 73-818-V.	Sharon	123.11	Nov. 7, 1973	do	Feb. 1, 1975
Sun Oil Co., State Order No.: 73-812-V.	East Whiteland township	129.2 129.3	Nov. 14, 1973	do	Dec. 1, 1974
Pennzoil Co., State Order No.: 73-820-V.	Rouseville	123.11 123.22 123.41	Nov. 8, 1973	do	Jan. 1, 1975
Koppers Co., Inc., State Order No.: 73-734-V-A.	Petrolia	123.13	Nov. 9, 1973	do	Mar. 18, 1975
General Interiors Corp., State Order No.: 73-839-V.	Lewisburg	123.1	Nov. 15, 1973	do	Mar. 30, 1974
Valley Grove School District, State Order No.: 73-840-V.	Rocky Grove	123.11 123.41	Nov. 19, 1973	do	Sept. 1, 1974
E. I. DuPont de Nemours and Co., State Order No.: 73-845-V.	Bensalem township	129.12	Nov. 21, 1973	do	May 30, 1975
Rohm and Haas Co., State Order No.: 73-847-V.	Bristol township	123.21	Nov. 20, 1973	do	June 1, 1974
Bethlehem Steel Corp., State Order No.: 73-758-V.	Steelton	123.41	Sept. 24, 1973	do	May 12, 1975
Molybdenum Corp. of America, State Order No.: 73-658-V.	Canton township	123.13 123.21	July 2, 1973	do	Dec. 31, 1974
Washington School District, State Order No.: 73-660.	Washington	123.41	do	do	May 22, 1975
Fasson, Division of Avery Products Corp., State Order No.: 73-780-V-A.	Quakertown	123.31	Oct. 24, 1973	do	May 31, 1975
GAF Corp., State Order No.: 73-792-V.	Erie	123.31	Oct. 12, 1973	do	Nov. 30, 1974
General Electric Co., Transportation System Business Div., State Order No.: 73-861-V.	do	123.22	Oct. 17, 1973	do	July 1, 1975
Glass Containers Corp., State Order No.: 73-739-V.	Parker	123.13	Aug. 28, 1973	do	June 30, 1975
Paterson Parchment Paper Co., State Order No.: 73-828-V.	Bristol township	123.22	Nov. 14, 1973	do	May 15, 1975
Source	Location	Allegheny County Article XVIII section	Date of adoption	Effective date	Final compliance date
United States Steel Corp., County Docket No.: 141 P 131-8.	Clairton	1810.1A	July 3, 1973	July 13, 1973	May 15, 1975

[FR Doc. 74-9280 Filed 4-23-74; 8:45 am]



## DEPARTMENT OF LABOR

Occupational Safety and Health  
Administration

## [ 29 CFR Part 1999 ]

STANDARD FOR OCCUPATIONAL  
EXPOSURE TO VINYL CHLORIDENotice of Intent To Prepare an  
Environmental Impact Statement

The National Environmental Policy Act of 1969 (42 U.S.C. section 102) requires each Federal agency to consider the environmental effects of proposed actions and to prepare environmental impact statements on major actions affecting the quality of the human environment. Accordingly, the Occupational Safety and Health Administration, U.S. Department of Labor, in conformance with its procedures for environmental impact statements (29 CFR Part 1999), announces its intention to prepare an environmental statement assessing the impact of a proposed standard for occupational exposure to vinyl chloride to be published in the FEDERAL REGISTER in the near future.

The Office of Standards Development, Occupational Safety and Health Administration, is currently collecting information and data on possible environmental impacts of the proposed standard, such as any adverse environmental effects which cannot be avoided should the standard be adopted; alternatives to such a standard; the relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity; and any irreversible commitments of resources which would be involved if the standard be implemented. Those issues of particular interest are:

a. Any medical or toxicological evidence which indicates that exposure to vinyl chloride or its polymers produces adverse effects to living organisms, especially primates.

b. Current and historical levels of occupational exposure.

c. Combustible characteristics associated with vinyl chloride or its polymers, especially information correlating accident experience; damage to facilities, interruption of plant activities, and/or storage and shipment difficulties.

d. Identification of the uses of vinyl chloride or its polymers, through finished products, and determination of the quantity of use.

e. Any information suggesting substitutes for vinyl chloride or its polymers, to include estimates of the extent to which substitution is feasible.

f. Any suggested actions which will control the health hazards associated with production, storage, or shipment of vinyl chloride or its polymers through finished products.

g. Any other pertinent information.

Any person having information or data on this subject which is not readily available in the open literature is invited to submit it, with accompanying documentation, to the Director, Office of Standards Development, Occupational Safety

and Health Administration, 1726 M Street, NW, Room 500, Washington, D.C. 20210 by May 17, 1974. All information received will be available for public inspection at the Office of Standards Development.

When the draft environmental impact statement on vinyl chloride is completed, copies will be available to any member of the public who requests it. A 45-day period will be allowed for the public to submit their comments.

Signed at Washington, D.C., this 18th day of April 1974.

JOHN STENDER,

Assistant Secretary of Labor.

[FR Doc.74-9300 Filed 4-23-74; 8:45 am]

## Wage and Hour Division

## [ 29 CFR Part 511 ]

WAGE ORDER PROCEDURE FOR PUERTO  
RICO, THE VIRGIN ISLANDS, AND  
AMERICAN SAMOAChanges in Procedures as the Result of the  
Fair Labor Amendments of 1974

Under authority provided in the Fair Labor Standards Act of 1938 (52 Stat. 1062, 1064, as amended; 29 U.S.C. 205, 206, 208) and Rtoorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p. 1004) and Secretary's Orders Nos. 13-71 and 15-71 (39 FR 8755 and 8756), it is hereby proposed to revise 29 CFR Part 511 to adapt the procedures set forth therein to the Fair Labor Standards Amendments of 1974, Pub. L. No. 93-259.

The proposed revisions of §§ 511.10 and 511.13 would prescribe the greater responsibility of the employers or of the industry in establishing its inability to pay the rates comparable to the ones in the various States. The amendment to § 511.8 would show the current title of the Director of the Caribbean Office.

Interested persons may submit written data, views, and arguments concerning the proposed revision on or before May 9, 1974. Such submissions may be filed with the Administrator, Wage and Hour Division, U.S. Department of Labor, 14th Street and Constitution Avenue, NW, Washington, D.C. 20210.

1. As amended paragraph (b) of § 511.8 would read as follows:

## § 511.8 Prehearing statements.

(b) Any interested person who wishes to participate on his own behalf or by counsel shall file a written prehearing statement. Not later than ten days before the first hearing date set for any committee in a notice of hearing concerning minimum wages for Puerto Rico or the Virgin Islands, or such other period of time as may be prescribed in a notice of hearing, or other notice published in the FEDERAL REGISTER, the original and 11 copies of the prehearing statement shall be filed at the Office of the Director of the Caribbean Office of the Wage and Hour Division, United States Department of Labor, 7th Floor, Condominio San Alberto Building, 1200

Ponce de Leon Avenue, Santurce, Puerto Rico, and one copy at the Office of the Administrator of the Wage and Hour Division, United States Department of Labor, Washington, D.C. 20210. If such statements are sent by air mail from Puerto Rico or the Virgin Islands to the mainland, or from the mainland to Washington, such filing shall be deemed timely if postmarked within the time provided. The number of copies of such statements and the time and places for filing them will be specified in notices of hearings to determine minimum wages for American Samoa. The prehearing statement shall describe the person's interest in the proceeding and shall contain (1) the prepared statement he proposes to give, if any; (2) a statement of the individual classifications and minimum wage rates, if any, he proposes to support; (3) the written data he proposes to introduce in evidence, including all tangible objective data to be submitted pursuant to § 511.13; (4) the names and addresses of the witnesses he proposes to call and a summary of the evidence he proposes to develop; (5) the name and address of the individual who will present his case; and (6) a statement of the approximate length of time his case will take. If the prehearing statement is in conformity with the above requirements, the person shall have the right to participate as a party. In accordance with section 6(c) of the Administrative Procedure Act, industry committee shall, after considering the advice of committee counsel, issue subpoenas authorized by section 9 of the Fair Labor Standards Act of 1938, to parties who make a request therefor accompanied by a clear showing of general relevance and reasonable scope of the evidence sought.

2. As revised, § 511.10 would read as follows:

## § 511.10 Subjects and issues.

(a) The declared policy of the Act with respect to industries or enterprises in Puerto Rico, the Virgin Islands, and American Samoa engaged in commerce or in the production of goods for commerce is to reach as rapidly as is economically feasible without substantially curtailing employment the object of the minimum wage rate which would apply in each such industry under paragraph (1) or (5) of section 6(a) but for section 6(c). Each industry committee shall recommend to the Administrator the highest minimum wage rates for the industry which it determines, having due regard to economic and competitive conditions, will not substantially curtail employment in the industry and will not give any industry in Puerto Rico, the Virgin Islands, or American Samoa a competitive advantage over any industry in the United States outside of Puerto Rico, the Virgin Islands and American Samoa; except that the committee shall recommend to the Secretary the minimum wage rate prescribed in section 6(a) or 6(b).



which would be applicable but for section 6(c) unless there is substantial documentary evidence, including pertinent unabridged profit and loss statements and balance sheets for a representative period of years or in the case of employees of public agencies other appropriate information, in the record which establishes that the industry, or a predominant portion thereof, is unable to pay that wage.

(b) Whenever the industry committee finds that a higher minimum wage may be determined for employees engaged in certain activities or in the manufacture of certain products in the industry than may be determined for other employees in the industry, the industry committee shall recommend such reasonable classifications within the industry as it determines to be necessary for the purpose of fixing for each classification the highest minimum wage rate (not in excess of that prescribed in paragraph (1) or (5) of section 6(a), or section 6(b) of the Act, whichever would be applicable) that can be determined for it under the principles set out in this section which will not substantially curtail employment in such classification and will not give a competitive advantage to any group in that industry. No classification shall be made, however, and no minimum wage rate shall be fixed solely on a regional basis or on the basis of age or sex. In determining whether there should be classification within an industry, in making such a classification, and in determining the minimum wage rate for such a classification, the committee shall consider, among other relevant factors, the following: (a) Competitive conditions as affected by transportation, living and production costs; (b) the wages established for work of like or comparable character by collective labor agreements

negotiated between employers and employees by representatives of their own choosing; and (c) the wages paid for work of like or comparable character by employers who voluntarily maintain minimum wage standards in the industry.

3. As revised, § 511.13 would read as follows:

#### § 511.13 Evidence.

In accordance with the notice of hearing, the committee and any authorized subcommittee will take official notice of the facts stated in the economic report to the extent they are not refuted by evidence received at the hearing. Other pertinent evidence available to the Department of Labor may be presented at the hearing. The committee itself may call witnesses not otherwise scheduled to testify. Oral or documentary evidence may be received, but the committee shall exclude irrelevant, immaterial, and unduly repetitious evidence. Every interested person who has met the requirements for participation as a party shall have the right to present his case by oral or documentary evidence, to submit rebuttal evidence, and to conduct such cross-examination of witnesses called by others as may be required for a full and true disclosure of the facts. Testimony on behalf of an employer or group of employers as to inability to pay the minimum wage rate specified in paragraph (1) or (5) of section 6(a), or section 6(b) of the Act, whichever would be applicable, or as to inability to adjust to a higher minimum wage rate than prescribed by any applicable wage order of the Secretary, shall be supported by tangible objective data filed as part of the prehearing statement under § 511.8, including pertinent unabridged profit and loss statements and balance sheets for a representative period of

years for the individual firm or firms involved. Such financial data shall include the most recent period of a year or fraction thereof for which data are available. Financial statements filed in accordance with this provision, except those relating to a period of less than a full fiscal year or a fiscal year ending less than 90 days prior to the filing of the pre-hearing statement, shall be certified by an independent public accountant or shall be sworn to conform to and be consistent with the corresponding income tax returns covering the same years. Evidence of witnesses not present at the hearing may be submitted only by affidavits received with, or as a part of, a prehearing statement which meets the requirements of § 511.8 and satisfactorily explains why each affiant cannot be present. Such affidavits will be received in evidence to the same extent that testimony from affiants would have been admitted had they been present. The committee will give such weight to these statements as it considers appropriate, and the fact that such affiants have not been subject to cross-examination may be considered, along with other relevant facts, in assessing the weight to be given such evidence.

**Effective date.** These amendments are proposed to become effective upon publication in the FEDERAL REGISTER.

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

Signed at Washington, D.C., this 18th day of April 1974.

WARREN D. LANDIS,  
Acting Administrator, Wage  
and Hour Division, U.S. De-  
partment of Labor.

[FR Doc. 74-9298 Filed 4-23-74; 8:45 am]



# Notices

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

## DEPARTMENT OF STATE

[Public Notice CM-132]

### SECRETARY OF STATE'S ADVISORY COMMITTEE ON PRIVATE INTERNATIONAL LAW

#### Study Group on International Sale of Goods; Notice of Meeting

A meeting of the Study Group on International Sale of Goods, a subgroup of the Secretary of State's Advisory Committee on Private International Law, will take place on Saturday, May 18, 1974, at the United States Mission to the United Nations, 799 United Nations Plaza, New York, New York. The meeting, which will begin at 10 a.m., will be open to the public.

The primary purpose of the meeting is to review the work accomplished at the Fifth Session of the Working Group on International Sale of Goods of the United Nations Commission on International Trade Law.

Members of the public who desire to attend the meeting will be admitted up to the limits of the capacity of the meeting room. Entrance to the United States Mission building is controlled and entry will be facilitated if arrangements are made in advance of the meeting. It is requested that prior to May 18, 1974, members of the general public who plan to attend the meeting inform their name and affiliation and address to Mr. Robert E. Dalton, Office of the Legal Adviser, Department of State; the telephone number is area code 202-632-2107.

Dated: April 16, 1974.

ROBERT E. DALTON,  
Executive Director.

[FR Doc.74-9286 Filed 4-23-74; 8:45 am]

## DEPARTMENT OF DEFENSE

### Department of the Army

#### ARMY SCIENTIFIC ADVISORY PANEL

##### Notice of Meeting

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

Name of committee: Army Scientific Advisory Panel.

Date: 20-21 May 1974.

Place: Ft. Monroe, Va.

Time: 0830-1715, 20 May 1974, 0800-1450, 21 May 1974.

Agenda:

### ASAP SPRING 1974 MEETING AGENDA HQ TRADOC, FORT MONROE, VA

20-21 MAY 1974

#### 20 May (TRADOC Auditorium)

0830-0835-----	Call to Order—Chairman.
0835-0845-----	Welcome—Commander, TRADOC.
0845-0950-----	TRADOC Overview Presentation.
0950-1010-----	Break.
1010-1100-----	Combat Development and Materiel Acquisition Process.
1100-1230-----	Scenarios/SCORE and Task Force Bushmaster Presentation.
1230-1240-----	Enroute FMOOM by Bus.
1350-1400-----	Enroute TRADOC Auditorium by Bus.
1400-1500-----	New Initiatives in Training.
1500-1600-----	Personnel Presentation.
1600-1610-----	Summation—Chairman.
1610-1630-----	Break.
1630-1715-----	1/Big 5.

#### 21 May (TRADOC Auditorium)

0800-0845-----	2/Big 5.
0845-0930-----	3/Big 5.
0930-1015-----	4/Big 5.
1015-1035-----	Break.
1035-1120-----	Last/Big 5.
1120-1130-----	Summation—Chairman.
1300-1450-----	Business Meeting.
1450-----	Adjournment and Departures.

This meeting is closed to the public due to the security classification of the materiel to be discussed.

Any additional information concerning the meeting may be obtained from Dr. Marvin E. Lasser, Chief Scientist, Department of the Army, Executive Director, Army Scientific Advisory Panel, Washington, D.C. (202) 695-7487.

MARVIN E. LASSER,  
Chief Scientist, DA,  
Executive Director, ASAP.

[FR Doc.74-9292 Filed 4-23-74; 8:45 am]

## BOARD OF VISITORS, UNITED STATES MILITARY ACADEMY

### Notice of Meeting

In accordance with section 10, PL 92-463, announcement is made of the following committee meeting:

Name of committee: Board of Visitors, United States Military Academy.

Date of meeting: April 24-April 25, 1974.

Places of meetings: April 24 (morning) Building 600, West Point, N.Y., April 24 (afternoon) Building 745, West Point, N.Y., April 25 (afternoon) Capitol Building, Washington, D.C.

The meeting on 24 April, 1100-1145, will be open for public attendance when the Dean of the Academic Board will brief the Board on matters under his purview. The remainder of the meetings will pertain to internal Academy policies, procedures, and personnel matters and will be held in closed session.

Proposed discussion topics: As desired by the Board of Visitors, and pursuant to provisions of the United States Code, Section 4355.

If additional information is desired, contact Headquarters USMA, West Point, New York 10996. Telephone (914) 938-4200.

By authority of the Secretary of the Army.

FRED R. ZIMMERMAN,  
Lt. Colonel, AGC,  
Chief, Plans Office, TAGO.

APRIL 17, 1974.

[FR Doc.74-9293 Filed 4-23-74; 8:45 am]

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

#### CHIEF, BRANCH OF CADASTRAL SURVEY WYOMING STATE OFFICE

##### Redelegation of Authority

APRIL 10, 1974.

1. Pursuant to the authority contained in Part I, § 1.1(a) of Bureau Order No. 701 of July 23, 1964, as amended, I hereby redelegate to the Chief, Branch of Cadastral Survey in the Division of Technical Services, authority to take action under the following parts:

Part I—§ 1.4(a) (1) and (3)

2. The Chief, Division of Technical Services may, in his discretion, personally exercise any authority hereby delegated to the Chief, Branch of Cadastral Survey.

3. Effective date: This redelegation will become effective May 24, 1974.

DANIEL P. BAKER,  
State Director.

Approved:

ED HASTLEY,  
Acting Associate Director.

[FR Doc.74-9285 Filed 4-23-74; 8:45 am]

### National Park Service

#### MAMMOTH CAVE NATIONAL PARK, KENTUCKY

##### Notice of Public Hearing Regarding Wilderness Proposal

Notice is hereby given in accordance with the provisions of the Act of Septem-



ber 3, 1964 (78 Stat. 890, 892; (16 U.S.C. 1131, 1132)), and in accordance with Departmental procedures as identified in 43 CFR 19.5, that a public hearing will be held beginning at 9:30 a.m. Central Daylight Time on May 29, 1974, in the Dero Downing University Center Theatre, Western Kentucky University, Bowling Green, Kentucky, for the purpose of receiving comments and suggestions as to the suitability of lands within Mammoth Cave National Park for designation as wilderness. The park is located in Edmonson, Hart, and Barren Counties, in south central Kentucky.

On August 10, 1972, the Department of the Interior published a notice in the *FEDERAL REGISTER* reducing the minimum period for public notice of wilderness hearings from 60 days to 30 days, bringing the administrative procedures for wilderness hearings in line with all the Departmental procedures for public hearings and publication of notices in the *FEDERAL REGISTER*. In addition to this advance notice of wilderness public hearings, the hearing record will remain open for 30 days after the hearing date to receive written comments from interested persons or public officials.

On April 13, 1972, notice was given in the *FEDERAL REGISTER* of a wilderness public hearing to be held on June 23, 1972, on Mammoth Cave and of the availability of public hearing materials which included a draft master plan and a preliminary wilderness study. This public hearing was cancelled by a notice in the *FEDERAL REGISTER* of June 20, 1972, for lack of an approved master plan environmental impact statement.

A copy of the draft master plan environmental impact statement which discusses wilderness alternatives may be obtained from the Superintendent, Mammoth Cave National Park, Mammoth Cave, Kentucky 42259. Limited quantities of the master plan and the preliminary wilderness study are also available and may be obtained from the Superintendent, Mammoth Cave National Park at the above address, or from the Regional Director, Southeast Region, National Park Service, 3401 Whipple Avenue, Atlanta, Georgia 30344. The preliminary wilderness study released April 13, 1972, contains the National Park Service Wilderness Use and Management Policy statement. Portions of this policy may be superseded by the Departmental "Guidelines for Wilderness Proposals," dated June 24, 1972. Copies of these guidelines are also available and will be distributed along with the draft master plan environmental impact statement and the remaining copies of the preliminary wilderness study.

A topographic map of the areas studied for their suitability or nonsuitability as wilderness is available for review in the above offices and in Room 1210 of the Department of the Interior Building at 18th and C Streets, NW, Washington, D.C.

Interested individuals, representatives of organizations and public officials are

invited to express their views in person at the aforementioned public hearing, provided they notify the Hearing Officer, in care of the Superintendent, Mammoth Cave National Park, Mammoth Cave, Kentucky 42259, by May 24, 1974, of their desire to appear. Those not wishing to appear in person may submit written statements on the suitability study to the Hearing Officer, at that address for inclusion in the official record, which will be held open until June 29, 1974.

Time limitations may make it necessary to limit the length of oral presentations and to restrict to one person the presentation made in behalf of an organization. An oral statement may, however, be supplemented by a more complete written statement which may be submitted to the Hearing Officer at the time of presentation of the oral statement. Written statements presented in person at the hearing will be considered for inclusion in the transcribed hearing record. However, all materials so presented at the hearing shall be subject to determinations that they are appropriate for inclusion in the transcribed hearing record. To the extent that time is available after presentation of oral statements by those who have given the required advance notice, the Hearing Officer will give others present an opportunity to be heard.

After an explanation of the proposal by a representative of the National Park Service, the Hearing Officer, insofar as possible, will adhere to the following order in calling for the presentation of oral statements:

- (1) Governor of the State or his representative.
- (2) Members of Congress.
- (3) Members of the State Legislature.
- (4) Official representative of the counties in which the proposed wilderness is located.
- (5) Officials of other Federal agencies or public bodies.
- (6) Organizations in alphabetical order.
- (7) Individuals in alphabetical order.
- (8) Others not giving advance notice, to the extent there is remaining time.

Date: April 16, 1974.

RICHARD C. CURRY,  
Associate Director,  
National Park Service.

[FR Doc.74-9143 Filed 4-23-74; 8:45 am]

#### Office of the Secretary

#### FEDERAL METAL AND NONMETAL MINE SAFETY ADVISORY COMMITTEE

##### Notice of Meeting

In accordance with section 10(a) (2) of the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given that the Federal Metal and Nonmetal Mine Safety Advisory Committee, authorized to be established under the Federal Metal and Nonmetallic Mine Safety Act (Pub. L. 89-577), will meet on Wednesday, May 15, 1974 and Thursday, May 16, 1974, starting at 8:30 a.m. each day, in the Rodeway Inn—O'Hare Airport, 5615 N. Cumberland, Chicago, Il-

linois 60631—telephone number—Area Code 312, 693-5800.

The matters to be discussed at this meeting include suggested new and revised health and safety standards and definitions relating to explosives, escapeways (from underground mines), and gassy mines. Copies of the agenda and the suggested standards are available for the public and may be obtained from or may be examined in the Office of the Executive Secretary.

The meeting of the Advisory Committee is open to the public. Public attendance will be limited to seating available in the meeting room of the Rodeway Inn. Persons desiring to attend this meeting are requested to notify the Executive Secretary in writing of their intention to attend the meeting by Thursday, May 9, 1974.

Written data, views or arguments concerning the subjects to be considered may be filed with the Executive Secretary by Thursday, May 9, 1974. Any such submission, timely received, will be provided to the members of the Advisory Committee and will be included in the record of the meeting. Persons wishing to orally address the committee at the meeting should submit a written request to be heard to the Executive Secretary no later than May 9, 1974. The request must contain a short summary of the intended presentation and an estimate of the amount of time that will be needed. At the meeting the Chairman will announce whether oral presentations will be allowed and, if so, under what conditions.

All written notices and requests to the Executive Secretary should be addressed as follows:

Mr. Robin A. Van Meter  
Acting Executive Secretary  
Federal Metal and Nonmetal Mine Safety  
Advisory Committee  
Room 2517  
U.S. Department of the Interior  
Washington, D.C. 20240  
Telephone Number: Area code 202, 343-4404

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

APRIL 19, 1974.

[FR Doc.74-9388 Filed 4-23-74; 8:45 am]

#### DEPARTMENT OF AGRICULTURE

#### Animal and Plant Health Inspection Service

#### ADVISORY COMMITTEE ON HOG CHOLERA ERADICATION

##### Notice of Meeting

A meeting of the Advisory Committee on Hog Cholera Eradication will be held at 8:30 a.m., on May 15, 1974, at the Omaha Hilton Hotel, Omaha, Nebraska.

The purpose of the committee is to advise and counsel the Secretary of Agriculture regarding program operations or measures to eradicate hog cholera from this country.

The purpose of the meeting is to review program progress, problems, and recommended actions.



The meeting is open to the public; however, space and facilities are limited. Written statements may be filed with the committee before or after the meeting. Any member of the public who wishes to file a statement or who has further questions may contact Dr. F. J. Mulhern, Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture, Room 316E, Washington, D.C. 20250, telephone number (202) 447-3668.

Dated: April 18, 1974.

F. J. MULHERN,  
Chairman.

[FR Doc.74-9310 Filed 4-23-74; 8:45 am]

#### Forest Service

#### TIMBER MANAGEMENT PLAN, GIFFORD PINCHOT NATIONAL FOREST, WASHINGTON

##### Availability of Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a draft environmental statement for the Timber Management Plan, Gifford Pinchot National Forest, Washington. USDA-FS-R6-DES-(Adm)-74-6.

The environmental statement concerns carrying out the revised Timber Management Plan for the next ten years on the Gifford Pinchot National Forest. A potential yield of 5,274.5 million board feet of sawtimber is proposed for the ten-year period.

This draft environmental statement was transmitted to CEQ on April 16, 1974. Copies are available for inspection during regular working hours at the following locations:

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

USDA, Forest Service  
Pacific Northwest Region  
319 S.W. Pine Street  
Portland, Oregon 97204  
Gifford Pinchot National Forest  
500 West 12th Street  
Vancouver, Washington 98660

A limited number of single copies are available upon request to Regional Forester T. A. Schlapfer, Pacific Northwest Region, P.O. Box 3623, Portland, Oregon 97208.

Comments are invited from the public, and from state and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact involved for which comments have not been requested specifically.

Comments concerning the proposed action and requests for additional information should be addressed to responsible official, T. A. Schlapfer, Regional Forester, P.O. Box 3623, Portland, Oregon 97208. Comments must be received by May 31, 1974, in order to be

considered in the preparation of the final environmental statement.

D. B. TRASK,  
Acting Regional Forester, R-6.

APRIL 16, 1974.

[FR Doc.74-9346 Filed 4-23-74; 8:45 am]

#### Farmers Home Administration

[FmHA Instruction 471.1]

#### CERTIFICATES OF BENEFICIAL OWNERSHIP

##### Notice of Interest Rates to Investors

Notice is hereby given by the Farmers Home Administration that the current rate of interest for certificates of beneficial ownership sold through the National Finance Office established pursuant to 7 CFR 1873.3(b) is as follows:

Rate	Term of Investment
8 percent (8.00%)	1 through 25 Years.

Effective Date: This notice shall be effective on April 24, 1974.

Dated: April 23, 1974.

FRANK B. ELLIOTT,  
Administrator,  
Farmers Home Administration.

[FR Doc.74-9545 Filed 4-23-74; 10:12 am]

#### DEPARTMENT OF COMMERCE

##### Maritime Administration

##### CONSTRUCTION OF TANKERS

##### Recomputation of Foreign Cost

Notice is hereby given of the intent of the Maritime Subsidy Board, pursuant to the provisions of section 502(b) of the Merchant Marine Act 1936, as amended, to recompute the estimated foreign cost of the construction of tankers of about 40,000 DWT since there appears to have been a significant change in shipbuilding market conditions since the previous determination of estimated foreign cost was made.

Any person, firm or corporation having any interest (within the meaning of section 502(b)) in such computations may file written statements by the close of business on May 31, 1974, with the Secretary, Maritime Subsidy Board, Maritime Administration, Room 3099B, Department of Commerce Building, 14th & E Streets, NW, Washington, DC 20230.

Dated: April 19, 1974.

By order of the Maritime Subsidy Board, Maritime Administration.

JAMES S. DAWSON, Jr.,  
Secretary.

[FR Doc.74-9385 Filed 4-23-74; 8:45 am]

#### DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

##### Food and Drug Administration

[FAP 3B2847]

##### ALLIED CHEMICAL CORP.

##### Notice of Withdrawal of Petition for Food Additives

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409

(b), 72 Stat. 1786; (21 U.S.C. 348(b))), the following notice is issued:

In accordance with § 121.52, Withdrawal of petitions without prejudice, of the procedural food additive regulations (21 CFR 121.52), Keller and Heckman, 1150 17th St. NW., Suite 1000, Washington, D.C. 20036, on behalf of Allied Chemical Corp., P.O. Box 1057R, Morristown, N.J. 07960, has withdrawn its petition (FAP 3B2847) notice of which was published in the FEDERAL REGISTER of November 2, 1972 (37 FR 23372) proposing that § 121.2566 *Antioxidants and/or stabilizers for polymers* (21 CFR 121.2566) be amended to provide for the safe use of cuprous iodide as a stabilizer in the manufacture of nylon 6 resin articles intended for holding food during oven-baking or oven-cooking temperatures above 250° F.

The petition was withdrawn because the data submitted are inadequate to support the proposed regulation.

Dated: April 16, 1974.

VIRGIL O. WODICKA,  
Director, Bureau of Foods.

[FR Doc.74-9313 Filed 4-23-74; 8:45 am]

#### National Institute of Education RESEARCH GRANTS PROPOSALS REVIEW PANELS

##### Notice of Meetings

Pursuant to Public Law 92-463, the Federal Advisory Committee Act, notice is hereby given that the Office of Research Grants Review Panels will meet May 6, 7 and 8, 1974, in the Mayflower Hotel, 1127 Connecticut Avenue NW., Washington, D.C. The panels will review, discuss, evaluate, and rank proposals received in response to the NIE announcement appearing in Volume 39, No. 3, of the FEDERAL REGISTER of Friday, January 4, 1974. The meetings will be from 9 a.m. to 5 p.m. each day. The public portion of the meetings will be held from 9 a.m. to 10:30 a.m. on May 6 in the State Room, Mayflower Hotel. The individual panel sessions for the balance of May 6 and for all of May 7 and 8 will be closed to the public under 5 U.S.C. 552(b)(4), since the proposals to be discussed are considered to contain trade secrets, and commercial or financial information and to be privileged or confidential and therefore nondisclosable under the regulations of the Department of Health, Education, and Welfare.

The individual panels will make recommendations on proposals for the Director of NIE who will make final funding decisions.

Panel, place of meeting, contact and type of meeting

Learning and Instruction, Potomac Room, Open—May 6, 9-10:30 a.m. (State Room), Closed May 6, 10:30 a.m. to 5 p.m., Panel Officer: Dr. Suzanne Brainard, Telephone 202-254-5040.

Social Thought and Processes, Concord Room, Open—May 6, 9-10:30 a.m. (State Room), Closed May 6, 10:30 a.m. to 5 p.m. and May 7 and 8, 9 a.m. to 5 p.m. Panel Officer: Dr. Robert Beezer, Telephone 202-254-5040.



Organization and Administration, New York Suite, Open—May 6, 9–10:30 a.m. (State Room), Closed May 6, 10:30 a.m. to 5 p.m. and May 7 and 8, 9 a.m. to 5 p.m. Panel Officer: Mr. Ronald Anson, Telephone: 202-254-5040.

A summary of the proceedings of the meetings may be obtained from the Office of Public Information, National Institute of Education, Washington, D.C. 20208, telephone (202) 254-5800.

Dated: April 23, 1974.

THOMAS K. GLENNAN, Jr.,  
Director,  
National Institute of Education.

[FR Doc.74-9584 Filed 4-23-74; 11:48 am]

**Office of the Secretary  
FUND FOR THE IMPROVEMENT OF  
POSTSECONDARY EDUCATION  
Meeting**

Notice of Public Meeting of the Board of Advisors to the Fund for the Improvement of Postsecondary Education.

Notice is hereby given, pursuant to section 10(a) (2) of the Federal Advisory Committee Act (Pub. L. 92-463), that the next meeting of the Board of Advisors to the Fund for the Improvement of Postsecondary Education will be held on May 2-4, 1974, beginning at 4:00 p.m. May 2 through 4:00 p.m. May 4 at the Key Bridge Marriott, Rosslyn, Virginia. The meeting will be for the sole purpose of considering and formulating advice to the Director of the Fund regarding the approval or disapproval of proposals submitted to the Fund under the Comprehensive Program.

The meeting will not be open to the public, since these proposals are exempt from mandatory disclosure under 5 U.S.C. 552(b) (4) and (6) to the extent that they contain trade secrets, commercial or financial information obtained from a person and privileged or confidential and to the extent that disclosure of the documents and the discussions thereon would constitute a clearly unwarranted invasion of personal privacy.

A summary of the proceeding of the meeting and a roster of members may be obtained from the Fund for the Improvement of Postsecondary Education, 400 Maryland Avenue SW., Room 3139, Washington, D.C. 20202; telephone 202-245-8091.

Signed at Washington, D.C., on April 16, 1974.

VIRGINIA B. SMITH,  
Director, Fund for the Improvement of Postsecondary Education.

[FR Doc.74-9316 Filed 4-23-74; 8:45 am]

**Social Security Administration  
HEARINGS, INVESTIGATIONS AND  
OTHER PROCEEDINGS**  
Redelegations of Authority To Administer Oaths and Affirmations  
Section 289 of the Social Security Amendments of 1972, Pub. L. 92-603, au-

thorizes the Secretary of Health, Education, and Welfare to administer oaths and affirmations in the course of hearings, investigations, or other proceedings conducted under the program of health insurance for the aged and disabled (Medicare) established by title XVIII of the Social Security Act, as amended. This authority has been delegated by the Secretary of Health, Education, and Welfare to the Commissioner of Social Security, with authority to redelegate, as

provided within subsection a. of section D-1 of Part 4 (Social Security Administration) in the "Statement of Organization, Functions, and Delegations of Authority for the Department of Health, Education, and Welfare." Notice is hereby given that the Commissioner of Social Security has redelegated authority to administer such oaths and affirmations to the following positions in the Social Security Administration:

Delegates	Scope of authority
A. Deputy Commissioner	A. All cases within the jurisdiction of the Social Security Administration.
B. Assistant Commissioner for Administration and Deputy Assistant Commissioner for Administration.	B. All cases within the jurisdiction of the Social Security Administration.
C. Director and Deputy Director, Bureau of Health Insurance.	C. All cases within the jurisdiction of the Bureau of Health Insurance.
D. Criminal Investigators in the Division of Administrative Appraisal and Planning, Office of Administration.	D. All cases referred to the Office of Administration for investigation.
E. Program Integrity Specialists in the Bureau of Health Insurance.	E. All cases within the jurisdiction of the Bureau of Health Insurance.
F. All intervening positions in the direct lines of supervision between the positions specified in items B and D above, and between the positions specified in items C and E above.	F. All cases within the jurisdiction of the organizational component to which the particular supervisory position is assigned.

These redelegations shall be effective April 24, 1974. Further redelegations by the specified delegates are not authorized.

Dated: April 15, 1974.

J. B. CARDWELL,  
Commissioner of Social Security.

[FR Doc.74-9374 Filed 4-23-74; 8:45 am]

**DEPARTMENT OF  
TRANSPORTATION**

**Coast Guard**

[CGD 74 115]

**INDUSTRY ADVISORY COMMITTEE ON  
RULES OF THE ROAD**

**Notice of Open Meeting**

This is to give notice pursuant to the Federal Advisory Committee Act, section 10(a) (2), dated October 6, 1972, that the Industry Advisory Committee on Rules of the Road, U.S. Coast Guard, will conduct an open meeting on Tuesday, June 4, 1974, at the Nassif Building, 400 Seventh Street SW., Washington, DC, beginning at 9:30 a.m. in room S332.

The Industry Advisory Committee on Rules of the Road is a committee authorized by the Secretary of Transportation. The Committee provides advice and consultation with respect to matters concerned with proposals affecting the rules of the road.

The agenda for the June 4 meeting consists of the following:

Consideration of a rule-by-rule comparison of the International Regulations for Preventing Collisions at Sea, 1972, with the current U.S. rules (i.e. Inland, Western Rivers, and Great Lakes Rules).

Development of recommendations for consolidation and unification of rules applicable on U.S. waters.

Development of recommendations for exceptions to the International Regulations for Preventing Collisions at Sea, 1972, addressing unique operating conditions and circumstances found in certain U.S. waters.

Any other business. Members are invited to present views on subjects which should be placed on future agendas or which are pertinent to the safety of navigation as it relates to the rules of the road.

Any member of the public who wishes to do so may file a written statement with the Industry Advisory Committee on Rules of the Road, before or after the meeting, or may present an oral statement with the advance approval of the Chairman.

Interested persons may request additional information concerning the June 4 meeting and other matters relating to the Industry Advisory Committee on Rules of the Road from Captain K. L. Moser, Executive Director, Industry Advisory Committee on Rules of the Road, U.S. Coast Guard, Headquarters (G-WLE/73), 400 Seventh Street SW., Washington, DC 20590, or by calling 202-426-4958.

Dated: April 18, 1974.

W. M. BENKERT,  
Rear Admiral, U.S. Coast Guard,  
Chief, Office of Marine Environment and Systems.

[FR Doc.74-9338 Filed 4-23-74; 8:45 am]

[CGD 74 95]

**TEXASGULF INC.**

**Notice of Qualification As a Citizen of the United States**

This is to give notice that pursuant to 46 CFR 67.23-7, issued under the provisions of section 27A of the Merchant Marine Act, 1920, as added by the Act of



September 2, 1958 (46 U.S.C. 883-1), Texasgulf Inc. of 200 Park Avenue, New York, New York 10017, incorporated under the laws of the State of Texas, did on March 12, 1974, file with the Commandant, United States Coast Guard, in duplicate, an oath for qualification of a corporation as a citizen of the United States following the form of oath prescribed in Form CG-1260.

The oath shows that:

(a) A majority of the officers and directors of the corporation are citizens of the United States (list of names, home addresses, and citizenship attached to the oath);

(b) Not less than 90 percent of the employees of the corporation are residents of the United States;

(c) The corporation is engaged primarily in a manufacturing or mineral industry in the United States, or in a Territory, District, or possession thereof;

(d) The aggregate book value of the vessels owned by the corporation does not exceed 10 percent of the aggregate book value of the assets of the corporation; and

(e) The corporation purchases or produces in the United States, its Territories or possessions not less than 75 percent of the raw materials used or sold in its operations.

The Commandant, United States Coast Guard, having found this oath to be in compliance with the law and regulations, on March 28, 1974, issued to Texasgulf Inc. a certificate of compliance on Form CG-1262, as provided in 46 CFR 67.23-7. The certificate and any authorization granted thereunder will expire three years from the date thereof unless there first occurs a change in the corporate status requiring a report under 46 CFR 67.23-7.

Dated: April 18, 1974.

W. F. REA, III,  
Rear Admiral, U.S. Coast Guard,  
Chief, Office of Merchant Marine Safety.

[FR Doc. 74-9336 Filed 4-23-74; 8:45 am]

#### Federal Aviation Administration FAA HANDBOOK

##### Proposed Procedures for Handling Airspace Matters

Public notice is hereby given that the Federal Aviation Administration is considering modification of its guidelines for determining the aeronautical effect of proposed structures on Visual Flight Rules (VFR) en route flight operations. Specifically, paragraph 1453 of the handbook provides that a proposed object would have an adverse effect upon air navigation if it would exceed a height of 500 feet above the surface at its site and would be within two statute miles of any regularly used VFR route identifiable by prominent landmarks or by VOR radials which provide positive track guidance for the route and altitude affected. When an aeronautical study discloses that a significant volume of opera-

tions would be affected, paragraph 1442, section 2, Chapter 25, of the handbook provides that the structure would have a substantial adverse effect on the safe and efficient use of the navigable airspace by aircraft.

Chapter 25, section 3, paragraph 1452(f), provides that not every object penetrating into the navigable airspace is a hazard to air navigation if it can be marked and lighted in a manner so as to provide visual observance by pilots.

In its continuing efforts to improve the conspicuity of structures affecting VFR flight, the FAA has been instrumental in developing a significantly improved obstruction marking method, the high intensity condenser discharge (strobe) obstruction lighting system. This system has been widely accepted by the aviation community as well as construction sponsors. Agency study, which included reports by pilots observing the system, has confirmed that the strobe lights effectively warn airmen of the presence of such structures.

Therefore, the FAA is considering modification of paragraph 1453 in a manner which will allow a finding of no substantial adverse effect on VFR en route operations when proposed structures are obstruction marked with a high intensity obstruction lighting system that has been approved by the FAA, provided that all other guidelines for evaluating aeronautical effect have been satisfied.

It must be emphasized that the proposed modification is applicable only to VFR en route flight operations and does not include Instrument Flight Rules (IFR) operations or any structure of any height which would adversely affect a VFR approach or departure path for any public use airport. Additionally, the proposed modification will not result in an automatic Determination of No Hazard to Air Navigation. An aeronautical study will be required in every case.

The FAA believes that interested persons should have an opportunity to comment on the proposed modification before it is adopted. Accordingly, all interested persons are invited to submit such written data, views or arguments as they may desire. Written comment should be submitted not later than June 1, 1974, to: Chief, Airspace and Air Traffic Rules Division, AAT-200, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591.

RAYMOND G. BELANGER,  
Director, Air Traffic Service.

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

[FR Doc. 74-9281 Filed 4-23-74; 8:45 am]

#### ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

##### COMMITTEE ON JUDICIAL REVIEW Notice of Meeting

Pursuant to the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given of a meeting of the Committee on Judicial Review of the Admin-

istrative Conference of the United States, to be held at 2 p.m. on April 29, 1974 in the offices of Covington and Burling, 838 16th Street, NW., Washington, D.C. 20006.

The Committee will meet to consider a report and proposed recommendation on pre-enforcement judicial review of rules adopted pursuant to the notice-and-comment procedures of 5 U.S.C. 553.

Attendance is open to the interested public, but limited to the space available. To the extent that time permits the Committee Chairman may allow public presentation of oral statements at the meeting. Any member of the public may file a written statement with the Committee before, during or after the meeting. For further information concerning this committee meeting contact Robert W. Hamilton, (phone 202-254-7065). Minutes of the meeting will be available on request.

RICHARD K. BERG,  
Executive Secretary.

APRIL 19, 1974.

[FR Doc. 74-9315 Filed 4-23-74; 8:45 am]

#### ATOMIC ENERGY COMMISSION

[Docket No. 50-332]

##### ALLIED-GENERAL NUCLEAR SERVICES ET AL.

##### Notice of Consideration of Issuance of Facility Operating License and Opportunity for Hearing

In the matter of Allied-General Nuclear Services, Allied Chemical Nuclear Products, Inc., and General Atomic Company (Barnwell Nuclear Fuel Plant Separations Facility).

Notice is hereby given that the Atomic Energy Commission (the Commission) has received an application for a facility operating license from Allied-General Nuclear Services, et al., (the applicants) to possess, use, and operate the Barnwell Nuclear Fuel Plant Separations Facility, a reprocessing plant (the facility), located on the applicants' site seven miles west of the town of Barnwell, Barnwell County, South Carolina. The plant is designed to process 1,500 metric tons of uranium (MTU) at an average rate of 5 MTU per day.

Allied-General Nuclear Services was formerly known as Allied-Gulf Nuclear Services. On December 14, 1973, the U.S. Atomic Energy Commission consented to the transfer to General Atomic Company of all right, title, and interest of Gulf Oil Corporation in a number of facility and material licenses including the Barnwell Nuclear Fuel Plant Separations Facility Construction Permit CPCS-4 held by Allied-Gulf Nuclear Services, a partnership of which Gulf and Allied Chemical Nuclear Products, Inc., were general partners. The above name change reflects the change of partnership.

The applicants have 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 November 5, 1971, as supplemented, which is incorporated in the Final Safety Analysis Report by reference. The environmental report, which discusses environmental considerations related to the proposed operation of the facility, is available at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. 20545, and at the Local Public Document Room established at the Barnwell County Courthouse, Office of the County Commissioners, Barnwell, South Carolina 29812. The report is also available for public inspection at the State Clearinghouse, Office of the Governor, Division of Administration, Wade Hampton Office Building, Columbia, South Carolina 29201, and at the Regional Clearinghouse, Lower Savannah Regional Planning and Development Commission, P.O. Box 850, Aiken, South Carolina 29801. The Office of the Deputy Director for Fuels and Materials, Directorate of Licensing, U.S. Atomic Energy Commission, issued a Final Environmental Statement relating to both construction and operation of the facility in January 1974 (39 FR 3844).

The Commission will consider the issuance of a facility operating license to Allied-General Nuclear Services which would authorize the applicants to possess, use, and operate the Barnwell Nuclear Fuel Plant Separations Facility, in accordance with the provisions of the license and the technical specifications appended thereto, upon: (1) the completion of a favorable safety evaluation on the application by the Commission's Directorate of Licensing; (2) the completion of the environmental review required by the Commission's regulations in 10 CFR, Part 50, Appendix D; (3) the receipt of a report on the applicants' application for a facility operating license by the Advisory Committee on Reactor Safeguards; and (4) a finding by the Commission that the application for the facility license, as amended, complies with the requirements of the Atomic Energy Act of 1954, (the Act) as amended, and the Commission's regulation in 10 CFR, Chapter 1. Construction of the facility was authorized by Construction Permit No. CPCSF-4 issued by the Commission on December 18, 1970.

Prior to issuance of any operating license, the Commission will inspect the facility to determine whether it has been constructed in accordance with the application, as amended, and the provision of the Construction Permit. In addition, the license will not be issued until the Commission has made the findings reflecting its review of the application under the Act, which will be set forth in the proposed license, and has concluded that the issuance of the license will not be inimical to the common defense and security or to the health and safety of the public. Upon issuance of the license, the applicants will be required to execute an indemnity agreement as required by section 170 of the Act and 10 CFR Part 140 of the Commission's regulations.

The facility is subject to the provisions in 10 CFR Part 50, Appendix D, for notice

of opportunity for filing petitions for leave to intervene and requests for a hearing on environmental considerations related to issuance of the facility operating license.

On or before May 24, 1974, the applicants may file a request for a hearing with respect to issuance of the facility operating license and any person whose interest may be affected by this proceeding may file a petition for leave to intervene. Requests for a hearing and petitions for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice" in 10 CFR Part 2. If a request for a hearing or petition for leave to intervene is filed within the time prescribed in this notice, the Commission or an Atomic Safety and Licensing Board designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel will rule on the request and/or petition and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

A petition for leave to intervene must be filed under oath or affirmation in accordance with the provisions of 10 CFR 2.714. As required by 10 CFR 2.714, a petition for leave to intervene shall set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and any other contentions of the petitioner including the facts and reasons why he should be permitted to intervene, with particular reference to the following factors: (1) The nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. Any such petition shall be accompanied by a supporting affidavit identifying the specific aspect or aspects of the subject matter of the proceeding as to which the petitioner wishes to intervene and setting forth with particularity both the facts pertaining to his interest and the basis for his contentions with regard to each aspect on which he desires to intervene. A petition that sets forth contentions relating only to matters outside the jurisdiction of the Commission will be denied.

A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, United States Atomic Energy Commission, Washington, D.C. 20545, Attention: Chief, Public Proceedings Staff, or may be delivered to the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C., by May 24, 1974. A copy of the petition should also be sent to the Chief Hearing Counsel, Office of the General Counsel, Regulation, U.S. Atomic Energy Commission, Washington, D.C. 20545, and to Mr. Rudolf C. Ravasz, P.O. Box 847, Barnwell, South Carolina 29812, attorney for the applicant.

A petition for leave to intervene which is not timely will not be granted unless the Commission, the presiding officer, or the Atomic Safety and Licensing Board

designated to rule on the petition determines that the petitioner has made a substantial showing of good cause for failure to file on time and after considering those factors specified in 10 CFR 2.714(a) (1)-(4) and 2.714(d).

A hearing is currently in process before an Atomic Safety and Licensing Board (38 FR 31031) to determine whether the construction permit should be continued, modified, terminated or appropriately conditioned to protect environmental values. If a request for a hearing or petition for leave to intervene is filed within the time prescribed in this Notice, the Board designated for the hearing being held in accordance with Appendix D, Section B of Part 50 will rule on the request and/or petition, and will issue a Notice of Hearing or an appropriate Order.

For further details pertinent to the matters under consideration, see the application for the facility operating license dated October 10, 1973, and the applicants' environmental report dated November 5, 1971, as supplemented, which are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C., and at the Barnwell County Courthouse Office of the County Commissioners, Barnwell, South Carolina 29812. As they become available, the following documents may be inspected at the above locations: (1) The Commission's final environmental statement; (2) the safety evaluation report prepared by the Directorate of Licensing; (3) the report of the Advisory Committee on Reactor Safeguards on the application for facility operating license; (4) the proposed facility operating license; and (5) the technical specifications, which will be attached to the proposed facility operating license.

Copies of items (1), (2), (3), and (4), when available, may be obtained by request to the Deputy Director for Fuels and Materials, Directorate of Licensing, Regulation, U.S. Atomic Energy Commission, Washington, D.C. 20545.

Dated at Bethesda, Maryland, this 18th day of April, 1974.

For the Atomic Energy Commission.

L. C. ROUSE,  
Chief, Fuel Fabrication and  
Reprocessing Branch, Directorate of Licensing.

[FR Doc. 74-9364 Filed 4-23-74; 8:45 am]

#### ADVISORY COMMITTEE ON REACTOR SAFEGUARDS SUBCOMMITTEE ON ELECTRICAL SYSTEMS, CONTROL AND INSTRUMENTATION

##### Notice of Meeting

APRIL 19, 1974.

In accordance with the purposes of sections 29 and 182b of the Atomic Energy Act (42 U.S.C. 2039, 2232b), the Advisory Committee on Reactor Safeguards' Subcommittee on Electrical Systems, Control and Instrumentation will hold a meeting on May 8, 1974 in Room



1062, (at 1 p.m.) 1717 H Street, NW., Washington, D.C. The subjects scheduled for discussion are matters related to the remote shutdown of nuclear power plants; matters related to Regulatory Staff interpretations of IEEE Standard 279-1971; and Regulatory Staff preliminary working papers concerning electric power systems and shared emergency and shutdown electric systems for multi-unit plants.

The Subcommittee will meet with its consultants and members of the Regulatory Staff to formulate recommendations to the ACRS and to the Commission regarding the above subjects.

I have determined, in accordance with subsection 10(d) of Pub. L. 92-463, that the above-noted meeting with the Regulatory Staff will involve discussions of Regulatory Staff working papers which fall within exemption (5) of 5 U.S.C. 552 (b) and will consist of an exchange of opinions, the discussion of which, if written, would fall within exemption (5) of 5 U.S.C. 552(b). It is essential to close such meetings to protect the free interchange of internal views and to avoid undue interference with Subcommittee and agency operation.

JOHN C. RYAN,  
Advisory Committee  
Management Officer.

[FR Doc.74-9391 Filed 4-23-74; 8:45 am]

#### BASIC SCIENCE SUBCOMMITTEE OF THE U.S. NUCLEAR DATA COMMITTEE

##### Notice of Meeting

APRIL 19, 1974.

The Basic Science Subcommittee of the Atomic Energy Commission's U.S. Nuclear Data Committee (USNDC) will hold a meeting at the Lawrence Berkeley Laboratory, Building 50, Room 154, Berkeley, California, on May 20, 1974. The meeting will begin at 9 a.m. and will end at approximately 4:30 p.m. The entire meeting will be open to the public.

The preliminary agenda for the meeting is as follows:

MONDAY, MAY 20, 1974

- 9:00-9:15 a.m.—Chairman's Remarks.
- 9:15-10:45 a.m.—Oak Ridge Nuclear Data Project Discussion of current and future roles.
- 10:45-12:00—Berkeley Isotopes Compilation Project Discussion of current and future roles.
- 12:00-1:30 p.m.—Lunch.
- 1:30-2:30 p.m.—Data Compilation for Intermediate Energy Research Needs and organization.
- 2:30-3:00 p.m.—Berkeley Particle Data Group Operation and scope.
- 3:00-3:30 p.m.—Report of IAEA Meeting in Basic Nuclear Data.
- 3:30-4:30 p.m.—Basic Science Developments—status report.
- 4:00-4:30 p.m.—Recommendations to USNDC.

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 agenda items listed above, the following requirements shall apply:

(a) Persons wishing to submit written statements on those agenda items may do so by mailing 25 copies thereof, postmarked, if possible, no later than May 13, 1974, to the Chairman, Basic Science Subcommittee, USNDC (Dr. D. Lind), Department of Physics & Astrophysics, University of Colorado, Boulder, Colorado 80302. Minutes of the meeting will be kept open for 30 days for the receipt of written statements for the record.

(b) Those persons submitting a written statement in accordance with paragraph (a) above may request an opportunity to make oral statements concerning the written statement. Such requests shall accompany the written statement, and shall set forth reasons justifying the need for such oral statement and its usefulness to the Committee. To the extent that the time available for the meeting permits, the Committee will receive oral statements during a period of not more than 30 minutes at an appropriate time, chosen by the Chairman, between the hours of 3 pm and 4 pm on May 20, 1974.

(c) Requests for the opportunity to make oral statements shall be ruled on by the Chairman of this Subcommittee, who is empowered to apportion the time available among those selected by him to make oral statements.

(d) Information as to the Chairman's ruling on requests for the opportunity to present oral statements, and the time allotted, can be obtained by a prepaid telephone call to the office of the Chairman of the Basic Science Subcommittee (Dr. Lind), telephone: 303-443-2211, extension 7483.

(e) Questions may be asked only by members of the Subcommittee and its consultants.

(f) Seating for the public will be available on a first-come, first-serve basis.

(g) Copies of minutes of public sessions will be made available for copying, in accordance with the Federal Advisory Committee Act, on or after June 28, 1974, at the Atomic Energy Commission's Public Document Room, 1717 H Street, NW., Washington, D.C., upon payment of all charges required by law.

JOHN C. RYAN,  
Advisory Committee  
Management Officer.

[FR Doc.74-9390 Filed 4-23-74; 8:45 am]

#### HIGH ENERGY PHYSICS ADVISORY PANEL

##### Notice of Meeting

On May 13-14, 1974, there will be a meeting of the Atomic Energy Commission's High Energy Physics Advisory Panel at the Argonne National Laboratory; Building 362; Argonne, Illinois. Below is that portion of the Panel's meeting agenda which will be open to the public; practical considerations may require alterations in the agenda or schedule.

(1) MONDAY, MAY 13, 1974

- 10:00 a.m.—Presentation on ZGS Research (ANL Staff).
- 1:00 p.m.—Tour of ZGS Facilities.
- 2:00 p.m.—Presentation of ZGS Research (ATL Staff).
- 4:00 p.m.—Discussion of Presentation on ZGS.

(2) TUESDAY, MAY 14, 1974

- 9:00 a.m.—Report of Subpanel on High Energy Physics Response to Challenges of the Energy Crisis (J. Sandweiss).
- 9:30 a.m.—Discussion of Sandweiss Subpanel.
- 10:30 a.m.—Report of Subpanel on Health of High Energy Physics (D. Cline).
- 11:00 a.m.—Discussion of Cline Subpanel.
- 11:30 a.m.—Status of Collaboration with USSR.

In addition to the above agenda items, the Panel will hold two (2) executive sessions; the first will be held Monday morning prior to the beginning open session, and the second will be held on Tuesday afternoon. I have determined, in accordance with subsection 10(d) of Pub. L. 92-463 that these executive sessions will consist of an exchange of opinions and formulation of recommendations, the discussion of which, if written, would fall within exemption (5) of 5 U.S.C. 552(b). It is essential to close these portions of the meeting to protect the free interchange of internal views and to avoid interference with Agency or Committee operation.

The Chairman is empowered to conduct the meeting in a manner that in his judgment will facilitate the orderly conduct of business.

With respect to public participation in agenda items scheduled above, the following requirements shall apply:

(a) Persons wishing to submit written statements on those agenda items may do so by mailing 25 copies thereof, postmarked, if possible, no later than May 6, 1974, to the Executive Secretary, High Energy Physics Advisory Panel, Dr. Raymond L. Fricken, Division of Physical Research, Washington, D.C. 20545. Minutes of the meeting will be kept open for 30 days for receipt of written statements for the record.

(b) Those persons submitting a written statement in accordance with paragraph (a) above may request an opportunity to make oral statements concerning the written statement. Such requests shall accompany the written statement, and shall set forth reasons justifying the need for such oral statements and their usefulness to the Panel. To the extent that the time available for the meeting permits, the Panel will receive oral statements during a period of not more than 30 minutes at an appropriate time, chosen by the Chairman.

(c) Requests for the opportunity to make oral statements shall be ruled on by the Chairman of the Panel, who is empowered to apportion the time available among those selected by him to make oral statements.

(d) Information as to the Chairman's ruling on requests for the opportunity to



present oral statements, and the time allotted, can be obtained by a prepaid telephone call to the office of the Executive Secretary of the Panel. His telephone number is Area Code 301-973-3624.

(e) Questions at the meeting may be asked only by members of the Advisory Panel.

(f) Seating for the public will be made available on a first-come, first-served basis.

(g) Copies of minutes of public sessions will be made available for copying, following their acceptance by the Panel as its next meeting, in accordance with the Federal Advisory Committee Act, at the Atomic Energy Commission's Public Document Room, 1717 H Street, NW., Washington, D.C., upon payment of all charges required by law.

JOHN C. RYAN,  
Advisory Committee  
Management Officer.

[FR Doc.74-9389 Filed 4-23-74;8:45 am]

#### SUBCOMMITTEE ON NUCLEAR DATA FOR MATERIALS ANALYSIS, SAFEGUARDS AND ENVIRONMENTAL MATTERS OF THE U.S. NUCLEAR DATA COMMITTEE

##### Notice of Meeting

APRIL 19, 1974.

The Subcommittee on Nuclear Data for Materials Analysis, Safeguards and Environmental Matters of the Atomic Energy Commission's U.S. Nuclear Data Committee (USNDC) will hold a meeting at the Oak Ridge National Laboratory in the conference room of Building 6000, Oak Ridge, Tennessee, on May 17, 1974. The meeting will begin at 9 a.m. and end at approximately 4 p.m. The entire meeting will be opened to the public.

The preliminary agenda for the meeting is as follows:

FRIDAY, MAY 17, 1974

- 9:00-9:20 a.m.—Opening Remarks by the Chairman.
- 9:20-10:00 a.m.—Discussion and Final Approval of Statement of Goals and Terms of Reference for the Subcommittee.
- 10:00-10:45 a.m.—Report on Conference on Application of Low Energy Accelerators.
- 10:45-11:15 a.m.—Report on Preparation of Decay Scheme Data for Environmental Impact Reports.
- 11:15-12:00—Report on Data Needs Arising from TVA Environmental Impact Studies.
- 12:00-1:15 p.m.—Lunch
- 1:15-1:45 p.m.—Open Session for Discussion.
- 1:45-2:45 p.m.—General Discussion of Environmental Matters Data Needs.
- 2:45-3:30 p.m.—Discussion on Materials Analysis Function of Subcommittee.
- 3:30-4:00 p.m.—Recommendation for Advisory Members for Safeguards Functions of Subcommittee.

Practical consideration 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 agenda items listed above, the following requirements shall apply:

(a) Persons wishing to submit written statements on those agenda items may do so by mailing 25 copies thereof, postmarked, if possible, no later than May 10, 1974, to the Chairman, Nuclear Data for Materials Analysis, Safeguards and Environmental Matters Subcommittee, USNDC (Dr. J. B. Ball), Oak Ridge National Laboratory, Building 6000, Oak Ridge, Tennessee 37831. Minutes of the meeting will be kept open for 30 days for the receipt of written statements for the record.

(b) Those persons submitting a written statement in accordance with paragraph (a) above may request an opportunity to make oral statements concerning the written statement. Such requests shall accompany the written statement, and shall set forth reasons justifying the need for such oral statement and its usefulness to the Committee. To the extent that the time available for the meeting permits, the Committee will receive oral statements during a period of not more than 30 minutes at an appropriate time, chosen by the Chairman, between the hours of 1:15 p.m. and 1:45 p.m. on May 17, 1974.

(c) Requests for the opportunity to make oral statements shall be ruled on by the Chairman of this Subcommittee, who is empowered to apportion the time available among those selected by him to make oral statements.

(d) Information as to the Chairman's ruling on requests for the opportunity to present oral statements, and the time allotted, can be obtained by a prepaid telephone call to the office of the Chairman of the Subcommittee on Nuclear Data for Materials Analysis, Safeguards and Environmental Matters (Dr. Ball), telephone: 615-483-1453.

(e) Questions may be asked only by members of the Subcommittee and its consultants.

(f) Seating for the public will be available on a first-come, first-serve basis.

(g) Copies of minutes of public sessions will be made available for copying, in accordance with the Federal Advisory Committee Act, on or after June 28, 1974, at the Atomic Energy Commission's Public Document Room, 1717 H Street, NW., Washington, D.C., upon payment of all charges required by law.

JOHN C. RYAN,  
Advisory Committee  
Management Officer.

[FR Doc.74-9393 Filed 4-23-74;8:45 am]

#### CIVIL AERONAUTICS BOARD

[Dockets 26523, etc.; Order 74-4-108]

#### AMERICAN AIRLINES, INC. ET AL. Order Dismissing Complaints

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 19th day of April, 1974.

Mainland U.S.-Puerto Rico/Virgin Islands fare increases proposed by American Airlines, Inc., Eastern Air Lines, Inc., and Pan American World Airways,

Inc.; Mainland U.S.-Puerto Rico/Virgin Islands Fares.

By tariff revisions<sup>1</sup> marked to become effective April 22, 1974, American Airlines, Inc. (American), Eastern Air Lines, Inc. (Eastern), and Pan American World Airways, Inc. (Pan American), Docket 26571, propose to increase by 10 percent fares applicable between mainland U.S. points, on the one hand, and points within the area comprised of Puerto Rico and the U.S. Virgin Islands, on the other hand.<sup>2</sup> The carriers have placed an expiration date of October 31, 1974, on the proposed increases.

In support of its proposal here, American states that in 1973 it earned a 4.7 percent rate of return on investment, while operating at an average passenger load factor of 64.1 percent. During that year, its average cost per gallon of fuel was 13.80 cents. For 1974, the carrier projects a 2.81 percent rate of return without a fare increase, and a 7.72 percent return with the increase, both under the assumption of a 70.7 percent load factor. Its 1974 expense estimate reflects a fuel cost of 30.92 cents per gallon, which was its first quarter 1974 experience and represents an increase of 124 percent over calendar year 1973. Expenses for 1974 (excluding fuel) are based on 1973 unit costs, adjusted to reflect a reduced scale of operation resulting from the current capacity limitation agreement.

Eastern claims that it suffered an operating loss of \$6,283,000 in 1973 and that, despite capacity agreement frequency reductions, employee lay-offs, and other operational changes intended to conserve fuel, it expects a 1974 operating loss of \$24,894,000, based on known contractual increases and assuming no fare increase. This severe increase in operating loss is attributed primarily to fuel cost escalation, which it asserts will amount to \$19,115,000 over 1973.<sup>3</sup> The carrier estimates that the revenue from the requested 10 percent increase (approximately \$11,920,000) will provide only 20 percent of that necessary to bring it to a 12 percent rate of return.

Pan American indicates that it experienced an operating loss of \$18.2 million in 1973, and a negative rate of return of 10.7 percent for its mainland-Puerto

<sup>1</sup> Revisions to American Airlines, Inc., Tariff C.A.B. No. 244; International Air Traffic Tariffs Corp., Agent, Tariffs C.A.B. Nos. 334 and 404 and Eastern Air Lines, Inc., Tariff C.A.B. No. 326.

<sup>2</sup> By Order 74-2-83 dated February 20, 1974, the Board rejected tariff filings of the three carriers requesting a 10 percent fare increase on the grounds that the proposals were not accompanied by explanation and data adequate to justify the proposals as required by sec. 221.165 of the Board's Economic Regulations.

<sup>3</sup> Eastern's fuel contracts expire in mid-1974 and it expects actual 1974 fuel-related cost increases to exceed the \$19 million it has built into its forecast. This fuel factor, plus other non-contracted but expected cost increases, leads Eastern to conclude that its actual 1974 losses will approximate \$39 million, in the absence of a fare increase.



Rico/Virgin Islands services. It estimates that it will incur an operating loss of \$14.1 million for 1974, absent a fare increase and after adjusting expenses to reflect a reduced scale of flight frequencies, employee reductions, and savings flowing from fuel conservation measures. The 10 percent fare increase is expected to produce \$3.0 million in additional revenue, but will still result in a negative return on investment of 6.9 percent. Pan American alleges that the increased revenues flowing from the requested fare increase will leave it with \$2.2 million in increased fuel costs which will not be recovered. The fuel cost of 24.45 cents per gallon which it has used in its future year forecast is its February 1974 experienced price.

The Commonwealth of Puerto Rico (Commonwealth) has filed complaints against all three proposals requesting suspension and investigation. The Commonwealth alleges, *inter alia*, that Eastern has failed to furnish adequate and detailed justification to support its proposal and is concerned that the increased fuel costs set forth by that carrier may reflect anticipatory increases. It further contends that the manner in which the many issues in the pending Mainland U.S.-Puerto Rico/Virgin Islands Fares Case, Docket 24353, are resolved by the Board could spell the difference between imposition of massive fare increases or retention of reasonable fares, and that the Board need not rush into approving fare increases that may not be supported by the Fares Case decision.

The Commonwealth alleges that American and Pan American have both understated forecast traffic and revenues, and that Pan American's forecast load factor is too low. It asserts that the carriers have failed to demonstrate the impact of a 10 percent fare increase on traffic, asserting that a major increase could well be counter-productive. The Commonwealth further alleges that Pan American's costs are excessive and should not be recognized for purposes of evaluating the need for a fare increase in this market. Finally, the complainant alleges that proposed Federal Energy Office regulations promise to reduce bonded fuel cost and the related revenue needs of the mainland-Puerto Rico carriers.

In answer to the Commonwealth's complaint, American asserts that its original justification incorrectly projected B-747 depreciation and rental expense by failing to account for the increase in cost per ramp hour resulting from the reduced number of hours to be operated in 1974, thereby understating these 1974 costs by about five million dollars. The carrier claims that making the revenue adjustments raised by the

Commonwealth,<sup>4</sup> and correcting depreciation and rental expense results in a 1974 operating profit of \$2,151,000, rather than the \$8,027,000 operating profit previously projected.

American alleges that it is not at all clear that the proposed Federal Energy Office regulation dealing with access to non-bonded fuel will result in a substantial reduction in the price of fuel in the Puerto Rico/Virgin Islands market. Among other factors the FEO regulation does not release carriers from their current long-term bonded fuel contracts, and there is serious doubt whether the regulation will have any effect on the price of fuel at San Juan and St. Croix since there may be no non-bonded fuel available. In any event, because of the uncertainties involved in the fuel problem, the carriers have placed a short-term expiry date on their tariffs so that the Board will have an opportunity to review the situation in this market at the same time it reviews the fare increase recently permitted within the 48 states.

In its answer, Pan American alleges, *inter alia*, that fears that the fare increase may be counter-productive are unfounded since the history of the market suggests this is wholly unlikely. Moreover, the carrier points out that, in approving fuel-related fare increases over the North Atlantic, the Board indicated that when unit costs increase beyond any possibility of being offset through operating efficiencies (as is the case here with the fuel increases), the carriers cannot be denied needed fare increases simply because traffic will be adversely affected.

With respect to its cost levels, Pan American asserts that the differential in costs among carriers serving Puerto Rico is rapidly closing, and that currently its costs are only five percent higher than Eastern's and 18 percent higher than American's. It notes that the Commonwealth's expert witness in the Fares Case testified that a 20 percent range in cost between the high- and low-cost carriers would not suggest to him that the former's cost should be disallowed, but rather that the costs should be averaged.

In answer to the complaint, Eastern asserts that its increased fuel costs are not in any way "anticipatory" since they reflect actual prices as of February 1, 1974, and that the staggering nature of this fuel cost is illustrated by the fact that in 1973 its cost for Puerto Rico/Virgin Islands services was 10.82 cents

per gallon as compared with a present cost of 30.49 cents per gallon. It further alleges that, whether the Board looks at the operating results of the individual carriers, or the combined "industry" result for this market, the inescapable conclusion is that the carriers have a need for a substantial increase in revenues, as indicated by the fact that their combined 1974 forecast shows a revenue increase requirement of 41.3 percent at a projected passenger load factor of 66 percent.

Upon consideration of the tariffs, the complaints and answers thereto, and all other relevant matters, the Board concludes that the complaints do not set forth sufficient facts to warrant investigation and hence the requests therefor, and consequently the requests for suspension, will be denied and the complaints dismissed.<sup>5</sup>

The carriers were last permitted to increase fares in the Puerto Rico/Virgin Islands market in December 1972. There is no doubt that since that time operations in this sector have been subjected to the same inflationary pressures which have been experienced within the 48 states, and that the carriers are now confronted with steep and unavoidable increases in the cost of fuel. These factors combine to spell a very unsatisfactory financial picture in the months immediately ahead unless some revenue relief is forthcoming. Based on a review of the data before us, we are unable to conclude that the 10 percent fare increase requested is unreasonable.

The three carriers operating in this market showed a combined operating loss of almost \$21 million for 1973, and are faced with increased fuel costs which alone aggregate \$31.6 million based on current prices. Even with a 10 percent fare increase the carriers' combined return estimate for 1974 approximates a negative \$400,000 which, on an unadjusted basis, would leave them \$38 million short of a fair return on investment at a 66 percent passenger load factor.

Without in any way prejudging any of the issues in the Mainland U.S.-Puerto Rico/Virgin Islands Fares Case, it is apparent to us that we would need to find very critical fault with the carriers' forecasts to conclude that a 10 percent fare increase would produce excessive earnings.<sup>6</sup> This we are unable to do. The car-

<sup>4</sup> Fares in this market are currently under investigation in the Mainland U.S.-Puerto Rico/Virgin Islands Fares Case, Docket 24353.

<sup>5</sup> We do not ignore the fact that some of the criticisms of the carriers' forecasts by the Commonwealth of Puerto Rico appear *prima facie* to have merit. Thus, the Commonwealth questions why the carriers should show large increases in their investment base at a time when capacity is being reduced. We note, in this connection, that American forecasts a 31.5 percent increase in investment per available seat-mile operated, while Eastern forecasts a 20.1 percent increase. Such large increases appear highly questionable. It appears from American's answer to the

<sup>6</sup> American contends that were it to accept the Commonwealth claim that its revenue projection should be based on a five percent increase in traffic, it should also follow through and apply an elasticity factor. Applying the Board's -0.7 elasticity factor used in the Domestic Passenger-Fare Investigation (since there is no other generally recognized elasticity factor), would more than offset the \$3 million increase resulting from a five percent traffic growth rate, according to American.



riers' forecasts reflect significant expense adjustments relating to current reductions in scheduling and manpower, and fuel conservation measures. On the other hand, they are based on known unit cost levels and do not reflect what appears to be a continuing trend of risings costs in the economy in general. Accordingly, we are satisfied that the increase we are permitting to become effective will not result in fare overcharges during the duration of the tariffs.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a), 403, 404, and 1002 thereof,

*It is ordered, That:*

1. The complaints in Dockets 26523 and 26571 are hereby dismissed; and
2. Copies of this order be served upon American Airlines, Inc., Eastern Air Lines, Inc., Pan American World Airways, Inc., and the Commonwealth of Puerto Rico.

This order will be published in the **FEDERAL REGISTER**.

By the Civil Aeronautics Board:

[SEAL] EDWIN Z. HOLLAND,  
Secretary.

[FR Doc.74-9358 Filed 4-23-74;8:45 am]

[Docket No. 25487]

#### BRIDGEPORT SERVICE CASE

##### Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a public hearing in the above-entitled proceeding will be held on May 21, 1974, at 10 a.m. (local time), in the Common Council Chambers, City Hall, Lyon Terrace, Bridgeport, Connecticut, before the undersigned administrative law judge.

For information concerning the issues involved and other details of this proceeding, interested persons are referred to the report of prehearing conference served, February 11, 1974, the supplemental report of prehearing conference served February 22, 1974, and other documents which are in the docket of this proceeding on file in the Docket Section of the Civil Aeronautics Board.

complaint that Mainland-Puerto Rico passengers are being charged with the capital costs of grounded B-747's. (Pan American, in contrast, forecasts an increase of only 7.5 percent in investment per ASM, which appears more reasonable. Moreover, its forecast non-fuel costs per ASM show a small decrease, in contrast to a small increase for American and a rather large increase for Eastern.) However, even if no increase in investment per ASM were recognized, if a 70 percent load factor standard were applied as the Commonwealth requests, and if certain other arguably valid adjustments in the carrier forecasts were made, it still would appear that the proposed fare increase would not bring the carriers into an excess earnings position. We accordingly find it unnecessary to rule definitively on these contentions by the Commonwealth.

Dated at Washington, D.C., April 19, 1974.

[SEAL]

HYMAN GOLDBERG,  
Administrative Law Judge.

[FR Doc.74-9357 Filed 4-23-74;8:45 am]

[Docket No. 26487; Order 74-4-95]

#### TRANSATLANTIC, TRANSPACIFIC, AND LATIN AMERICAN MAIL RATES

##### Order To Show Cause

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 17th day of April, 1974.

By Order 73-5-113, May 23, 1973, the Board reopened the existing final service mail rate for the transportation of space available-mail (SAM)<sup>1</sup> as of May 26, 1973, and instituted an investigation in Docket 25297 to fix new rates of compensation for such mail services rendered by U.S. carriers on and after May 26, 1973. The Order also directed the parties to show cause why the Board should not establish 14.903 cents per revenue ton-mile<sup>2</sup> as the fair and reasonable temporary rate of compensation on and after May 26, 1973, pending completion of the investigation.

Subsequently the Postmaster General (PMG) and the Department of Defense (DOD) filed notices of objection and answers to the proposed level for temporary rates and the conclusions on which we relied in proposing the rate. The thrust of the PMG's and the DOD's answers is that the transportation services provided for SAM and Category A cargo are inherently different and, as such, should not be equated for ratemaking purposes. In light of the objections raised by the PMG and the DOD, the Board did not issue an order fixing the temporary rate proposed in Order 73-5-113.

By Order 74-3-40, March 8, 1974, the Board consolidated the investigation of SAM mail in Docket 25297 into the overall investigation of international service mail rates ordered in Docket 26487, thus enabling the Board to examine all elements affecting international service mail rates in one proceeding, on a prospective basis, on and after March 8, 1974. In effect, then, we may consider Order 74-3-40 as dividing the determination of SAM rates into two parts: (1) A past period from May 26, 1973, through March 7,

1974, and (2) the period on and after March 8, 1974. By this order, we are proposing to establish a final mail rate for SAM for the past period and a temporary rate for the period on and after March 8 pending completion of the formal investigation.

In determining the final rate proposed herein for the past period, we have taken into consideration that: (1) Declining unit costs experienced in the early and mid 1960's in the international services bottomed-out in 1967-1968, the period approximating the time initial rates for SAM mail were determined; (2) available and revenue ton-mile costs have risen between 7.5 and 18.5 percent and between 7.75 and 36.5 percent, respectively, in international services since 1968;<sup>3</sup> (3) a number of increases in international cargo rates have been effectuated during the period,<sup>4</sup> and (4) several increases have been made in minimum rates for cargo services performed by the civil air carriers for the Military Airlift Command (MAC).<sup>5</sup> On the basis of our review of the cost trends that have taken place since 1968 to date, and in light of the numerous rate increases promulgated in the international area during that time, we propose to increase the SAM mail rate for the period May 26, 1973, through March 7, 1974, from 11.4 to 13.007<sup>6</sup> cents per mail ton-mile. This represents an increase of 14.1 percent, which is the increase in minimum rates for international MAC cargo charter services between July 1, 1968, and August 28, 1973.

As indicated above, the SAM mail rate was initially established at a rate level which equated to the Category A minimum cargo rate<sup>7</sup> set for MAC services. The genesis of SAM mail derived from Pub. L. 89-315, which provided for the transportation of limited space-available airlift of fourth-class parcels<sup>8</sup> at rates not to exceed the Category A rate. Pub. L. 89-725 broadened the class of mail to be carried on a space-available basis, including mail matter previously covered under Pub. L. 89-315.<sup>9</sup> The successor law, however, prescribed that rates for such mail matter should be set pursuant to section 406 of the Federal Aviation Act. In determining the bases for setting rates for the newly authorized SAM mail, the Board found that the similarities between such space-available mail and Category A cargo recognized by Congress in Pub. L. 89-315 were also relevant to the fixing of a rate under Section 406 for mail carried pursuant to Pub. L. 89-725. The Board's proposed rate for SAM mail at

<sup>3</sup> See Appendix B, attached.

<sup>4</sup> See, for example, Orders 69-10-30, October 7, 1969; 72-3-105, March 30, 1972; and, 72-6-137, June 29, 1972.

<sup>5</sup> Examples of MAC increases are noted below in footnotes 10 and 11.

<sup>6</sup> The 11.4 cents has been adjusted by geographic areas to reflect use of great-circle mileages per Order 73-4-16, April 3, 1973. The 13.007-cent rate is adjusted by geographic areas as set out in the attached Appendix A.

<sup>7</sup> Category A cargo is individually waybilled military cargo moving on scheduled flights.

<sup>8</sup> See Order E-23422, March 28, 1966.



the Category A rate was acceptable to all parties to the rate proceeding, including the DOD and the PMG, as well as the principal air carriers transporting the mail, and the rate was finalized by Order E-25654, September 8, 1967.

The answers of the PMG and the DOD to the temporary rate proposed in Order 73-5-113 marks the first time in the approximate seven-year life of the carriage of this mail that any party has urged adoption of a different ratemaking approach to this category of mail. Our action in Order 74-3-40, in reopening and investigating the international mail rates and rates for military ordinary mail plus consolidating the investigation of SAM mail into that proceeding, puts into issue the fundamental questions raised by the PMG and the DOD regarding the proper basis for costing the various international mail services, and the parties to that proceeding will have the opportunity therein to propose the bases for determining the proper rates for carrying the various types of international mail on a prospective basis. However, in our opinion, a determination of the SAM mail rate for the past period does not necessarily require a concurrent review on as broad and detailed a scale. The historical basis of relating rates for SAM mail to the rates for the movement of MAC cargo provides, we think, an adequate basis for determining a reasonable rate for the open past period.

The present SAM rate of 11.4-cents per ton-mile was based on the weighted Category A minimum cargo rates of 12 cents outbound and 10 cents inbound established in PS-33, June 1, 1967. This rate was below the 13.46-cent one-way Category B charter rate established in ER-499, August 1, 1967. The Category A rates have been increased several times in the subsequent years,<sup>9</sup> but have also been structurally changed by eliminating directional rates and pick-up charges, by reducing the standard weight per pallet of cargo, and by equalizing the Category A cargo rate to the Category B one-way cargo rate. The 14.903-cent rate we proposed for temporary rate purposes reflected the 30.728-percent net increase in the Category A cargo rates that had taken place since the SAM rate was initially set in 1967 through July 1, 1971.

Upon further review, we have determined that the increases in the Category B cargo rates offer a more stable base upon which to rely in measuring price increases. Such rate increases are better related to the cost increases affecting the movement of SAM mail, since they are unhampered by escalation related to rate equalization or rate

de-escalation accompanying structural rate changes. In this light, we have examined the increases that have been made in the round-trip Category B cargo rates since 1968 and find that they have increased by 14.121 percent with the rate effective August 28, 1973.<sup>11</sup> We will adopt this percentage increase as being reasonably representative of the increases in the cost of moving SAM mail that have taken place since 1967. Application of the percentage increase to the current 11.4-cent rate results in a rate of 13.007 cents per mail ton-mile for the period May 26, 1973, through March 7, 1974.

In proposing a rate of 13.007 cents for this period, we are mindful of the fact that the rate does not include any provision for fuel price increases that have taken place in recent months. In Order 74-3-40, which consolidates the investigations of the rates for SAM mail and other international mail services effective March 8, 1974, we indicated that an examination of fuel price data was underway and that we would later propose in that proceeding a fuel surcharge to reflect such increases as the facts may warrant. In our view, the absence of fuel-related cost increases in the past-period rate proposed herein will not be detrimental to the carriers considering the extremely short period such increase could be applicable. In addition, we think it desirable to conclude this past-period rate as rapidly as possible on a basis which is the least controversial, so that time and resources of the parties and the Board can be expended on resolving final rates for all international service mail rates for the prospective period.

The proposed rate of 13.007 cents for SAM mail for the past period appears to be within the zone of reasonableness. This rate is well below the current rate of 15.534 cents for Category A cargo carried by many of the same carriers; and the percentage increase of 14.1 percent compares with the increases of 13.4 and 11.5 percent recognized for past periods for domestic nonpriority mail rates in 1971 and 1972, respectively,<sup>12</sup> and is well within the range of cost increases shown in Appendix B. In our opinion, adjustment of the current space-available mail rate to reflect a rate of 13.007 cents should produce a reasonable mail yield for the period May 26, 1973, through March 7, 1974 and on a temporary basis for the period thereafter.

We propose to effect the rate changes for the past and prospective periods by amending the rates shown for SAM mail in Appendix D to Order 73-4-16, April 3, 1973. The conditions of service with respect to the transportation of space-available mail as set forth in Order E-25654, September 28, 1967, as amended (Order E-26713, April 25, 1968) are hereby incorporated by reference as applicable to the proposed rate periods.

<sup>11</sup> ER-536, effective July 1, 1968, set Category B cargo rates at 7.05 cents per ton-mile, while ER-819, adopted August 28, 1973, established them at 8.057 cents.

<sup>12</sup> Order 73-8-144, August 30, 1973.

We find that the increases proposed herein are consistent with the goals of Phases III and IV of the price stabilization program for the period of applicability. The Board has requested a ruling from the Cost of Living Council as to whether its previous ruling permitting retroactive rate increases for the 1971 Phase I freeze period are also applicable to the Phase III price freeze. For the present, the rates adopted herein will not apply during the freeze period from June 13, 1973, through August 12, 1973, but are subject to adjustment, if the ruling permits.

On the basis of the foregoing, the Board tentatively finds that the fair and reasonable final rate of compensation for the period May 26, 1973, through March 7, 1974 and the fair and reasonable temporary rate on and after March 8, 1974, is 13.007<sup>13</sup> cents per mail ton-mile to be paid the carriers named below by the Postmaster General for the transportation of space-available mail by aircraft over their respective routes, the facilities used and useful therefor, and the services connected therewith.

Accordingly, pursuant to the Federal Aviation Act of 1958, as amended, particularly sections 102, 204, and 406 thereof,

*It is ordered, That:*

1. Airlift International, Inc., Alaska Airlines, Inc., American Airlines, Inc., Braniff Airways, Inc., Continental Air Lines, Inc., Delta Air Lines, Inc., Eastern Air Lines, Inc., The Flying Tiger Line Inc., Hughes Air Corp., d/b/a Hughes Airwest, Mackey International, Inc., National Airlines, Inc., Northwest Airlines, Inc., Pan American World Airways, Inc., Seaboard World Airlines, Inc., Trans World Airlines, Inc., United Air Lines, Inc., Western Air Lines, Inc., the Postmaster General, and the Department of Defense are directed to show cause why the Board should not establish, for the period May 26, 1973, through March 7, 1974, the fair and reasonable final service mail rates, and for the period on and after March 8, 1974, the fair and reasonable temporary mail rates, as set forth in Appendix A attached hereto,<sup>14</sup> to be paid for the transportation by aircraft, the facilities used and useful therefor, and the service connected therewith, for the carriage of space-available mail under the authority of sections 3401(b) and 3401(c) of Title 39 of the United States Code. The mail ton-miles used in computing the service mail payments at the foregoing rates shall be based upon the nonstop great-circle mileage between the points of origin and destination of each shipment: *provided, however*, that for mail shipments moving between the Atlantic and Pacific rate areas which transit the carrier's certificate junction point, the applicable per mail ton-mile rate as set forth in Appendix A and the nonstop great-circle miles to be recog-

<sup>13</sup> Adjusted by geographic areas as indicated in the attached Appendix A.

<sup>14</sup> This order is not intended to disturb the other service mail rates established, or to be established, under separate order of the Board.

<sup>9</sup> See Orders E-24361, November 4, 1966, and E-25485, August 2, 1967.

<sup>10</sup> ER-669, effective August 5, 1970, increased the prior directional rates of 12 and 10 cents by approximately 9.5 percent to 13.135 and 10.946 cents. ER-786, effective July 1, 1971, eliminated the directional rates and set the single rate at 14.903 cents, an increase of approximately 13.5 percent. ER-819, adopted August 28, 1973, increased the prior rate by 4.2 percent to 15.534 cents.



APPENDIX B.—Comparison of selected unit costs<sup>1</sup> in international operations years ended Sept. 30, 1968 and 1973

	Per available ton-mile			Per revenue ton-mile		
	1968	1973	Increase 73/68	1968	1973	Increase 73/68
	Cents	Cents	Percent	Cents	Cents	Percent
Atlantic operations.....	17.00	18.28	7.53	32.38	34.89	7.75
Pacific operations.....	11.93	14.14	18.52	20.14	27.50	36.54
Latin American operations.....	20.07	22.59	12.56	34.87	46.70	33.98

<sup>1</sup> Based on total operating expenses.

[FR Doc.74-9246 Filed 4-23-74;8:45 am]

### CIVIL SERVICE COMMISSION FEDERAL EMPLOYEES PAY COUNCIL Notice of Meeting

Pursuant to section 10(a)(2) of the Federal Employees Pay Council will meet 92-463, notice is hereby given that the Federal Employees Pay Council will meet at 2 p.m. on Wednesday, May 1, 1974, to continue discussions on the fiscal year 1975 comparability adjustment for the statutory pay systems of the Federal Government.

In accordance with the provisions of section 10(d) of the Federal Advisory Committee Act, it was determined by the Director of the Office of Management and Budget and the Chairman of the Civil Service Commission, who serve jointly as the President's Agent for the purposes of the Federal pay comparability process, that this meeting of the Federal Employees Pay Council would not be open to the public.

For the President's Agent:

RICHARD H. HALL,  
Advisory Committee Management  
Officer for the President's Agent.

[FR Doc.74-9359 Filed 4-23-74;8:45 am]

### COMMISSION ON THE REVIEW OF THE NATIONAL POLICY TOWARD GAMBLING

#### DEPARTMENT OF JUSTICE

##### Notice of Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770), notice is hereby given that the Commission on the Review of the National Policy Toward Gambling, established under the authority of section Pub. L. 91-452, Part D, sec. 804-805 of the Organized Crime Control Act of 1970, will meet on May 15, 1974, at 9:30 a.m. in Room 457 of the Russell Senate Office Building, Washington, D.C. for the purpose of holding a hearing.

The purpose of the hearing will be to enable the Commission to explore the experiences of the Department of Justice concerning their investigations and prosecution of gambling activities pursuant to those federal statutes governing the prohibition and taxation of gambling activities. Representatives from this agency will present statistical information relating to existing enforcement practices and in addition will offer testi-

mony as to any recommendations it may have which in their opinion may serve to improve the effectiveness of the said existing practices.

The meeting of the Commission will be open to the public, and interested persons are invited to attend. The rules of procedure for person or persons presenting matters to the Commission are subject to the following conditions:

(a) Any such interested person or persons must receive authorization to present such matters from the Chairman of the Commission. Not later than seven (7) days preceding such Executive or Public Hearings, a request for such authorization must be received in writing at the offices of the Commission. Such a request shall be accompanied by a concise description of the material which such person or persons desire to present to the Commission or Subcommittee.

(b) The Chairman of the Commission shall, within three (3) days from the receipt of such a request make a determination that the subject matter presented by such interested person or persons is timely and appropriate for such Executive or Public Hearings of the Commission or Subcommittee thereof, and shall notify such interested person or persons by Certified Mail of the decision.

(c) In the event such interested person or persons is allowed to present matters to the Commission or Subcommittee thereof in Executive or Public Hearings, then a prepared written statement of expected presentation shall be filed in the office of the Commission, not later than 48 hours in advance of the hearings of which the statement is to be presented.

(d) After the receipt of the statement of expected presentation, the Chairman shall then make a determination of the extent that time is available for such interested person or persons to present oral statements in addition thereto. In the event that the Chairman determines that time is not available for such oral statements, the interested person or persons' statement shall be recorded and made a part of the subject proceedings.

(e) Provided further that any such interested person or persons who feels aggrieved by or takes exception to any of the determinations made by the Chairman of the Commission shall have the opportunity to present in writing to each member of the Commission the basis for such grievance or exception taken to such ruling by the Chairman and thereafter

nized for each of the rate areas, shall be determined by considering the carrier's certificate junction point to be a "point of destination" for mail shipments on the flights destined beyond the junction point, and to be a "point of origin" for the subsequent movement of such mail shipments beyond such junction point, whether or not the flight actually stops at the aforesaid junction point; the total mail compensation payable in such instances shall be the sum of the compensation computed for each geographic rate area. The nonstop great-circle mileages shall be the mileages computed in accordance with the formula set forth in the Notice to Users of CAB official mileages issued May 21, 1970 (35 FR 8249).

2. Further procedures herein shall be in accordance with 14 CFR Part 302, and, if there is any objection to the rates or to the related findings and conclusions proposed herein, notice thereof shall be filed within 10 days after the date of service of this order, and, if notice is filed, written answer and supporting documents shall be filed within 30 days after date of service of this order.

3. If notice of objection is not filed within 10 days or if notice is filed and answer is not filed within 30 days after service of this order, or if an answer timely filed raises no material issue of fact, all persons shall be deemed to have waived the right to a hearing and all other procedural steps short of a final decision by the Board, and the Board may enter an order incorporating the findings and conclusions proposed herein and fix the rates specified herein.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board:

[SEAL] EDWIN Z. HOLLAND,  
Secretary.

APPENDIX A.—Proposed final and temporary space-available mail service rates per nonstop great-circle ton-mile for Atlantic, Pacific, and Latin American areas effective for the period May 28, 1973, through Mar. 7, 1974, and on and after Mar. 8, 1974.

[In cents]

Geographic rate areas <sup>1</sup>	Current final service mail rate <sup>2</sup>	Proposed service mail rate <sup>3</sup>
Atlantic rate area:		
(1) United States-Europe/Mediterranean.....	11.45	13.064
(2) United States-Africa.....	11.83	13.498
(3) United States-Middle East.....	11.89	13.566
Latin American rate area:		
(1) United States-South America.....	11.62	13.258
(2) United States-Central America.....	12.13	13.840
(3) United States-Caribbean.....	11.47	13.087
Pacific rate area:		
(1) United States-Orient.....	12.31	14.046
(2) United States-South Pacific.....	11.08	13.660
(3) United States-South-east Asia.....	13.35	15.232

<sup>1</sup> As defined in Appendices A, B, C, and D, page 2, in Order 73-4-16.

<sup>2</sup> As set out in Appendix D, page 1, of Order 73-4-16, which is based on a rate per standard ton-mile of 11.4 cents.

<sup>3</sup> Computed at 114.1 percent of the current final service mail rate. The rate per standard ton-mile is 13.007 cents.



the decision of the Chairman shall be reconsidered by each member of the Commission at its next regular meeting or hearing. Notice by Certified Mail to such interested person or persons shall include the final decision of the full Commission on its reconsideration and shall constitute notification of the action taken by the Commission.

(f) Any deviation from the preceding requirements, shall constitute on the part of such interested person or persons, a withdrawal of any request previously made.

JAMES E. RITCHIE,  
Executive Director.

[FR Doc. 74-9362 Filed 4-23-74; 8:45 am]

## DEPARTMENT OF THE TREASURY AND INTERNAL REVENUE SERVICE

### Notice of Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770), notice is hereby given that the Commission on the Review of the National Policy Toward Gambling, established under the authority of section Pub. L. 91-452, Part D, sec. 804-808 of the Organized Crime Control Act of 1970, will meet on May 8, 1974, at 9:30 a.m. in Room 457 of the Russell Senate Office Building, Washington, D.C. for the purpose of holding a hearing.

The purpose of the hearing will be to enable the Commission to explore the experiences of the Department of the Treasury and the Internal Revenue Service concerning their investigations and prosecution of gambling activities pursuant to those federal statutes governing the prohibition and taxation of gambling activities. Representatives from these agencies will present statistical information relating to existing enforcement practices and in addition will offer testimony as to any recommendations it may have which in their opinion may serve to improve the effectiveness of the said existing practices.

The meeting of the Commission will be open to the public, and interested persons are invited to attend. The rules of procedure for person or persons presenting matters to the Commission are subject to the following conditions:

(a) Any such interested person or persons must receive authorization to present such matters from the Chairman of the Commission. Not later than seven (7) days preceding such Executive or Public Hearings, a request for such authorization must be received in writing at the offices of the Commission. Such a request shall be accompanied by a concise description of the material which such person or persons desire to present to the Commission or subcommittee.

(b) The Chairman of the Commission shall, within three (3) days from the receipt of such a request make a determination that the subject matter presented by such interested person or persons is timely and appropriate for such Executive or Public Hearings of the Commission or Subcommittee thereof, and shall notify such interested person or persons by Certified Mail of the decision.

(c) In the event such interested person or persons is allowed to present matters to the Commission or Subcommittee thereof in Executive or Public Hearings, then a prepared written statement of expected presentation shall be filed in the office of the Commission, not later than 48 hours in advance of the hearings of which the statement is to be presented.

(d) After the receipt of the statement of expected presentation, the Chairman shall then make a determination of the extent that time is available for such interested person or persons to present oral statements in addition thereto. In the event that the Chairman determines that time is not available for such oral statements, the interested person or persons' statement shall be recorded and made a part of the subject proceedings.

(e) Provided further that any such interested person or persons who feels aggrieved by or takes exception to any of the determinations made by the Chairman of the Commission shall have the opportunity to present in writing to each member of the Commission the basis for such grievance or exception taken to such ruling by the Chairman and thereafter the decision of the Chairman shall be reconsidered by each member of the Commission at its next regular meeting or hearing. Notice by Certified Mail to such interested person or persons shall include the final decision of the full Commission on its reconsideration and shall constitute notification of the action taken by the Commission.

(f) Any deviation from the preceding requirements, shall constitute on the part of such interested person or persons, a withdrawal of any request previously made.

JAMES E. RITCHIE,  
Executive Director.

[FR Doc. 74-9361 Filed 4-23-74; 8:45 am]

## FEDERAL BUREAU OF INVESTIGATION

### Notice of Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770), notice is hereby given that the Commission on the Review of the National Policy Toward Gambling, established under the authority of section Pub. L. 91-452, Part D, sec. 804-808 of the Organized Crime Control Act of 1970, will meet on May 22, 1974, at 9:30 a.m. in Room 457 of the Russell Senate Office Building, Washington, D.C. for the purpose of holding a hearing.

The purpose of the hearing will be to enable the Commission to explore the experiences of the Federal Bureau of Investigation concerning their investigations and prosecution of gambling activities pursuant to those federal statutes governing the prohibition and taxation of gambling activities. Representatives from this agency will present statistical information relating to existing enforcement practices and in addition will offer testimony as to any recommendations it may have which in their opinion may serve to improve the effectiveness of the said existing practices.

The meeting of the Commission will be open to the public, and interested persons are invited to attend. The rules of procedure for person or persons presenting matters to the Commission are subject to the following conditions:

(a) Any such interested person or persons must receive authorization to present such matters from the Chairman of the Commission. Not later than seven (7) days preceding such Executive or Public Hearings, a request for such authorization must be received in writing at the offices of the Commission. Such a request shall be accompanied by a concise description of the material which such person or persons desire to present to the Commission or Subcommittee.

(b) The Chairman of the Commission shall, within three (3) days from the receipt of such a request make a determination that the subject matter presented by such interested person or persons is timely and appropriate for such Executive or Public Hearings of the Commission or Subcommittee thereof, and shall notify such interested person or persons by Certified Mail of the decision.

(c) In the event such interested person or persons is allowed to present matters to the Commission or Subcommittee thereof in Executive or Public Hearings, then a prepared written statement of expected presentation shall be filed in the office of the Commission, not later than 48 hours in advance of the hearings of which the statement is to be presented.

(d) After the receipt of the statement of expected presentation, the Chairman shall then make a determination of the extent that time is available for such interested person or persons to present oral statements in addition thereto. In the event that the Chairman determines that time is not available for such oral statements, the interested person or persons' statement shall be recorded and made a part of the subject proceedings.

(e) Provided further that any such interested person or persons who feels aggrieved by or takes exception to any of the determinations made by the Chairman of the Commission shall have the opportunity to present in writing to each member of the Commission the basis for such grievance or exception taken to such ruling by the Chairman and thereafter the decision of the Chairman shall be reconsidered by the each member of the Commission at its next regular meeting or hearing. Notice by Certified Mail to such interested person or persons shall include the final decision of the full Commission on its reconsideration and shall constitute notification of the action taken by the Commission.

(f) Any deviation from the preceding requirements, shall constitute on the part of such interested person or persons, a withdrawal of any request previously made.

JAMES E. RITCHIE,  
Executive Director.

[FR Doc. 74-9363 Filed 4-23-74; 8:45 am]



# COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

## CERTAIN COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN COLOMBIA

Entry or Withdrawal From Warehouse for Consumption

APRIL 22, 1974.

On February 27, 1974, there was published in the FEDERAL REGISTER (39 FR 7612) a letter dated February 22, 1974, from the Chairman, Committee for the Implementation of Textile Agreements, to the Commissioner of Customs directing that additional amounts of ex-quota cotton yarn and/or fabric be permitted entry into the United States for consumption from the countries indicated, pursuant to the ad hoc offer of October 30, 1973 by the United States Government to each of its cotton textile agreement partners. (38 FR 30050)

The Government of Colombia has requested, and the United States Government has acceded to the request, that the 5,000,000 square yards equivalent allocated among seven categories of cotton textile products in the directive of February 22, 1974 be reallocated among the following six categories:

Country	Category	Reallocated ex-quota amounts
		Square yards
Colombia	5/6	160,000
	9/10	500,000
	16	360,000
	22/23	2,800,000
	26 (duck)	350,000
	26 (other than duck)	830,000

Accordingly, there is published below a letter of April 22, 1974, from the Chairman, Committee for the Implementation of Textile Agreements, to the Commissioner of Customs amending the directive of February 22, 1974.

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

### COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

COMMISSIONER OF CUSTOMS,  
Department of the Treasury,  
Washington, D.C. 20229.

DEAR MR. COMMISSIONER: This directive amends but does not cancel the directive issued to you on February 22, 1974 by the Chairman of the Committee for the Implementation of Textile Agreements pursuant to the offer by the United States Government to all of its bilateral cotton textile agreement partners to export on a one-time basis additional quantities of cotton yarn and/or fabric.

The list of additional ex-quota quantities enclosed with the letter of February 22, 1974 is hereby amended to show allocations of cotton textile products in the following categories from Colombia:

Category	Amended ex-quota amount (square yards)
5-27 (as a group)	5,000,000
5/6	160,000
9/10	500,000
9/16	360,000
22/23	2,800,000
22/26 (duck)	350,000
22/26 (other than duck)	830,000
22/27	0

<sup>1</sup> The T.S.U.S.A. numbers for duck fabric are:

- 320.—01 through 04, 06, 08
- 321.—01 through 04, 06, 08
- 322.—01 through 04, 06, 08
- 326.—01 through 04, 06, 08
- 327.—01 through 04, 06, 08
- 328.—01 through 04, 06, 08

<sup>2</sup> All T.S.U.S.A. numbers in Category 26 other than those indicated in footnote 1.

The actions taken with respect to the Government of Colombia and with respect to imports of cotton textiles and cotton textile products from Colombia have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs being necessary to the implementation of such actions fall within the foreign affairs provisions of 5 U.S.C. 553. This letter will be published in the FEDERAL REGISTER.

Sincerely,

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

[FR Doc.74-9524 Filed 4-23-74;8:45 am]

## COST OF LIVING COUNCIL

### HEALTH INDUSTRY WAGE AND SALARY COMMITTEE

#### Notice of Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770) notice is hereby given that the Health Industry Wage and Salary Committee, established under the authority of section 212(f) of the Economic Stabilization Act, as amended, section 4(a)(iv) of Executive Order 11695, and Cost of Living Council Order No. 14, will meet on April 30, 1974. The meeting will be open to the public on a first-come, first-served basis at 9:00 a.m., in Conference Room 8202, 2025 M Street NW., Washington, D.C.

The agenda will consist of a discussion of the health industry wage cases currently pending before the Cost of Living Council.

The Chairman of the Committee is empowered to conduct the meeting in a fashion that will, in his judgment, facilitate the orderly conduct of business.

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

HENRY H. PERRITT, Jr.,  
Executive Secretary,  
Cost of Living Council.

[FR Doc.74-9485 Filed 4-22-74;2:35 pm]

## ENVIRONMENTAL PROTECTION AGENCY

[OPP-32000/44]

### 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 24, 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 24, 1974.

#### APPLICATIONS RECEIVED

EPA File Symbol 33392-R. Airway Exterminating & Products Co., Inc., 2232 N. California Ave., Chicago, Illinois 60647. Nueva Household Insecticide. Active Ingredients: Diazinon 0.500%; Sulfoxide Pyrexel 20 0.018%; Petroleum Distillate 99.482%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 33957-R. American Animal Health Co., 509 10th St., Wmner, Nebraska 68791. XL-1 Dust Coumaphos. Active Ingredients: O,O - Diethyl O - (3-chloro-4-methyl - 2-oxo-(2H)-1-benzopyran-7-Y1) phosphorothioate 1.0%. Method of Support: Application proceeds under 2(b) of interim policy.



- EPA File Symbol 7616-EO. Chem Lab Products, Inc., 2850 East Coronado, Anaheim, California 92806. *Algeestik for Spot Algae Treatment*. Active Ingredients: Di-isobutyl phenoxy ethoxy ethyl dimethyl benzyl ammonium chloride, monohydrate 10%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA Reg. No. 3125-121. Chemagro, A Division of Baychem Corporation, P.O. Box 4913, Kansas City, Missouri 64120. *Chemagro Baygon 2% Bait Insecticide*. Active Ingredients: o-Isopropoxyphenyl methylcarbamate 2%. Method of Support: Application proceeds under 2(b) of interim policy.
- EPA Reg. No. 3125-146. Chemagro, A Division of Baychem Corporation, P.O. Box 4913, Kansas City, Missouri 64120. *Chemagro Baygon 70% Wettable Powder Insecticide*. Active Ingredients: o-Isopropoxyphenyl methylcarbamate 70%. Method of Support: Application proceeds under 2(b) of interim policy.
- EPA Reg. No. 3125-214. Chemagro, Division of Baychem Corporation, P.O. Box 4913, Kansas City, Missouri 64120. *Chemagro Baygon 1.5 Emulsifiable Insecticide*. Active Ingredients: o-Isopropoxyphenyl methylcarbamate 13.9%. Method of Support: Application proceeds under 2(b) of interim policy.
- EPA File Symbol 15146-L. Chemwood Corporation, 810 Washington Avenue, P.O. Box 4270, Memphis, Tennessee 38104. *Chemtox-P-WR Concentrate Water Repellent Wood Preservative Concentrate 1 to 5*. Active Ingredients: Pentachlorophenol 21.76%; Other Chlorophenols 2.53%; Petroleum Distillate 30.70%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 15146-T. Chemwood Corporation, 810 Washington Avenue, P.O. Box 4270, Memphis, Tennessee 38104. *Chemtox-PWR Ready To Use Water Repellent Wood Preservative*. Active Ingredients: Pentachlorophenol 4.47%; Other Chlorinated Phenols 0.52%; Petroleum Hydrocarbons 88.03%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 15146-A. Chemwood Corporation, 810 Washington Avenue, P.O. Box 4270, Memphis, Tennessee 38104. *Buchanan Special Blend*. Active Ingredients: Borax 28.0%; Sodium Pentachlorophenate 55.3%; Sodium Salts of Other Chlorophenols 7.7%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 15146-U. Chemwood Corporation, 810 Washington Avenue, P.O. Box 4270, Memphis, Tennessee 38104. *Chemtox-BHC For Control of Wood Destroying Beetles and Borers in Logs and Lumber*. Active Ingredients: Gamma Isomer of Benzene Hexachloride 12.23%; Other Isomers of Benzene Hexachloride 16.21%; Petroleum Distillate 65.56%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 239-EUER. Chevron Chemical Company, Ortho Division, 940 Hensley Street, Richmond, California 94801. *Chevron Ortho Outdoor Insect Fogger*. Active Ingredients: (5-Benzyl-3-furyl)methyl 2,2-dimethyl-3-(2-methylpropenyl)-cyclopropanecarboxylate 0.250%; Related Compounds 0.034%; 2-Hydroxyethyl-n-octyl sulfide 0.950%; Related Compounds 0.050%; Aromatic Petroleum Hydrocarbons 0.331%; Petroleum Distillate 7.000%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 100-LGA. Agricultural Division, Ciba-Geigy Corporation, P.O. Box 11422, Greensboro, North Carolina 27409. *Ontrack 800 Herbicide*. Active Ingredients: Prometon, 2,4-bis (isopropylamino)-6-methoxy-s-triazine 80%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 5748-UR. CC Conwood Corporation, Household Products Division, P.O. Box 217, Memphis, Tennessee 38101. *Hot Shot New Formula Roach and Ant Bug Killer*. Active Ingredients: Pyrethrins 0.50%; Technical Piperonyl Butoxide 0.075%; N-Octyl Bicycloheptene Dicarboximide 0.125%; Chlorpyrifos [O, O-Diethyl O-(3,5,6-trichloro-2-pyridyl) phosphorothioate] 0.500%; Aromatic Petroleum Distillate 0.280%; Petroleum Distillate 95.936%. Method of Support: Application proceeds under 2(b) of interim policy.
- EPA File Symbol 8434-GA. Dotson & Sons, Inc., Agricultural Chemicals, P.O. Box 173, Brawley, California 92227. *Dot-Son Brand Thimet Stand-Aid*. Active Ingredients: Phorate (O,O-diethyl S-[(ethylthio)methyl] phosphorodithioate 6.50%; Pentachloronitrobenzene 6.50%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 8764-EU. FMC Corporation, P.O. Box 552, Riverside, California 92502. *FMC Sta-Fresh 401 Fungicidal Fruit Coating*. Active Ingredients: Sodium o-phenylphenate, anhydrous 1.0%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 2124-TII. W. R. Grace & Co., Agricultural Chemicals, 100 N. Main St., P.O. Box 277, Memphis, Tennessee 38101. *Naco Spray Mix No. 212*. Active Ingredients: Copper (from basic copper sulfate) expressed as metallic 14.9%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 33958-R. Griebel Brothers, Monroe, South Dakota 57047. *Tom Cat Bait Kills Rats and Mice*. Active Ingredients: Warfarin (3-(a-acetonylbenzyl) 4-hydroxy coumarin) 0.025%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 5905-GAT. Helena Chemical Company, 5100 Poplar Avenue, Memphis, Tennessee 38137. *Helena Brand 4-2-1 Emulsifiable Insecticide Concentrate*. Active Ingredients: Toxaphene 38.70%; Methoxychlor 19.35%; O,O-Dimethyl O-p-Nitrophenyl thiophosphate 9.67%; Xylene 21.56%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 5905-GAU. Helena Chemical Company, 5100 Poplar Avenue, Memphis, Tennessee 38137. *Helena Brand Toxaphene-Methoxychlor 4-2 Emulsifiable Insecticide Concentrate*. Active Ingredients: Methoxychlor, technical 20%; Toxaphene 40%; Xylene 32%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 5905-GAA. Helena Chemical Company, 5100 Poplar Avenue, Memphis, Tennessee 38137. *Helena Brand 4-2-5 Emulsifiable Insecticide Concentrate*. Active Ingredients: Toxaphene 39.14%; Methoxychlor 19.67%; O,O-Dimethyl O-p-Nitrophenyl thiophosphate 4.89%; Xylene 26.82%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 33625-G. Lawn Medic Inc., 1024 Sibley Tower, Rochester, New York 14601. *Lawn Medic Professional Use Only Lawn Chinch Bug and Sod Webworm Control*. Active Ingredients: Chlorpyrifos [O,O-Diethyl O-(3,5,6-trichloro-2-pyridyl) phosphorothioate] 2.32%; Aromatic petroleum derivative solvent 1.26%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 1021-RGRN. McLaughlin Gormley King Company, 8810 Tenth Avenue N., Minneapolis, Minnesota 55427. *Pyrocid Fogging Formula 7216 for Application by Trained Personnel Only*. Active Ingredients: Pyrethrins 1.00%; Piperonyl butoxide, technical 5.00%; Petroleum distillate 94.00%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 3776-LG. Mercury Chemical Co., Inc., 2443 North Clybourn Avenue, Chicago, Illinois 60614. *Duosect Insecticide 100 A Ready-To-Use Formulation*. Active Ingredients: Chlorpyrifos (O,O-diethyl O-(3,5,6-trichloro-2-pyridyl) phosphorothioate 0.500%; 2,2-dichlorovinyl dimethyl phosphate 0.466% and 0.034% related compounds 0.500%; Aromatic Petroleum Solvent 0.939%; Petroleum Distillate 97.269%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 8123-LR. Frank Miller & Sons, Inc., 13831 So. Emerald Avenue, Chicago, Illinois 60627. *Mosquito Larvicide*. Active Ingredients: O,O,O',O'-tetramethyl O,O'-thiodi-p-phenylene phosphorothioate 1.00%; Aromatic Petroleum Solvent 3.00%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 70-ROU. Rigo Co., 1200 Ft. Wayne Bank Building, Ft. Wayne, Indiana 46802. *Kill-Ko Sugar Fly Bait-Y Vapona*. Active Ingredients: 2,2-Dichlorovinyl dimethyl phosphate 0.46%; Related Compounds 0.04%. Method of Support: Application proceeds under 2(b) of interim policy.
- EPA File Symbol 70-ROL. Rigo Co., 1200 Ft. Wayne Bank Building, Ft. Wayne, Indiana 46802. *Kill-Ko Ravap An Emulsifiable Insecticide for Residual Fly Control and Larvicide*. Active Ingredients: 2-Chloro-1-(2,4,5-trichlorophenyl) vinyl dimethyl phosphate 23.0%; 2,2-dichlorovinyl dimethyl phosphate 5.3%. Related Compounds 0.4%; Xylene 48.3%. Method of Support: Application proceeds under 2(b) of interim policy.
- EPA File Symbol 11463-E. Schaefer Chemical Company, 3000 Carrollton Road, Saginaw, Michigan 48601. *Tower Treat*. Active Ingredients: Poly[oxyethylene (dimethyliminio) ethylene (dimethyliminio)-ethylene dichloride] 30.0%. Method of Support: Application proceeds under 2(b) of interim policy.
- EPA File Symbol 11715-EO. Speer Products, Inc., 105 S. Parkway West, Memphis, Tennessee 38109. *Speer Germicidal Multi-Purpose Cleaner with Foaming Action*. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 0.1%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 0.1%; Tetrasodium ethylenediamine tetraacetate 1.6%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 3286-UL. Ferd Staffel Co., P.O. Box 2380, San Antonio, Texas 78298. *Sevin 10 Dust*. Active Ingredients: Carbaryl (1-naphthyl N-methylcarbamate) 10%. Method of Support: Application proceeds under 2(b) of interim policy.
- EPA Reg. No. 476-1819. Stauffer Chemical Co., 1200 South 47th Street, Richmond, California 94804. *Stauffer Shield Captain 80-WP A Fungicide for Plant Disease Control*. Active Ingredients: Captan: N-((trichloromethyl)thio)-4-cyclohexene-1,2-dicarboximide 80%. Method of Support: Application proceeds under 2(c) of interim policy.



EPA File Symbol 11214-RI. Target Chemical Company, 17710 Studebaker Road, Cerritos, California 90701. *Target Weed Boomer for Professional Use Only*. Active Ingredients: Diquat dibromide (6,7-dihydrodipyrido (1,2-a:2',1'-o) pyrazinedium dibromide) 10.5%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 33722-L. Tex-Ag Company, Inc., P.O. Box 633, Mission, Texas 78572. *Chlorobenzilate 4 EC Miticide*. Active Ingredients: Ethyl 4,4'-dichlorobenzilate 45.5%; Xylene Range Aromatic Hydrocarbon Solvent 43.5%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 33722-T. Tex-Ag Company, Inc., P.O. Box 633, Mission, Texas 78572. *Power-Tox*. Active Ingredients: Toxaphene (Chlorinated camphene, chlorine content 67-69%) 40.0%; Parathion: O, o-diethyl-o, p-nitrophenyl thiophosphate 10.0%; Methyl Parathion: O, o-dimethyl-o, p-nitrophenyl thiophosphate 10.0%; Xylene Range Aromatic Hydrocarbon Solvent 35.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 33722-I. Tex-Ag Company, Inc., P.O. Box 633, Mission, Texas 78572. *Toxaphene 6 lb*. Active Ingredients: Toxaphene 59.0%; Xylene Range Aromatic Hydrocarbon Solvent 37.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 52-EGA. West Agro-Chemical, Inc., A Subsidiary of West Chemical Products, Inc., 42-16 West Street, New York, New York 11101. *LFI Sanitizer for Industrial Use Only*. Active Ingredients: Butoxy polypropoxy polyethoxy ethanol iodine complex 12.47%; Polyethoxy polypropoxy polyethoxy ethanol iodine complex (providing 1.6% of titratable iodine) 0.37%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA Reg. No. 1700-175. Winru Chemical & Sales Company, 923 State Line, Kansas City, Missouri 64101. *Winru Pyro-Mal*. Active Ingredients: Malathion (Cythion) 20.00%; Pyrethrins 0.50%; Technical piperonyl butoxide 1.25%; Aromatic petroleum hydrocarbons 67.25%. Method of Support: Application proceeds under 2(c) of interim policy.

## CORRECTION

In FR Doc 74-7517 in the issue of Monday, April 8, 1974, on page 12784, last sentence before the list of Applications Received should read "No claims will be accepted for possible EPA adjudication which are received after June 7, 1974," rather than June 3, 1974, as cited.

## REPUBLISHED ITEMS

The following items represent corrections and/or changes in the list of Applications Received previously published in the FEDERAL REGISTER of April 5, 1974 (39 FR 12378).

EPA File Symbol 9854-E. Air-Tite Products Company, P.O. Box 281, Vineland, New Jersey 08360. *Air-Tite 772 Disinfectant, Germicide, Deodorant*. Active Ingredients: Benzalkonium Chloride 10.0%; 1,3,5,7-tetraazatricyclo [3.3.1.1.3.7] decane 20.0% . . . Correction: Originally published as [3.3.1.1.3.7].

EPA Reg. No. 11556-40. Chemagro, Division of Baychem Corporation, Box 4913, Kansas City, Missouri 64120. *Co-Ral (coumaphos) Spray-Foam Wound Treatment*. Correction: Originally published as *Co-Ral (coumaphos) Spray-Foam Wound Treatment*.

EPA Reg. No. 5905-55. Helena Chemical Company, 5100 Poplar Avenue, Suite 2900, Memphis, Tennessee 38117. *Helena Brand 4 lb. Methyl Parathion Emulsifiable Insecticide Concentrate*. Correction: Originally published as EPA File Symbol 5905-55.

The following item represents a correction and/or change in the list of Applications Received previously published in the FEDERAL REGISTER of April 4, 1974 (39 FR 12283).

EPA File Symbol 1021-RGNL. McLaughlin Gormley King Company, 8810 Tenth Avenue, N., Minneapolis, Minnesota 55427. *Pyroicide Intermediate 7201*. Method of Support: Application proceeds under 2(c) of interim policy rather than 2(b).

Dated: April 15, 1974.

JOHN B. RITCH, Jr.,  
Director, Registration Division.

[FR Doc. 74-9035 Filed 4-23-74; 8:45 am]

## ENVIRONMENTAL IMPACT STATEMENTS AND OTHER ACTIONS IMPACTING THE ENVIRONMENT

## Availability of Agency Comments

Pursuant to the requirements of section 102(2)(C) of the National Environmental Policy Act of 1969, and section 309 of the Clean Air Act, as amended, the Environmental Protection Agency (EPA) has reviewed and commented in writing on Federal agency actions impacting the environment contained in the following appendices during the period of March 16, 1974 and March 31, 1974.

Appendix I contains a listing of draft environmental impact statements reviewed and commented upon in writing during this review period. The list includes the Federal agency responsible for the statement, the number and title of the statement, the classification of the nature of EPA's comments as defined in Appendix II, and the EPA source for copies of the comments as set forth in Appendix V.

Appendix II contains the definitions of the classifications of EPA's comments on the draft environmental impact statements as set forth in Appendix I.

Appendix III contains a listing of final environmental impact statements reviewed and commented upon in writing during this reviewing period. The listing will include the Federal agency responsible for the statement, the number and title of the statement, a summary of the nature of EPA's comments, and the EPA source for copies of the comments as set forth in Appendix V.

Appendix IV contains a listing of proposed Federal agency regulations, legislation proposed by Federal agencies, and any other proposed actions reviewed and commented upon in writing pursuant to section 309(a) of the Clean Air Act, as amended, during the referenced reviewing period. The listing includes the Federal agency responsible for the proposed action, the title of the action, a summary of the nature of EPA's comments, and the source for copies of the comments as set forth in Appendix V.

Appendix V contains a listing of the names and addresses of the sources for copies of EPA comments listed in Appendices I, III, and IV.

Copies of the EPA Manual setting forth the policies and procedures for EPA's review of agency actions may be obtained by writing the Public Inquiries Branch, Office of Public Affairs, Environmental Protection Agency, Washington, D.C. 20460. Copies of the draft and final environmental impact statements referenced herein are available from the originating Federal department or agency or from the National Technical Information Service, U.S. Department of Commerce, Springfield, Virginia 22151.

Dated: April 12, 1974.

SHELDON MEYERS,  
Director, Office of  
Federal Activities.

## APPENDIX I.—Draft environmental impact statements for which comments were issued between Mar. 16, 1974, and Mar. 31, 1974

Identifying No.	Title	General nature of comments	Source for copies of comments
Atomic Energy Commission: D-AEC-06123-AL	Bellefonte Nuclear Plant	LO-1	A
Department of Agriculture: D-AFS-60093-UT	Vernal unit land use plan, Ashley National Forest, Utah	ER-2	I
D-AFS-61216-AA	Proposed Horseshoe Meadows land, Inyo National Forest, Calif.	LO-1	J
D-AFS-65060-UT	Utah Spread Creek, Gros Ventre Planning Unit, Utah	ER-2	I
D-AFS-65075-ID	Soldier Mountain ski area expansion, Sawtooth National Forest, Calif.	LO-1	K
D-AFS-65076-WA	Asotin planning unit, Umatilla National Forest, Wash.	LO-2	K
D-AFS-82078-OO	Control of southern pine beetle in Southeastern United States	LO-2	A
D-AFS-82082-OO	Vegetation management with herbicides, Mount Hood, Willamette National Forest, Ore.	LO-1	K
D-AFS-82084-WA	1974 vegetation management, Olympic, Mount Baker, Snoqualmie National Forest, Wash.	LO-2	K
D-SCS-36353-MN	Canby Creek watershed, Lincoln and Yellow Medicine Counties, Minn.	LO-2	F
Corps of Engineers: D-COE-30677-HI	Beach erosion control, Kaaawa Beach Park, Oahu, Hawaii	LO-2	J
D-COE-32481-FL	Canaveral Harbor, Brevard County, maintenance dredging, Florida	LO-2	E
D-COE-32482-FL	Fernandina Harbor, maintenance dredging, Florida	LO-2	E
D-COE-32500-AK	Operation and maintenance of Nome Harbor and Seawall, Alaska	LO-1	K
D-COE-32489-OK	Operation and maintenance McClellan-Kerr Arkansas River navigation system, Oklahoma	LO-2	G



Identifying No.	Title	General nature of comments	Source for copies of comments
D-COE-32501-AK	Operation and maintenance of the Dillingham small boat harbor, Alaska.	LO-1	K
D-COE-34105-AR	Bell Foley Dam and Lake, Strawberry River, Arkansas.	LO-2	G
D-COE-35106-SC	Colleton River at Victoria Bluff, S.C.	ER-2	E
D-COE-36365-HI	Kaneohe-Kailua flood control, Oahu, Hawaii.	LO-2	J
D-COE-39088-VA	Marina facilities, Busch Properties, Inc., James River, Va.	LO-1	D
D-COE-39092-CA	Sacramento River, Chico Landing to Red Bluff, Calif.	LO-1	J
D-COE-51029-NC	Replace Wilkerson Creek Bridge, Hyde County, N.C.	LO-1	E
Department of Defense: D-UAF-10039-OO	Operation Giant Patriot	LO-2	A
Department of Housing and Urban Development: D-HUD-89138-NM	Zia urban renewal project, Gallup, N. Mex.	LO-2	G
Department of Interior: D-BLM-08015-AZ	Tucson Gas & Electric, El Sol to Vail 345 kV transmission line, Arizona.	ER-2	J
D-BLM-61211-NV	Red Rock recreation lands, Las Vegas, Nev.	LO-2	J
D-DOI-99079-OR	1975 general construction and maintenance program, Bonneville Power Administration.	LO-1	K
D-NPS-61208-00	Colorado and Utah Wilderness, proposed Dinosaur National Monument, Colorado and Utah.	LO-2	I
D-NPS-61212-NC	Guilford County Courthouse National Military Park, N.C.	LO-1	E
D-SFW-61219-SC	Proposed Santee Wilderness Area, S.C.	LO-2	E
D-IBR-39086-CA	Proposed Central Valley project, water through enlarged cross valley canal, Sacramento, Calif.	3 LO-2	J
Department of Transportation: D-FAA-51825-MS	Union Municipal Airport, Neshoba County, Union, Miss.	LO-2	E
D-FAA-51827-WV	Summers County Airport, True, W. Va.	LO-2	D
D-FAA-51837-AL	Thomas C. Russell Field, Alexander City, Ala.	LO-2	E
D-FAA-51843-VA	Chesapeake Municipal Airport, Chesapeake, Va.	LO-2	D
D-FHW-42109-MN	I-394 to U.S. 12 corridor, Hennipen County, Minn.	EU-2	F
D-FHW-42112-NM	IH 40, San Jon, Quay County, N. Mex.	LO-2	G
D-FHW-42150-NH	Relocation New Hampshire route 106, New Hampshire.	LO-2	B
D-FHW-42126-SC	US-25 from US-178 north to Ware Shoals, Greenwood, S.C.	LO-2	E
D-FHW-42127-SC	Oconee County, Westminster, bypass of SC-123, South Carolina.	LO-2	E
D-FHW-42141-FL	Duval County, Heckscher Dr., State Road 105, Florida.	ER-2	E
D-FHW-42142-FL	Duval County, Southside Blvd. extension, Florida.	ER-2	E
D-FHW-42143-FL	State Roads 121, 26, and 26A, Alachua County, Gainesville, Fla.	LO-2	E
D-FHW-42146-SC	Anderson County improvements to S-274, Fant St., South Carolina.	LO-1	E
D-FHW-42151-NH	I-93, Manchester-Hooksett, N.H.	ER-2	B
D-FHW-42152-DE	U.S. Route 113, Frederick to Little Haven, Del.	LO-2	D
D-FHW-42155-NB	N-67, Peru-South, Nemaha County, Nebr.	LO-2	H
D-FHW-42167-SC	State Route S-167, Florence County, Darlington St., South Carolina.	ER-2	E
D-FHW-42174-TX	State Highway 300 from Gregg County to US-271, Gilmer, Tex.	LO-1	G
Federal Power Commission: D-FPC-05439-MT	Mystic Lake, Project No. 2301, Montana.	LO-2	I
General Services Administration: D-GSA-81159-PA	Federal Courthouse and Office Bldg., Williamsport, Pa.	LO-2	D

## APPENDIX II

## DEFINITION OF CODES FOR THE GENERAL NATURE OF EPA COMMENTS

*Environmental Impact of the Action***LO—Lack of Objection.**

EPA has no objections to the proposed action as described in the draft impact statement; or suggests only minor changes in the proposed action.

**ER—Environmental Reservations.**

EPA has reservations concerning the environmental effects of certain aspects of the proposed action. EPA believes that further study of suggested alternatives or modifications is required and has asked the originating Federal agency to reassess these impacts.

**EU—Environmentally Unsatisfactory.**

EPA believes that the proposed action is unsatisfactory because of its potentially harmful effect on the environment. Furthermore, the Agency believes that the potential safeguards which might be utilized may not adequately protect the environment from hazards arising from this action. The Agency recommends that alternatives to the action be analyzed further (including the possibility of no action at all).

*Adequacy of the Impact Statement***Category 1—Adequate.**

The draft impact statement adequately sets forth the environmental impact of the proposed project or action as well as alternatives reasonably available to the project or action.

**Category 2—Insufficient Information.**

EPA believes that the draft impact statement does not contain sufficient information to assess fully the environmental impact of the proposed project or action. However, from the information submitted, the Agency is able to make a preliminary determination of the impact on the environment. EPA has requested that the originator provide the information that was not included in the draft statement.

**Category 3—Inadequate.**

EPA believes that the draft impact statement does not adequately assess the environmental impact of the proposed project or action, or that the statement inadequately analyzes reasonable available alternatives. The Agency has requested more information and analysis concerning the potential environmental hazards and has asked that substantial revision be made to the impact statement.



## APPENDIX III.—Final environmental impact statements for which comments were issued between Mar. 16, 1974 and Mar. 31, 1974

Identifying No.	Title	General nature of comments	Source for copies of comments
Corps of Engineers: F-COE-32480-SC....	Town Creek in Charleston County, S.C.	EPA recommended that the harbor pollution problems be resolved prior to construction of the channel.	E
Department of Interior: F-DOI-02053-LA....	1974 Outer Continental Shelf oil and gas sale, offshore Louisiana.	EPA concluded that certain aspects of the proposed action raise environmental reservations. At issue is the intended offering of 3 deepwater oil tracts in areas of unstable bottom sediments (Mobile South No. 2 area, tracts 208, 209, and 210). Also of concern is the lack of substantiation for the environmental safety of subsea completions and the discharge of drilling muds that will contain barium sulfate and chromium.	G
Department of Transportation: D-FHW-41557-WY...	Clarks Fork Canyon Rd. project, Park County, Wyo.	EPA concurred with the project as proposed and the FHWA's selection of the less environmentally damaging alternative.	I
F-FHW-41903-AL...	US-278 from I-65 east to Main St., Cullman County, Cullman, Ala.	EPA generally agreed with the project as proposed. However, EPA recommended that measurements for existing noise levels be undertaken.	E
F-FHW-42175-NM...	Project F-033-1 south of San Ysidro, N. Mex.	EPA generally agreed with the project as proposed.	G

## APPENDIX IV.—Regulations, legislation, and other Federal agency actions for which comments were issued between Mar. 16, 1974, and Mar. 31, 1974

Identifying No.	Title	General nature of comments	Source for copies of comments
Atomic Energy Commission: R-AEC-99074-00....	10 CFR Parts 2, 50—licensing of production and utilization facilities—preconstruction activities.	EPA is in support of AEC efforts to avoid any unnecessary delays in licensing of justified nuclear facilities and, in general, the proposed preconstruction rules contribute to these efforts. EPA believes, however, that applicants receiving a limited work authorization should be given some reasonable assurance that, in the best estimate of the AEC staff, the proposed plantsite is suitable from a geological, meteorological, and hydrological standpoint. Although the effect of seismic activity, flooding, or severe winds on plant safety cannot be fully determined until the safety review is complete, the rules should indicate that these "environmental" factors will be considered by the AEC, to the extent possible, prior to issuing an LWA. This is to avoid, where possible, further and possibly irreparable environmental damage being done to a clearly unacceptable site.	A
Corps of Engineers: R-COE-35112-00....	33 CFR Part 209—federal dredging projects in navigable and ocean waters—proposed policy, practice and procedures.	EPA commended the wetlands policy; however, EPA suggested several modifications which would help strengthen the regulations from an environmental viewpoint.	A

## APPENDIX V

## SOURCE FOR COPIES OF EPA COMMENTS

- A. Director, Office of Public Affairs  
Environmental Protection Agency  
401 M Street, S.W.  
Washington, D.C. 20460
- B. Director of Public Affairs  
Region I  
Room 2303  
John F. Kennedy Federal Building  
Boston, Massachusetts 02203
- C. Director of Public Affairs  
Region II  
Environmental Protection Agency  
Room 847  
26 Federal Plaza  
New York, New York 10007
- D. Director of Public Affairs  
Region III  
Environmental Protection Agency  
Curtis Building, 6th and Walnut Streets  
Philadelphia, Pennsylvania 19106

- E. Director of Public Affairs  
Region IV  
Environmental Protection Agency  
Suite 300  
1421 Peachtree Street, N.E.  
Atlanta, Georgia 30309
- F. Director of Public Affairs  
Region V  
Environmental Protection Agency  
1 N. Wacker Drive  
Chicago, Illinois 60606
- G. Director of Public Affairs  
Region VI  
Environmental Protection Agency  
1600 Patterson Street  
Dallas, Texas 75201
- H. Director of Public Affairs  
Region VII  
Environmental Protection Agency  
1735 Baltimore Street  
Kansas City, Missouri 64108

- I. Director of Public Affairs  
Region VIII  
Environmental Protection Agency  
Lincoln Tower, Room 916  
1860 Lincoln Street  
Denver, Colorado 80203
- J. Director of Public Affairs  
Region IX  
Environmental Protection Agency  
100 California Street  
San Francisco, California 94111
- K. Director of Public Affairs  
Region X  
Environmental Protection Agency  
1200 Sixth Avenue  
Seattle, Washington 98101
- [FR Doc.74-9161 Filed 4-23-74; 8:45 am]

[OPP-32000/43]

## 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 24, 1974, any person who (a) is or has been an applicant, (b) desires to assert a claim for compensation under § 3(c)(1)(D) against another applicant proposing to use supportive data previously submitted and approved, and (c) wishes to preserve his opportunity for determination of reasonable compensation by the Administrator must notify the Administrator and the applicant named in the FEDERAL REGISTER of his claim by certified mail. Every such claimant must include, at a minimum, the information listed in this interim policy published on November 19, 1973.

Applications submitted under 2(a) or 2(b) of the interim policy in regard to usage of existing supportive data for registration will be processed in accordance with existing procedures. Applications submitted under 2(c) will be held for the sixty-day period before commencing processing. If claims are not received, the application will be processed in normal procedure. However, if claims are received within sixty days, the applicants against whom the particular claims are asserted will be advised of the alternatives available under the Act. No claims will be accepted for possible EPA adjudication which are received on or before June 24, 1974.



## APPLICATIONS RECEIVED

EPA File Symbol 6288-RN. Capitol Packaging Co., 1502 North 25th Avenue, Melrose Park, Illinois 60160. *Capitol House and Garden Insecticide*. Active Ingredients: (5-Benzyl-3-furyl) methyl 2,2-dimethyl-3-(2-methylpropenyl)cyclopropanecarboxylate 0.350%; Related compounds 0.048%; Aromatic petroleum hydrocarbons 0.464%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 5967-RRL. Moyer Chemical Company, 1310 Bayshore Highway, P.O. Box 945, San Jose, California 95108. *Endosulfan Dust No. 5*. Active Ingredients: Endosulfan 5.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 9480-E. Professional Disposables Inc., 150 N. MacQuesten Parkway, Mt. Vernon, New York 10550. *Benzalkonium Chloride Tincture Solution 1:750*. Active Ingredients: alkyl dimethylbenzyl—ammonium chloride 0.13%; Isopropyl alcohol 40%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 228-RLN. Riverdale Chemical Company, 220 E. 17th Street, Chicago Heights, Illinois 60411. *Riverdale Weedeater MCPP-2,4-D*. Active Ingredients: Diethanolamine salt of 2-(2-Methyl-4-Chlorophenoxy) Propionic acid 16.2%; Diethanolamine salt of 2,4-Dichlorophenoxyacetic acid 16.1%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 11715-EI. Speer Products, Inc., P.O. Box 9383, Memphis, Tennessee 38109. *Speer Flea Spray for Dogs & Cats*. Active Ingredients: (5-Benzyl-3-furyl) methyl 2,2-dimethyl-3-(2-methylpropenyl)cyclopropanecarboxylate 0.250%; Related Compounds 0.034%; Aromatic petroleum hydrocarbons 0.322%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 3640-TE. Stearns Chemical Corporation, 4200 Sycamore Avenue, Madison, Wisconsin 53704. *Banquet BFC-13 Liquid Iodine Bearing Detergent/Sanitizer*. Active Ingredients: Nonylphenoxypoly (ethyleneoxy) ethanol—Iodine Complex (providing 1.75% available iodine) 8.75%; Phosphoric Acid 8.50%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 3640-TR. Stearns Chemical Corporation, 4200 Sycamore Avenue, Madison, Wisconsin 53704. *Banquet BFC-12 Liquid Chlorine Bearing Disinfectant and Germicide*. Active Ingredients: Sodium Hypochlorite 10.2%. Method of Support: Application proceeds under 2(c) of interim policy.

## REPUBLICATED ITEMS

The following items represent corrections and/or changes in the list of Applications Received previously published in the FEDERAL REGISTER of April 4, 1974 (39 FR 12283).

EPA Reg. No. 359-620. Chipman Division of Rhodia, Inc., 120 Jersey Avenue, P.O. Box 2009, New Brunswick, New Jersey 08903. *Zolone EC*. . . Method of Support: Application proceeds under 2(c) of interim policy. Correction: Originally published incorrectly as Applicant proceeds under 2(c) of interim policy.

EPA File Symbol 2125-TR. Science Products Company, Inc., 2640 N. Greenview Avenue, Chicago, Illinois 60614. *Science Vegetable & Tomato Dust*. Active Ingredients: Carbaryl (1-naphthyl N-methylcarbamate) 5.0%. . . Correction: Originally published incorrectly as Active Ingredients: Carbaryl 5.0%.

EPA File Symbol 25708-I. Shield Aerosol Company of California, 5165 G Street, Chino, California 91710. *Shield Equine Fly Spray*. Correction: Originally published incorrectly as *Shield Equine Fly Spry*.

Dated: April 8, 1974.

DOUGLAS D. CAMPT,  
Acting Director,  
Registration Division.

[FR Doc.74-8575 Filed 4-23-74; 8:45 am]

## CHEMAGRO DIVISION OF BAYCHEM CORP.

## Filing of Petition Regarding Pesticide Chemical

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408 (d) (1), 68 Stat. 512; 21 U.S.C. 346a(d) (1)), notice is given that a petition (PP 4F1485) has been filed by Chemagro Division of Baychem Corp., Post Office Box 4913, Kansas City, MO 64120, proposing establishment of tolerances (40 CFR Part 180) for combined residues of the insecticide S-[2-(ethylsulfinyl)ethyl] O,O-dimethyl phosphorothioate and its cholinesterase-inhibiting metabolites in or on the raw agricultural commodities green mint hay at 12.5 parts per million; snap bean vines, lima bean vines, and garden pea vines at 2 parts per million; apples at 1 part per million; snap beans and lima beans at 0.5 part per million; garden pea pods at 0.3 part per million; and garden peas (without pods) at 0.1 part per million.

The analytical method proposed in the petition for determining residues of the insecticide is a thermionic emission-gas chromatographic procedure using a phosphorus-sensitive detector.

Dated: April 19, 1974.

JOHN B. RITCH, Jr.,  
Director,  
Registration Division.

[FR Doc.74-9348 Filed 4-23-74; 8:45 am]

## CHEVRON CHEMICAL CO.

## Filing of Petition Regarding Pesticide Chemical

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408 (d) (1), 68 Stat. 512; 21 U.S.C. 346a(d) (1)), notice is given that a petition (PP 4F1481) has been filed by Chevron Chemical Co., Ortho Division, 940 Hensley Street, Richmond, CA 94801, proposing establishment of a tolerance (40 CFR Part 180) for negligible residues of the desiccant and defoliant paraquat (1,1'-dimethyl-4,4'-bipyridinium ion) derived from the application of either the bis(methyl sulfate) or dichloride salt (calculated as the cation) in or on the raw agricultural commodity nuts at 0.05 part per million.

The analytical method proposed in the petition for determining residues of paraquat is one in which the sample is

refluxed with sulfuric acid to free the paraquat cation and, after cleanup and reduction with sodium dithionite, the paraquat is determined spectrophotometrically.

Dated: April 19, 1974.

JOHN B. RITCH, Jr.,  
Director,  
Registration Division.

[FR Doc.74-9349 Filed 4-23-74; 8:45 am]

## SCIENCE ADVISORY BOARD HAZARDOUS MATERIALS ADVISORY COMMITTEE

## Notice of Meeting

Pursuant to Pub. L. 92-463, notice is hereby given that a meeting of the Hazardous Materials Advisory Committee of the Science Advisory Board will be held at 8:30 a.m., May 14-15, 1974, in Room 1112, Crystal Mall Number 2, 1921 Jefferson Davis Highway, Arlington, Virginia.

This is a regularly scheduled meeting of the Committee. The agenda includes Staff Director's report, vinyl chloride discussion, effluent guidelines review, substitute chemicals project, metabolism of mercury compounds by microorganisms presentation, pesticide strategy review, member items of interest, and comments by program liaison representatives.

The meeting is open to the public. Any member of the public wishing to attend or participate or to present a paper should contact Dr. Winfred F. Malone, Acting Staff Director, Hazardous Materials Advisory Committee, (703) 557-7720.

A. C. TRAKOWSKI,  
Acting Assistant Administrator  
for Research and Development.

[FR Doc.74-9350 Filed 4-23-74; 8:45 am]

## SHELL CHEMICAL CO.

## Filing of Petition for Food Additive

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b) (5), 72 Stat. 1786; 21 U.S.C. 348(b) (5)), notice is given that a petition (FAP 4H5047) has been filed by Shell Chemical Co., Suite 300, 1700 K Street, NW., Washington, D.C. 20006, proposing the issuance of a regulation to provide for the safe use of the insecticide 2-chloro-1-(2,4,5-trichlorophenyl) vinyl dimethyl phosphate in the feed of beef and dairy cattle at a maximum rate of 0.01 percent in complete feeds and 1.2 percent in feed supplements, except that the insecticide shall not be used in feeds that are to be pelleted nor in liquid feed supplements.

Dated: April 19, 1974.

JOHN B. RITCH, Jr.,  
Director, Registration Division.

[FR Doc.74-9347 Filed 4-23-74; 8:45 am]



# FEDERAL CROP INSURANCE CORPORATION

[Notice 80]

## TOBACCO—TYPE 13 (NORTH CAROLINA)

### Extension of the Closing Date for Filing of Applications for the 1974 Crop Year

Pursuant to the authority contained in 7 CFR 401.103, the time for filing applications for tobacco crop insurance for applicants submitting a "Flue Cured Tobacco Agreement for Automatic Harvesting by Machine" for the 1974 crop year on Type 13 tobacco in all counties in North Carolina where such insurance is otherwise authorized to be offered is hereby extended until the close of business on April 25, 1974. Such applications received during this period will be accepted only after it is determined that no adverse selectivity will result.

[SEAL]

M. R. PETERSON,  
Manager, Federal Crop  
Insurance Corporation.

[FR Doc.74-9375 Filed 4-23-74; 8:45 am]

## FEDERAL MARITIME COMMISSION

### BOARD OF TRUSTEES OF THE GALVESTON WHARVES AND LYKES BROTHERS STEAMSHIP CO., INC.

#### Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, (46 U.S.C. 814)).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, NW., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before May 14, 1974. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

#### Notice of Agreement Filed by:

Mr. Carl S. Parker, Jr.  
Traffic Manager  
Galveston Wharves

P.O. Box 328  
802 Rosenberg  
Galveston, Texas 77550

Agreement No. T-2918, between the Board of Trustees of the Galveston Wharves (Galveston) and Lykes Brothers Steamship Company, Inc. (Lykes), provides for the preferential use by Lykes of the East End Container Terminal at Galveston, Texas to be used for the loading and unloading of containers. As compensation, Lykes will pay Galveston a minimum annual revenue guarantee of \$100,000.00 until a total amount of \$488,980.50 has been paid. Against the guaranteed payment, Lykes will be credited (a) dockage paid for the account of its Seabee vessels calling at the facility and (b) \$10.00 per container handled by Galveston's container crane. Lykes shall be subject to all Galveston Port rules and regulations, including tariffs.

By order of the Federal Maritime Commission.

Dated: April 18, 1974.

FRANCIS C. HURNEY,  
Secretary.

[FR Doc.74-9386 Filed 4-23-74; 8:45 am]

### KAWASAKI KISEN KAISHA, LTD. AND FOSS ALASKA LINE, INC.

#### Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, (46 U.S.C. 814)).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, NW., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before May 14, 1974. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

#### Notice of Agreement Filed by:

Mr. F. A. Hornblower  
District Manager  
"K" Line—Kerr Corporation

General Agents  
One California Street  
San Francisco, California 94111

Agreement No. 10124, between Kawasaki Kisen Kaisha, Ltd. and Foss Alaska Line, Inc., establishes a through billing arrangement for the transportation of cargo in the trade from ports in Alaska to ports in Japan, with transshipment at Seattle, Washington, under terms and conditions set forth in the agreement. This agreement has been filed to supersede and cancel approved Agreement No. 9893, between Kawasaki Kisen Kaisha, Ltd. and Foss Alaska Line, Inc. covering a similar arrangement in the same trade.

By Order of the Federal Maritime Commission.

Dated: April 19, 1974.

FRANCIS C. HURNEY,  
Secretary.

[FR Doc.74-9387 Filed 4-23-74; 8:45 am]

## FEDERAL POWER COMMISSION

[Docket No. E-8700]

### BOSTON EDISON CO.

#### Notice of Extension of Time

APRIL 17, 1974.

On April 8, 1974, The Town of Norwood, Massachusetts, filed a motion requesting an extension of time within which it may file a petition to intervene and states its position with respect to the Petition for Declaratory Order filed by Boston Edison Company. The motion states that the request was agreed to by the Boston Edison Company.

Upon consideration, notice is hereby given that the time is extended to and including May 30, 1974, within which to respond to the Petition for a Declaratory Order filed by Boston Edison Company.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.74-9334 Filed 4-23-74; 8:45 am]

[Project No. 152]

### CALIFORNIA

#### Order Partially Vacating Land Withdrawal

APRIL 16, 1974.

By letters dated March 29, 1921, and December 10, 1926, the Commission gave notices to the General Land Office (now Bureau of Land Management) of the withdrawal of approximately 6,005 and 3,055 acres, respectively, of United States lands pursuant to the filings on January 14 and December 15, 1921, by the City of Los Angeles, of original and amended applications for preliminary permit for Project No. 152.

A re-examination of our records, undertaken in response to a U.S. Forest Service request for partial revocation of the withdrawal, disclosed that the lands listed in the notification letter of December 10, 1926, total 2,955 acres rather than 3,055 acres, and that certain project lands were inadvertently omitted



from the notification letters. This instrument covers all lands withdrawn for Project No. 152. The subject lands are described in the attached land lists (A and B).

The lands lie along the South Fork of the Kern River, Kern and Tulare Counties, California. Most of the lands lie within the Sequoia National Forest.

Project No. 152 contemplated development of the Rockhouse reservoir site on the South Fork of the Kern River (the dam site is located in sec. 34, T. 23 S., R. 35 E., Mount Diablo Meridian) with a long conduit to a powerhouse (proposed capacity 25,000 kw) in sec. 24, T. 25 S., R. 35 E. The project was not constructed as the Commission rejected the application on January 8, 1927.

A similar project was proposed by the California Department of Water Resources in its Bulletin No. 3 entitled "The California Water Plan," published in 1957. This plan contemplates construction of Rockhouse reservoir, a tunnel to convey water from Rockhouse reservoir to Rockhouse power plant (proposed capacity 10,000 kw) which would be located at the confluence of the South Fork Kern River and the creek draining Long Valley, a tunnel to convey water from Rockhouse power plant afterbay to Onyx power plant (proposed capacity 15,000 kw) which would be located in sec. 24, T. 25 S., R. 35 E., and the Onyx reregulating reservoir which would be located on the South Fork of the Kern River immediately below Onyx power plant (the Onyx dam site is located in sec. 24, T. 25 S., R. 35 E.). The Rockhouse and Onyx sites are included in the Commission's current inventory of undeveloped hydroelectric sites.

A large potential pumped storage site which would utilize Rockhouse reservoir as the lower pool is located on Tibbets Creek (the upper dam site is located in sec. 15, T. 23 S., R. 35 E.).

The lands described in Land List A lie within or adjacent to the proposed Rockhouse or Onyx reservoir sites and are being retained in power withdrawal.

The  $N\frac{1}{2}NE\frac{1}{4}$  and  $SW\frac{1}{4}NE\frac{1}{4}$  of sec. 24, T. 25 S., R. 35 E., were patented without a power reservation (Patent No. 1168410, dated January 24, 1957). All other lands described in Land List B lie beyond the limits of the Rockhouse and Onyx developments as currently proposed. A few of these lands lie adjacent to the Rockhouse reservoir site, however, they are situated well above the contemplated flow line. The remaining lands were withdrawn for possible conduit locations which differ from the conduit route proposed by the California Department of Water Resources.

The Commission finds: The withdrawal for Project No. 152 no longer serves a useful purpose insofar as it pertains to the lands described in Land List B.

The Commission orders: The withdrawal for Project No. 152 is hereby vacated insofar as it pertains to the lands described in Land List B.

By the Commission.

[SEAL]

KENNETH F. PLUMB,  
Secretary.

# LAND LIST A (LANDS RETAINED IN POWER WITHDRAWAL)

## MOUNT DIABLO MERIDIAN, CALIFORNIA

- T. 23 S., R. 35 E.,  
Sec. 13,  $W\frac{1}{2}W\frac{1}{2}$ ;  
Sec. 14,  $E\frac{1}{2}E\frac{1}{2}$ ;  
Sec. 22,  $NE\frac{1}{4}SE\frac{1}{4}$ ,  $SW\frac{1}{4}SE\frac{1}{4}$ ,  $SE\frac{1}{4}SE\frac{1}{4}$ ;  
Sec. 23,  $NE\frac{1}{4}NE\frac{1}{4}$ ,  $S\frac{1}{2}NE\frac{1}{4}$ ,  $S\frac{1}{2}$ ;  
Sec. 24,  $W\frac{1}{2}NW\frac{1}{4}$ ,  $NW\frac{1}{4}SW\frac{1}{4}$ ;  
Sec. 26,  $W\frac{1}{2}NE\frac{1}{4}$ ,  $NW\frac{1}{4}$ ,  $W\frac{1}{2}SW\frac{1}{4}$ ;  
Sec. 27,  $E\frac{1}{2}$ ,  $SE\frac{1}{4}NW\frac{1}{4}$ ,  $E\frac{1}{2}SW\frac{1}{4}$ ,  $SW\frac{1}{4}SW\frac{1}{4}$ ;  
Sec. 34,  $NE\frac{1}{4}$ ,  $SW\frac{1}{4}NW\frac{1}{4}$ ,  $SE\frac{1}{4}NW\frac{1}{4}$ ,  $SW\frac{1}{4}$ ,  $N\frac{1}{2}SE\frac{1}{4}$ ,  $SW\frac{1}{4}SE\frac{1}{4}$ .  
T. 24 S., R. 35 E.,  
Sec. 3, lots 3, 4,  $SW\frac{1}{4}NW\frac{1}{4}$ ,  $SE\frac{1}{4}NW\frac{1}{4}$ .  
T. 25 S., R. 35 E.,  
Sec. 13,  $SW\frac{1}{4}SW\frac{1}{4}$ ;  
Sec. 14,  $N\frac{1}{2}SE\frac{1}{4}$ ,  $SW\frac{1}{4}SE\frac{1}{4}$ ,  $SE\frac{1}{4}SE\frac{1}{4}$ ;  
Sec. 23,  $N\frac{1}{2}NE\frac{1}{4}$ ,  $SE\frac{1}{4}NE\frac{1}{4}$ ;  
Sec. 24,  $NW\frac{1}{4}NW\frac{1}{4}$ .  
(Approximately 2,841.18 acres.)

NOTE.—The italicized lands were inadvertently omitted from the Commission's March 29, 1921, notice of land withdrawal for Project No. 152 (reference: project map Exhibit E, FPC No. 152-1, filed January 14, 1921).

# LAND LIST B (LANDS RELEASED FROM POWER WITHDRAWAL)

## MOUNT DIABLO MERIDIAN, CALIFORNIA

- T. 23 S., R. 35 E.,  
Sec. 23,  $NW\frac{1}{4}NE\frac{1}{4}$ ;  
Sec. 24,  $SW\frac{1}{4}SW\frac{1}{4}$ ;  
Sec. 25,  $NW\frac{1}{4}NW\frac{1}{4}$ ;  
Sec. 26,  $NE\frac{1}{4}NE\frac{1}{4}$ ,  $NE\frac{1}{4}SW\frac{1}{4}$ ,  $NW\frac{1}{4}SE\frac{1}{4}$ ;  
Sec. 27,  $NE\frac{1}{4}NW\frac{1}{4}$ ;  
Sec. 34,  $SE\frac{1}{4}SE\frac{1}{4}$ ;  
Sec. 35,  $NW\frac{1}{4}NW\frac{1}{4}$ ,  $SW\frac{1}{4}SW\frac{1}{4}$ .  
T. 24 S., R. 35 E.,  
Sec. 2, lots 3, 4,  $S\frac{1}{2}NW\frac{1}{4}$ ,  $E\frac{1}{2}SW\frac{1}{4}$ ,  $W\frac{1}{2}SE\frac{1}{4}$ ;  
Sec. 3, lot 1;  
Sec. 4, lot 1,  $S\frac{1}{2}NE\frac{1}{4}$ ,  $N\frac{1}{2}SE\frac{1}{4}$ ,  $SE\frac{1}{4}SE\frac{1}{4}$ ;  
Sec. 8,  $SE\frac{1}{4}SW\frac{1}{4}$ ,  $SE\frac{1}{4}$ ;  
Sec. 9,  $NE\frac{1}{4}$ ,  $S\frac{1}{2}NW\frac{1}{4}$ ,  $N\frac{1}{2}SW\frac{1}{4}$ ,  $SW\frac{1}{4}SW\frac{1}{4}$ ;  
Sec. 11,  $N\frac{1}{2}NE\frac{1}{4}$ ,  $SE\frac{1}{4}NE\frac{1}{4}$ ,  $NE\frac{1}{4}SE\frac{1}{4}$ ;  
Sec. 12,  $SW\frac{1}{4}NW\frac{1}{4}$ ,  $SW\frac{1}{4}$ ;  
Sec. 13,  $NE\frac{1}{4}NW\frac{1}{4}$ ,  $S\frac{1}{2}NW\frac{1}{4}$ ,  $SW\frac{1}{4}$ ;  
Sec. 17,  $E\frac{1}{2}$ ,  $NE\frac{1}{4}NW\frac{1}{4}$ ;  
Sec. 20,  $NW\frac{1}{4}NE\frac{1}{4}$ ,  $S\frac{1}{2}NE\frac{1}{4}$ ,  $E\frac{1}{2}NW\frac{1}{4}$ ;  
Sec. 21,  $SW\frac{1}{4}NW\frac{1}{4}$ ,  $SW\frac{1}{4}$ ;  
Sec. 24,  $W\frac{1}{2}W\frac{1}{2}$ ;  
Sec. 25,  $W\frac{1}{2}W\frac{1}{2}$ ;  
Sec. 26,  $SE\frac{1}{4}NE\frac{1}{4}$ ,  $E\frac{1}{2}SE\frac{1}{4}$ ;  
Sec. 28,  $W\frac{1}{2}$ ;  
Sec. 32,  $SE\frac{1}{4}SE\frac{1}{4}$ ;  
Sec. 33,  $W\frac{1}{2}W\frac{1}{2}$ ;  
Sec. 35,  $E\frac{1}{2}E\frac{1}{2}$ .  
T. 25 S., R. 35 E.,  
Sec. 1, lots 1, 2,  $SE\frac{1}{4}NE\frac{1}{4}$ ,  $E\frac{1}{2}SE\frac{1}{4}$ ;  
Sec. 4, lots 1, 2, 3,  $SW\frac{1}{4}NE\frac{1}{4}$ ,  $S\frac{1}{2}NW\frac{1}{4}$ ,  $SW\frac{1}{4}$ ;  
Sec. 9,  $E\frac{1}{2}$ ,  $N\frac{1}{2}NW\frac{1}{4}$ ;  
Sec. 10,  $SW\frac{1}{4}SW\frac{1}{4}$ ;  
Sec. 13,  $SE\frac{1}{4}$ ;  
Sec. 14,  $NW\frac{1}{4}SW\frac{1}{4}$ ,  $S\frac{1}{2}SW\frac{1}{4}$ ;  
Sec. 15,  $NW\frac{1}{4}NW\frac{1}{4}$ ,  $S\frac{1}{2}NW\frac{1}{4}$ ,  $NE\frac{1}{4}SW\frac{1}{4}$ ,  $SE\frac{1}{4}$ ;  
Sec. 16,  $NE\frac{1}{4}NE\frac{1}{4}$ ;  
Sec. 23,  $NE\frac{1}{4}NW\frac{1}{4}$ ;  
Sec. 24,  $N\frac{1}{2}NE\frac{1}{4}$ ,  $SW\frac{1}{4}NE\frac{1}{4}$ .  
T. 25 S., R. 36 E.,  
Sec. 6, lots 6, 7;  
Sec. 7, lots 1, 2, 3,  $SE\frac{1}{4}NW\frac{1}{4}$ ,  $E\frac{1}{2}SW\frac{1}{4}$ ;  
Sec. 18, lots 2, 3,  $W\frac{1}{2}NE\frac{1}{4}$ ,  $E\frac{1}{2}NW\frac{1}{4}$ ,  $NE\frac{1}{4}SW\frac{1}{4}$ .  
(Approximately 6,518.77 acres.)

Also, those Federal lands which were included in the applications for Project No. 152 but were inadvertently omitted from the Commission's notices of land withdrawal and are not listed in Land List A. (Acreage not determined.)

[FR Doc. 74-9318 Filed 4-23-74; 8:45 am]

[Docket No. E-8712]

# CAROLINA POWER & LIGHT CO.

## Notice of Tendering of Rate Contract

APRIL 17, 1974.

Notice is hereby given that Carolina Power & Light Company (Company) tendered for filing with the Federal Power Commission in Docket No. E-8712 on April 1, 1974, a new contract between the United States of America, Department of the Interior, acting by and through the Southeastern Power Administration (SEPA), and the Company for the sale, purchase and transmission of electric power and energy from the John H. Kerr Dam Project located on the Roanoke River near the Virginia-North Carolina border. The new contract, dated March 30, 1973, supersedes the contract dated December 7, 1955, as amended which is on file with the Commission as the Company's Rate Schedule FPC No. 42. The Company submitted the new contract as a change in rate schedule pursuant to section 205(d) of the Federal Power Act and Part 35 of the Commission's regulations thereunder.

Under the provisions of the new contract, the Company will receive from SEPA 75,000 Kw of dependable capacity. Of this capacity, 30,000 Kw will be transmitted by the Company, for the account of SEPA, to SEPA's preference customers located within the service area of the Company. The monthly charge by the Company to SEPA for transmitting the power to its preference customers will be \$16,250, which represents an increase in the Company's rates for this wheeling service. The Company will also supply deficiency energy to the preference customers, when energy is not available to them from the Kerr Dam Project, at 4.50 mills per Kwh, which is the same as the Company's present rate for its sale of deficiency energy to the preference customers.

The new contract was incorporated in a filing made on July 31, 1973, by the Secretary of the Interior, on behalf of SEPA, with the Commission in Docket No. E-7002. Notice of the filing in Docket No. E-7002 was published in the FEDERAL REGISTER on September 13, 1973 (38 F.R. 25471), and an order was issued by the Commission on January 7, 1974 in that docket approving SEPA's rates for electric service to the Company under the new contract.

A copy of the Company's filing has been served upon the Southeastern Power Administration, Elberton, Georgia 30635.

Any person desiring to be heard or to make any protest with reference to said new contract should on or before Apr. 25, 1974 file with the Federal Power Commission, 825 North Capitol Street, NE, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. 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. Copies of the new contract, as tendered for filing with the Commission, are available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.74-9317 Filed 4-23-74;8:45 am]

[Docket No. CI74-542]

# GETTY OIL CO.

## Application and Request for Waiver of Regulations

APRIL 16, 1974.

Take notice that on April 1, 1974, Getty Oil Company (Applicant) filed in Docket No. CI74-542 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 Tennessee Gas Pipeline Company, a Division of Tenneco Inc. (Tennessee), from Grand Isle Block 45, offshore Louisiana, and a request for waiver of § 154.105(c) of the Commission's regulations under the Natural Gas Act (18 CFR 154.105(c)) so as to permit Applicant to charge an initial rate for the proposed sale higher than the applicable area rate, 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 approximately 32,000 Mcf of gas monthly to Tennessee from Grand Isle Block 45 at an initial rate of 47.0 cents per Mcf at 15,025 psia, subject to upward Btu adjustment from 1,015 Btu per cubic foot and downward Btu adjustment from 1,000 Btu per cubic foot, pursuant to a contract dated January 30, 1974. In order to collect this rate which is above the applicable area rate, Applicant requests waiver of § 154.105(c) of the Commission's regulations, which provides for a ceiling rate of 26.0 cents per Mcf. Applicant states that it has a twenty-five percent interest in the subject lease.

Applicant states that the subject lease has not yet been developed and is due to expire on July 1, 1974; however, the successful completion of a well on this lease will continue it in force. Applicant further contends that, without approval of the subject waiver and requested rate, it will have no alternative except to withdraw this application and allow the lease to expire.

Applicant asserts that the requested rate is needed in order to justify its share of the cost of drilling a well on this dedicated lease. Applicant submits the following cost data on the drilling of one well in support of its request:

Gross well costs:	
Lease acquisition (July 1, 1967)	\$1,704,080
Rentals	90,000
Geophysical exploration	43,824
Exploration drilling	1,718,345

Total to Jan. 1, 1974.....\$3,556,249

Gross additional proposed investment	\$2,332,800
Gross total including proposed investment	\$5,889,049
Getty Oil Co. (25 percent W.I.)	\$1,472,262
Gross recoverable reserves (probable):	
Gas (12-year life) (thousand cubic feet)	12,000,000
Condensate (12-year life) (barrels)	180,000
Getty Oil Co. 25 percent W.I. of additional proposed investment	\$583,200
Getty Oil Co. (net interest=20.833 percent):	
Gas (thousand cubic feet)	2,500,000
Condensate (barrels)	37,500
Projected operating expense (Getty Oil Co. 25 percent W.I.)	\$146,354

Applicant further asserts that these figures show that it will not recover its total investment on the basis of producing the estimated reserves at the initial price of 47.0 cents per Mcf with escalations when considering interest on the sum invested, operating expenses, and discounting the cash flow. Applicant submits that it is not prepared to engage in lengthy and expensive hearings in order to pursue this certificate application.

Any person desiring to be heard or to make any protest with reference to said application should on or before May 7, 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.74-9326 Filed 4-23-74;8:45 am]

[Docket No. E-8121]

# GULF STATES UTILITIES CO.

## Extension of Time and Postponement of Hearing

APRIL 17, 1974.

On April 11, 1974, Southwest Louisiana Electric Membership Corporation filed a motion for an extension of the procedural dates fixed by Notice issued January 4, 1974. The motion states that all parties expressed concurrence with this motion.

Upon consideration notice is hereby given that the procedural dates in the above matter are modified as follows:

Service of Intervener's Testimony, May 15, 1974.

Service of Company Rebuttal, June 14, 1974. Hearing, July 11, 1974 (10 a.m. e.d.t.).

KENNETH F. PLUMB,  
Secretary.

[FR Doc.74-9329 Filed 4-23-74;8:45 am]

[Docket No. E-7453]

# IOWA-ILLINOIS GAS AND ELECTRIC CO.

## Notice of Application

APRIL 17, 1974.

Take notice that on April 10, 1974, Iowa-Illinois Gas and Electric Company (Applicant) of Davenport, Iowa, filed a fourth supplemental application seeking authority pursuant to section 204 of the Federal Power Act to extend to no later than June 30, 1975, the date of issuance and to no later than June 30, 1976, the final maturity date of notes authorized to be issued, the maximum principal amount of notes authorized to be outstanding to remain at \$40,000,000.

Applicant is incorporated under the laws of the State of Illinois with its principal business office at Davenport, Iowa, and is engaged in the electric and gas utility businesses within the State of Iowa and the State of Illinois.

The notes are to be issued from time to time to banking institutions and/or sold as commercial paper to direct purchasers of through commercial paper dealers.

Notes to banking institutions will be issued in accordance with various informal lines of credit agreements. The notes are to have maturities of up to one year from their dates and in any event on or before June 30, 1976, and are to bear interest at the prime rate in effect at the time of issuance.

Commercial paper will be issued as unsecured promissory notes and, in most cases, sold through established commercial paper dealers. In some cases commercial paper may be placed directly. Commercial paper notes are to have maturities of not more than 270 days from their dates and in any event on or before June 30, 1976, and the interest rate will be dependent upon the terms of the notes and money market conditions at the time of issuance.

The proceeds from the issuance of notes will be added to working capital for ultimate application toward the cost



of gross additions to utility plant. The proposed extension of authority will allow Applicant more freedom in selecting the most appropriate time to replace notes with capital securities.

Any person desiring to be heard or to make any protest with reference to the application should on or before May 15, 1974, file with the Federal Power Commission, Washington, D.C. 20426, petitions or protests in accordance with 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 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 is available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.74-9325 Filed 4-23-74; 8:45 am]

[Docket No. CP70-313]

#### LONE STAR GAS CO.

##### Notice of Petition To Amend

APRIL 17, 1974.

Take notice that on March 11, 1974, Lone Star Gas Company (Petitioner), 301 South Harwood Street, Dallas, Texas 75201, filed in Docket No. CP70-313 a petition to amend the order of the Commission issued in said docket on December 18, 1972 (48 FPC 1438), pursuant to section 7(b) of the Natural Gas Act granting permission and approval to abandon facilities and pursuant to section 7(c) of said Act issuing a certificate of public convenience and necessity authorizing the construction and operation of certain other facilities, so as to allow a 4.7-mile segment of pipeline originally authorized to be abandoned to remain in service, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

By order issued December 18, 1972, Petitioner was authorized, among other things, to abandon a 4.7-mile segment of pipeline in McCurtain County, Oklahoma. Upon preparation to cut such line loose incident to its abandonment and salvage, Petitioner states, it discovered that four residential and agricultural customers had been tied into the subject pipeline and were receiving natural gas service while proceedings were pending in the instant docket. Petitioner states that a fifth such customer has completed construction of necessary service line required to connect the Petitioner's pipeline and is requesting gas service.

The petition states that the discontinuance of natural gas service to these customers would impose a hardship on them and that Petitioner is now willing to retain said line in operation so

that such customers may continue to receive natural gas service and so that Petitioner may serve any prospective customers adjacent to said line should they desire such service in the future. Petitioner states that this line is in good operating condition and, therefore, requests the Commission amend its order in the instant docket to delete abandonment authorization for the subject pipeline and allow Petitioner to continue its operation in interstate commerce.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before May 10, 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) and the regulations under the Natural Gas Act (18 CFR 157.10). 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.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.74-9328 Filed 4-23-74; 8:45 am]

[Docket No. E-8660]

#### NEVADA POWER CO.

##### Notice of Change in Rate Schedule

APRIL 16, 1974.

Take notice that on April 9, 1974 Nevada Power Company (Nevada) tendered for filing a change in rate schedule for California-Pacific Utilities Company (CPUC). Nevada states that the change in CPUC's rates will consist of an increase in energy component of 3.89 mills at Henderson, Nevada and 2.47 mills at Needles, California.

Nevada proposes an effective date of June 1, 1974 for said change.

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 May 10, 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.74-9322 Filed 4-23-74; 8:45 am]

[Docket No. CP74-264]

#### NORTHERN NATURAL GAS CO.

##### Notice of Application

APRIL 17, 1974.

Take notice that on April 9, 1974, Northern Natural Gas Company (Applicant), 2223 Dodge Street, Omaha, Nebraska 68102, filed in Docket No. CP74-264 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of facilities for the liquefaction, storage, and vaporization of natural gas, all as more fully set forth in the application, which is on file with the Commission and open to public inspection.

Applicant seeks authorization to construct and operate a liquefied natural gas (LNG) peak-shaving plant to be located on its pipeline system in Hancock County, Iowa.<sup>1</sup> The plant, according to Applicant, will enable it to liquefy natural gas at the rate of 10,000 Mcf per day for storage in a holding tank with a net capacity of 2,000,000 Mcf of vaporized gas equivalent with a maximum vaporization and sendout design rate of 200,000 Mcf of vaporized gas per day for ten days. Applicant intends to use these LNG facilities to husband summer month gas volumes usually assigned to low priority customers in order to make natural gas available to high priority customers during the winter months. Applicant is not proposing to render any additional service to its customers.

Applicant estimates the cost of the LNG facilities to be \$23,081,000, which will be financed through operations or, if necessary, short-term bank loans.

Any person desiring to be heard or to make any protest with reference to said application should on or before May 10, 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) and the regulations under the Natural Gas Act (18 CFR 157.10). 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

<sup>1</sup> Applicant states that the proposed facility is a duplicate of the LNG plant authorized in Docket No. CP73-287 to be constructed in Carlton County, Minnesota.



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.74-9324 Filed 4-23-74; 8:45 am]

[Dockets Nos. CI62-585 and CI63-674]

#### PALM PETROLEUM CORP.

##### Notice of Redesignation

APRIL 16, 1974.

By letter filed February 5, 1973, Palm Petroleum Corporation advised the Commission that Palm Resources Corporation changed its corporate name to Palm Petroleum Corporation, effective June 2, 1969.

Accordingly, the certificates of public convenience and necessity issued in Docket Nos. CI62-585 and CI63-674 pursuant to section 7(c) of the Natural Gas Act are redesignated as those of Palm Petroleum Corporation. Additionally, the rate schedules related to such certificates, Palm Resource Corporation FPC Gas Rate Schedule Nos. 1,<sup>1</sup> 2,<sup>1</sup> and 3, are redesignated as those of Palm Petroleum Corporation FPC Gas Rate Schedule Nos. 1,<sup>1</sup> 2,<sup>1</sup> and 3, respectively.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.74-9323 Filed 4-23-74; 8:45 am]

[Dockets Nos. RP71-119 and RP74-31-20]

#### PANHANDLE EASTERN PIPE LINE CO.

##### Notice of Extension of Time and Postponement of Hearing

APRIL 17, 1974.

On April 12, 1974, Anchor Hocking Corporation filed a motion for an extension of the procedural dates fixed by Order issued April 2, 1974, in the above-designated matter. The motion states that all parties are agreeable to the extension with respect to the testimony.

Upon consideration, notice is hereby given that the procedural dates in the above matter are modified as follows:

Service of evidence by all parties, April 24, 1974.  
Hearing, May 22, 1974 (10 a.m. e.d.t.).

KENNETH F. PLUMB,  
Secretary.

[FR Doc.74-9332 Filed 4-23-74; 8:45 am]

<sup>1</sup> (Operator), et al.

[Docket No. E-8699]

#### PENNSYLVANIA-NEW JERSEY-MARYLAND INTERCONNECTION

##### Notice of Application

APRIL 17, 1974.

Take notice that on March 27, 1974, Public Service Electric and Gas Company, Philadelphia Electric Company, Pennsylvania Power and Light Company, Baltimore Gas and Electric Company, Potomac Electric Power Company, Pennsylvania Electric Company, Metropolitan Edison Company and Jersey Central Power and Light Company (PJM) tendered for filing pursuant to section 205 of the Federal Power Act and § 35.12 of the regulations issued thereunder, Schedule 8.01 to the April 26, 1965 Interconnection Agreement, as supplemented, with the Allegheny Power System Group (APS), comprising the West Penn Power Company, Potomac Edison Company and Monongahela Power Company. Schedule 8.01 dated March 26, 1974, provides that for fuel conservation purposes, either PJM or APS may arrange to obtain fuel conservation energy from the other when sufficient off-peak capability and fuel resources exist in the other's judgment. Energy arrangements are to be scheduled for periods of one or more weeks with capability, period, source, destination and cost details subject to mutual agreement confirmed in writing.

Section 2.1 of the proposed Schedule provides that the charge for fuel conservation energy generated on the supplier's system will be 110 percent of the out-of-pocket replacement generation cost, plus a generation service charge of 3 mills/Kwh to assure that fuel conservation energy service fails to adversely affect the supplier's financial integrity or discriminate against the supplier's customers. The 3 mills/Kwh charge covers standby and extra maintenance costs and is intended to reasonably contribute to carrying charges for fuel conservation energy generation and transmission facilities. Section 2.3 defines replacement generation cost as out-of-pocket generation cost, less or plus a monthly fuel cost adjustment on a Btu basis. Section 2.2 of Schedule 8.01 additionally establishes a 1.75 mills/Kwh service charge for fuel conservation energy deliveries from systems interconnected with PJM or APS. The tendered Schedule, which is requested to take effect January 1, 1974, terminates on December 31, 1974.

Any person desiring to be heard or to make any protest with reference to said application should on or before May 10, 1974, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the pro-

ceeding. 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.74-9320 Filed 4-23-74; 8:45 am]

[Docket No. RP74-39-8]

#### TEXAS EASTERN TRANSMISSION CORP.

##### Notice of Postponing Hearing

APRIL 17, 1974.

An order was issued March 25, 1974, setting a hearing for April 23, 1974, in the above-designated matter.

Due to the unavailability of an Administrative Law Judge on the date the hearing is presently scheduled, the hearing should be postponed.

Upon consideration, notice is hereby given that the hearing in the above matter is postponed to May 7, 1974 at 10 a.m. (e.d.t.) in a Hearing Room of the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.74-9333 Filed 4-23-74; 8:45 am]

[Docket No. CP74-262]

#### UNITED GAS PIPE LINE CORP.

##### Notice of Application

APRIL 16, 1974.

Take notice that on April 5, 1974, United Gas Pipe Line Company (Applicant), 1500 Southwest Tower, Houston, Texas 77002, filed in Docket No. CP74-262 an application pursuant to sections 7(b) and 7(c) of the Natural Gas Act for permission and approval to abandon and remove seventeen compressor station units located in Applicant's Shreveport and Jackson Divisions, and for a certificate of public convenience and necessity authorizing Applicant to relocate and install two of said units, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to abandon and remove six 1,000 horsepower units located at the Mineola Compressor Station, Wood County, Texas; five 760 horsepower units located at Webster Compressor Station, Webster Parish, Louisiana; and four 1,000 horsepower units located at Tallulah Compressor Station, Madison Parish, Louisiana, because said compressor units are no longer needed in Applicant's operations as a result of equipment deterioration and changes in natural gas production and sales. Applicant further proposes to remove, relocate, install and operate two 330 horsepower units from the Baldwin Compressor Station, Baldwin County, Alabama, to the Mineola Compressor



Station, Madison Parish, Louisiana, be Station, Ward County, Texas, which units could be operated and maintained for approximately 37 percent of the cost experienced in operating the present station at Mineola.

Applicant states that the total cost of the proposed abandonment and relocation, allowing salvage credit for the abandoned facilities, will be \$220,000.

Any person desiring to be heard or to make any protest with reference to said application should on or before May 10, 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) and the regulations under the Natural Gas Act (18 CFR 157.10). 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 and permission and approval for the proposed abandonment are 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.74-9319 Filed 4-23-74; 8:45 am]

[Dockets Nos. RP71-29 and RP71-120]

#### UNITED GAS PIPE LINE CORP.

##### Notice Postponing Hearing

APRIL 17, 1974.

On April 12, 1974, United Gas Pipe Line Company filed a motion for postponement of the hearing fixed by notice issued March 22, 1974, in the above-designated matter.

Upon consideration, notice is hereby given that the hearing in the above matter is postponed to May 15, 1974, at 10 a.m. e.d.t. in a Hearing Room of the Fed-

eral Power Commission, 825 North Capitol Street, NE., Washington, D.C.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.74-9330 Filed 4-23-74; 8:45 am]

[Docket No. E-8274]

#### VIRGINIA ELECTRIC POWER CO.

##### Notice Deferring Procedural Dates

APRIL 17, 1974.

On April 11, 1974, Virginia Electric Power Company filed a motion to withdraw the rate schedule and contract supplement suspended by the Order issued February 1, 1974 in the above-designated matter.

Notice is hereby given that the procedural dates in the above matter are deferred pending further order of the Commission.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.74-9327 Filed 4-23-74; 8:45 am]

#### NATIONAL ENDOWMENT FOR THE HUMANITIES

##### EDUCATION PANEL

##### ADVISORY COMMITTEE

##### Notice of Meeting

APRIL 19, 1974.

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463) notice is hereby given that a meeting of the Education Panel will meet at Washington, D.C., on April 25 and 26, 1974.

The purpose of the meeting is to review Humanities Program applications submitted to the National Endowment for the Humanities for grants to educational institutions.

Because the proposed meeting will consider financial information and personnel and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, pursuant to authority granted me by the Chairman's Delegation of Authority to Close Advisory Committee Meetings, dated August 13, 1973, I have determined that the meeting would fall within exemptions (4) and (6) of 5 U.S.C. 552(b) and that it is essential to close the meeting to protect the free exchange of internal views and to avoid interference with operation of the Committee.

It is suggested that those desiring more specific information contact the Advisory Committee Management Officer, Mr. John W. Jordan, 806 15th Street, NW., Washington, D.C. 20506, or call area code 202-382-2031.

JOHN W. JORDAN,  
Advisory Committee  
Management Officer.

[FR Doc.74-9307 Filed 4-23-74; 8:45 am]

#### NATIONAL SCIENCE FOUNDATION SCIENCE INFORMATION COUNCIL

##### Notice of Meeting

Pursuant to the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given of a meeting of the Science Information Council to be held at 9 a.m. on May 2, 1974, in Room 709 at 1900 Pennsylvania Avenue NW., Washington, D.C. 20550.

The purpose of this Council pursuant to P.L. 85-864, is to advise, to consult with, and to make recommendations to the head of the Science Information Service.

The agenda for this meeting shall include:

- Welcome and Introductory Remarks, Chairman, Science Information Council.
- Focus of the Meeting, Assistant Director for National and International Programs, General Remarks, Director, National Science Foundation.
- Presentation of Office of Science Information Service (OSIS) Program Paper, Head, Office of Science Information Service.
- Discussion of OSIS Program Paper, Science Information Council members.
- Discussion of the Future of the Science Information Council, Science Information Council members.
- Concluding Comments, Head, Office of Science Information Service.
- Final Remarks and Adjournment, Chairman, Science Information Council.

This meeting shall be open to the public. Individuals who wish to attend should inform the Office of Science Information Service by telephone (202) 632-5836 prior to the meeting. Persons requiring further information concerning the Council should contact Mr. Andrew A. Aines, Acting Program Director, National Information Program, Office of Science Information Service, Room P-719, 1800 G Street, NW., Washington, D.C. 20550. Summary minutes relative to this meeting may be obtained from the Management Analysis Office, Room K-720, 1800 G Street, NW., Washington, D.C. 20550.

ELDON D. TAYLOR,  
Acting Assistant Director  
for Administration.

APRIL 18, 1974.

[FR Doc.74-9314 Filed 4-23-74; 8:45 am]

#### OFFICE OF THE FEDERAL REGISTER STANDARDIZATION OF INDEXING TERMS

##### Request for Individual and Agency Participation

The purpose of this notice is to invite Federal agencies and the public to assist the Office of the Federal Register in improving the indexes to Federal regulations.

The people's right to know about their Government is substantially protected by the Federal Register Act, the Administrative Procedure Act and the Freedom of Information Act—as the 30,000 plus pages printed in the FEDERAL REGISTER in



the past 12 months indicate. The people's chances of pinpointing pertinent information quickly and easily, however, may be considerably less substantial.

A senior citizen checking on his rights must decide whether to look in various indexes under "Aged," "Elderly," or, more bluntly, "Old People." The citizen with a buzzing seat belt who wants to look up relevant regulations may have to shift his mental gears from "Cars" to "Automobiles" to, at last successfully, "Motor Vehicles." The official concerned about conflict of interest restrictions may have to look under "Conduct Standards."

In an effort to improve this situation, the Office of the Federal Register is developing a thesaurus or vocabulary of subject terms to be used in identifying, indexing and retrieving information contained in the FEDERAL REGISTER, Code of Federal Regulations and other Federal Register publications. The specific purpose for the development of a more controlled indexing vocabulary is to provide greater consistency in indexing by standardizing terminology to reflect current usage, and by reducing the number of terms used to describe the same or similar concepts. The general purpose is to provide more satisfactory search and research tools for subscribers and other users of Federal Register publications.

In order to take into account agency and user's specifications and needs, we invite users of Federal Register publications—whether Federal agency or interested public—to submit terms for possible inclusion in the thesaurus. These may consist of single or multi-word subject indexing terms, descriptors, keywords, subject headings, and/or lists or systems of subject terms currently in use for indexing agency regulations or publications. Federal agencies are especially urged to contribute to the development of the thesaurus since they are in a position to know the particular needs of that part of the public most directly affected by their issuances.

We will evaluate all terms received in light of the frequency of their occurrence in Federal Register materials, their relationship to other terms in the vocabulary, and their general acceptability in current usage.

The Office of the Federal Register plans to publish the thesaurus when it is completed and to make it available for general Government use. It is hoped, in addition to greatly improving specific Federal Register finding aids, that some measure of standardization in cataloging Government regulations, and possibly other material, will result so that similar material will be identified in a similar manner by each agency.

Comments and suggestions should be submitted by June 1, 1974, to the Director of the Federal Register, National Archives and Records Services, General Services Administration, Washington, D.C. 20408.

Dated: April 22, 1974.

FRED J. EMERY,  
Director of the Federal Register.

[FR Doc.74-9438 Filed 4-23-74; 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 19, 1974 (44 U.S.C. 3509). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number, if applicable; the frequency with which the information is proposed to be collected; the name of the reviewer or reviewing division within OMB, and an indication of who will be the respondents to the proposed collection.

The symbol (x) identifies proposals which appear to raise no significant issues, and are to be approved after brief notice through this release.

Further information about the items on this daily list may be obtained from the Clearance Office, Office of Management and Budget, Washington, D.C. 20503 (202-395-4529).

#### NEW FORMS

None

#### REVISIONS

##### DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Departmental Aging, Nutrition Information System, Program Performance Report, Form OS 19-74, Quarterly, Lowry/GSA/Marcantonio, Grantee agency.

#### EXTENSIONS

##### ACTION

VISTA Volunteer Medical History, Form VISTA 129, Single time, Evinger, Persons recruited to be VISTA volunteers. University Year for ACTION Planned Impact Report Form, Form ----, Occasional, Lowry, Educational institution grantees.

#### SMALL BUSINESS ADMINISTRATION

Questionnaire: Technology Utilization Program, Form SBA 941, Single time, Evinger, Manufacturers, R&D firms, testing labs, services.

#### PHILLIP D. LARSEN,

Budget and Management Officer.

[FR Doc.74-9481 Filed 4-23-74; 8:45 am]

## RENEGOTIATION BOARD

### PERSONS HOLDING PRIME CONTRACTS OR SUBCONTRACTS FOR TRANSPORTATION BY WATER AS COMMON CARRIER

#### Extension of Time for Filing Financial Statements

Every person who held a prime contract or subcontract for transportation by water as a common carrier at any time during the calendar year 1973 is hereby granted an extension of time until September 1, 1974 for filing a financial statement for such year pursuant to section

105(e)(1) of the Renegotiation Act of 1951, as amended.

Dated: April 19, 1974.

W. S. WHITEHEAD,  
Chairman.

[FR Doc.74-9305 Filed 4-23-74; 8:45 am]

## SECURITIES AND EXCHANGE COMMISSION

[File No. 500-1]

### BBI, INC.

#### Notice of Suspension of Trading

APRIL 18, 1974.

The common stock of BBI, Inc., being traded on the American Stock Exchange and the Philadelphia-Baltimore-Washington Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of BBI, Inc. being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchanges and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to sections 19(a)(4) and 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities on the above mentioned exchange and otherwise than on a national securities exchange is suspended, for the period from April 19, 1974 through April 28, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.74-9371 Filed 4-23-74; 8:45 am]

[File No. 24NY-7399]

### BENEFICIAL LABS, INC.

#### Order Temporarily Suspending Exemption and Notice of Opportunity for Hearing

APRIL 18, 1974.

I. Beneficial Labs, Inc. ("Beneficial") is a New York corporation located at 3939 Sally Lane, Oceanside, New York. It was organized on June 16, 1971 and was to engage in the ownership and operation of pharmacies and/or to operate drug department in department stores and supermarkets.

On August 4, 1971 it filed a notification pursuant to regulation A in connection with a proposed offering of 100,000 units. Each unit consisted of one share of its \$.01 par value common stock and one redeemable warrant, expiring December 20, 1973, to purchase one share of the \$.01 par value common stock at \$2.25. The offering price was \$2.25 per unit. The offering was to be conducted by Commonwealth Chemical Securities, Inc. as underwriter on a "best efforts 50,000 units-or-none" basis. The offering commenced on December 20, 1971.

Pursuant to rule 260 a Form 2-A report was filed on July 17, 1972. This report stated that 50,650 units were sold for \$113,962.50 and that no additional units would be offered.



II. The Commission, on the basis of information reported to it by its staff, has reasonable cause to believe that:

A. The notification and offering circular filed by the issuer contain untrue statements of material facts and omit to state material facts necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading, in the following respects:

1. The failure to accurately state the terms of the offering;

2. The plan of distribution; and

3. The representation that all subscribers' funds would be deposited directly into a special bank account.

B. The terms and conditions of regulation A have not been met in the following respects:

1. The offering circular failed to accurately state the terms of the offering and the manner in which the offering would be made;

2. The Form 2-A report falsely stated the number of shares that actually had been sold; and

3. The Form 2-A report failed to indicate that the distribution was continuing subsequent to the reported termination date of the regulation A offering.

C. The offering was made in violation of section 17 of the Securities Act of 1933, as amended.

III. It appearing to the Commission that it is in the public interest and for the protection of investors that the exemption of the issuer under regulation A be temporarily suspended.

It is ordered, Pursuant to rule 261(a) of the general rules and regulations under the Securities Act of 1933, as amended that the exemption of the issuer under regulation A be, and hereby is, temporarily suspended.

It is further ordered, Pursuant to Rule 7 of the Commission's rules of practice, that the issuer file an answer to the allegations contained in this order within thirty days of the entry thereof;

Notice is hereby given that any person having any interest in the matter may file with the Secretary of the Commission a written request for a hearing within thirty days after the entry of this order; that within twenty days after receipt of such request the Commission will, or at any time upon its own motion may, set the matter down for a hearing at a place to be designated by the Commission for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; and that notice of the time and place for the said hearing will be promptly given by the Commission. If no hearing is requested and none is ordered by the Commission, the order shall become permanent on the thirtieth day after its entry and shall remain in effect unless it is modified or vacated by the Commission.

By the Commission.

GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.74-9373 Filed 4-23-74; 8:45 am]

[File No. 500-1]

# ROYAL PROPERTIES INC.

## Notice of Suspension of Trading

APRIL 17, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Royal Properties Incorporated being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from April 18, 1974 through April 27, 1974.

By the Commission.

SHIRLEY E. HOLLIS,  
Senior Recording Secretary.

[FR Doc.74-9369 Filed 4-23-74; 8:45 am]

# U.S. FINANCIAL INC.

[File No. 500-1]

## Notice of Suspension of Trading

APRIL 18, 1974.

The common stock of U.S. Financial Incorporated being traded on the New York Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of U.S. Financial Incorporated being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to sections 19(a)(4) and 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities on the above mentioned exchange and otherwise than on a national securities exchange is suspended, for the period from April 19, 1974 through April 28, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.74-9370 Filed 4-23-74; 8:45 am]

[File No. 500-1]

# WINNER INDUSTRIES, INC.

## Notice of Suspension of Trading

APRIL 18, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Winner Industries, Inc. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

THEREFORE, pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities ex-

change is suspended, for the period from 1:30 p.m. (e.d.t.) on April 18, 1974 through April 27, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.74-9372 Filed 4-23-74; 8:45 am]

# SMALL BUSINESS ADMINISTRATION

[Notice of Disaster Loan Area 1053]

## ILLINOIS

### Notice of Disaster Relief Loan Availability

As a result of the President's declaration of the State of Illinois as a major disaster area following severe storms and flooding beginning on or about April 3, 1974, applications for disaster relief loans will be accepted by the Small Business Administration from storm victims in the following Counties: Champaign, McLean, Macon and Vermilion, and adjacent affected areas.

Applications may be filed at the:

Small Business Administration  
Regional Office  
219 South Dearborn Street  
Chicago, Illinois 60604

and at such temporary offices as are established. Such addresses will be announced locally. Applications will be processed under the provisions of Pub. L. 93-24.

Applications for disaster loans under this announcement must be filed not later than June 10, 1974.

Dated: April 12, 1974.

THOMAS S. KLEPPE,  
Administrator.

[FR Doc.74-9238 Filed 4-23-74; 8:45 am]

[Notice of Disaster Loan Area 1054]

## MICHIGAN

### Notice of Disaster Relief Loan Availability

As a result of the President's declaration of the State of Michigan as a major disaster area following tornadoes beginning on or about April 3, 1974, applications for disaster relief loans will be accepted by the Small Business Administration from tornado victims in the following Counties: Hillsdale, and adjacent affected areas.

Applications may be filed at the:

Small Business Administration  
District Office  
1249 Washington Boulevard  
Detroit, Michigan 48226

and at such temporary offices as are established. Such addresses will be announced locally. Applications will be processed under the provisions of Public Law 93-24.

Applications for disaster loans under this announcement must be filed not later than June 13, 1974.

Dated: April 16, 1974.

THOMAS S. KLEPPE,  
Administrator.

[FR Doc.74-9290 Filed 4-23-74; 8:45 am]



[Notice of Disaster Loan Area 1055]

**NORTH CAROLINA****Notice of Disaster Relief Loan Availability**

As a result of the President's declaration of the State of North Carolina as a major disaster area following tornadoes beginning on or about April 3, 1974, applications for disaster relief loans will be accepted by the Small Business Administration from tornado victims in the following Counties: Burke, Caldwell, Cherokee, Gaston, Graham and Lincoln, and adjacent affected areas.

Applications may be filed at the:

Small Business Administration  
District Office  
222 South Church Street  
Charlotte, North Carolina 28202

and at such temporary offices as are established. Such addresses will be announced locally. Applications will be processed under the provisions of Pub. L. 93-24.

Applications for disaster loans under this announcement must be filed not later than June 13, 1974.

Dated: April 16, 1974.

THOMAS S. KLEPPE,  
Administrator.

[FR Doc.74-9289 Filed 4-23-74; 8:45 am]

[License No. 09/12-5155]

**OPPORTUNITY CAPITAL CORPORATION****Notice of Filing of Application for Approval of Conflict of Interest Transaction Between Associates**

Notice is hereby given that Opportunity Capital Corporation (OCC), 235 Montgomery Street, Suite 1226, San Francisco, California 94104, a Federal Licensee under the Small Business Investment Act of 1958, as amended (Act), has filed an application pursuant to § 107.1004 (38 FR 3086, et seq., November 7, 1973) for approval of a conflict of interest transaction.

OCC was licensed by the Small Business Administration (SBA) on September 23, 1971. It has applied for approval to provide a loan of \$75,000 to Pax Development Company, a small business concern located at 890 Cragmont Avenue, Berkeley, California 94708, and whose principal owner is Ms. Barbara J. Edwards.

The transaction falls within the purview of § 107.1004 by reason of the fact that Ms. Edwards is the wife of Mr. Lloyd Edwards who is a member of the board of directors of the licensee.

Notice is further given that any interested person may submit to SBA written comments, no later than May 9, 1974, on this financing. Any such communication should be addressed to: Deputy Associate Administrator for Investment, Small Business Administration, 1441 L Street, NW., Washington, D.C. 20416.

Absent any adverse comments and upon full consideration of all pertinent facts, SBA intends to approve the proposed financing.

A copy of this notice shall be published by the licensee in a newspaper of general circulation in San Francisco.

Dated: April 16, 1974.

JAMES THOMAS PHELAN,  
Deputy Associate Administrator  
for Investment.

[FR Doc.74-9291 Filed 4-23-74; 8:45 am]

[Notice of Disaster Loan Area 1052]

**WEST VIRGINIA****Notice of Disaster Relief Loan Availability**

As a result of the President's declaration of the State of West Virginia as a major disaster area following severe storms and flooding beginning on or about April 3, 1974, applications for disaster relief loans will be accepted by the Small Business Administration from storm victims in the following Counties: Fayette, Greenbrier, Raleigh, and Wyoming, and adjacent affected areas.

Applications may be filed at the:

Small Business Administration  
District Office  
109 North Third Street  
Clarksburg, West Virginia 26301

and at such temporary offices as are established. Such addresses will be announced locally. Applications will be processed under the provisions of Pub. L. 93-24.

Applications for disaster loans under this announcement must be filed not later than June 10, 1974.

Dated: April 12, 1974.

THOMAS S. KLEPPE,  
Administrator.

[FR Doc.74-9287 Filed 4-23-74; 8:45 am]

**DEPARTMENT OF LABOR****Occupational Safety and Health Administration**

[V-74-25]

**ASSOCIATION OF OIL WELL SERVICING CONTRACTORS****Notice of Application for Variance and Interim Order; Grant of Interim Order**

I. *Notice of application.* Notice is hereby given that the Association of Oil Well Servicing Contractors, 6060 North Central Expressway, Room 462, Dallas, Texas 75206 has made application on behalf of its member companies and pursuant to section 6(d) of the Williams-Steiger Occupational Safety and Health Act of 1970 (84 Stat. 1596; 29 U.S.C. 655), and 29 CFR 1905.11 for a variance, and interim order pending a decision on the application for a variance, from the standards prescribed in 29 CFR 1910.27 (b) (1) (i), (ii), (iii) and (c) (4) pertaining to the dimensions of rungs, cleats and clearances of fixed ladders.

The names and addresses of the member companies are as follows:

Allied Oilwell Service, Inc.  
Post Office Box 7545  
Long Beach, California 90807  
Blackwell & Sunde, Inc.  
1444 East Hill Street  
Long Beach, California 90806  
California Production Service  
Post Office Box 4489  
Compton, California 90224

Dacus & Witte Production Service  
Post Office Box 297  
Fellows, California 93224

Robert B. Doe Oil Field Service  
Route 1, 19030 James Road  
Bakersfield, California 93308

Finley Oil Well Service, Inc.  
Post Office Box 7296  
Long Beach, California 90807

G & O Production Service  
Post Office Box 696  
Santa Maria, California 93454

Lunn Production Service  
Post Office Box 68  
McKittrick, California 93251

Maddox Production Company  
Post Office Box 16106  
Long Beach, California 90806

Moore Production Service  
655 East D Street  
Wilmington, California 90744

Oil Well Service Company  
2405 Orange Avenue  
Long Beach, California 90806

Jack Owens Service Company  
8 Tern Court  
Sacramento, California 95831

Pyramid Oil Company  
Post Office Box C  
Taft, California 93268

Sierra Production Service  
Post Office Box 1893  
Bakersfield, California 93303

Valley Drilling & Production Company  
Post Office Box 65  
Newhall, California 91321

Western Well Service, Inc.  
Post Office Box 785  
Maricopa, California 93252

Baker Well Servicing Company, Inc.  
Post Office Box 276  
Rangely, Colorado 81648

Baker Drilling & Well Service  
Post Office Box 756  
Vernal, Utah 84078

Capshaw Well Service, Inc.  
Post Office Box 2994  
Casper, Wyoming 82601

Colorado Well Service, Inc.  
Post Office Box 743  
Rangely, Colorado 81648

Dick's Oil Well Service, Inc.  
Post Office Box 272  
Plentywood, Montana 59254

Coltrane Well Service  
Post Office Box 1147  
Gillette, Wyoming 82716

Corbin Well Service  
Post Office Box 11  
Worland, Wyoming 82401

Dunbar Well Service, Inc.  
Post Office Box 1158  
Gillette, Wyoming 82716

General Well Service, Inc.  
Post Office Box 308  
Cut Bank, Montana 59427

Igo Oil Well Service Company  
General Delivery  
Recluse, Wyoming 82725

K & T Well Service, Inc.  
Post Office Box 806  
Powell, Wyoming 82435

Maddux Well Service  
Post Office Drawer 33  
Riverton, Wyoming 82501

R. A. Prather & Sons, Inc.  
Post Office Box 716  
Tloga, North Dakota 58852

R & R Well Service Company, Inc.  
Post Office Box 2226  
Grand Junction, Colorado 81501



## Ray's Oilfield Service, Inc.

Post Office Box 418  
Edgerton, Wyoming 82635  
Signal Oilfield Service, Inc.  
1200 Security Life Building  
Denver, Colorado 80202

## Sing Well Service Company, Inc.

Post Office Box 746  
Casper, Wyoming 82601

## Stafford Well Service, Inc.

Post Office Box 820  
Buffalo, Wyoming 82834

## Updike Brothers, Inc.

Post Office Box 610  
Newcastle, Wyoming 82701

## Eatmon Drilling Company

Post Office Drawer 70  
Kimball, Nebraska 69145

## J. W. Gibson Well Service

715 Petroleum Club Building  
Denver, Colorado 80202

## Aztec Well Servicing Company

Post Office Box B  
Aztec, New Mexico 87410

## Baber Well Servicing Company

Post Office Box 1772  
Hobbs, New Mexico 88240

## Casing Puller, Inc.

3600 Lovington Highway  
Hobbs, New Mexico 88240

## Clarke Oil Well Servicing, Inc.

Post Office Box 2310  
Hobbs, New Mexico 88240

## D A &amp; S Oil Well Servicing, Inc.

Post Office Box 657  
Hobbs, New Mexico 88240

## D. C. Well Service, Inc.

Post Office Box 1449  
Denver City, Texas 79323

## Eunice Well Servicing Company, Inc.

Post Office Box 988  
Eunice, New Mexico 88231

## Gene's Well Service

Post Office Box 677  
Jal, New Mexico 88252

## Harrison Well Service

Post Office Drawer 0  
Denver City, Texas 79323

## Hoffman Oil Well Service Company

Post Office Box 815  
Seminole, Texas 79360

## Ralph Johnson Rig, Inc.

Post Office Box 1178  
Hobbs, New Mexico 88240

## Lovington Rental Tools &amp; Supplies

Post Office Box 1132  
Lovington, New Mexico 88260

## M &amp; M Oil Well Service, Inc.

Post Office Box 966  
Seminole, Texas 79360

## Pate, Inc.

Post Office Drawer N  
Denver City, Texas 79323

## Permian Servicing Company, Inc.

7412 Lovington Highway  
Hobbs, New Mexico 88240

## Roberts Well Service, Inc.

Post Office Box 908  
Levelland, Texas 79336

## Select Well Servicing, Inc.

Post Office Box 466  
Lovington, New Mexico 88250

## Well Service, Inc.

Post Office Box 430  
Hobbs, New Mexico 88240

## Well Units, Inc.

Post Office Box 906  
Lovington, New Mexico 88260

## X-Port Well Service

Post Office Box 1918  
Hobbs, New Mexico 88240

## Big Four Well Service

Post Office Box 739  
Winfield, Kansas 67156

## Busby Oil Well Service

Post Office Box 12  
McPherson, Kansas 67460

## Chase Well Service

5221 Ridgeway  
Great Bend, Kansas 67530

## F &amp; F Well Service Company

Post Office Box 21  
Towanda, Kansas 67144

## Hammonds Well Service, Inc.

Post Office Box 276  
Plainville, Kansas 67663

## Hayes Well Service

Post Office Box 326  
Attica, Kansas 67009

## Hembree Well Service

Post Office Box 458  
Ness City, Kansas 67560

## Ivan Holt Well Servicing, Inc.

Post Office Box 401  
Russell, Kansas 67665

## Patterson Well Service, Inc.

Post Office Box 427  
Logan, Kansas 67642

## Pratt Well Service, Inc.

723 South Ninnescah  
Pratt, Kansas 67124

## Stevens Well Service

Post Office Box 517  
Ellinwood, Kansas 67526

## Astro Well Servicing, Inc.

6801 South Western  
Oklahoma City, Oklahoma 73139

## Capitol Well Servicing Company, Inc.

Post Office Box 94281  
Oklahoma City, Oklahoma 73109

## Chris Well Servicing Company

Post Office Box 12250  
Oklahoma City, Oklahoma 73112

## Cyclone Well Service, Inc.

1106 National Bank of Tulsa Building  
Tulsa, Oklahoma 74103

## Dean's Well Servicing

Post Office Box 68  
Fox, Oklahoma 74335

## Gibbins &amp; Slentz, Inc.

Post Office Box 399  
Duncan, Oklahoma 73533

## Hayden Well Service

Post Office Box 323  
Elk City, Oklahoma 73644

## Howell Well &amp; Truck Service

Post Office Box 516  
Wynona, Oklahoma 74084

## Lloyd Jones Well Service, Inc.

Post Office Box 528  
Perry, Oklahoma 73077

## Kerr Well Service Company

Post Office Box 157  
Webb City, Oklahoma 74654

## Lindsey Well Service, Inc.

Post Office Box 686  
Lindsay, Oklahoma 73052

## Joe Mills Well Service, Inc.

Post Office Drawer 871  
Seminole, Oklahoma 74868

## Morgan Well Service, Inc.

Post Office Box 666  
Prague, Oklahoma 74864

## Ressler, Inc.

Post Office Box 155  
Harden City, Oklahoma 74846

## The Seminole Company, Inc.

Post Office Box 110  
Seminole, Oklahoma 74868

## Shebester, Inc.

Post Office Box 6498  
Moore, Oklahoma 73160

## Shebester of Hennessey, Inc.

2000 Classen Center  
Oklahoma City, Oklahoma 73106

## Sutherland Well Service, Inc.

Post Office Box 400  
Healdton, Oklahoma 73438

## W &amp; S, Inc.

Post Office Box 657  
Hennessey, Oklahoma 73742

## Well Services, Inc.

2821 Northwest 50th  
Oklahoma City, Oklahoma 73112

## Woodward Service Company

Post Office Box 815  
Woodward, Oklahoma 73801

## Barnes Bros. Well Servicing Company

Post Office Box 632  
Gainesville, Texas 76240

## J. W. (Johnny) Birdwell Well Service

Post Office Box 201  
Kamay, Texas 76369

## Burk Well Servicing

Post Office Box 169  
Burkburnett, Texas 76354

## Hickman &amp; Jansen Well Service

Post Office Box 785  
Archer City, Texas 76351

## Hobbs Well Service

Post Office Box 548  
Rule, Texas 79547

## KMA Well Service, Inc.

Post Office Box 5383  
Wichita Falls, Texas 76307

## G. E. Kadane and Sons

Post Office Box 1740  
Wichita Falls, Texas 76307

## Keller &amp; Goodwin Rig Company

4607 Del Rio Trail  
Wichita Falls, Texas 76310

## H. C. Leach Construction Company

2617 Sunset Drive  
Vernon, Texas 76384

## Jack Mercer Well Service

Post Office Box 509  
Nocona, Texas 76255

## Rimes Well Service

Post Office Drawer R  
Aspermont, Texas 79502

## Smith Well Service

Post Office Box 516  
Bridgeport, Texas 76026

## Apex Well Service Company

Post Office Box 1072  
Gladewater, Texas 75647

## Caddo Well Service

Post Office Box 5550  
Longview, Texas 75601

## Carter Well Service

Post Office Box 8071  
Longview, Texas 75601

## Copeland Well Service, Inc.

Post Office Box 1201  
Palestine, Texas 75801

## Gibson Drilling Company

Post Office Box 1540  
Kilgore, Texas 75062

## J-B Swabbing Company, Inc.

Post Office Box 1166  
Kilgore, Texas 75662

## Leverett Well Service, Inc.

Post Office Box 852  
Henderson, Texas 75652

## Lodi Drilling &amp; Service Company

Post Office Box 155  
Lodi, Texas 75564

## Maxwell Drilling Service Company

Post Office Box 668  
Mt Pleasant, Texas 75455

## Miller &amp; Company

Route 1, Box 251  
Overton, Texas 75684

## Nolen Swabbing Company, Inc.

Post Office Box 646  
Palestine, Texas 75801

## Oilwell Service Company

Post Office Box 527  
Selman City, Texas 75689



Potter Bros. Casing Pulling Company  
Post Office Box 1578  
Kilgore, Texas 75662

Renshaw Bros. Well Servicing Company  
Post Office Box 1183  
Kilgore, Texas 75662

Renshaw Well Service, Inc.  
Post Office Box 323  
Winnsboro, Texas 75494

T & L Well Service Company, Inc.  
Post Office Box 537  
Kilgore, Texas 75662

Vick Well Servicing Company, Inc.  
Post Office Box 111  
Winnsboro, Texas 75494

Windham Well Service  
Post Office Box 146  
Panola, Texas 75685

Winnsboro Well Service Company  
Post Office Box 102  
Winnsboro, Texas 75494

A & W Well Service, Inc.  
Post Office Box 546  
Alvin, Texas 77511

Adco Well Service, Inc.  
Post Office Box 1296  
Liberty, Texas 77575

B & C Well Service  
Post Office Box 1014  
Liberty, Texas 77575

B & W Well Service, Inc.  
Post Office Box 351  
Winnie, Texas 77665

Ballard Well Service Company  
6300 Hillcroft, Suite 117  
Houston, Texas 77036

Comet Well Service  
Post Office Box 387  
South Houston, Texas 77587

Cormier Well Service & Drilling Company  
Post Office Box 226  
Orangefield, Texas 77639

Golden Rule Well Service  
405 1st Pasadena State Bank Building  
Pasadena, Texas 77502

J. P. Graham Well Service  
Post Office Box 1307  
Bay City, Texas 77414

Harlan & Welsh Well Servicing  
Post Office Box 45858  
Houston, Texas 77045

J F P Well Service, Inc.  
Post Office Box 45328  
Houston, Texas 77045

J. D. Lowrie Well Service Company  
Post Office Box 94  
El Campo, Texas 77437

Carl Martin Oil Well Service  
6620 North Shepherd  
Houston, Texas 77018

Moore Petroleum Service  
Post Office Box 205  
Missouri City, Texas 77459

Oil Well Production, Inc.  
Post Office Box 580  
Daisetta, Texas 77533

Parker Well Service, Inc.  
Post Office Box 407  
Liberty, Texas 77575

Producers Well Service, Inc.  
Post Office Box 98  
Boiling, Texas 77420

Shivers Well Service, Inc.  
Post Office Box 315  
Hull, Texas 77564

Stanley Swabbing & Well Service, Inc.  
Post Office Box 928  
Liberty, Texas 77575

Stewart Well Service Company  
Post Office Box 217  
Manvel, Texas 77578

SWABCO  
Post Office Box 146  
Liberty, Texas 77575

Texas Workover & Oilwell Servicing Company  
Post Office Box 32  
Liberty, Texas 77575

Tex-Well Service, Inc.  
Post Office Box 597  
Houston, Texas 77587

Acme Well Servicing Company  
Post Office Box 2704  
Corpus Christi, Texas 78303

City Oil Well Service  
Post Office Box 1657  
Victoria, Texas 77901

Culberson Well Service  
Post Office Box 2266  
Victoria, Texas 77901

Elk Well Service, Inc.  
Post Office Drawer 1938  
Alice, Texas 78332

Elk Workover, Inc.  
Post Office Drawer 1938  
Alice, Texas 78332

Fish Oil Well Service Company  
Post Office Box 1057  
Beeville, Texas 78102

Ford Miller Swabbing Service  
Post Office Box 478  
Kennedy, Texas 78119

J & M Well Service, Inc.  
Sta. #1, Box 3710  
McAllen, Texas 78501

J & R Well Service  
Post Office Box 3551  
Victoria, Texas 77901

McRae Well Service  
Post Office Box 589  
Hebbbronville, Texas 78361

Mohawk Well Service  
Post Office Box 1789  
Alice, Texas 78332

B. A. Newman Well Servicing Company  
Post Office Box 448  
Freer, Texas 78357

Oil Well Servicing Company  
Corpus Christi, Texas 78410  
Post Office Box 10423

Patterson Well Service Company  
Post Office Box 3545  
Victoria, Texas 77901

Schaefer Well Service, Inc.  
Post Office Box 3218  
Victoria, Texas 77901

Spears-Alcorn Well Service  
Post Office Box 3187  
Victoria, Texas 77901

Victoria Well Service Corporation  
Post Office Box 2355  
Victoria, Texas 77901

Well Service, Inc.  
Post Office Box 3245  
Victoria, Texas 77901

Bates Well Service, Inc.  
Post Office Box 6431  
Odessa, Texas 79760

Beckman, Inc.  
Post Office Box 1860  
Midland, Texas 79701

Big Horn Well Servicing Company of Texas  
Post Office Drawer 707  
Lamesa, Texas 79331

Footo Well Service Company  
Post Office Box 6767  
Odessa, Texas 79760

Forsan Oil Well Service, Inc.  
Post Office Box A584  
Forsan, Texas 79733

Charles J. George, Inc.  
Post Office Box 6466  
Odessa, Texas 79760

Globe Well Service, Inc.  
Post Office Box 57  
Big Lake, Texas 76932

Goldsmith Well Service, Inc.  
Post Office Box 83  
Goldsmith, Texas 79741

Holmes Well Service Company  
Drawer Z  
McCahey, Texas 79752

Iron Orchard, Inc.  
Post Office Box 956  
Kermit, Texas 79745

Britt Well Servicing Company, Inc.  
Post Office Drawer 707  
Lamesa, Texas 79331

J & C Well Service & Construction Company  
Post Office Box 277  
Wickett, Texas 79788

O & L Well Service Company  
Post Office Box 6705  
Odessa, Texas 79760

C. E. Phillips Well Service  
Post Office Box 6277  
Odessa, Texas 79762

R & H Well Service, Inc.  
Post Office Box 608  
Crane, Texas 79731

L. D. Rutledge, Inc.  
dba Brooks Oil Well Service  
Post Office Box 1138  
Snyder, Texas 79549

Taggart Well Service, Inc.  
Post Office Box 685  
Monahans, Texas 79756

Texas Oil Well Service, Inc.  
4207 Brazos  
Odessa, Texas 79760

Tucker Well Servicing, Inc.  
Post Office Box 848  
Big Lake, Texas 76932

Universal Oil Well Service  
Post Office Box 888  
Snyder, Texas 79549

Well Servicing Company of Crane  
111 North Gaston  
Crane, Texas 79731

Acme Well Servicing, Inc.  
Post Office Box 1331  
Abilene, Texas, 79604

A. V. Jones & Sons  
Post Office Box 787  
Albany, Texas 76430

Pool Company  
Post Office 1940  
San Angelo, Texas 76901

Winters Construction Company  
Post Office Box 817  
Winters, Texas 79567

B & C Well Service  
629 Phillips Road  
Borger, Texas 79007

Barbo Well Service, Inc.  
Post Office Box 159  
Ulysses, Kansas 67880

Bruce Drilling Company  
Post Office Box 772  
Liberal, Kansas 67901

Chase Oilfield Service  
Post Office Box 422  
Pampa, Texas 79065

Copan Corporation  
Post Office Box 2077  
Pampa, Texas 79065

Curtis Well Service Company, Inc.  
Post Office Box 1800  
Pampa, Texas 79065

Diamond Well Service Company, Inc.  
Post Office Box 88  
Borger, Texas 79007

Ford Tool Company  
Post Office Box B  
Perryton, Texas 79070



Gunn-Campbell Well Service  
Post Office Box 3136  
Borger, Texas 79007

JET Well Service, Inc.  
Post Office Box 701  
Perryton, Texas 79070

King Drilling Corporation  
1120 Nelson  
Liberal, Kansas 67901

Northwest Services, Inc.  
Post Office Box 588  
Guymon, Oklahoma 73942

Patrick Well Service  
Post Office Box 1273  
Liberal, Kansas 67901

V. E. Wagner Well Service  
Post Office Drawer 2497  
Pampa, Texas 79065

Windsor Servicing Company  
Post Office Box 2337  
Pampa, Texas 79065

Barrios Well Service  
Route 1, Box 99  
Lockport, Louisiana 70374

Brownie Drilling Company, Inc.  
Post Office Box 1445  
Lake Charles, Louisiana 70601

Dove Well Service, Inc.  
Post Office Box 3372  
Lafayette, Louisiana 70501

Gibson Workover, Inc.  
Post Office Box 572  
Harvey, Louisiana 70058

Harris Well Service, Inc.  
Post Office Drawer 949  
Eunice, Louisiana 70535

Holston Well Service, Inc.  
Post Office Box 651  
Jennings, Louisiana 70546

Felican Well Service, Inc.  
400 West Glynnedale Avenue  
Lafayette, Louisiana 70501

Rebel Well Service, Inc.  
Post Office Box 292  
Houma, Louisiana 70360

Tiger Well Service  
Post Office Box 395  
Vinton, Louisiana 70668

T & H Well Service, Inc.  
Post Office Box 928  
Eunice, Louisiana 70535

J. W. Christian Well Servicing  
Route 5, Box 233  
Natchez, Mississippi 39120

Dempse McMullen Well Servicing  
Post Office Box 893  
Natchez, Mississippi 39120

Magnolia Oilfield Service  
Post Office Box 1002  
Natchez, Mississippi 39120

Daniels Well Service, Inc.  
Post Office Box 548  
Artesia, New Mexico 88210

Nesco  
Post Office Box 379  
Liberal, Kansas 67901

Odom Well Service, Inc.  
Post Office Drawer 4  
Elkhart, Kansas 67950

Gearhart Well Service, Inc.  
P. O. Box 5083, Station 2  
McAllen, Texas 78501

The companies involved use portable oil well servicing rigs at various locations for temporary periods of time. All present and future job locations are affected worksites.

The applicant certifies that employees who would be affected by the variance

have been notified of the application by posting a copy at all places where notices to employees are normally posted. Employees have also been informed of their right to petition the Assistant Secretary for a hearing.

Section 1910.27(b)(1)(i) through (iii) reads as follows:

(1) Rungs and cleats. (i) All rungs shall have a minimum diameter of  $\frac{3}{4}$  inch for metal ladders, except as covered in subparagraph (7)(i) of this paragraph, and a minimum diameter of  $1\frac{1}{2}$  inches for wood ladders.

(ii) The distance between rungs, cleats, and steps shall not exceed 12 inches and shall be uniform throughout the length of the ladder.

(iii) The minimum clear length of rungs or cleats shall be 16 inches.

Section 1910.27(c)(4) reads as follows:

(4) Clearance in back of ladder. The distance from the centerline of rungs, cleats, or steps to the nearest permanent object in back of the ladder shall be not less than 7 inches, except that when unavoidable obstructions are encountered, minimum clearance as shown in figure D-3 shall be provided.

The applicant states that due to the configuration of the derricks used by the member companies, to which the ladders are attached, a variance is necessary. The ladders are permanently affixed flush to the cross members of the derricks so that the 7 inch clearance as required by 29 CFR 1910.27(c)(4) is not always met. The applicant contends that if the ladders were extended 7 inches from the derrick, this would greatly increase the danger of structural damage to the ladders when the derricks are moved. The ladders also fail to meet the requirements of 29 CFR 1910.27(b)(1)(i), (ii) and (iii) because the derricks in question are made by different manufacturers.

The applicant contends that the employees whose duties require the climbing of these ladders, are among the most skilled employees in the industry and are fully familiar with and experienced in the utilization of fixed ladders of the configuration presently employed.

The applicant, on behalf of its member companies, proposes to require all employees using the derricks in question to use ladder safety devices similar to those mentioned in section 1910.27(d)(5). The applicant contends that the derricks together with the use of the safety devices, provide places of employment as safe as those required by sections 1910.27(b)(1)(i), (ii), and (iii), and (c)(4).

A copy of the application will be made available for inspection and copying upon request at the Office of Compliance Programming, U.S. Department of Labor, 1726 M Street NW, Room 210, Washington, D.C. 20210, and at the following Regional and Area Offices:

U.S. Department of Labor  
Occupational Safety and Health Administration  
1375 Peachtree Street, N.E.  
Suite 587  
Atlanta, Georgia 30309

U.S. Department of Labor  
Occupational Safety and Health Administration  
7th Floor, Texaco Building  
1512 Commerce Street  
Dallas, Texas 75201

U.S. Department of Labor  
Occupational Safety and Health Administration  
911 Walnut Street  
Kansas City, Missouri 64106

U.S. Department of Labor  
Occupational Safety and Health Administration  
Federal Building, Room 15010  
1961 Stout Street  
Denver, Colorado 80202

U.S. Department of Labor  
Occupational Safety and Health Administration  
9470 Federal Building  
450 Golden Gate Avenue  
Post Office Box 36017  
San Francisco, California 94102

U.S. Department of Labor  
Occupational Safety and Health Administration  
5760 I—55 North Frontage Road East  
Jackson, Mississippi 39200

U.S. Department of Labor  
Occupational Safety and Health Administration  
Adolphus Tower—Suite 1820  
1412 Main Street  
Dallas, Texas 75202

U.S. Department of Labor  
Occupational Safety and Health Administration  
2320 La Branch Street, Room 2118  
Houston, Texas 77002

U.S. Department of Labor  
Occupational Safety and Health Administration  
Room 421, Federal Building  
1205 Texas Avenue  
Lubbock, Texas 79401

U.S. Department of Labor  
Occupational Safety and Health Administration  
Room 215  
1015 Jackson Keller Road  
San Antonio, Texas 78213

U.S. Department of Labor  
Occupational Safety and Health Administration  
546 Carondelet Street, Room 202  
New Orleans, Louisiana 70130

U.S. Department of Labor  
Occupational Safety and Health Administration  
City National Bank Building  
Room 803  
Omaha, Nebraska 68102

U.S. Department of Labor  
Occupational Safety and Health Administration  
Petroleum Building  
221 South Broadway Street  
Suite 312  
Wichita, Kansas 67202

U.S. Department of Labor  
Occupational Safety and Health Administration  
Suite 525 Petroleum Building  
2812 1st Avenue—North  
Billings, Montana 59101

U.S. Department of Labor  
Occupational Safety and Health Administration  
Squire Plaza Building  
8527 W. Colfax Avenue  
Lakewood, Colorado 80215

U.S. Department of Labor  
Occupational Safety and Health Administration  
Suite 309—Executive Building  
455 East 4th South  
Salt Lake City, Utah 84111

U.S. Department of Labor  
Occupational Safety and Health Administration  
100 McAllister Street—Room 1706  
San Francisco, California 94102



U.S. Department of Labor  
Occupational Safety and Health Administration  
Hartwell Building—Room 401  
19 Pine Avenue  
Long Beach, California 90802  
U.S. Department of Labor  
Occupational Safety and Health Administration  
Room 512—Petroleum Building  
420 South Boulder  
Tulsa, Oklahoma 74103  
U.S. Department of Labor  
Occupational Safety and Health Administration  
Room 302—Federal Building  
421 Gold Avenue, SW  
Post Office Box 1428  
Albuquerque, New Mexico 87103

All interested persons, including employers and employees, who believe they would be affected by the grant or denial of the application for a variance are invited to submit written data, views, and arguments relating to the pertinent application no later than May 24, 1974. In addition, employers and employees who believe they would be affected by a grant or denial of the variance may request a hearing on the application no later than May 24, 1974, in conformity with the requirements of 29 CFR 1905.15. Submission of written comments and requests for a hearing should be in quadruplicate, and must be addressed to the Office of Compliance Programming at the above address.

**II. Interim order.** It appears from the application for a variance and interim order that an interim order is necessary to prevent undue hardship to the Association members and their employees pending a decision on the application for a variance.

*Therefore, it is ordered.* Pursuant to authority in section 6(d) of the Williams-Steiger Occupational Safety and Health Act of 1970, and 29 CFR 1905.11 (c) that the member companies of the Association of Oil Well Servicing Contractors be, and are hereby, authorized to continue using the oil well servicing rigs referred to in the application for a variance, provided that the ladder safety devices specified are also used, in lieu of complying with 29 CFR 1910.27(b)(1) (i), (ii), (iii) and (c)(4), at all job locations.

The Association of Oil Well Servicing Contractors shall give notice of this interim order to employees affected thereby, by the same means required to be used to inform them of the application for a variance.

**Effective date.** This interim order shall be effective as of April 24, 1974, and shall remain in effect until a decision is rendered on the application for variance.

Signed at Washington, D.C., this 18th day of April, 1974.

JOHN STENDER,  
Assistant Secretary of Labor.

[FR Doc. 74-9302 Filed 4-23-74; 8:45 am]

#### STANDARDS ADVISORY COMMITTEE ON AGRICULTURE

##### Notice of Meeting

Notice is hereby given that the Standards Advisory Committee on Agriculture,

including the Subcommittees on Walking and Working Surfaces, Hand and Portable Power Tools, and Electrical Hazards, established under section 7(b) of the Williams-Steiger Occupational Safety and Health Act of 1970 (29 U.S.C. 656), will meet on Tuesday, April 30, 1974, and on Wednesday, May 1, 1974, starting at 8:30 a.m. each day in Room 102, Main Labor Building, 14th Street and Constitution Avenue, NW, Washington, D.C.

The agenda provides for the discussion of a preliminary draft proposal of noise regulations to determine their applicability to agriculture. Following this discussion, three subcommittees will meet in separate sessions. The Subcommittee on Walking and Working Surfaces will continue its deliberations from the previous meeting. The Subcommittee on Hand and Portable Power Tools and the Subcommittee on Electrical Hazards will be meeting for the first time. The full committee will then reconvene to receive and consider any interim or final recommendations of the subcommittees, and to consider any other business pending before the committee.

The meeting shall be open to the public. Written data, views, or arguments concerning the subjects to be considered will be submitted to the members if they are filed, together with 20 duplicate copies, with the Committee Management Officer either before or at the time of the meeting. Any such submissions will be included in the record of the meeting.

Persons wishing to orally address the committee at the meeting should submit a written request to be heard, together with 20 duplicate copies, to the Committee Management Officer no later than April 26, 1974. The request must contain a short summary of the intended presentation and an estimate of the amount of time that will be needed.

Communications may be mailed to:

Jeanne W. Ferrone  
Committee Management Office  
Occupational Safety and Health Administration  
1726 M Street, NW, Room 200  
Washington, D.C. 20210

Signed at Washington, D.C. this 18th day of April, 1974.

JOHN STENDER,  
Assistant Secretary of Labor.

[FR Doc. 74-9299 Filed 4-23-74; 8:45 am]

#### WESTERN ELECTRIC COMPANY, INC.

##### Recordkeeping Exception

Notice is hereby given pursuant to 29 CFR 1904.13(g) that the petition of the Western Electric Company, Inc., 195 Broadway, New York, New York 10007, to maintain the records for its installation operations, as required by section 8(c) of the Occupational Safety and Health Act of 1970 and 29 CFR Part 1904, in a manner different from that required by the aforementioned regulations, has been reviewed by the Assistant Commissioner for Occupational Safety and Health Statistics, Bureau of Labor

Statistics, and is hereby approved subject to the following conditions:

1. This exception applies only to Western Electric's field installation operations. Other organizations of the Company, including headquarters locations, manufacturing, service and supply centers will keep their records in the manner prescribed by the aforementioned regulations.

2. Western Electric shall maintain Form OSHA 100, Log of Occupational Injuries and Illnesses, in its district offices, rather than at each establishment. The log entry for each recordable case shall identify the establishment at which the injury or illness occurred. A separate log shall be maintained at the district office for each of the states or parts of states included in that district. In all other respects the log shall be maintained in accordance with the provisions of 29 CFR 1904.2.

3. Western Electric shall maintain Form OSHA 101, Supplementary Record, or equivalent form as provided in 29 CFR 1904.14, in the manner provided by that provision, except that the record shall be compiled and maintained at the district installation offices rather than at each establishment.

4. Western Electric shall complete Form OSHA 102, Annual Summary, as provided by 29 CFR 1904.5, except that it shall be compiled on a district rather than an establishment basis. The summary shall, however, be posted at each establishment or mailed to each employee in accordance with 29 CFR 1904.5.

5. Each district office, pursuant to 29 CFR 1904.6, shall maintain the records for that district for five (5) years following the end of the year to which they relate; and each district office shall have personnel available during normal business hours to provide information from the records maintained there by telephone or by mail.

6. This exception in no way affects the duty of Western Electric to post the notice required by 29 CFR 1903.2 at each establishment. Further, Western Electric shall post at each establishment the address and phone number of the district office in which the records for that establishment are kept.

Nothing in this notice shall be deemed to affect the duties of Western Electric to comply with the requirements of any state plan approved pursuant to section 18 of the Occupational Safety and Health Act of 1970.

In addition to these conditions, it is understood that this is an exception only from the provisions of 29 CFR Part 1904 in effect on the effective date of this exception. If the regulations in Part 1904 are modified after the effective date of this exception either by additional provisions or provisions inconsistent with those from which this exception is granted, and if Western Electric desires to keep records in a manner different from those modified, then Western Electric must petition for exception from the provisions as modified; otherwise, Western Electric will be required, by operation of law under the



terms of the regulations, to comply with those provisions, as modified.

**Effective date.** This exception shall become effective on April 23, 1974.

Signed at Washington, D.C., on April 15, 1974.

MAURICE F. BRESNEHAN,  
Acting Assistant Commissioner  
for Occupational Safety and  
Health Statistics, Bureau of  
Labor Statistics.

[FR Doc. 74-9301 Filed 4-23-74; 8:45 am]

[V-74-26]

#### QUAKER OATS CO.

##### Notice of Application for Variance and Interim Order; Grant of Interim Order

**I. Notice of application.** Notice is hereby given that The Quaker Oats Company, Merchandise Mart Plaza, Chicago, Illinois 60654 has made application pursuant to section 6(d) of the Williams-Steiger Occupational Safety and Health Act of 1970 (84 Stat. 1596; 29 U.S.C. 655), and 29 CFR 1905.11 for a variance, and interim order pending a decision on the application for a variance, from the standards prescribed in 29 CFR 1910.110 (b) (6) (ii), Table H-23 concerning the location of containers for storage of liquefied petroleum gases.

The address of the place of employment that will be affected by the application is as follows:

Louis Marx & Company of West Virginia, Glen Dale, West Virginia 26038.

The applicant certifies that employees who would be affected by the variance have been notified of the application by giving a copy of it to their authorized employee representative, and by posting a copy at all places where notices to employees are normally posted. Employees have also been informed of their right to petition the Assistant Secretary for a hearing.

Regarding the merits of the application, the applicant contends that it would be providing a place of employment as safe as that required by 29 CFR 1910.110 (b) (6) (ii), Table H-23 which states that each container having a water capacity of 30,000 gallons shall be located a minimum of 50 feet from the nearest building.

The applicant states that it has an above ground 30,000 gallon (water capacity) L.P. gas storage tank located a distance of 43 feet from a 30 foot section of the manufacturing building and that no other building is within 100 feet of the tank.

The applicant states that a small private airfield and a river are situated directly behind the tank and that the relocation of the tank is not possible because acquisition of the necessary additional property has been denied.

The applicant contends that the construction of a 12" poured reinforced concrete wall next to the tank and between it and the building will provide a place

of employment as safe as that required by 29 CFR 1910.110(b) (6) (ii). This wall will extend three (3) feet beyond both ends of the tank. A four (4) foot six (6) inch wing wall adjacent and perpendicular to the firewall will enclose each end of the tank. The entire structure will extend two (2) feet six (6) inches above the tank top.

A copy of the application will be made available for inspection and copying upon request at the Office of Compliance Programming, U.S. Department of Labor, 1726 M Street NW., Room 526, Washington, D.C. 20210, and at the following Regional and Area Offices:

U.S. Department of Labor, Occupational Safety and Health Administration, 15220 Gateway Center, 3535 Market Street, Philadelphia, Pennsylvania 19104.

U.S. Department of Labor, Occupational Safety and Health Administration, Charleston National Plaza, Suite 1726, 700 Virginia Street, Charleston, West Virginia 25301.

All interested persons, including employers and employees, who believe they would be affected by the grant or denial of the application for a variance are invited to submit written data, views and arguments relating to the pertinent application no later than May 24, 1974. In addition, employers and employees who believe they would be affected by a grant or denial of the variance may request a hearing on the application no later than May 24, 1974, in conformity with the requirements of 29 CFR 1905.15. Submission of written comments and requests for a hearing should be in quadruplicate, and must be addressed to the Office of Compliance Programming at the above address.

**II. Interim order.** It appears from the application for a variance and interim order, and from consideration of the minimal deviation between the existing L.P. gas storage tank location and the positioning requirement of the standard, that an interim order is necessary to prevent undue hardship to the applicant pending a decision on the variance. Therefore, it is ordered, pursuant to authority in section 6(d) of the Williams-Steiger Occupational Safety and Health Act of 1970, and 29 CFR 1905.11(c) that the Quaker Oats Company at Louis Marx & Company of West Virginia be, and it is hereby, authorized to continue to utilize the L.P. gas storage tank in its present location in lieu of the relocation which would be required by 29 CFR 1910.110 (b) (6) (ii).

The Quaker Oats Company shall give notice of this interim order to employees affected thereby, by the same means required to be used to inform them of the application for a variance.

**Effective date.** This interim order shall become effective as of April 24, 1974, and shall remain in effect until a decision is rendered on the application for variance.

Signed at Washington, D.C., this 19th day of April, 1974.

JOHN STENDER,  
Assistant Secretary of Labor.

[FR Doc. 74-9356 Filed 4-23-74; 8:45 am]

## INTERSTATE COMMERCE COMMISSION

[Notice 493]

### ASSIGNMENT OF HEARINGS

APRIL 19, 1974.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested. No amendments will be entertained after the date of this publication.

MC-139010 Sub 1, Arizona Enterprises, Inc., now assigned May 6, 1974, will be held in Hearing Room 2, Arizona Corp. Commission, 1688 West Adams Street, Phoenix, Ariz.

MC-109689 Sub 255, W. S. Hatch Co., now assigned May 8, 1974, will be held in Hearing Room 2, Arizona Corp. Commission, 1688 West Adams Street, Phoenix, Ariz.

MC-139116, R. W. Steele, DBA R. W. Steel Trucking Company, now assigned May 13, 1974, will be held in Room 587 Tax Court, 19th & Stout Street, Denver, Colo.

MC-F-21030, Convoy Company—Control—Colorado Midland Transport Co., & MC-52858 Sub 110, Convoy Company, now assigned May 15, 1974, will be held in Room 587 Tax Court, 19th & Stout Street, Denver, Colo.

MC-133316 Sub 7, Frank R. Givigliano, DBA Givigliano Transport, now assigned May 20, 1974, will be held in Room 595, Fed. Bldg., 19th & Stout Street, Denver, Colo.

MC-109533 Sub 53, Overnite Transportation Company, is continued to May 21, 1974, on the 4th Floor Hearing Room, Kentucky Department of Transportation, State Office Building, Frankfort, Kentucky.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc. 74-9377 Filed 4-23-74; 8:45 am]

[Notice 15]

### MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

APRIL 19, 1974.

The following letter-notices of proposals (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), to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission under the Commission's Revised Deviation Rules—Motor Carriers of Property, 1969 (49 CFR 1042.4(c) (11)).



and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 1042.4(c)(11)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 1042.4(c)(12)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Revised Deviation Rules—Motor Carriers of Property, 1969, will be numbered consecutively for convenience in identification and protests, if any, should refer to such letter-notices by number.

#### MOTOR CARRIERS OF PROPERTY

No. MC-27356 (Deviation No. 1), M-F EXPRESS, INC., 610 E. Emma Avenue, Springdale, Arkansas 72764, filed April 3, 1974. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Hattiesburg, Miss., over U.S. Highway 49 to Wiggins, Miss., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Hattiesburg, Miss., over U.S. Highway 11 (also over Interstate Highway 59) to Poplarville, Miss., thence over Mississippi Highway 26 to Wiggins, Miss., and return over the same route.

No. MC-35320 (Deviation No. 19), T.I.M.E.-DC, INC., P.O. Box 2550, Lubbock, Texas 79408, filed April 1, 1974. Carrier's representative: Richard Hubbert, P.O. Box 2976, Lubbock, Texas 79401. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Kingsport, Tenn., over U.S. Highway 23 to Johnson City, Tenn., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Kingsport, Tenn., over unnumbered highway via Indian Springs and Blountville, Tenn., to Bristol, Tenn.-Va., thence over U.S. Highway 11E to Johnson City, Tenn., and return over the same route.

No. MC-42487 (Deviation No. 104), CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, P.O. Box 5138, Chicago, Illinois 60680, filed April 15, 1974. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Atlanta, Ga., over Interstate Highway 285 to junction Interstate Highway 20, thence over Interstate Highway 20 to junction Georgia Highway 138 (at or near Conyers, Ga.), thence over Georgia Highway 138 to junction U.S. Highway 78 (at or near Monroe, Ga.), and

thence over U.S. Highway 78 to Athens, Ga., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Atlanta, Ga., over U.S. Highway 29 to Athens, Ga., and return over the same route.

No. MC-59680 (Deviation No. 91), STRICKLAND TRANSPORTATION CO., INC., P.O. Box 5689, Dallas, Texas 75222, filed April 12, 1974. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Cleveland, Ohio, over Interstate 77 to junction Interstate 76 at Akron, Ohio, thence over Interstate 76 to junction Interstate 80, thence over Interstate Highway 80 to junction Pennsylvania Highway 26, thence over Pennsylvania Highway 26 to junction Pennsylvania Highway 144, thence over Pennsylvania Highway 144 to junction U.S. Highway 322, thence over U.S. Highway 322 to junction Interstate 81, thence over Interstate Highway 81 to junction Interstate Highway 83, thence over Interstate Highway 83 to Harrisburg, Pa., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Cleveland over U.S. Highway 21 to the Ohio Turnpike, thence over the Ohio Turnpike to the Pennsylvania Turnpike, thence over the Pennsylvania Turnpike to Harrisburg, Pa., and return over the same route.

No. MC-120080 (Sub-No. 1) (Deviation No. 1), MORGAN EXPRESS, INC., 3817 Irving Boulevard, Dallas, Texas 75247, filed March 29, 1974. Carrier's representative: Max G. Morgan, 600 Leininger Building, Oklahoma City, Oklahoma 73112. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Shreveport, La., over Louisiana Highway 1 to Natchitoches, La., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Shreveport, La., over U.S. Highway 71 to Clarence, La., thence over Louisiana Highway 6 to Natchitoches, La., and return over the same route.

No. MC-120080 (Sub-No. 1) (Deviation No. 2), MORGAN EXPRESS, INC., 3817 Irving Boulevard, Dallas, Texas 75247, filed March 29, 1974. Carrier's representative: Max G. Morgan, 600 Leininger Building, Oklahoma City, Oklahoma 73112. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Alexandria, La., over Louisiana Highway 1 to Natchitoches, La., and return over the same route, for operating convenience only. The notice in-

dicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Alexandria, La., over U.S. Highway 71 to Clarence, La., thence over Louisiana Highway 6 to Natchitoches, La., and return over the same route.

By the Commission.

[SEAL]

ROBERT L. OSWALD,  
Secretary.

[FR Doc. 74-9381 Filed 4-23-74; 8:45 am]

[Notice 33]

#### MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

APRIL 19, 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.

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 50493 (Sub-No. 55) (Republication), filed August 1, 1973, and published in the FEDERAL REGISTER issue of October 17, 1973, and republished this issue. Applicant: P.C.M. TRUCKING, INC., 1063 Main Street, Orefield, Pa. 18069. Applicant's representative: Paul B. Kemmerer, 1620 N. 19th Street, Allentown, Pa. 18104. An Order of the Commission, Operating Rights Board, dated March 25, 1974, and served April 11, 1974, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a *common carrier* by motor vehicle, over irregular routes, of (1) *animal feed ingredients*, dry, in bulk, from points in Erie, Huron, Seneca, Sandusky, Ottawa, Lucas, Wood, Henry, Fulton, Williams, and Defiance Counties, Ohio, and Monroe, Lenawee, Wayne, Washtenaw, Hillsdale, Jackson, Calhoun, and Branch Counties, Mich., to points in New York and Pennsylvania on and east of Interstate Highway 81, and (2) (a) *fertilizer and fertilizer materials*, and (b) *dry insecticides, dry fungicides, and dry pesticides*, in bags, from points in Lehigh and Northampton Counties, Pa., to points in Delaware, and Maryland; that applicant is fit, willing, and able properly to perform such service and to conform



to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. The purpose of this republication is to include an additional origin point of Northampton County. Because it is possible that other parties who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described above, issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of this publication of the authority actually granted, during which period any proper party in interest may file an appropriate petition for intervention or other relief in this proceeding setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 116935 (Sub-No. 13) (Republication), filed June 7, 1973, and published in the FEDERAL REGISTER issue of July 12, 1973, and republished this issue. Applicant: COMMERCIAL FURNITURE DISTRIBUTORS, INC., 222 Middlesex Street, Harrison, N.J. 07029. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. An Order of the Commission, Operating Rights Board, dated March 14, 1974, and served April 9, 1974, finds that the present and future public convenience and necessity require operation by applicant in interstate or foreign commerce, as a *common carrier* by motor vehicle, over irregular routes, transporting: (a) *data processing equipment and supplies*, from the facilities utilized by Commercial Furniture Distributors, Inc., at Elizabeth, N.J., to points in New York, New Jersey, Pennsylvania, Connecticut, and Delaware; and (b) returned shipments of *data processing equipment and supplies*, from points in the above-named destinations States to the facilities utilized by Commercial Furniture Distributors, Inc., at Elizabeth N.J.; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other parties who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described above, issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of this publication of the authority actually granted, during which period any proper party in interest may file an appropriate petition for intervention or other relief in this proceeding setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 136916 (Sub-No. 7) (Republication), filed September 10, 1973, and published in the FEDERAL REGISTER issue of November 15, 1973, and republished this issue. Applicant: LENAPE TRANSPORTATION CO., INC., P.O. Box 227, Lafayette, N.J. 07848. Applicant's representative: Bert Collins, Suite 6193, 5 World Trade Center, New York, N.Y.

10048. An Order of the Commission, Operating Rights Board, dated March 20, 1974, and served April 8, 1974, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a *Common carrier* by motor vehicle, over irregular routes, of *limestone*, from Perth Amboy, N.J., to points in Kentucky, Massachusetts, Rhode Island, Virginia, and West Virginia; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other parties who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described above, issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of this publication of the authority actually granted, during which period any proper party in interest may file an appropriate petition for intervention or other relief in this proceeding setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 138998 (Sub-No. 1) (Republication), filed August 20, 1973, and published in the FEDERAL REGISTER issue of September 27, 1973, and republished this issue. Applicant: BEE CEE BOAT MOVERS, LTD., 771 Forsman Avenue, North Vancouver, British Columbia, Canada. Applicant's representative: George R. LaBissoniere, Suite 101, 130 Andover Park East, Seattle, Wash. 98188. An Order of the Commission, Operating Rights Board, dated March 20, 1974, and served April 11, 1974, finds that the present and future public convenience and necessity require operation by applicant, in foreign commerce only, as a *common carrier*, by motor vehicle, over irregular routes, of *boats*, between those points in that part of Washington in and west of King, Lewis, Pierce, Skagit, Skamania, Snohomish, and Whatcom Counties, on the one hand, and, on the other, those ports of entry on the International Boundary line between the United States and Canada located at or near Blaine, Lynden, and Sumas, Washington; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. The purpose of this republication is to provide a more accurate territorial description. Because it is possible that other parties who have relied upon the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described above, issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of this publication of the authority actually granted, during which period any proper party in interest may file an appropriate petition for interven-

tion or other relief in this proceeding setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 35628 (Notice of filing of petition for clarification and amendment of certificate), filed September 28, 1973. Petitioner: INTERSTATE MOTOR FREIGHT SYSTEM, a Corporation, 134 Grandville Ave. SW., Grand Rapids, Mich. 49502. Petitioner's representative: Leonard D. Verdier, Jr. (same address as petitioner). Petitioner holds a motor *common carrier* certificate in No. MC 35628 issued August 21, 1969, authorizing, as pertinent, transportation, over regular routes, of *general commodities* (except classes A and B explosives, household goods as defined by the Commission, and commodities in bulk) (A) Between Cincinnati, Ohio, and Cleveland, Ohio, serving the intermediate points of Delaware, Mansfield, Ashland, and Medina, Ohio; From Cincinnati over U.S. Highway 42 to Cleveland, and return over the same route; and (B) Between the Indiana-Ohio State Boundary line and Wheeling, W. Va., serving the intermediate points of Springfield and Columbus, Ohio, and serving Cambridge, Ohio, for the purpose of joinder only: From the Indiana-Ohio State Boundary line over U.S. 40 to Wheeling, and return over the same route. In finance proceeding No. MC-F-12001, petitioner is seeking to acquire the operating rights as found in Docket No. MC 43654, authorizing, as pertinent, transportation, over regular routes, of *general commodities* (except perishables, livestock, petroleum and its products, in tank trucks, coal, sand, gravel, grain, household goods as defined by the Commission, classes A and B explosives, and those requiring special equipment) (1) Between junction U.S. Highways 40 and 42 and Cincinnati, Ohio:

From junction of U.S. Highways 40 and 42 over U.S. Highway 42 to Cincinnati, Ohio, and return over the same route, serving all intermediate points; (2) Between Louisville, Ky., and Atlanta, Ga.: From Louisville, Ky., over U.S. Highway 31W to Nashville, Tenn., thence over U.S. Highway 41 to Atlanta, Ga., and return over the same route, serving all intermediate points; (3) between junction U.S. Highways 40 and 42 and Atlanta, Ga.: From junction of U.S. Highways 40 and 42 to Cincinnati as specified in (1) above, thence over U.S. Highway 25 to Livingston, Ky., thence over Kentucky Highway 490 to junction U.S. Highway 25, thence over U.S. Highway 25 to Corbin, Ky., thence over U.S. Highway 25W via junction of unnumbered Tennessee Highway and U.S. Highway 25W northwest of Knoxville, Tenn., to Knoxville, Tenn., thence over U.S. Highway 11 via junction unnumbered Tennessee Highway 11 southwest of Knoxville, Tenn., and Cleveland, Tenn., to junction U.S. Highway 41, thence over U.S. Highway 41 to Atlanta, and return over the same route, serving all intermediate points; (4) Between junction U.S. Highways 40 and 42 and Atlanta, Ga.:



From junction of U.S. Highways 40 and 42 to junction unnumbered Tennessee Highway and U.S. Highway 25W northwest of Knoxville, Tenn., as specified above, thence over unnumbered Tennessee Highway to junction U.S. Highway 11, thence to Atlanta as specified in (3) above, and return over the same route, serving all intermediate points; and (5) Between junction U.S. Highways 40 and 42 and Atlanta, Ga.: From junction of U.S. Highways 40 and 42 to Cleveland, Tenn., as specified above, thence over Tennessee Highway 60 to the Tennessee-Georgia State Boundary line, thence over Georgia Highway 71 to junction U.S. Highway 41, thence over U.S. Highway 41 to Atlanta, and return over the same route, serving all intermediate points. By the instant petition, petitioner seeks authority to serve the junction of U.S. Highways 40 and 42 for the purpose of joinder only, in connection with the regular route authority described in (A) and (B) above.

NOTE.—This petition is a matter directly related to a finance proceeding in Docket No. MC-12001, published in the FEDERAL REGISTER issues of October 3, 1973 and April 12, 1974.

HEARING: May 15, 1974 (3 days), 9:30 a.m. Local Time, in Room 235 Federal Building, 85 Marconi Boulevard, Columbus, Ohio, on a consolidated record with Docket No. MC-F-12001.

No. MC 136408 (notice of filing of petition to modify a destination point) filed April 7, 1974. Petitioner: CARGO CONTRACT CARRIER CORP., P.O. Box 206, Sioux City, Iowa 51102. Petitioner's representative: William J. Hanlon, 60 Park Place, Newark, N.J. 07102. Petitioner holds a motor contract carrier permit in No. MC 136408 issued August 30, 1972, authorizing as pertinent, transportation, over irregular routes, of (A) meats, meat products, and meat by-products, and dairy products, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles), (1) From Sioux City, Iowa, to New York, N.Y., under a continuing contract, or contracts, with Iowa Beef Packers, Inc., of Sioux City, Iowa (successor-in interest to Sioux Quality Packers, Inc.); (2) From West Point, Nebr., to New York, N.Y., and Chicago, Ill., under a continuing contract, or contracts, with Iowa Beef Packers, Inc., of Dakota City, Nebr.; and (3) From Glenwood, Spencer, and Des Moines, Iowa; Luverne, Minn.; and Omaha, Nebr.; to New York, N.Y., under a continuing contract, or contracts, with the following shippers: W. M. Tynan and Co., of New York, N.Y.; Iowa Beef Packers, Inc., of Dakota City, Nebr.; and Swift & Company, of Glenwood, Iowa; and (B) meats, meat products, and meat by-products, as described by the Commission in Section A of Appendix I to the report in *Descriptions in Motor Carrier*

*Certificates*, 61 M.C.C. 209 and 766 (except hides, skins, pieces of each, and commodities in bulk), From Fort Dodge, Denison, Waterloo, Sioux City, and Iowa Falls, Iowa, to New York, N.Y., under a continuing contract or contracts with W. M. Tynan & Co., of New York, N.Y. By the instant petition, petitioner seeks to modify its destination points of New York, N.Y., to read: "to points in the New York, N.Y., Commercial Zone as defined by the Commission in Commercial Zones and Terminal Areas, 53 M.C.C. 451, 496." Any interested person or persons desiring to participate may file an original and six copies of his written representations, views or arguments in support of or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

#### APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's Special Rules governing notice of filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto. (49 CFR 1.240.)

#### MOTOR CARRIERS OF PROPERTY

APPLICATIONS FOR CERTIFICATES OR PERMITS WHICH ARE TO BE PROCESSED CONCURRENTLY WITH APPLICATIONS UNDER SECTION 5 GOVERNED BY SPECIAL RULE 240 TO THE EXTENT APPLICABLE.

No. MC 108531 (Sub-No. 15), filed March 1, 1974. Applicant: BLUE BIRD COACH LINES, INC., 502-504 North Barry Street, Olean, N.Y. 14760. Applicant's representative: Ronald W. Mallin, Bankers Trust Jamestown Building, Jamestown, N.Y. 14701. Authority sought to operate as a common carrier, by motor vehicle, over regular and irregular routes, transporting: (A) *Passengers and their baggage*, (1) between St. Marys, Pa., and Ridgway, Pa., serving all intermediate points: From St. Marys over Pennsylvania Highway 255 to Gillen, Pa., thence over unnumbered highway to junction U.S. Highway 219, and thence over U.S. Highway 219 to Ridgway, and return over the same route; (2) between Johnstown, Pa., and Emporium, Pa., serving all intermediate points: From Johnstown over Pennsylvania Highway 255 to St. Marys, Pa. thence over Highway 120 to Emporium and return over the same route; (B) *passengers and their baggage, and express and newspaper* in the same vehicle with passengers, between Ridgway, Pa., and Kane, Pa., serving all intermediate points: From Ridgway over U.S. Highway 219 to Wilcox, Pa., thence over Pennsylvania Highway 321 to Kane (also from Wilcox over U.S. Highway 219 to junction U.S. Highway 6, thence over U.S. Highway 6 to Kane), and return over the same routes, the authority between Ridgway, Pa., and Kane, Pa., is restricted against the

transportation of passengers originating at or destined to Salamanca or Buffalo, N.Y. Irregular Routes: (C) *Passengers and their baggage in special or chartered parties*, from any point or points on the regular route or routes described above to points in the United States (except Alaska and Hawaii) and return; Regular Routes: *Passengers and their baggage, and express and newspaper* in the same vehicle with passengers, between Lantz Corners, Pa., and Custer City, Pa., serving all intermediate points: From Lantz Corners over U.S. Highway 219 to Custer City, Pa., and return over the same route, the authority between Lantz Corners, Pa., and Custer City, Pa., is restricted against the transportation of passengers originating at or destined to Salamanca or Buffalo, N.Y.

NOTE.—Common control may be involved. This is a matter directly related to the Section 5 purchase proceeding in MC-F-12011 published in the FR issue of October 17, 1973. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 112107 (Sub-No. 9), filed March 6, 1974. Applicant: NEW ENGLAND MOTOR FREIGHT, INC., 520 Main Street, Wallington, N.Y. 07057. Applicant's representative: Morton E. Kiel, Suite 6193, 5 World Trade Center, New York, N.Y. 10048. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving points in Connecticut as off-route points in connection with carrier's regular routes between Paterson, N.J., and Providence, R.I. (also between New London, Conn., and Providence, R.I.).

NOTE.—The purpose of this application is to convert the Certificate of Registration issued to Reliable Warehouse Company in MC-99328 (Sub-No. 1), to a Certificate of Public Convenience and Necessity. This is a matter directly related to the section 5 purchase proceeding in MC-12163 published in the FR issue of March 20, 1974. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 138328 (Sub-No. 9), filed February 20, 1974. Applicant: CLARENCE L. WERNER, doing business as WERNER ENTERPRISES, 805 Thirty-Second Avenue, Council Bluffs, Iowa 51501. Applicant's representative: Earl H. Scudder, Jr., P.O. Box 82028, 605 South 14th Street, Lincoln, Nebr. 68501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Frozen macaroni products and dry macaroni products* from Omaha, Nebr., to point in Arizona, California, Colorado, New Mexico, and Washington; and (2) *flour*, in containers, and *corrugated cartons, cellophane, polyethylene paper, and dry macaroni products*, from points in the above-named destination states, to Omaha, Nebr., restricted to traffic originating at the



named origin points and destined to the named destinations.

**NOTE.**—Applicant holds contract carrier authority in MC-133233, therefore dual operations may be involved. This is a matter directly related to the section 5 purchase proceeding in MC-F-11848 published in the *FEDERAL REGISTER* issue of May 2, 1973. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC-F-12191. Authority sought for control by DIRECT WINTERS TRANSPORT LIMITED, an Ontario corporation, 890 Caledonia Rd., Toronto 19, Ontario, Canada, of MILLAR & BROWN, LTD., P.O. Box 669, Cranbrook, British Columbia, Canada, and for acquisition by INTERSTATE MOTOR FREIGHT SYSTEM OF CANADA LIMITED, also of Toronto 19, Ontario, INTERSTATE MOTOR FREIGHT SYSTEM, 134 Grandville SW., Grand Rapids, MI 49502, and FUQUA INDUSTRIES, INC., 3800 First National Bank Bldg., Atlanta, GA 30303, of control of MILLAR & BROWN, LTD., through the acquisition by DIRECT WINTERS TRANSPORT LIMITED, an Ontario corporation. Applicants' attorneys: Edward K. Wheeler and Chandler L. van Orman, 704 Southern Bldg., 15th & H Sts. NW., Washington, DC 20005. Operating rights sought to be controlled: *General commodities*, with the usual exceptions, as a *common carrier* over irregular routes, between the ports of entry located on the United States-Canada Boundary line at or near Blaine and Oroville, Wash., Porthill and Eastport, Idaho, Eureka and Sweet Grass, Mont., Portal and Pembina, N. Dak., and Noyes, Minn. DIRECT WINTERS TRANSPORT LIMITED, is authorized to operate as a *common carrier* in Michigan and New York. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-12192. Authority sought for purchase by HOWARD MARTIN, INC., 3101 New Haven Ave., Fort Wayne, IN 46801, of the operating rights of GARY MOTOR FREIGHT, INC., 3333 Sheffield Ave., Hammond, IN 46320, and for acquisition by VALETTE MARTIN, 2810 Santa Rosa St., Ft. Wayne, IN 46803, and TOM MARTIN, also of Ft. Wayne, IN 46801, of control of such rights through the purchase. Applicants' attorney and representative: Jack Goodman, 39 So. La Salle St., Chicago, IL 60603, and Harry Tomlin, 1114 Reysome Dr., Griffith, IN 46319. Operating rights sought to be transferred: *General commodities*, with the usual exceptions, as a *common carrier* over irregular routes, between points and places in Lake, Cook and Du Page Counties, IL, and that part of Lake County, IN, in the Chicago, IL, Commercial Zone. Vendee is authorized to operate as a *common carrier* in Indiana, Ohio, Michigan, and Illinois. Application has been filed for temporary authority under section 210a(b).

No. MC-F-12193. Authority sought for purchase by M. BRUENGER & CO., INC., 6250 N. Broadway, Wichita, KS 67219, of a portion of the operating rights of FOX-

SMYTHE TRANSPORTATION CO., P.O. Box 82307 Stockyard Station, Oklahoma City, OK 73108, and for acquisition by M. BRUENGER, 2924 Menlo, Wichita, KS 67204, and ARK VALLEY PRODUCE CO., INC., 123 So. Rock Island, Wichita, KS, of control of such rights through the purchase. Applicants' attorney: John E. Jandera, 641 Harrison, Topeka, KS 66603. Operating rights sought to be transferred: *Meats, meat products, and meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in "Descriptions in Motor Carrier Certificates," 61 M.C.C. 209 and 766 (except Hides, dry acids and chemicals, in bulk, and liquid commodities, in bulk, in tank vehicles), as a *common carrier* over irregular routes, from the plant site or storage facilities of Griffith Provision Company, Inc., at or near Downs, Kans., to points in Oklahoma, Texas, New Mexico, Arizona, California, and Arkansas, with restriction. Vendee is authorized to operate as a *common carrier* in California, Kansas, Missouri, Oklahoma, Texas, Louisiana, Arizona, Washington, New Mexico, Florida, Utah, Colorado, Nevada, Oregon, Nebraska, Mississippi, Idaho, Alabama, Georgia, North Carolina, South Carolina, and Tennessee. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-12194. Authority sought for purchase by F-B TRUCK LINE COMPANY, 1891 W. 2100 S. Salt Lake City, UT 84119, of the operating rights of DALZELL CORPORATION, P.O. Box 8284, Everyville, CA 94662, and for acquisition of MERLIN J. NORTON, also of Salt Lake City, UT 84119, of control of such rights through the purchase. Applicants' attorney and representative: Earl H. Scudder, Jr., P.O. Box 82028, Lincoln, NE 68501, and David J. Lister, 1891 W. 2100 S., Salt Lake City, UT 84119. Operating rights sought to be transferred: Under a certificate of registration, in Docket No. MC-121075 (Sub-No. 1), covering the transportation of general commodities, as a *common carrier*, in interstate commerce, within the State of California. Vendee is authorized to operate as a *common carrier* in Idaho, Utah, Montana, California, Oregon, Washington, Nevada, Colorado, Wyoming, Arizona, and New Mexico. Application has been filed for temporary authority under section 210a(b).

**NOTE.**—MC-125433 (Sub-No. 50), is a matter directly related.

No. MC-F-12195. Authority sought for purchase by COORS TRANSPORTATION COMPANY, 5101 York St., Denver, CO 80216, of a portion of the operating rights of PACIFIC INLAND TRANSPORTATION COMPANY, 15 So. Broadway, Cortez, CO 81321, and for acquisition by ADOLPH COORS COMPANY, Golden, CO 80401, of control of such rights through the purchase. Applicants' attorneys: Earl H. Scudder, Jr., and John H. Schultz, P.O. Box 82028, Lincoln, NE 68501. Operating rights sought to be transferred: *Such merchandise as is*

dealt in by wholesale, retail, and chain grocery and good business houses, and in connection therewith, *equipment, materials and supplies*, used in the conduct of such business, and exempt commodities as defined in section 203(b)(6) of the Interstate Commerce Act, when moving in mixed loads with the aforementioned nonexempt commodities, as a *contract carrier* over irregular routes, from points in California, to points in Colorado, with restriction. Vendee is authorized to operate as a *contract carrier* in Colorado, Arizona, California, Kansas, Oklahoma, Texas, New Mexico, Idaho, Wyoming, Utah, and Nevada. Application has been filed for temporary authority under section 210a(b).

No. MC-F-12196. Authority sought for purchase by JACOBSEN TRANSFER, INC., Main Street and Porter Avenue, Fairmont, NE 68354, of a portion of the operating rights of HEARTLAND EXPRESS, INC., Northwest Rd., Shenandoah, IA 51601, and for acquisition by BILLY R. JACOBSEN AND JEAN J. JACOBSEN, also of Fairmont, NE 68354, of control of such rights through the purchase. Applicants' attorneys: Thomas D. Sutherland and Earl H. Scudder, Jr., of P.O. Box 82028, Lincoln, NE 68501. Operating rights sought to be transferred: *Meats, meat products, and meat byproducts* (except hides and commodities in bulk), as described in Section A of Appendix I to the report in "Descriptions in Motor Carrier Certificates," 61 M.C.C. 209 and 766, as a *common carrier* over irregular routes, from Minden and Lexington, Nebr., to Rockford and Chicago, Ill., to points in that part of Missouri on and north of U.S. Highway 50, and points in Kansas and Kentucky, with restriction. Vendee is authorized to operate as a *contract carrier* in Illinois, Nebraska, Wisconsin, Texas, Indiana, Kansas, North Dakota, South Dakota, Wyoming, Montana, Iowa, Colorado, Minnesota, and Missouri. Application has been filed for temporary authority under section 210a(b).

No. MC-F-12197. Authority sought for merger by PENN-MAR-VA TRANSPORTATION CORPORATION, P.O. Box 343, Stenersen Lane, Cockeysville, MD 21030, of the operating rights and property of HOLLSTEIN TRANSFER, INC., and for acquisition by F. V. SCHMIDT, AND H. F. SCHMIDT, all of Cockeysville, MD 21030, of control of such rights and property through the transaction. Applicants' attorneys: Gordon D. Fronk and William J. Little, Suite 1110, 10 E. Baltimore St., Baltimore, MD 21202. Operating rights sought to be merged: *General commodities*, with the usual exceptions, as a *common carrier* over regular routes, between Baltimore, Md., and Washington, D.C., serving various intermediate and off-route points, with restriction. PENN-MAR-VA TRANSPORTATION CORPORATION, is authorized to operate as a *common carrier* in Pennsylvania, Maryland, Delaware, New Jersey, New York, Virginia, West Virginia, and the District of Columbia. Application has not



been filed for temporary authority under section 210a(b). Applicants are presently under common control.

No. MC-F-12198. Authority sought for purchase by BEAUFORT TRANSFER COMPANY, Highway 50, P.O. Box 151, Gerald, MO 63037, of the operating rights of CHANAY TRUCK LINE, INC., Wellsville, KS 66092, and for acquisition by JOHN H. MEYER, also of Gerald, MO 63037, of control of such rights through the purchase. Applicants' attorney and representative: Olin R. Flottmann, Highway 50, P.O. Box 151, Gerald, MO 63037, and John L. Richeson, First National Bank Bldg., Ottawa, KS 66067. Operating rights sought to be transferred: *General commodities*, with the usual exceptions, as a *common carrier* over regular routes, serving various intermediate and off-route points, from Wellsville, Kans., to Kansas City, Mo., from Kansas City, Mo., to Stanton, Kans., from Kansas City, Mo., to Wellsville, Kans., serving various intermediate and off-route points; *live-stock*, between Wellsville, Kans., and Kansas City, Mo., from Rantoul, Kans., to Kansas City, Mo., from Stanton, Kans., to Kansas City, Mo., serving various intermediate and off-route points; *livestock, building material, farm machinery*, and feed, from Kansas City, Mo., to Rantoul, Kans., serving various intermediate and off-route points. Vendee is authorized to operate as a *common carrier* in Missouri, Illinois, Kentucky, Tennessee, Alabama, Mississippi, Louisiana, Texas, Wisconsin, Georgia, Minnesota, Colorado, and Ohio. Application has been filed for temporary authority under section 210a(b).

No. MC-F-12199. Authority sought for purchase by GENERAL HIGHWAY EXPRESS, INC., P.O. Box 727, Sidney, OH 45365, of the operating rights of ROETHLISBERGER TRANSFER COMPANY, 50 Mohican St., P.O. Box 495, Shelby, OH 44875, and for acquisition by PAUL B. LONG, also of Sidney, OH 45365, of control of such rights through the purchase. Applicants' attorney: Paul F. Beery, Ninth Floor, 8 E. Broad St., Columbus, OH 43215. Operating rights sought to be transferred: *General commodities*, with the usual exceptions, as a *common carrier* over regular routes, between Shelby, and Mansfield, Ohio, between Shelby, and Cleveland, Ohio, between Sullivan, and Cleveland, Ohio (as an alternate route for operating convenience only in connection with the above route), between junction U.S. Highway 20 and Ohio Highway 10 and Cleveland, Ohio (as an alternate route for operating convenience only in connection with the above route), service is not authorized to or from intermediate points; *automobile mufflers, hand tire air pumps, and bicycle handle bars*, from Shelby, Ohio, to junction U.S. Highway 25 and Ohio Highway 568, and junction U.S. Highway 568; *materials and supplies used in the manufacture of automobile mufflers, hand tire air pumps, and bicycle handle bars*, from junction U.S. Highway 25 and Ohio Highway 568, and junction U.S.

Highway 24 and Ohio Highway 568 to Shelby, Ohio, serving various intermediate points with restriction; *newsprint paper*, in rolls, from Shelby, Ohio to Willard, Ohio; *General commodities*, with the usual exceptions over irregular routes, between Shelby, Ohio, on the one hand, and, on the other, Akron, Cincinnati, Cleveland, Columbus, Dayton, East Liverpool, West Richfield, Youngstown, and Zanesville, Ohio, between Shelby, and Willard, Ohio, with restrictions; *printed matter*, from Willard, Ohio, to Shelby, Ohio; *household goods* as defined by the Commission, between points in Richland County, Ohio, on the one hand, and, on the other, points in Illinois, Indiana, Michigan, Missouri, New York, and Pennsylvania; (1) *kitchen appliance and cabinet wall systems*, from points in Richland County, Ohio, to points in Maine, Vermont, New Hampshire, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Delaware, Pennsylvania, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Tennessee, Kentucky, Michigan, Indiana, Illinois, Wisconsin, Mississippi, Louisiana, Arkansas, Missouri, Iowa, Minnesota, and the District of Columbia; (2) *equipment, materials, and supplies* used in the manufacture of the commodities described in (1) above (except iron and steel articles and commodities in bulk), from Richmond, Ind., Freeland and Philadelphia, Pa., Farmington and Walled Lake, Mich., Galesburg, Ill., Dayton, Tenn., and Hartford, Conn., to the plant site of The Tappan Company in Richland County, Ohio. Vendee is authorized to operate as a *common carrier* in Ohio. Application has been filed for temporary authority under section 210a(b).

No. MC-F-12200. Authority sought for purchase by INTERSTATE CONTRACT CARRIER CORPORATION, P.O. Box 748, Salt Lake City, UT 85110, of a portion of the operating rights of SIEFERT BROS. TRUCKING CO., P.O. Box 310, DuQuoin, IL 62832, and for acquisition by KENNETH R. NORTON, also of Salt Lake City, UT 85110, of control of such rights through the purchase. Applicants' attorney: Richard A. Peterson, P.O. Box 81849, Lincoln, NE 68501. Operating rights sought to be transferred: *Playground apparatus*, as a *contract carrier* over irregular routes, from the plant site of Turco Manufacturing Company at DuQuoin, Ill., to points in the United States, except Alaska and Hawaii; (1) *laundry clothes lines, umbrella type, laundry clothes line poles, laundry carts, and ironing caddies*, (2) *sleds, chalkboard desks, bulletin boards, chalkboards, tracing boards, flannel boards*, and (3) *parts, accessories, and attachments* of playground apparatus and of the items described in (1) and (2) above, from the plant site of Turco Manufacturing Company at DuQuoin, Ill., to points in the United States (except Alaska and Hawaii); *bar stools*, from the plant site of Turco Manufacturing Co. at DuQuoin, Ill., to points in the United States (except Alaska and Hawaii); *toys and*

*games*, from the plant site of Turco Manufacturing Company at DuQuoin, Ill., to points in the United States (except Alaska and Hawaii), with restrictions. Vendee is authorized to operate as a *contract carrier* in all of the States in the United States (except Alaska and Hawaii). Application has been filed for temporary authority under section 210a(b).

Notice is hereby given that by an application filed with the Interstate Commerce Commission on April 9, 1974, assigned Finance Docket No. 27624, under Section 5(2) of the Interstate Commerce Act, Louisville and Nashville Railroad Company seeks approval and authorization for the lease by it of that portion of the Penn Central Transportation Company's Evansville, Indianapolis and Terre Haute Railway Branch, extending from Valuation Station 8717+90 near Spring Hill, Indiana, to Valuation Station 9104+81 near Riley, Indiana, in the general vicinity of Terre Haute, Indiana, a distance of 7.33 miles. The Louisville and Nashville Railroad Company, of 908 West Broadway, Louisville, Kentucky 40201, is represented by Mr. Joseph L. Lenihan of the same address. In the opinion of the applicant, the requested Commission action will not affect the quality of the human environment. In accordance with the Commission's regulations (49 CFR 1100.250) in Ex Parte No. 55 (Sub-No. 4), *Implementation-National-Environmental Policy Act of 1969*, 340 I.C.C. 431 (1972), any protests may include a statement indicating the presence or absence of any effect of the requested Commission action on the quality of the human environment. If any such effect is alleged to be present, the statement shall include information relating to the relevant factors set forth in Ex Parte No. 55 (Sub-No. 4), supra, Part (b) (1)-(5), 340 I.C.C. 431, 461. The proceeding will be handled with the Commission no later than 30 days from the date of first publication in the FEDERAL REGISTER.

By the Commission.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc. 74-9382 Filed 4-23-74; 8:45 am]

[Notice 56]

#### MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

APRIL 19, 1974.

The following are notices of filing of application, except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application, for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67, (49 CFR 1131) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed



with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

No. MC 85231 (Sub-No. 13 TA), filed March 28, 1974. Applicant: FRANK WILLIAMS TRANSFER & STORAGE CO., P.O. Box 1442, Mansfield, Ohio 44901. Applicant's representative: Michael M. Briley, 300 Madison Avenue, Toledo, Ohio 43604. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Plumber's supplies and materials*, between points in Richland County, Ohio, on the one hand, and, on the other, points in Wisconsin, for 180 days. SUPPORTING SHIPPER: Borg Warner Corp., Plumbing Products Div., 201 E. Fifth Street, Mansfield, Ohio, Warehouse—Central Ohio Whse. Shelby, Ohio. SEND PROTESTS TO: Keith D. Warner, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 313 Federal Office Building, 234 Summit Street, Toledo, Ohio.

No. MC 107496 (Sub-No. 949 TA), filed April 9, 1974. Applicant: RUAN TRANSPORT CORPORATION, Third and Keosauqua Way, Des Moines, Iowa 50309. Applicant's representative: E. Check (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Lime*, in bulk, in tank vehicles, from Davenport, Iowa, to Romeoville and Thornton, Ill., for 150 days. SUPPORTING SHIPPER: Premix Base Co., 181st Street & Indiana Avenue, Thornton, Ill. 60476. SEND PROTESTS TO: Herbert W. Allen, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 111729 (Sub-No. 431 TA), filed April 10, 1974. Applicant: PUROLATOR COURIER CORP., 2 Nevada Drive, Lake Success, N.Y. 11040. Applicant's representative: John M. Delany (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Cut flowers, decorative greens, florist supplies*, moving at the same time and in the same vehicle with commodities, the transportation of which is subject to economic regulations, from Chicago, Ill., to points in Indiana, Iowa, Wisconsin, Allegan, Berrien, Cass, Kalamazoo, Otawawa, and Van Buren Counties, Mich., and St. Louis, Mo., for 90 days. SUP-

PORTING SHIPPER: Kennicott Bros. Company, 1317 W. Randolph, Chicago, Ill. SEND PROTESTS TO: Anthony D. Giaimo, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 113362 (Sub-No. 273 TA), filed April 9, 1974. Applicant: ELLSWORTH FREIGHT LINES, INC., 310 East Broadway, Eagle Grove, Iowa 50533. Applicant's representative: James Ellsworth, 4500 North Stateline Road, Texarkana, Ark. 75501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Amarillo, Tex., to points in North Dakota, South Dakota, Nebraska, Kansas, Minnesota, Iowa, Missouri, Wisconsin, Illinois, Maine, Vermont, New Hampshire, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Ohio, West Virginia, Virginia, and Maryland, restricted to shipments originating at the plantsite and facilities utilized by John Morrell & Co., for 180 days. SUPPORTING SHIPPER: John Morrell & Co., 208 South La Salle Street, Chicago, Ill. 60604. SEND PROTESTS TO: Herbert W. Allen, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 114284 (Sub-No. 61 TA), filed April 8, 1974. Applicant: FOX-SMYTHE TRANSPORTATION CO., INC., P.O. Box 82307, Stockyards Station, 1700 S. Portland Avenue, Oklahoma City, Okla. 73108. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kans. 66603. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Amarillo, Tex., to points in Arizona, Arkansas, California, Colorado, New Mexico, Nevada, Oklahoma, Utah, Oregon, Washington, Iowa, Illinois, Kansas, Missouri, Nebraska, South Dakota, and Minnesota, restricted to shipments originating at the plantsite and warehouse facilities utilized by John Morrell & Co., and destined to the above named states, for 180 days. SUPPORTING SHIPPER: John Morrell & Co., Robert L. Lee, Manager of Rates and Services, 208 South LaSalle Street, Chicago, Ill. 60604. 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 117375 (Sub-No. 9 TA), filed April 3, 1974. Applicant: BRANSON

TRUCK LINE, INC., 1309 Highway 56 East, Lyons, Kans. 67544. Applicant's representative: Eugene W. Hiatt, 308 Casson Bldg., Topeka, Kans. 66603. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Agricultural machinery and parts*. From East Moline, Ill. to Hutchinson, Kans., for 180 days. SUPPORTING SHIPPER(S): International Harvester Company, P.O. Box 1725, Hutchinson, Kans. SEND PROTESTS TO: M. E. Taylor, District Supervisor, Interstate Commerce Commission, 501 Petroleum Building, Wichita, Kans. 67202.

No. MC 117686 (Sub-No. 147 TA), filed April 9, 1974. Applicant: HIRSCHBACH MOTOR LINES, INC., 3324 U.S. Highway 75 North, P.O. Box 417, Sioux City, Iowa 51102. Applicant's representative: George L. Hirschbach, 309 Badgerow Bldg., Sioux City, Iowa 51101. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Amarillo, Tex., to points in Alabama, Arkansas, Florida, Georgia, Iowa, Kansas, Louisiana, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Oklahoma, and South Dakota, restricted to shipments originating at plantsite and facilities utilized by John Morrell & Co., for 180 days. SUPPORTING SHIPPER: John Morrell & Co., Robert L. Lee, Manager of Rates and Services, 208 S. LaSalle Street, Omaha, Nebr. 68102. SEND PROTESTS TO: Carroll Russell, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Union Pacific Plaza Building, 110 North 14th Street, Omaha, Nebr. 68102.

No. MC 123004 (Sub-No. 4 TA), filed April 8, 1974. Applicant: THE LUPER TRANSPORTATION COMPANY, 350 East 21st Street, Wichita, Kans. 67219. Applicant's representative: John E. Jandera, 641 Harrison, Topeka, Kans. 66603. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, and articles distributed by meat packinghouses* as described in Sections A and C of Appendix I to the Report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Amarillo, Tex., to points in Arizona, Arkansas, California, Kansas, Missouri, Nebraska, New Mexico, Oklahoma, and Memphis, Tenn., restricted to shipments originating at plantsite and facilities of John Morrell and Co., for 180 days. SUPPORTING SHIPPER: John Morrell & Co., 208 South La Salle St., Chicago, Ill. 60604. SEND PROTESTS TO: M. E. Taylor, District Supervisor, Interstate Commerce Commission, 501 Petroleum Building, Wichita, Kans. 67202.

No. MC 124078 (Sub-No. 587 TA), filed April 8, 1974. Applicant: SCHWERMANN



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: *Dry fertilizer and dry fertilizer material*, in bulk, in tank vehicles, from Cincinnati, Ohio, to points in Michigan, for 180 days. SUPPORTING SHIPPER: Farm Bureau Services, Inc., 7373 W. Saginaw, Lansing, Mich. 48917 (Douglas R. Edington, Manager, Traffic and Warehousing). 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 128030 (Sub-No. 63 TA), filed April 8, 1974. Applicant: THE STOUT TRUCKING CO. INC., P.O. Box 177 R.R. No. 1, Urbana, Ill. 61801. Applicant's representative: R. C. Stout (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic Containers*, From: Danville, Ill. To: points in Michigan and return of rejected or refused plastic containers, from Michigan to Danville, Ill., for 180 days. SUPPORTING SHIPPER(S): Mr. Arthur L. Jewell, Assistant Director of Traffic, Anchor Hocking Corporation, Broad & Main Sts., Lancaster, Ohio 43130. SEND PROTESTS TO: District Supervisor Robert G. Anderson, Bureau of Operations, Interstate Commerce Commission, Everett McKinley Dirksen Bldg., 219 S. Dearborn St., Room 1086, Chicago, Ill. 60604.

No. MC 128820 (Sub-No. 5 TA), filed April 1, 1974. Applicant: PACKAGE DELIVERY SERVICE, INC., 2117 Laburnum Lane, Toledo, Ohio 43624. Applicant's representative: Arthur R. Cline, 420 Security Building, Toledo, Ohio 43604. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Merchandise*, as is dealt in and sold by *retail or chain department stores* in retail delivery service, (1) Deliveries from Sears stores and/or warehouses in Adrian and/or Monroe, Mich., to Sears customers residing in Ohio, Counties of Lucas and Fulton; and (2) Pickups from Sears customers residing in Ohio, Counties of Lucas and Fulton, to be returned to Adrian and/or Monroe, Mich., Sears stores and/or warehouses, for 180 days. SUPPORTING SHIPPER(S): Sears, Roebuck and Co., Traffic Department, 5437 West 26th Street, Cicero, Ill. 60650. SEND PROTESTS TO: Keith D. Warner, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 313 Federal Office Building, 234 Summit Street, Toledo, Ohio 43604.

No. MC 134478 (Sub-No. 5 TA), filed April 11, 1974. Applicant: CONNOLLY CARTAGE CORP., P.O. Box 3660, 1088 North Snelling Avenue, St. Paul, Minn. 55101. Applicant's representative: James E. Ballenthin, 630 Osborn Building, St. Paul, Minn. 55102. Authority sought to operate as a *common carrier*, by motor

vehicle, over irregular routes, transporting: *Paper and paper products, corrugated pulp board, corrugated products, fiberboard and paperboard, and materials and supplies* used in connection therewith from the facilities of International Paper Company at Arden Hills, Minn., to Madison, Nebr., restricted to the transportation of shipments originating at the facilities of International Paper Company at Arden Hills, Minn., for 180 days. SUPPORTING SHIPPER: International Paper Company, 1300 Red Fox Road, Arden Hills, Minn. 55112. SEND PROTESTS TO: Raymond T. Jones, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building & U.S. Courthouse, 220 South 4th Street, Minneapolis, Minn. 55401.

No. MC 136711 (Sub-No. 10 TA), filed April 8, 1974. Applicant: DAVID G. McCORKLE, doing business as McCORKLE TRUCK LINE, 2840 S. High, P.O. Box 95181, Oklahoma City, Okla. 73109. Applicant's representative: G. Timothy Armstrong, 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: *Crushed limestone*, in open dump trailers, from the plantsite of the Sooner Rock and Sand Co. at Davis, Okla., to the plantsite of Farmland Industries, Inc., at Sulphur Springs, Tex., and to the plantsite of Swift Chemical Co., Tyler, Tex., for 180 days. SUPPORTING SHIPPER: N. C. Corff, President, Sooner Rock and Sand Co., Davis, Okla. 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 138065 (Sub-No. 1 TA), filed April 8, 1974. Applicant: LOUIS BOLOGNA, doing business as LOU BOLE CARPET CARRIERS, 230 Green St., Brooklyn, N.Y. 11222. Applicant's representative: Michael R. Werner, 2 West 45 St., New York, N.Y. 10036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Floor covering and materials, supplies, and equipment* used in the installation thereof, from New York, N.Y., to points in Rockland County, N.Y.; Fairfield County, Conn., and those in that part of New Jersey on and north of a line beginning at the New Jersey-Pennsylvania State Line and extending along U.S. Highway 195 to junction New Jersey Highway 526, thence along New Jersey Highway 526 to junction New Jersey Highway 549 and thence along New Jersey Highway 549 to the Atlantic Ocean, returned, refused or rejected merchandise of the same description in the reverse direction, for 180 days. Restriction: The operations herein authorized are restricted to transportation for interior decorator supply houses. SUPPORTED BY: There are approximately 11 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission here in

Washington, D.C., or copies thereof which may be examined at the field office named below. SEND PROTESTS TO: Marvin Kampel, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 138076 (Sub-No. 3 TA), filed April 9, 1974. Applicant: HEAVY HAULING, INC., 1100 West Grand, Salina, Kans. 67401. Applicant's representative: Clyde N. Christey, 641 Harrison Street, Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Grain handling equipment and fertilizer handling equipment*, between points in Saline County, Kans., on the one hand, and points in Nebraska, Colorado, Oklahoma, Texas, and Missouri, on the other; and (2) *grain handling equipment*, from the storage facilities of Hi-Plains Elevator Machinery, Inc., located approximately two miles south of Minneapolis, Kans., to points in Nebraska, Colorado, Oklahoma, Texas, and Missouri, for 180 days.

NOTE.—Applicant does not intend to tack the authority here applied for to another held by it, or to interline with other carriers.

SUPPORTING SHIPPERS: Evco Distributing Inc., 829 United Building, Salina, Kans. 67401; Grain Belt Supply Co., Inc., U.S. Highway 81 and U.S. Highway I-70, Salina, Kans. 67401; Hi-Plains Elevator Machinery, Inc., 666 North Ohio, Salina, Kans. 67401. SEND PROTESTS TO: Thomas P. O'Hara, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 234 Federal Building, Topeka, Kans. 66603.

No. MC 138313 (Sub-No. 12 TA), filed April 10, 1974. Applicant: MACK E. BURGESS, doing business as BUILDERS TRANSPORT, 409 14th Street SW., Great Falls, Mont. 59404. Applicant's representative: Miss Irene Warr, 430 Judge Building, Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Particle board*, from Baum, Oreg., to the International Boundary line between the United States and Canada in Montana and North Dakota, for 180 days. SUPPORTING SHIPPER: McLean Lumber Sales, Ltd., 5011 McLeod Trail, Calgary, Alberta, Canada. SEND PROTESTS TO: Paul J. Labane, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 222, U.S. Post Office Building, Billings, Mont. 59101.

No. MC 139655 (Sub-No. 1 TA), filed April 9, 1974. Applicant: OWENS AUTO PARTS, INC., 602 18th Street, Corbin, Ky. 40701. Applicant's representative: Herbert D. Liebman, 403 West Main Street, Frankfort, Ky. 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Freight*, all kinds, having prior or subsequent transportation by railroad, moving in trailers furnished by



shipper, consignee, or rail carrier, between the L&N Railroad ramps at Savoy and Corbin, both in Whitley County, Ky., on the one hand, and, on the other, points in Harlan, Bell, Knox, Clay, Whitley, McCreary, Pulaski, Laurel, and Rockcastle Counties, Ky., for 180 days. SUPPORTING SHIPPERS: Richard L. Romine, Traffic Coordinator, Holophane Company, Inc., Oakwood Avenue, Newark, Ohio 43055; James H. Edler, Corporate Director of Traffic, American Greeting Corporation, 10500 American Road, Cleveland, Ohio 44144; R. L. Thompson, Manager of Transportation Costs, Certain-Teed Products Corp., CSG Group, P.O. Box 860, Valley Forge, Pa. 19482; Dallas W. Jones, Assistant Manager, Hall-Watson Furniture Company, 117 Center Street, Corbin, Ky. 40701; and R. L. Smith, Traffic Manager, Exxon Chemical Co., U.S.A., 351 North Oakwood, Lake Zurich, Ill. 60047. SEND PROTESTS TO: R. W. Schneider, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 222 Bakhaus Building, 1500 W. Main Street, Lexington, Ky. 40505.

No. MC 139667 (Sub-No. 1 TA), filed April 8, 1974. Applicant: CHARLES SCHMIDT, JR., Box 151, Xenia, Ill. 62899. Applicant's representative: Robert T. Lawley, 300 Reisch Building, 4 West Old State Capitol Plaza, Springfield, Ill. 62701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood chips*, from Clay City and Noble, Ill., to Terre Haute, Ind., for 180 days. SUPPORTING SHIPPERS: Paul E. Hites, Owner, Paul E. Hites & Sons Hardwood Lumber, R.R. 3, Olney, Ill. 62450; and Francis Morris, Owner, Morris Lumber Co., R.R. 2, Clay City, Ill. 62824. SEND PROTESTS TO: Harold C. Jolliff, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Leland Office Building, Room 414, 527 East Capitol Avenue, Springfield, Ill. 62701.

No. MC 139669 (Sub-No. 1 TA), filed April 8, 1974. Applicant: RAYFORD N. BOHANNON AND ROBERT E. RAGON, doing business as R&R TRUCKING CO., Box 492, Greenup, Ill. 62428. Applicant's representative: Robert T. Lawley, 300 Reisch Building, 4 West Old State Capitol Plaza, Springfield, Ill. 62701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer*, in bulk, and bagged, from points in Louisiana, Missouri, and Pascagoula, Miss., to Blytheville, Ark., for 180 days. SUPPORTING SHIPPER: Rubert M. Crafton, Rubert Crafton Commission Co., P.O. Box 365 West Highway 18, Blytheville, Ark. 72315. SEND PROTESTS TO: Harold C. Jolliff, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Leland Office Building, Room 414, 527 East Capitol Ave., Springfield, Ill. 62701.

No. MC 139673 (Sub-No. 1 TA), filed April 9, 1974. Applicant: JAMES H. STEGER, doing business as STEGER BUS LINES, 4150 Aldebaran Way,

Mobile, Ala. 36609. Applicant's representative: Robert E. Tate, P.O. Box 517, Evergreen, Ala. 36401. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Shipyard workers*, between Mobile, Ala., and Pascagoula, Miss., from Mobile, Ala., commencing at or near U.S. Highway 90 and I-10, then proceeding westerly on I-10 to the Mississippi-Alabama State Line, thence on U.S. Highway 90 to Ingall's Shipyard at Pascagoula, Miss., and return over the same route, for 180 days. SUPPORTED BY: There are 7 employees of Ingall's Shipyard, Pascagoula, Miss., supporting the application, or copies thereof which may be examined here at the Interstate Commerce Commission in Washington, D.C. SEND PROTESTS TO: Clifford W. White, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 1616—2121 Building, Birmingham, Ala. 35203.

No. MC 139674 TA, filed April 8, 1974. Applicant: DIXON CONTRACTING COMPANY, INC., P.O. Box 17428, Dallas, Tex. 75217. Applicant's representative: Dan Felts, P.O. Box 2207, Austin, Tex. 78767. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Rip-rap and bedding materials* (crushed stone), from the plantsite of Texas Industries, Inc., located at or near Bridgeport, Tex., to the Waurika Dam Site Project located approximately four miles northwest of Waurika, Okla., for 180 days. SUPPORTING SHIPPER: Texas Industries, Inc., P.O. Box 400, Arlington, Tex. SEND PROTESTS TO: Transportation Specialist Gerald T. Holland, Interstate Commerce Commission, Bureau of Operations, 1100 Commerce Street, Room 13C12, Dallas, Tex. 75202.

No. MC 139678 TA, filed April 8, 1974. Applicant: RONALD THILL, doing business as COURTLAND HAULING AND INSTALLING, Courtland, Minn. 56021. Applicant's representative: James H. Malecki, One South State Street, New Ulm, Minn. 56073. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Pre-cast concrete slabs, floor panels with and without electrical conduit, carry beams, and free stalls* to be transported exclusively in vehicles equipped with electric-hydraulic loading and unloading booms from Courtland, Minn., to points in Wisconsin, Iowa, and South Dakota, for 180 days. SUPPORTING SHIPPER: Courtland Concrete Products, Courtland, Minn. 56201. SEND PROTESTS TO: A. N. Spath, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building & U.S. Court House, 220 S. 4th Street, Minneapolis, Minn. 55401.

No. MC 139679 TA, filed April 9, 1974. Applicant: MYRON L. ROSS, doing business as A-1 MOVING & STORAGE CO., 1219 Eraste Landry Road, Lafayette, La. 70501. Applicant's representative: Myron L. Ross (same address as above). Authority sought to operate as

a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods* in containers, having a prior or subsequent movement beyond the points applied for, restricted to performance of pickup and delivery service, in connection with packing, crating, and containerization, or unpacking, uncrating, and decontainerization of such traffic, between points in Louisiana, for 180 days. SUPPORTING SHIPPER: U.S. Naval Support Activity, Supply & Fiscal Officer, New Orleans, La. 70146. G. T. Hall, LCDR, SC, USN. SEND PROTESTS TO: Ray C. Armstrong, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations, T-9038 U.S. Postal Service Bldg., 701 Loyola Ave., New Orleans, La. 70113.

#### PASSENGER APPLICATIONS

No. MC 124138 (Sub-No. 1 TA), filed April 8, 1974. Applicant: OLD LYME-SAYBROOK TAXI SERVICE, INC., Huntley Road, Old Lyme, Conn. 06371. Applicant's representative: F. Kent Sistiare, Jr., 302 State Street, New London, Conn. 06320. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in special and/or charter operations, restricted to the transportation of not more than nine passengers in any one vehicle at one time, but not including the driver thereof, and not including children less than 12 years of age who do not occupy a seat or seats, between Stonington, North Stonington, Voluntown, Groton, Ledyard, Preston, Griswold, Lisbon, New London, Waterford, Montville, Norwich, Sprague, Bozrah, Franklin, East Lyme, Salem, Lebanon, Old Lyme, Lyme, East Haddam, Old Saybrook, Westbrook, Essex, Deep River, Chester, Haddam, Clinton, and Killingworth, Conn., on the one hand, and, on the other, New York, N.Y., commercial zone as defined by the Commission and Newark Airport, N.J., for 180 days. SUPPORTED BY: There are approximately 17 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: David J. Kiernan, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 324 U.S. Post Office Building, 135 High Street, Hartford, Conn. 06101.

No. MC 139677 (Sub-No. 1 TA), filed April 10, 1974. Applicant: AUTO-BUS CORPORATION, 850 Fernham Lane, Forestville, Md. 20028. Applicant's representative: William M. Thomson, 521 Powell Drive, Annapolis, Md. 21401. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their personal baggage and their accompanying automobiles*, between Providence, R.I., New York City, Washington, D.C., Orlando, Miami, and Ft. Myers, Fla., from applicant's terminal located at



Providence, R.I., southwest over Interstate Highway 95 past applicant's terminal in the commercial zone of New York, N.Y., to said highway's juncture with the New Jersey Turnpike (Interstate Highway 95) near Hackensack, N.J., thence southwest over said New Jersey Turnpike to juncture with the J. F. Kennedy Memorial Highway (Interstate Highway 95) near Wilmington, Del., thence southwest over said J. F. Kennedy Memorial Highway to juncture with Interstate Highway 695 near Baltimore, Md., thence counter clockwise around said Interstate Highway 695 to its re-juncture with Interstate Highway 95, thence southwest over Interstate Highway 95 to its juncture with Interstate Highway 495 near Washington, D.C., thence clockwise around said Interstate Highway 495 past applicant's Washington, D.C. terminal to its re-juncture with Interstate Highway 95, thence south over Interstate Highway 95 to its juncture with U.S. Highway 301 nine miles south of Petersburg, Va., at the time of application there remains various segments of Interstate Highway 95 not yet opened to traffic between vicinity of Petersburg, Va., and vicinity of Kingsland, Ga., when Interstate Highway 95 between those two points is completed, that shall be the route.

In the meantime, the route between those points shall use highways most closely paralleling the route of Interstate Highway 95 and including specifically portions of U.S. Highway 301, U.S. Highway 15, U.S. Highway 17, U.S. Highway 17A, Interstate Highway 16, U.S. Highway 341, and Georgia Highway 303, plus small sections of miscellaneous roads connecting Interstate Highway 95 with the above listed highways. From Kingsland, Ga., south over Interstate Highway 95 to juncture with Interstate Highway 4 near Daytona Beach, Fla., thence south over said Interstate Highway 4 to applicant's terminal located at Orlando, Fla., and return over the same route. From applicant's Orlando, Fla., terminal the route is divided into two routes, one running southeast to applicant's Miami, Fla., terminal and the other running south to applicant's Fort Myers Beach, Fla., area terminal. The first of these two routes from the Orlando terminal will go southwest over Interstate Highway 4 to its juncture with the Florida Turnpike (toll road), thence southeast over said Florida Turnpike to its juncture with Interstate Highway 95 in Dade County, Fla., thence south over said Interstate Highway 95 to applicant's terminal located at Miami, Fla., and return over the same route. The second of these routes from the Orlando, Fla., terminal will go southwest over Interstate Highway 4 to its juncture with Florida Highway A557, thence south over said Florida Highway A557 to its juncture with U.S. Highway 17 at Cypress Gardens, Fla., thence south over said U.S. Highway 17 to its juncture with U.S. Highway 41 at Punta Gorda, Fla., thence south over U.S. Highway 41 to its juncture with Florida Highway 867 at Ft.

Myers, Fla., thence south over said Florida Highway 867 to its juncture with Florida Highway 865, thence south over said Florida Highway 865 to Ft. Myers Beach, Fla., and return over the same route, for 180 days.

**SUPPORTED BY:** 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:** W. C. Hersman, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 12th Street & Constitution Avenue NW., Washington, D.C. 20423. **RESTRICTION:** Transportation will not be provided unless transportation is purchased for both passenger and their accompanying automobiles for the same destination and departure time and dates.

By the Commission.

[SEAL]

ROBERT L. OSWALD,  
Secretary.

[FR Doc. 74-9378 Filed 4-23-74; 8:45 am]

#### MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

[Notice 55]

APRIL 18, 1974.

The following are notices of filing of application, except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application, for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67, (49 CFR 1131) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

No. MC 381 (Sub-No. 4 TA), filed April 8, 1974. Applicant: GENOVA EXPRESS LINES, INC., 484 Clayton Road, Williamstown, N.J. 08094. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City N.J. 07306. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Glassware, plastic*

*articles and materials, equipment, and supplies used or useful in the manufacture and sale of glassware and plastic articles, between Williamstown and Millville, N.J., on the one hand, and, on the other, points in Nassau, Suffolk, Westchester, Rockland Counties, N.Y., and New York, N.Y., for 180 days. SUPPORTING SHIPPER: Decora, Inc., Williamstown, N.J. SEND PROTESTS TO: Richard M. Regan, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 428 East State Street, Room 204, Trenton, N.J. 08608.*

No. MC 28088 (Sub-No. 9 TA), filed April 9, 1974. Applicant: NORTH & SOUTH LINES, INCORPORATED, Mail: P.O. Box 49, Off: 1610 South Main Street, Harrisonburg, Va. 22801. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen foods, from Crozet, Va., to points in Pennsylvania, Delaware, New Jersey, New York, Connecticut, Massachusetts, Rhode Island, Vermont, New Hampshire, Maine, West Virginia, Tennessee, South Carolina, and Kentucky, for 180 days. SUPPORTING SHIPPER: ITT Continental Baking Co., Inc., Morton Frozen Foods Division, P.O. Box 731, Rye, N.Y. 10580. SEND PROTESTS TO: Danny R. Beeler, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 215 Campbell Avenue NW, Roanoke, Va. 24011.*

No. MC 28956 (Sub-No. 17 TA), filed April 5, 1974. Applicant: RYALS TRUCK LINE, INC., 908 N. Pacific Highway, Albany, Ore. 97321. Applicant's representative: Larry Smart, 419 NW. 23d Avenue, Portland, Ore. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Paper and paper articles, between Albany, Ore., on the one hand, and points in Thurston, Pierce, and King Counties, Wash., on the other, for 180 days. SUPPORTING SHIPPER: Western Kraft Corporation, P.O. Box 339, Albany, Ore. 97321. SEND PROTESTS TO: District Supervisor A. E. Odoms, Bureau of Operations, Interstate Commerce Commission, 114 Pioneer Courthouse, Portland, Ore. 97204.*

No. MC 36556 (Sub-No. 28 TA), filed April 5, 1974. Applicant: BLACKMON TRUCKING, INC., P.O. Box 186, 1111 120th Ave., Somers, Wis. 53171. Applicant's representative: Fred H. Figge (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Canning factory materials, supplies, and equipment (except in bulk, in tank vehicles), between Chilton, Jefferson, Menomonee Falls, Oconomowoc, and Waupun, Wis., on the one hand, and, on the other, Amboy, Bradley, Champaign, Hoopeston, Jacksonville, and Princeville, Ill., for 180 days. SUPPORTING SHIPPER: Carnation Company 132 South Concord Road, Oconomowoc, Wis. 53066. SEND PROTESTS TO: John E. Ryden, District Supervisor, Interstate*



Commerce Commission, Bureau of Operations, 135 West Wells Street Room 807, Milwaukee, Wis. 53203.

No. MC 53965 (Sub-No. 92 TA), filed April 9, 1974. Applicant: GRAVES TRUCK LINE, INC., 2130 South Ohio, P.O. Box 838, Salina, Kans. 67401. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fibrous glass products and materials, insulating products and materials, and material, supplies and equipment* used in the production and distribution thereof, except in bulk, from the plant site and storage facilities of Johns-Manville Products Corp., at or near McPherson, Kans., to points in Arkansas, Colorado, Kansas, Minnesota, Missouri, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Wisconsin, and Wyoming, for 180 days.

NOTE.—Applicant does not intend to tack the authority here applied for to another authority held by it, or to interline with other carriers.

SUPPORTING SHIPPER: Johns-Manville Corporation, Greenwood Plaza, Denver, Colo. 80217. SEND PROTESTS TO: Thomas P. O'Hara, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 234 Federal Building, Topeka, Kans. 66603.

No. MC 76065 (Sub-No. 22 TA), filed April 9, 1974. Applicant: EHRICH-NEWMARK TRUCKING CO., INC., 505-509 West 37th Street, New York, N.Y. 10018. Applicant's representative: Werner & Weiss, 2 West 45th Street, New York, N.Y. 10036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wearing apparel and materials, supplies and equipment* used in the manufacture of wearing apparel, and department store merchandise, when moving in the same vehicle with wearing apparel, on hangers, except commodities in bulk, between Philadelphia, Pa., and Washington, D.C., and points in Pennsylvania and Maryland on the east of U.S. Highway 11, on the one hand, and, on the other, points in Virginia, except Crewe, for 180 days. SUPPORTED BY: There are approximately 10 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. SEND PROTESTS TO: Paul W. Assenza, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 95084 (Sub-No. 101 TA), filed April 8, 1974. Applicant: HOVE TRUCK LINE, Stanhope, Iowa 50246. Applicant's representative: Kenneth F. Dudley, P.O. Box 279, Ottumwa, Iowa 52501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural machinery, implements and equipment, industrial*

*and construction machinery and equipment, and parts, attachments, and accessories for the above*, from Beatrice, Nebr., to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio, Pennsylvania, Tennessee, and Wisconsin, for 180 days. SUPPORTING SHIPPER: Dempster Industries, Inc., 711 South Sixth Street, Beatrice, Nebr. 68310. SEND PROTESTS TO: Herbert W. Allen, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 102295 (Sub-No. 24 TA), filed April 4, 1974. Applicant: GUY HEAVENER, INC., 480 School Lane, Harleysville, Pa. 19438. Applicant's representative: Duane Heavener (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer*, in bulk, in dump vehicles, from Baltimore, Md., and Philadelphia, Pa., to East Windsor Hill, Conn., and South Deerfield, Mass., for 180 days. SUPPORTING SHIPPER: A. G. Palone, Supervisor-Transportation Pricing, Kerr-McGee Chemical Corp., P.O. Box 25861, Oklahoma City, Okla. 73125. SEND PROTESTS TO: Ross A. Davis, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Federal Bldg., 600 Arch Street, Room 3238, Philadelphia, Pa. 19106.

No. MC 107002 (Sub-No. 449 TA), filed April 2, 1974. Applicant: MILLER TRANSPORTERS, INC., P.O. Box 1123, U.S. Highway 80 West, Jackson, Miss. 39205. Applicant's representative: John J. Borth (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry resins*, in bulk, in tank vehicles, from Aberdeen, Miss., to Pownal, Vermont; Mansfield, Mass.; Cass Clay, Mich., and Edison, N.J., for 90 days. SUPPORTING SHIPPER: General Cable Corporation, 26 Washington Street, Perth Amboy, N.J. SEND PROTESTS TO: Alan C. Tarrant, District Supervisor, Interstate Commerce Commission, Room 212, 145 East Amite Building, Jackson, Miss. 39201.

No. MC 107403 (Sub-No. 895 TA), filed April 3, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry plastic resin*, from Holland, N.Y., to Erie and Girard, Pa., and Glen Dale, W. Va., for 180 days. SUPPORTING SHIPPER: Thomas N. Gotro, Purchasing Agent, Fisher-Price Toys, Div. of Quaker Oats, Holland, N.Y. 14080. SEND PROTESTS TO: Ross A. Davis, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Federal Bldg., 600 Arch Street, Room 3238, Philadelphia, Pa. 19106.

No. MC 107544 (Sub-No. 114 TA), filed April 4, 1974. Applicant: LEMMON

TRANSPORT COMPANY, INCORPORATED, P.O. Box 580, Marion, Va. 24354. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products* (except petrochemicals), from Knoxville, Tenn., to points in North Carolina on and east of a line extending from the Virginia-North Carolina State line along U.S. Highway 220 through Madison, N.C., to Greensboro, N.C., thence along U.S. Highway 29 through High Point, N.C., to Charlotte, N.C., and thence along U.S. Highway 21 through Pineville, N.C., to the North Carolina-South Carolina State Line, points in South Carolina and points in Virginia north and east of a line beginning at the West Virginia-Virginia State line near Glen Lyn and extending along U.S. Highway 460 through Pearisburg, Va., to junction Virginia Highway 100, thence along Virginia Highway 100 through Poplar Hill, Va., to Dublin, Va., thence along U.S. Highway 11 through Christiansburg and Salem, Va., to Roanoke, Va., and thence along U.S. Highway 220 through Rocky Mount, Martinsville, and Ridgeway, Va., to the Virginia-North Carolina State Line, and points in Georgia, Florida, Kentucky, South Carolina, and West Virginia, for 180 days. SUPPORTING SHIPPER: The Pioneer Companies, Alert Gap, 3420 East Victory, Fort Worth, Tex. 76105. SEND PROTESTS TO: Danny R. Beeler, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 215 Campbell Avenue SW, Roanoke, Va. 24011.

No. MC 112588 (Sub-No. 19 TA), filed April 3, 1974. Applicant: RUSSELL TRUCKING LINE, INC., 2011 Cleveland Road, Sandusky, Ohio 44870. Applicant's representative: Michael M. Briley, 300 Madison Ave., Toledo, Ohio 43604. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fabricated Metal Products, and Iron and Steel Coils and Sheets*, from the United States Gypsum plant site and warehouses at Warren, Ohio, to points in Illinois, Indiana, Kentucky, Michigan, Pennsylvania, West Virginia, and also to points in the St. Louis Commercial Zone. SUPPORTING SHIPPER: United States Gypsum Co., Phoenix Road, Warren, Ohio 44481. SEND PROTESTS TO: Keith D. Warner, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 313 Federal Office Building, 234 Summit Street, Toledo, Ohio 43604.

No. MC 112822 (Sub-No. 324 TA), filed April 4, 1974. Applicant: BRAY LINES INCORPORATED, 1401 N. Little St., P.O. Box 1191, Cushing, Okla. 74023. Applicant's representative: Robert A. Stone (Same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Machine parts, packaging supplies, ingredients* utilized in the manufacturing and processing of cheese (except dairy products), and *pallets*, Between Green Bay, Wis., Carthage, Mo., and Logan, Utah, restricted to the



plantsites and storage facilities of Schreiber Cheese at Green Bay, Wis.; Carthage, Mo.; and Logan, Utah, for 180 days. **SUPPORTING SHIPPER:** Robert Buchberger, T.M.; L. D. Schreiber Cheese Co., Inc., Box 610, 1607 Main St., Green Bay, Wis. 54305. **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 113106 (Sub-No. 42 TA), filed April 9, 1974. Applicant: **THE BLUE DIAMOND COMPANY**, 4401 E. Fairmount Ave., Baltimore, Md. 21224. 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: *Glass containers*, from Brockway, Pa., and its Commercial Zone to Elizabeth, Newark, and Linden, N.J., for 180 days. **SUPPORTING SHIPPER:** Mr. J. W. Pennington, Corporate Transp. Mgr., Brockway Glass Company, Inc., McCullough Ave., Brockway, Pa. 15824. **SEND PROTESTS TO:** William L. Hughes, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 814-B Federal Building, Baltimore, Md. 21201.

No. MC 113908 (Sub-No. 315 TA), filed April 8, 1974. Applicant: **ERICKSON TRANSPORT CORPORATION**, 2105 East Dale Street, Glenstone Sta., P.O. Box 3180, Springfield, Mo. 65804. Applicant's representative: B. B. Whitehead (Same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wine and wine products*, in bulk, from Patterson, N.J., to Delano, Calif., for 180 days. **SUPPORTING SHIPPER:** California Wine Association, P.O. Box 818, Delano, Calif. 93215. **SEND PROTESTS TO:** John V. Barry, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 600 Federal Office Building, 911 Walnut Street, Kansas City, Mo. 64106.

No. MC 114284 (Sub-No. 60 TA), filed April 8, 1974. Applicant: **FOX-SMYTHE TRANSPORTATION CO.**, P.O. Box 82307, Stockyards Station, 1700 S. Portland Ave., Oklahoma City, Okla. 73108. Applicant's representative: John E. Jandera, 641 Harrison, Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides, and commodities in bulk, in tank vehicles), from the plantsite of and storage facilities utilized by American Beef Packers, Inc., at or near Cactus, Tex. (Moore County), to points in Texas, Arkansas, Oklahoma, Louisiana, New Mexico, Colorado, Nebraska, Kansas, Missouri, Iowa, Minnesota, Wisconsin, and Illinois, restricted to traffic originating at, and destined to, the

named points, for 180 days. **SUPPORTING SHIPPER:** American Beef Packers, Inc., Ralph L. McGee, Gen. Traffic Mgr., 7000 W. Center Road, Omaha, Nebr. **SEND PROTESTS TO:** C. L. Phillips, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 240, Old P.O. Bldg., 215 NW. Third, Oklahoma City, Okla. 73102.

No. MC 116763 (Sub-No. 273 TA), filed April 3, 1974. Applicant: **CARL SUBLER TRUCKING, INC.**, North West Street, Versailles, Ohio 45380. Applicant's representative: H. M. Richters (Same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, except in bulk, in tank vehicles, from Dunkirk, N.Y., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, Rhode Island, Vermont, Virginia, District of Columbia, points in Pennsylvania on and east of U.S. Highway 220, and Bronx, Kings, Nassau, New York, Queens, Richmond, Suffolk, and Westchester Counties, N.Y., for 180 days. **SUPPORTING SHIPPER:** Kraft Foods Division, Kraftco Corporation, 200 Sheffield Street, Mountainside, N.J. 07092. **SEND PROTESTS TO:** Paul J. Lowry, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 5514-B Federal Bldg., 500 Main Street, Cincinnati, Ohio 45202.

No. MC 117068 (Sub-No. 28 TA), filed April 1, 1974. Applicant: **MIDWEST HARVESTORE TRANSPORT, INC.**, 2118 17th Avenue NW., Rochester, Minn. 55901. Applicant's representative: Paul F. Sullivan, 711 Washington Building, 15th & New York Avenue, N.W., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (a) *Irrigation systems and parts thereof* from Greeley, Colo., to points in Idaho, Montana, Nebraska, and Illinois; and (b) *steel wheels* from Quincy, Ill., to Greeley, Colo., for 180 days. **SUPPORTING SHIPPER:** Irrigation & Power Equipment, Inc., P.O. Box 1425, Greeley, Colo. 80631. **SEND PROTESTS TO:** A. N. Spath, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building & U.S. Court House, 110 South 4th Street, Minneapolis, Minn. 55401.

No. MC 119789 (Sub-No. 199 TA), filed April 5, 1974. Applicant: **CARAVAN REFRIGERATED CARGO, INC.**, P.O. Box 6188, 1612 E. Irving Blvd., Dallas, Tex. 75222. Applicant's representative: James K. Newbold, Jr. (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products, and articles distributed by meat packinghouses* as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles) from the plantsite of and storage facilities utilized by American Beef Packers, Inc., at or near

Cactus, Tex. (Moore County), to points in Illinois, Indiana, Michigan, Kentucky, Ohio, West Virginia, Virginia, Maryland, Delaware, New Jersey, New York, Pennsylvania, Connecticut, Rhode Island, Vermont, New Hampshire, Massachusetts, Maine, and the District of Columbia, restricted to traffic originating at and destined to, the named points, for 180 days. **SUPPORTING SHIPPER:** American Beef Packers, Inc., 7000 W. Center Road, Omaha, Nebr. **SEND PROTESTS TO:** Transportation Specialist Gerald T. Holland, Bureau of Operations, Interstate Commerce Commission, 1100 Commerce Street, Room 13C12, Dallas, Tex. 75202.

No. MC 123048 (Sub-No. 303 TA), filed April 5, 1974. Applicant: **DIAMOND TRANSPORTATION SYSTEM, INC.**, 5021 21st Street, P.O. Box A, Racine, Wis. 53406. Applicant's representative: Carl S. Pope (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from the plantsite of Bethlehem Steel Corporation at Lackawanna, N.Y., to points in Illinois, Indiana, Michigan (Lower Peninsula), and Ohio, for 180 days. **SUPPORTING SHIPPER:** Bethlehem Steel Corporation, Bethlehem, Pa. 18016 (W. A. Rouse, Manager, Rail and Truck Transportation). **SEND PROTESTS TO:** District Supervisor John E. Ryden, Bureau of Operations, Interstate Commerce Commission, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

No. MC 123565 (Sub-No. 3 TA), filed April 3, 1974. Applicant: **HAYNES, INC.**, 4151 Federal Way, P.O. Box 101, Boise, Idaho 83701. Applicant's representative: Larry D. Ripley, Suite 1010, Bank of Idaho Building, Boise, Idaho 83701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, between Ontario, Oreg., on the one hand and Caldwell, Idaho, on the other, for 180 days.

**NOTE.**—Applicant does not intend to tack authority or interline with any other carriers.

**SUPPORTING SHIPPER:** J. R. Simplot Co., 805 Idaho Street, Boise, Idaho 83701. **SEND PROTESTS TO:** C. W. Campbell, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 550 West Fort, Box 7, Boise, Idaho 83724.

No. MC 123872 (Sub-No. 27 TA), filed April 10, 1974. Applicant: **W & L MOTOR LINES, INC.**, P.O. Drawer Box 2607, State Road, 1148, Hickory, N. C. 28601. Applicant's representative: Theodore Polydoroff, Suite 600, 1250 Connecticut Ave., NW., Washington, D. C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products, and articles distributed by meat packing houses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides, commodities in bulk,



in tank vehicles), from the plant site and warehousing facilities of Swift Fresh Meats Co., at or near Sioux City, Iowa, to points in Georgia, North Carolina, South Carolina, and Tennessee, for 180 days. SUPPORTING SHIPPER: Swift Fresh Meats Co., A Division of Swift & Co., 115 West Jackson Blvd., Chicago, Ill. 60604. SEND PROTESTS TO: District Supervisor Price, Bureau of Operations, Interstate Commerce Commission, 800 Briar Creek Road, CC516, Charlotte, N.C. 28205.

No. MC 125616 (Sub-No. 8 TA), filed April 9, 1974. Applicant: W. PAUL HENRY, 300 Robinwood Dr., Hagerstown, Md. 21740. Applicant's representative: Russell S. Bernhard, 1625 K Street, NW., Washington, D.C. 20006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Taneytown, Md., on the one hand, and, on the other, Dulles International Airport, Loudon County, Va., restricted to traffic having a prior or subsequent movement by air, for 180 days. SUPPORTING SHIPPERS: James A. Wells, Executive Vice President, Dulles International Airport, Dulles International Airfreight Corp., Cargo Building No. 2, P.O. Box 17221, Chantilly, Va. 20041; Joseph Cagney, President, Dulles International Customs House, Brokerage Corp., Dulles International Airport, Cargo Building No. 2, P.O. Box 17221, Chantilly, Va. 20041. SEND PROTESTS TO: W. C. Hersman, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 12th Street & Constitution Avenue NW., Washington, D.C. 20423.

No. MC 125650 (Sub-No. 11 TA), filed April 8, 1974. Applicant: MOUNTAIN PACIFIC TRUCKING CORPORATION, Route 2, Missoula, Mont. 59801. Applicant's representative: Frank W. Taylor, Jr., 1221 Baltimore Ave., Kansas City, Mo. 64105. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (a) *Frozen pies and cakes*, (1) from McMinnville and Portland, Ore., to points in Montana (except Great Falls), Idaho, and Spokane, Wash.; (2) from McMinnville and Portland, Ore., to points in Wyoming, and Wasatch, Morgan, Davis Salt Lake, Weber, Cache, Box Elder, Rich, and Tooele Counties, Utah; and (3) from McMinnville and Portland, Ore., to points in Pierce, Snohomish, King, Thurston, Benton, Wall, and Yakima Counties, Wash.; and (2) *frozen fruits, frozen vegetables, frozen juices, frozen meats, and frozen prepared foods*, from the Portland, Ore., commercial zone to points in Idaho, Spokane, Wash., and points in Davis, Salt Lake, and Weber Counties, Utah, for 90 days. SUPPORTING SHIPPERS: Mrs. Smith's West, McMinnville, Ore.; Terminal Ice & Cold Storage Co., 9501 SE. McLough-

lin Blvd., Milwaukie, Ore. SEND PROTESTS TO: Paul J. Labane, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Rm. 222, U.S. Post Office Building, Billings, Mont. 59101.

No. MC 126489 (Sub-No. 24 TA), filed April 4, 1974. Applicant: GASTON FEED TRANSPORTS, INC., 1203 W. 4th St., P.O. Box 1066, Hutchinson, Kans. 67501. Applicant's representative: Clyde N. Christey, 641 Harrison Street, Topeka, Kans. 66603. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Dry feed ingredients*, from the plantsite and/or storage facilities of Far-Mar-Co., Inc., located at or near Hutchinson, Kans., to points in Wyoming, Montana, North Dakota, South Dakota, Minnesota, Iowa, Wisconsin, Illinois, Colorado, Missouri, Nebraska, Oklahoma, Texas, Arkansas, and New Mexico, for 180 days. SUPPORTING SHIPPER: Far-Mar-Co., Inc., P.O. Box 1667, Hutchinson, Kans. 67501. SEND PROTESTS TO: M. E. Taylor, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 501 Petroleum Building, Wichita, Kans. 67202.

No. MC 126899 (Sub-No. 74 TA), filed April 3, 1974. Applicant: USHER TRANSPORT, INC., 3925 Old Benton Road, Paducah, Ky. 42001. Applicant's Representative: George M. Catlett, 703-706 McClure Building, Frankfort, Ky. 40601. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Malt beverages and incidental advertising material* when shipped with malt beverages and empty malt beverage containers on return, from Columbus, Ohio, to Fowler, Ind., for 180 days. SUPPORTING SHIPPER: Fowler Beverage Company, Inc., 401 E. 8th Street (P.O. Box #191) Fowler, Ind. 47944. SEND PROTESTS TO: Floyd A. Johnson, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 435 Federal Office Building, 167 North Main Street, Memphis, Tenn. 38103.

No. MC 127777 (Sub-No. 20 TA), filed April 3, 1974. Applicant: MOBILE HOME EXPRESS, INC., P.O. Box 547, Wausau, Wis. 54401. Applicant's representative: Harvey Thomas (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Government-owned mobile homes*, from originating at HUD staging areas at or near Wilkes-Barre, and Mechanicsburg, Pa., and Elmira, N.Y., to HUD storage areas at or near Dempsey SSC, Palo Pinto, Tex., for 180 days. SUPPORTING SHIPPER: Department of Housing and Urban Development, Emergency Preparedness, 451 7th Street SW., Washington, D.C. 20410. SEND PROTESTS TO: Barney L. Hardin, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 139 W. Wilson St., Rm. 202, Madison, Wis. 53703.

No. MC 128860 (Sub-No. 12 TA), filed April 3, 1974. Applicant: LARRY'S EX-

PRESS, INC., 720 Lake Street, Tomah, Wis. 54660. Applicant's representative: Edward Solie, 4513 Vernon Blvd., Madison, Wis. 53705. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Malt beverages and related advertising materials, premiums and malt beverage dispensing equipment* in mixed loads with malt beverages, from Baltimore, Md., to points in Iowa, Minnesota, Missouri, Wisconsin and the Upper Peninsula of Michigan, for 180 days. SUPPORTING SHIPPER: The National Brewing Co., 225 N. Calvert St., Baltimore, Md. 21202. SEND PROTESTS TO: Barney L. Hardin, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 139 W. Wilson St., Rm. 202, Madison, Wis. 53703.

No. MC 133095 (Sub-No. 58 TA), filed April 8, 1974. Applicant: TEXAS CONTINENTAL EXPRESS, INC., P.O. Box 434, 2603 W. Euless Blvd., Euless, Tex. 76039. Applicant's representative: Rocky Moore (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products and articles distributed by meat packing-houses* as described in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Amarillo, Tex., to points in Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, Illinois, and Indiana, restricted to shipments originating at the plantsite and facilities utilized by John Morrell & Co., for 180 days. SUPPORTING SHIPPER: John Morrell & Co., 208 South La Salle Street, Chicago, Ill. 60604. SEND PROTESTS TO: Robert J. Kirspel, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, Rm. 9A27 Federal Building, 819 Taylor St., Fort Worth, Tex. 76102.

No. MC 133189 (Sub-No. 4 TA), filed April 5, 1974. Applicant: VANT TRANSFER, INC., 5075 Mulcare Drive, Minneapolis, Minn. 55421. Applicant's representative: James E. Ballenthin, 630 Osborn Building, St. Paul, Minn. 55102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Manganese* used in the manufacture of iron and steel articles, from Birmingham and Chicago, Ill., to the facilities of North Star Steel Company at Newport, Minn., restricted to the transportation of shipments destined to the facilities of North Star Company, for 180 days. SUPPORTING SHIPPER: North Star Steel Company, 1400 Redrock Road, St. Paul, Minn. 55101. SEND PROTESTS TO: Raymond T. Jones, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 110 So. 4th Street, 448 Federal Building and U.S. Courthouse, Minneapolis, Minn. 55401.



No. MC 133655 (Sub-No. 73 TA), filed April 4, 1974. Applicant: TRANS-NATIONAL TRUCK, INC., P.O. Box 4168, Amarillo, Tex. 79105. Applicant's representative: Neil DuJardin, P.O. Box 2298, Green Bay, Wis. 54306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products and articles distributed by meat packinghouses* as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Amarillo, Tex., to points in Mississippi, Kentucky, Louisiana, Tennessee, Michigan, Minnesota, Maine, Maryland, Massachusetts, Connecticut, Delaware, New Hampshire, New Jersey, Ohio, New York, Pennsylvania, Rhode Island, Vermont, the District of Columbia, and West Virginia, restricted to shipments originating at the plantsite and facilities utilized by John Morrell & Co., for 180 days. SUPPORTING SHIPPER: Robert L. Lee, John Morrell & Co., 208 S. La Salle St., Chicago, Ill. 60604. SEND PROTESTS TO: Haskell E. Ballard, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Box H-4395, Herring Plaza, Amarillo, Tex. 79101.

No. MC 134467 (Sub-No. 10 TA), filed April 8, 1974. Applicant: POLAR EXPRESS, INC., P.O. Box 691, Springdale, Ark. 72764. Applicant's representative: Charles J. Kimball, 1600 Broadway, Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prepared flour mixes and frosting mixes*, from the plantsite and storage facilities of Chelsea Milling Co., at or near Chelsea, Mich., to points in Arkansas, Oklahoma, Tennessee, and New Mexico, restricted to traffic originating at the plantsite or storage facilities of Chelsea Milling Co., at or near Chelsea, Mich., for 180 days. SUPPORTING SHIPPER: Chelsea Milling Co., North Street, Chelsea, Mich. 48118. SEND PROTESTS TO: District Supervisor William H. Land, Jr., Bureau of Operations, Interstate Commerce Commission, 2519 Federal Office Building, 700 West Capitol, Little Rock, Ark. 72201.

No. MC 134783 (Sub-No. 19 TA), filed April 9, 1974. Applicant: DIRECT SERVICE, INC., P.O. Box 786, Dimmit Hwy. West, Plainview, Tex. 79072. Applicant's representative: Charles J. Kimball, 2310 Colorado State Bank Bldg., Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products and articles distributed by meat packinghouses* as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from the plantsites and storage facilities of John Morrell and Co., located at or near Amarillo, Tex., to points in Alabama, Arizona, Arkansas, California, Connecticut, Delaware, Florida, Georgia, Illinois, Kentucky, Louisiana, Maine,

Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Wisconsin, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia, and the District of Columbia, restricted to traffic originating at the above-named origin, for 180 days. SUPPORTING SHIPPER: Robert L. Lee, John Morrell & Co., 208 S. La Salle St., Chicago, Ill. 60604. SEND PROTESTS TO: Haskell E. Ballard, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Box H-4395 Herring Plaza, Amarillo, Tex. 79101.

No. MC 134806 (Sub-No. 22 TA), filed April 8, 1974. Applicant: B-D-R TRANSPORT, INC., P.O. Box 813, Brattleboro, Vt. 05301. Applicant's representative: Francis J. Ortman, 1100 17th Street NW., Washington, D.C. 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Tanned leather*, from points in San Francisco, Alameda, Napa, Solano, San Mateo, and Santa Cruz Counties, Calif., to points in Pennsylvania and Huntington, W. Va., for 180 days. SUPPORTING SHIPPER: West Coast Tanners Production Club, P.O. Box 1120, Santa Cruz, Calif. 95060. SEND PROTESTS TO: District Supervisor Paul D. Collins, Interstate Commerce Commission, Bureau of Operations, P.O. Box 548, Montpelier, Vt. 05602.

No. MC 136008 (Sub-No. 27 TA), filed April 3, 1974. Applicant: JOE BROWN COMPANY, INC., 20 Third Street NE. (P.O. Box 1669), Ardmore, Okla. 73401. Applicant's representative: Rufus H. Lawson, 2400 NW. 23d St., P.O. Box 75124, Oklahoma City, Okla. 73107. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Crushed limestone*, from the Quarry of Trinity Concrete Products Co., Stringtown, Okla., to points in Lamar, Fannin, Grayson, Hunt, Delta, Hopkins, Franklin, Red River, and Rains Counties, Tex., for 180 days. SUPPORTING SHIPPER: Jerry L. Kemp, Gen., Sale Mgr., Trinity Div., General Portland, Inc., P.O. Box 47524, Dallas, Tex. 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 136008 (Sub-No. 28 TA), filed April 4, 1974. Applicant: JOE BROWN COMPANY, INC., P.O. Box 1669, 20 Third St. NE., Oklahoma City, Okla. 73401. Applicant's representative: Dean Williamson, 280 Nat. Foundation Life Bldg., 3535 NW., 58th, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Barite*, from the Port of Catoosa, Okla., to Coffeyville, Kans., for 180 days. SUPPORTING SHIPPER: Wayne Livingston, Pur. Agt., The Sherwin-Williams Company, 1700 W. 4th, P.O. Box 855, Coffeyville, Kans. SEND PROTESTS TO: C. L. Phillips, District Supervisor, Bu-

reau of Operations, Interstate Commerce Commission, Rm. 240-Old P.O. Bldg., 215 NW., Third, Oklahoma City, Okla. 73102.

No. MC 136052 (Sub-No. 6 TA), filed April 9, 1974. Applicant: SECURITY CARRIERS, INC., P.O. Box 3368, 6210 River Rd., Amarillo, Tex. 79106. Applicant's representative: Harold H. Pike (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products and articles distributed by meat packinghouses* as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from the plantsite of and storage facilities utilized by American Beef Packers, Inc., at or near Cactus, Tex., to points in Ohio, West Virginia, Virginia, Maryland, Delaware, New Jersey, New York, Pennsylvania, Connecticut, Rhode Island, Vermont, New Hampshire, Massachusetts, Maine, and the District of Columbia, restricted to traffic originating at, and destined to, the named points, for 180 days. SUPPORTING SHIPPER: Ralph L. McGee, General Traffic Manager, American Beef Packers, Inc., 7000 W. Center Road, Omaha, Nebr. 68106. SEND PROTESTS TO: Haskell E. Ballard, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Box H-4395 Herring Plaza, Amarillo, Tex. 79101.

No. MC 136212 (Sub-No. 8 TA), filed April 4, 1974. Applicant: JENSEN TRUCKING COMPANY, INC., 213 S. Washington St. (P.O. Box 37), Papillion, Nebr. 68046. Applicant's representative: Frederick J. Coffman, 521 So. 14 St. (P.O. Box 81849), Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts and articles distributed by meat packinghouses* as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from Cactus, Tex., to points in Colorado, Nebraska, Kansas, Missouri, Iowa, Minnesota, Wisconsin, Illinois, Indiana, Kentucky, Michigan, and Ohio, for 180 days. SUPPORTING SHIPPER: American Beef Packers, Inc., Ralph L. McGee, General Traffic Mgr., 7000 West Center Rd., Omaha, Nebr. 68106. SEND PROTESTS TO: District Supervisor Carroll Russell, Bureau of Operations, Interstate Commerce Commission, Suite 620, Union Pacific Plaza, 110 No. 14 St., Omaha, Nebr. 68102.

No. MC 136595 (Sub-No. 2 TA), filed April 5, 1974. Applicant: FRANK J. WILLIAMS, doing business as EAST-SIDE MOBILE HOME TRANSPORTING, Springfield, Ore. 97477. Applicant's representative: Lawrence V. Smart, Jr., 419 NW. 23d Avenue, Portland, Ore. 97210. Authority sought to



operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prefabricated buildings*, sectionalized, between points in Oregon, Washington, Idaho and points in and north of Sonoma, Napa, Yolo, Sacramento, El Dorado, and Alpine Counties, Calif., for 180 days. **SUPPORTED BY:** There are approximately 7 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 A. E. Odoms, Bureau of Operations, Interstate Commerce Commission, 114 Pioneer Courthouse, Portland, Ore. 97204.

No. MC 136996 (Sub-No. 2 TA), filed April 5, 1974. Applicant: IDEAL TRANSPORTATION COMPANY, 1623 West Main Street, Zanesville, Ohio 43701. Applicant's representative: James Duvall, 505 Hartman Building, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Scrap metal*, from the facilities of Polk Scrap Iron and Metal Company, Falls Township, Muskingum County, Ohio, to the facilities of Perfect Circle, Division of Dana Corporation, at or near Richmond, Ind., for 180 days. **SUPPORTING SHIPPER:** Polk Scrap Iron and Metal Company, 1900 West Main Street, Zanesville, Ohio 43701. **SEND PROTESTS TO:** Frank L. Calvary, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 220 Federal Building and U.S. Courthouse, 85 Marconi Boulevard, Columbus, Ohio 43215.

No. MC 138840 (Sub-No. 2 TA), filed April 4, 1974. Applicant: KENNETH D. BENNETT AND STEVEN D. BENNETT, doing business as BENNETTVILLE FARMS, Soldier, Kans. 66540. Applicant's representative: Kenneth D. Bennett, Rural Route, Soldier, Kans. 66540. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Crude oil*, in bulk, in tank vehicles, from points in Jackson County, Pottawatomie County, and Nemaha County, Kans., to Carter-Waters Corporation Petroleum terminal in Falls City, Nebr., for 180 days.

**NOTE.**—Applicant does not intend to tack the authority applied for to another authority held by it, or to interline with other carriers.

**SUPPORTING SHIPPER:** Carter-Water Corporation, Box 247, Holton, Kans. 66436. **SEND PROTESTS TO:** Thomas P. O'Hara, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 234 Federal Building, Topeka, Kans. 66603.

No. MC 139091 (Sub-No. 3 TA), filed April 8, 1974. Applicant: LOGAN MOTOR LINES, INC., Rt. 2, Box 174-A, Canyon, Tex. 79015. Applicant's representative: Gailyn L. Larsen, 521 South 14th St., Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes,

transporting: *Plastic articles* (except in bulk), from Ashland, Ohio to the facilities of King-Seeley Thermos Co., at or near Macomb, Ill., for 180 days. **SUPPORTING SHIPPER:** Robert E. Campbell, King-Seeley Thermos Co., East Murray Road, Macomb, Ill. 61455. **SEND PROTESTS TO:** Haskell E. Ballard, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Box H-4395, Herring Plaza, Amarillo, Tex. 79101.

No. MC 139336 (Sub-No. 2 TA), filed April 5, 1974. Applicant: TRANSTATES, INC., 2449 Marseilles Way, Costa Mesa, Calif. 92626. Applicant's representative: David P. Christianson, 825 City National Bank Building, 606 South Olive Street, Los Angeles, Calif. 90014. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Fiberglass bathtubs and shower bathtubs*, from points in Orange County, Calif., to points in Illinois; and (2) *materials, supplies, and equipment* used in the manufacture of fiberglass bathtubs and shower bathtubs, from points in North Carolina and Tennessee to points in Orange County, Calif., for 150 days. **SUPPORTING SHIPPER:** Kimstock, Inc., 2200 South Yale Street, Santa Ana, Calif. 92704. **SEND PROTESTS TO:** District Supervisor Philip Yallowitz, Interstate Commerce Commission, Bureau of Operations, 300 North Los Angeles Street, Room 7708, Los Angeles, Calif. 90012.

No. MC 139416 (Sub-No. 2 TA), filed April 8, 1974. Applicant: J. E. WILLIAMS, doing business as J. E. WILLIAMS TRUCKING, 2332 Alderson Avenue, Billings, Mont. 59102. Applicant's representative: John R. Davidson, Midland National Bank Bldg., Billings, Mont. 59101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, dairy products, and articles distributed by meat packinghouses* (except commodities in bulk, and hides), from Billings, Mont., to points in Arizona, California, Idaho, Iowa, Illinois, Minnesota, Nebraska, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Texas, Utah, Washington, and Wisconsin, with return movement of such articles as are used by meat packers in the conduct of their business when destined to and for use by meat packers, for 180 days. **SUPPORTING SHIPPER:** Midland Empire Packing Co., Inc., 800 Minnesota Avenue, Billings, Mont. 59101. **SEND PROTESTS TO:** Paul J. Labane, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 222 U.S. Post Office Building, Billings, Mont. 59101.

No. MC 139468 (Sub-No. 2 TA), filed April 4, 1974. Applicant: INTERNATIONAL CONTRACT CARRIERS, INC., 8716 "L" St., Omaha, Nebr. 68127. Applicant's representative: Arlyn L. Westergreen, Suite 530, Univac Bldg., Omaha, Nebr. 68127. Authority sought to operate as a *common carrier*, by motor

vehicle, over irregular routes, transporting: *Metal buildings and related parts and equipment*, from the plant site of Stran-Steel Corporation at or near Houston, Tex., to points in Nebraska, Oklahoma, Colorado, and Kansas, for 180 days. **SUPPORTING SHIPPER:** Stran-Steel Corporation, 2999 Wayside, Houston, Tex. 77023, or P.O. Box 14205, Houston, Tex. 77021. **SEND PROTESTS TO:** John Mensing, District Supervisor, Interstate Commerce Commission, 515 Rusk Avenue, Room 8610, Federal Bldg., Houston, Tex. 77002.

No. MC 139580 (Sub-No. 1 TA), filed April 5, 1974. Applicant: BLUESTONE TRANSPORT, INC., Bluefield-Tazewell Road, Bluefield, Va. 24605. Applicant's representative: John M. Friedman, 2930 Putnam Avenue, Hurricane, W. Va. 25526. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Manufactured sand and crushed stone*, in bulk, in dump vehicles, from the Mill Quarry Sites of Pounding Mill Quarry Corporation, Tazewell County, Va., to points in Tazewell, Bland, Wythe, and Giles Counties, Va., and McDowell, Mercer, Summers, Monroe, Fayette, Raleigh, Wyoming, Boone, Logan, and Mingo Counties, W. Va., for 180 days. **SUPPORTING SHIPPER:** Founding Mill Quarry Corporation, Box 586, Bluefield, Va. 24605. **SEND PROTESTS TO:** Danny R. Beeler, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 215 Campbell Avenue SW., Roanoke, Va. 24011.

No. MC 139603 (Sub-No. 2 TA), filed April 1, 1974. Applicant: KATHY 'O' ESTATES (Alaska Corp.), 909 Chugach Drive, Anchorage, Alaska 99503. Applicant's representative: Emery Gunter (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Trailers, including mobile homes*, designed to be drawn by passenger automobiles; and (2) *buildings* in sections, mounted on wheeled undercarriages with hitch ball connectors, between points in Alaska, for 180 days.

**NOTE.**—Applicant intends to interline with other carriers at common points located on the Alaska-Canada border.

**SUPPORTING SHIPPER:** ATCO Structures, 400 West International Airport Road, Anchorage, Alaska 99502. **SEND PROTESTS TO:** Hugh H. Chaffee, District Supervisor, Bureau of Operations, Interstate Commerce Commission, P.O. Box 1532, Anchorage, Alaska 99510.

No. MC 139671 TA, filed April 4, 1974. Applicant: R & K LEASING AND TRAILER SERVICE, INC., 435 Sequin Road, San Antonio, Tex. 78208. Applicant's representative: Irving C. Kuentz (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, household goods as defined by the Commission,



commodities in bulk, commodities requiring special equipment, and Classes A and B explosives), between San Antonio, Tex., on the one hand, and, on the other, points in Aransas, Atascosa, Bandera, Bee, Bell, Bexar, Blanco, Brooks, Burnet, Caldwell, Calhoun, Cameron, Comal, Concho, De Witt, Dimmit, Duval, Edwards, Fayette, Frio, Gillespie, Goliad, Gonzalez, Tom Green, Guadalupe, Hays, Hidalgo, Jim Hogg, Karnes, Kendall, Kenedy, Kerr, Kimble, Kinney, Kleberg, La Salle, Lampasas, Lavaca, Lee, Live Oak, Llano, McCulloch, McMullen, Mason, Maverick, Medina, Menard, Nueces, Refugio, Real, San Patricio, San Saba, Schleicher, Starr, Sutton, Travis, Uvalde, Val Verde, Victoria, Jim Wells, Willacy, Williamson, Wilson, Webb, Zapata, and Zavala Counties, Tex., restricted to traffic having a prior or subsequent movement by rail in "trailer-on-flatbed" service, for 180 days. **SUPPORTING SHIPPER:** The Maytag Company, 403 W. 45th St., N. Newton, Iowa 50208. **SEND PROTESTS TO:** Richard H. Dawkins, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 206, 301 Broadway, San Antonio, Tex. 78205.

No. MC 139672 TA, filed April 5, 1974. Applicant: A. W. HARRIS HAULING CO., INC., Route 1, Box 318, Glen Allen, Va. 23060. Applicant's representative: Arthur M. Baugh, 4615 West Broad St., Richmond, Va. 23230. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Bulk fertilizer, from Richmond, Va., and points in the Counties of Alabama, Caswell, Davidson, Davie, Durham, Edgecombe, Forsythe, Franklin, Granville, Guilford, Halifax, Nash, Orange, Person, Rockingham, Stokes, Surry, Vance, Wake, Warren, Wilkes, and Yadkin, N.C., for 180 days. **SUPPORTING SHIPPER:** J. Calvin Halley, Traffic Manager, Richmond Guano Company, P.O. Box 544, Richmond, Va. 23204. **SEND PROTESTS TO:** District Supervisor Clatin M. Harmon, Interstate Commerce Commission, Bureau of Operations, 10-502 Federal Bldg., Richmond, Va. 23240.

By the Commission.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc. 74-9379 Filed 4-23-74; 8:45 am]

#### MOTOR CARRIER INTRASTATE APPLICATIONS

APRIL 19, 1974.

The following applications for motor common carrier authority to operate in intrastate commerce seeks concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to section 206(a)(6) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by Special Rule 1.245 of the Commission's rules of practice, published in the *FEDERAL REGISTER*, issue of April 11, 1963, page 3533, which provides, among other things, that protests and requests

for information concerning the time and place of State Commission hearings or other proceedings, any subsequent changes therein, any other related matters shall be directed to the State Commission with which the application is filed and shall not be addressed to or filed with the Interstate Commerce Commission.

Alaska Docket No. 74-93-MP/A, filed March 18, 1974. Applicant: FAIR-TRAILS, INC., P.O. Box 3131, Fairbanks, Alaska 99707. Applicant's representative: Joseph W. Sheehan, 208 Wendell Street, P.O. Box 906, Fairbanks, Alaska 99707. Certificate of public convenience and necessity sought to operate a passenger service as follows: Transportation of persons and express by bus: INTERURBAN, CHARTER, TOUR AND SIGHTSEEING: Between Fairbanks, Prudhoe Bay, and all intermediate points within a five-mile radius via Alaska Highway No. 2 and the pipeline haul road.

**NOTE.**—Applicant seeks an extension of authority of common carrier Certificate No. 29. Intrastate, interstate and foreign commerce authority sought.

**HEARING:** Date, time, and place not shown. Requests for procedural information should be addressed to the Alaska Transportation Commission, 1000 MacKay Building, 338 Denali Street, Anchorage, Alaska, 99501, and should not be directed to the Interstate Commerce Commission.

Arizona Docket No. 9512 (Sub-No. 5980), filed March 25, 1974. Applicant: KUNKLE TRANSFER & STORAGE CO., 420 South Third Avenue, Phoenix, Ariz. 85030. Applicant's representative: Phil B. Hammond, Shimmel, Hill, Bishop & Gruender, 111 W. Monroe, 10th Floor, Phoenix, Ariz. 85003. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of general freight (commodities) farm products, machinery and baggage, except that part covering the transportation of household goods and personal effects, including office furniture, store fixtures which require special handling, to and from all points and places in the State of Arizona over the public highways. Intrastate, interstate, and foreign commerce authority sought.

**HEARING:** June 17, 1974, at the Capitol Annex Bldg., Hearing Room No. 1, Phoenix, Ariz., at 1:30 P.M. Requests for procedural information should be addressed to the Arizona Corporation Commission, 1688 West Adams, Room 216, Phoenix, Ariz. 85007, and should not be directed to the Interstate Commerce Commission.

California Docket No. 54792, filed April 9, 1974. Applicant: THOMPSON TRANSPORT SYSTEMS, INC., 7200 Downing Avenue, Bakersfield, Calif. 93308. Applicant's representative: Marvin Handler, 100 Pine Street, San Francisco, Calif. 94111. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of (A) general commodities except: (1) Used household goods and personal effects not packed in accord-

ance with the crated property requirements; (2) automobiles, trucks, and buses viz: new and used, finished or unfinished passenger automobile (including jeeps), ambulances, hearses, and taxis; freight automobile chassis, trucks, truck chassis, truck trailer, trucks and trailers combined, buses and bus chassis; (3) livestock, viz: bucks, bulls, calves, cattle, cows, dairy cattle, ewes, goats, hogs, horses, kids, lambs, oxen, pigs, sheep, sheep camp outfits, sows, steers, stags or swine; (4) liquids, compressed gases, commodities in semi-plastic form and commodities in suspension in liquids in bulk, in tank trucks, tank trailers, tank semitrailers or a combination of such highway vehicles; (5) commodities transported in bulk in dump trucks or in hopper-type trucks; (6) commodities when transported in motor vehicles equipped for mechanical mixing in transit; and (7) logs; **PART 1:** (1) Between all points and places in the Los Angeles Basin territory, on the one hand, and, on the other, all points and places on and within 20 miles of the routes described below: (a) Interstate Highway 5 between Los Angeles and Wheeler Ridge; (b) State Highway 99 between Wheeler Ridge and Fresno; (c) State Highways 166 and 33 between Wheeler Ridge and Taft; (d) State Highway 58 between McKittrick and Mojave; (e) State Highway 178 between Bakersfield and Lake Isabella; (f) State Highway 119 between Greenfield and Taft; (g) State Highway 155 between Lake Isabella and Kernville; and (h) Interstate Highway 5, unnumbered highway and State Highway 180 between Wheeler Ridge and Fresno. In conducting service pursuant to certificates issued in Part A hereof, carrier, for operating convenience, may make use of any street, road, highways, ferry, or toll bridge necessary or convenient for the purpose of performing the service authorized above. No service is to be performed locally between points in the Los Angeles Basin territory. Intrastate, interstate, and foreign commerce authority sought.

**HEARING:** Date, time, and place not shown. Requests for procedural information should be addressed to the California Public Utilities Commission, State Building, Civic Center, 455 Golden Gate Avenue, San Francisco, Calif. 94102, and should not be directed to the Interstate Commerce Commission.

New York Docket No. T-405, filed April 1, 1974. Applicant: TORREY DELIVERY, INC., 219 Brigham Road, Dunkirk, N.Y. 14048. Applicant's representative: Herbert M. Canter, 315 Seitz Bldg., 201 E. Jefferson St., Syracuse, N.Y. 13202. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of general commodities, as defined in 16 NYCRR, Section 800.1 serving the City of Dunkirk, N.Y., and its commercial zone as defined by the NY DOT in 16 NYCRR Section 850.1, as an additional off-route point in connection with Paragraph "A" of applicant's present Certificate of Registration, in MC-56641 (Sub-No. 3). **N.B.:** Applicant intends to move to dismiss this application at any hearing



held thereon, on the contention that it already holds authority to render the proposed service by virtue of the involved territory being included in and being a part of the commercial zone of Fredonia, N.Y., a point applicant is presently authorized to serve.

**HEARING:** Date, time, and place not shown. Requests for procedural information should be addressed to the New York State Department of Transportation, 1220 Washington Avenue, State Campus, Albany, N.Y., and should not be directed to the Interstate Commerce Commission.

Tennessee Docket No. MC 4777 (Sub-No. 2), filed March 27, 1974. Applicant: AVERITT EXPRESS, INC., P.O. Box 273, Livingston, Tenn. 38570. Applicant's representative: Robert L. Baker, 618 Hamilton Bank Bldg., Nashville, Tenn. 37219. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of general commodities, except Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and articles requiring special equipment, between Livingston, Tenn., and points in Scott County, Tenn., as follows: From Livingston, Tenn., over Tennessee State Highway 52 to its junction with U.S. Highway 27 and return over the same route, serving all intermediate points in Scott County, Tenn., and serving all other points in Scott County, Tenn., as off-route points. Applicant proposes to utilize the authority sought herein in conjunction with all of its existing authority. Intrastate, interstate, and foreign commerce authority sought.

**HEARING:** June 26, 1974, at the Commission's Court Room, C-1 Cordell Hull Building, Nashville, Tenn., at 9:30 a.m. Requests for procedural information should be addressed to the Tennessee Public Service Commission, C1-102 Cordell Hull Building, Nashville, Tenn. 37219, and should not be directed to the Interstate Commerce Commission.

By the Commission.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.74-9380 Filed 4-23-74; 8:45 am]

[Sec. 5a Application 61 (Amdt. No. 3)]

#### NATIONAL CLASSIFICATION COMMITTEE; AGREEMENT

APRIL 12, 1974.

The Commission is in receipt of an application in the above-entitled proceeding for approval of amendments in the agreement therein approved.

Submitted January 8, 1974 by:

Richard H. Hinchcliff, Secretary, National Classification Committee, 1616 P St. NW., Washington, D.C. 20036 (Attorney-in-fact), Bryce Rea, Jr., Patrick McEligot, Rea, Cross & Knebel, 918 16th St. NW., Washington, D.C. 20006 (Of Counsel).

The amendments involve (1) broadening by applicant motor common carriers of the approved agreement relating to collective carrier determination of freight classification matters so as to

also provide by additional agreement provisions for a separate, unrelated, autonomous carrier organization, called Freight Claim Rules Committee, with procedures thereto, governing joint carrier consideration of proposals for initiation or change of rules and regulations for the processing of loss and damage claims; (2) make changes made necessary by the foregoing provisions; (3) modify the language of the approved agreement generally to update and improve; and (4) embrace amendments of sections 1 and 3 of Article II and rule 11 of Article IV for which an application seeking approval is opposed and pending before the Commission in the above-entitled Amendment No. 2 proceeding.

The complete amended application may be inspected at the Office of the Commission in Washington, D.C.

Any person desiring to protest and participate in this proceeding shall notify the Commission in writing by May 14, 1974. As provided by the general rules of practice of the Commission, persons other than applicants should fully disclose their interest, and the position they intend to take with respect to the application. Otherwise, the Commission, in its discretion, may proceed to investigation and determine the matters involved, without public hearing.

By the Commission.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.74-9383 Filed 4-23-74; 8:45 am]

[No. 32155 (Sub-No. 4)]

#### PETITION TO AMEND UNIFORM SYSTEM OF ACCOUNTS; TANK TRUCK CARRIERS

Institution of an investigation in Docket No. 32155 (Sub-No. 4) to consider merits of certain modifications in Uniform System of Accounts sought by National Tank Truck Carriers, Inc., in regard to cleaning and disposal expenses and billing and collecting expenses of bulk carriers.

At a session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D.C., on the 12th day of April, 1974.

It appearing, that a petition has been filed by the National Tank Truck Carriers, Inc., for an amendment to the Uniform System of Accounts for Class I and Class II common and contract motor carriers of property;

It further appearing, that National Tank Truck Carriers, Inc., is a conference composed of some 300 motor carriers engaged in whole or in part in the transportation of liquid and dry commodities in bulk; that its membership is nationwide; and that its membership represents approximately 85 percent of the bulk tank carrying capacity;

It further appearing, that the amendment sought is to meet the peculiarities of tank truck operations and to insure uniformity in reporting certain expenses, particularly insofar as the rules require reporting of "other operating supplies" in item 4590 and in accounting for "billing and collecting" expenses by so-called Instruction 28 carriers;

It further appearing, that, accordingly, petitioners request modification of the Uniform System of Accounts to provide a new account category for cleaning and disposal expenses of bulk carriers, or, in the alternative, to require such bulk carriers to set up specific sub-accounts for these accumulated expenses; and to amend the Uniform System of Accounts to include billing and collecting expenses for bulk carriers as a separate account, or, in the alternative, to include such within the general administrative account; and for such other relief as may be appropriate; wherefore:

*It is ordered,* That an investigation be, and it is hereby, instituted under authority of section 204(a) (1) and (2) (49 U.S.C. 304) of the Interstate Commerce Act and pursuant to section 553 of the Administrative Procedure Act (5 U.S.C. 553) to consider the merits of the above-explained amendments to the Uniform System of Accounts sought by petitioner, and for the purpose of taking such other and further action as the facts and circumstances may justify and require.

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

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

*It is further ordered,* That any person intending to participate in this proceeding by submitting initial statements or reply statements shall notify the Commission by filing with the Secretary, Interstate Commerce Commission, Washington, D.C. 20423, on or before May 20, 1974, the original and one copy of a statement of his intention to participate; that the Commission shall then prepare and make available to all such persons a list containing the names and addresses of all parties to this proceeding, upon whom copies of all statements must be filed; and that at the time of service of this list the Commission will fix the time within which initial statements and reply statements must be filed.

*And it is further ordered,* That notice of the institution of this proceeding be given to petitioner by mailing it a copy of this order, and to the respondents and the general public by depositing a copy in the Office of the Commission's Secretary (for public inspection) and by delivering a copy to the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER as notice to all interested parties.

By the Commission, Division 2.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.74-9384 Filed 4-23-74; 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	7 CFR—Continued	Page	7 CFR—Continued	Page
PROCLAMATIONS:		1002.....	11981	PROPOSED RULES—Continued	
4279.....	11861	1004.....	11981	1033.....	12027, 13890
4280.....	12325	1007.....	11983	1036.....	12027, 13890
4281.....	12327	1011.....	13871, 14499	1040.....	12027, 13890
4282.....	12329	1015.....	11981	1049.....	12027, 13280, 13890
4283.....	12331	1030.....	11983	1050.....	11915
4284.....	13623	1032.....	11983	1060.....	11915
4285.....	13867	1033.....	11981	1061.....	11915
4286.....	14183	1033.....	11981	1063.....	11915
4287.....	14333	1040.....	11982	1064.....	11915
4288.....	14335	1049.....	11982	1065.....	11915, 13162, 14214
EXECUTIVE ORDERS:		1050.....	11983	1068.....	11915
11280 (superseded by EO 11776).....	11865	1060.....	11983	1076.....	11915
11609 (amended by EO 11779).....	14185	1061.....	11984	1078.....	11915
11691 (amended by EO 11777).....	13519	1063.....	11984	1079.....	11915
11692 (amended by EO 11778).....	13521	1064.....	11984	1090.....	11915
11768 (amended by EO 11780).....	14497	1065.....	11984	1097.....	11915
11776.....	11865	1068.....	11984	1098.....	11915
11777.....	13519	1076.....	11984	1104.....	11915
11778.....	13521	1078.....	11984	1106.....	11915
11779.....	14185	1079.....	11985	1108.....	11915
11780.....	14497	1090.....	11985	1137.....	13890
4 CFR		1097.....	11985	1207.....	13554
52.....	13523	1098.....	11985	1427.....	12027
400.....	11869	1104.....	11985	1464.....	13008, 13891
407.....	11869	1106.....	11986	1701.....	13894
5 CFR		1108.....	11986	1804.....	14214
213.....	12091, 12333, 12727, 13961	1421.....	12251	8 CFR	
713.....	13961	1425.....	14187	100.....	12334
772.....	13961	1427.....	12983, 14188	103.....	12334
890.....	13961	1430.....	11986	214.....	12334
PROPOSED RULES:		1468.....	11987, 13626	242.....	12335
890.....	13975	1481.....	12727	299.....	12336
891.....	13975	1483.....	12728	316a.....	12336
6 CFR		1823.....	12728, 14188	PROPOSED RULES:	
150.....	11892, 11971, 11972, 12214, 12249, 13782, 14211, 14412	1832.....	14499	1.....	13659
152.....	11892, 11971, 11972, 12214, 12249, 13782, 13962, 14211	2710.....	13524	103.....	12139
Ruling.....	13276, 13523	PROPOSED RULES:		292.....	13659
PROPOSED RULES:		Ch. IX.....	12015	9 CFR	
150.....	12534, 12540	26.....	14512	73.....	12251, 13069, 13888
7 CFR		28.....	14350	82.....	11991, 13768
Ch. 18.....	14499	29.....	13008	94.....	13069, 13070
2.....	12333, 12981, 13257, 13625	52.....	13551	97.....	12252
30.....	11893	210.....	12258	PROPOSED RULES:	
52.....	13763, 13962	215.....	13663	2.....	11921
225.....	12727	225.....	12258	71.....	11921
250.....	11893	244.....	12139	113.....	13162
301.....	11973, 11979, 12858, 13869	245.....	13892	317.....	14351
410.....	12983	246.....	13166	318.....	12763
652.....	13766	613.....	13784	381.....	12763, 14351
701.....	12105	663.....	13666	10 CFR	
728.....	13869	724.....	13891	2.....	12353, 14506
729.....	13766	745.....	13008	50.....	13258, 14188, 14506
778.....	12727	760.....	13660	115.....	13258
905.....	12105-12107	908.....	12762	210.....	12353
907.....	12250, 13161, 13869	911.....	13889	211.....	11933, 12109, 12995, 13549
908.....	11979, 12250, 13160, 13523, 13870, 14187	927.....	14213	212.....	12010, 12012, 12013, 12252, 12353, 12995, 13873, 13967, 13968
909.....	13767	929.....	14213	Rulings.....	
910.....	12333, 13257, 13966	944.....	13890	PROPOSED RULES:	
959.....	13768	953.....	14350, 14516	2.....	13668
1001.....	11980	1001.....	12027, 13890	20.....	13671
		1002.....	12027, 13890	50.....	13668, 13974
		1004.....	12027, 13890	211.....	12846, 12901
		1006.....	12257		
		1007.....	11915		
		1012.....	12257		
		1013.....	12257		
		1015.....	12027, 13890		
		1030.....	11915		
		1032.....	11915		



12 CFR	Page
7	14192
202	11873
203	11873
265	13070
270	11873
523	14502
528	12110
531	13888
615	12354

PROPOSED RULES:	
9	14510
207	14360
220	14360
221	14360
225	13007
526	14358
545	14359
563	14359

13 CFR	
301	12859
302	12859

14 CFR	
39	11991,
	11992, 12243-12245, 12336, 12337,
	12997, 13072, 13258, 13524-13526,
	13873, 13967, 13968, 14337
71	11874,
	11993, 12337, 12860, 12998, 13073,
	13258, 13526, 13875, 13968, 14195,
	14502
73	12859, 13258, 13875, 14502
75	14337
95	13527
97	12730, 13528, 13876, 14502
103	12337
139	11874
217	12860
241	11993, 12731, 12860
298	13877
372a	12338
1209	14503

PROPOSED RULES:	
25	12260
39	12768, 13005, 13555, 14357
71	11929,
	12362, 12768, 12871, 13006, 13170,
	13556, 13668, 13898, 13899, 14218
75	12769
91	13785
121	12260
139	11929
212	13787
241	13170, 14358
285	12142, 13557, 13672, 14221
399	13672, 14221

15 CFR	
364	13763
667	13769
923	11999
950	13626

16 CFR	
13	12001,
	12338, 13627, 13628, 13769, 13772
PROPOSED RULES:	
423	12036
435	13563
502	12362

17 CFR	Page
240	12861
249	12861
275	12108, 12984

PROPOSED RULES:	
1	13281
201	13281
231	12898, 14235
240	12771
241	12898

18 CFR	
1	12731
2	12984
3	13529
141	13529

PROPOSED RULES:	
2	13976
3	14233
101	14360
104	14360
141	14360
154	13976
157	13976
201	14360
204	14360
260	14233

19 CFR	
4	12091
12	12091
18	12091
19	12091
20	12091
24	12091
56	12091
127	12092
134	13538
141	12095
144	12095
147	12095
148	12096
153	13783

PROPOSED RULES:	
1	13659
111	12356

20 CFR	
405	12096
410	12098
416	12731
422	11875
715	13265
725	11875, 13265

PROPOSED RULES:	
404	14356
405	12763, 13897, 13972
416	12027

21 CFR	
3	13773
8	13266, 14338
9	13266
27	13630
51	13630
90	11876
121	12098, 13267, 13632, 13774
128b	11876
135	12099
135b	12099, 14504
135c	12246, 13539
141	13877

21 CFR—Continued	
135e	12100
145	13878
149b	13877
640	13632
1010	13879
1020	12985, 13879

PROPOSED RULES:	
6	13742
51	13667
121	11923, 12259, 13285, 13667
128	11923
133	11923
135	12259
121	11923, 12259, 13285
151c	13894
310	13972, 14215
601	13742
700	14215
1301	12138

22 CFR	
6	14195

23 CFR	
190	13880
476	14517
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
1272	14302
1914	11894,
	12007, 12339-12341, 12862, 12863,
	13633-13638, 14197-14199
1915	11895, 13145, 13639

PROPOSED RULES:	
1916	12030
1917	12031
1918	12031

25 CFR	
162	12732
221	13881, 14200
254	12246

PROPOSED RULES:	
183	12755

26 CFR	
1	11880
170	12734, 13273
212	14200
250	12735, 13274
251	12736, 13275
600	13539

PROPOSED RULES:	
20	12869
25	12869



29 CFR	Page	37 CFR	Page	41 CFR—Continued	Page
601.....	13277	1.....	12247	29-1.....	12248
690.....	13277	2.....	12247	29-26.....	12248
720.....	13277			60-2.....	13264
730.....	13277	<b>38 CFR</b>		60-60.....	13264
1910.....	12342	1.....	12248	101-26.....	12989
1952.....	11881	2.....	12747	101-35.....	13264
		3.....	11883, 12100, 13970	105-61.....	11884
<b>PROPOSED RULES:</b>		14.....	13775	114-3.....	12989
511.....	14522	36.....	14505	114-25.....	12989
601.....	13284			114-26.....	12989
613.....	13284	<b>PROPOSED RULES:</b>		114-38.....	12989
657.....	13284	3.....	12898, 12899	114-39.....	12989
673.....	13284			114-40.....	12989
675.....	13284	<b>39 CFR</b>		114-42.....	12989
678.....	13284	125.....	14202	114-43.....	12989
720.....	13284	131.....	14203	114-45.....	12989
728.....	13284	132.....	14203	114-46.....	12989
729.....	13284	133.....	14204	114-47.....	12989
1905.....	12141	134.....	14204	114-52.....	12989
1910.....	14352	135.....	14205	114-60.....	12989
1952.....	12141	136.....	14207		
1954.....	12142	<b>PROPOSED RULES:</b>		<b>PROPOSED RULES:</b>	
1999.....	14522	123.....	13563, 13788	50-202.....	13554
<b>30 CFR</b>		<b>40 CFR</b>		<b>42 CFR</b>	
11.....	12864	52.....	12101,	50.....	13872
57.....	13968	12102, 12346, 12350, 12865, 13539-13542, 13651, 14208, 14338		54.....	13779
<b>PROPOSED RULES:</b>		60.....	13776	54b.....	14209
71.....	13003	108.....	12865	<b>PROPOSED RULES:</b>	
250.....	13551	164.....	11884	52a.....	13895
		180.....	12008,	83.....	11923
<b>31 CFR</b>		12866, 13073, 13259, 13260, 13970, 14505		101.....	13738
9.....	11882	416.....	12502		
94.....	13881	417.....	13370	<b>43 CFR</b>	
316.....	14412	418.....	12832	2070.....	13613
332.....	14062	421.....	12822	2920.....	13613
342.....	13508	425.....	12958	6250.....	13613
		429.....	13942	6290.....	13613
<b>32 CFR</b>		<b>PROPOSED RULES:</b>		<b>PUBLIC LAND ORDERS:</b>	
1464.....	12865	52.....	12769,	2302 (revoked in part by P.L.O. 5419).....	12104
1472.....	13649	12871, 12872, 13673, 14221, 14520		4341 (Revoked in part by P.L.O. 5420).....	13073, 13971
1473.....	13650	80.....	13174	5419.....	12104
1474.....	13650	170.....	13179	5420.....	13073, 13971
1475.....	13650	172.....	13898	<b>PROPOSED RULES:</b>	
1477.....	13650	180.....	12143, 14225	3300.....	14511
1480.....	13650	200.....	12034		
		410.....	12263	<b>45 CFR</b>	
<b>32A CFR</b>		416.....	12356, 12524	118.....	14344
OI Reg. 1.....	12344	417.....	13394	124.....	13652
		418.....	12842	171.....	12950
<b>33 CFR</b>		421.....	12829	185.....	13268
3.....	12007	423.....	11930, 12263	205.....	12008, 13887
110.....	12007	425.....	12967	206.....	12008
117.....	12865, 13775, 14200-14202, 14504	429.....	13952	249.....	12866
127.....	12988			270.....	11886
209.....	12115, 12255, 12737			1069.....	12108
401.....	12746			1071.....	13882
<b>PROPOSED RULES:</b>				1350.....	11886
82.....	12767	<b>41 CFR</b>		<b>PROPOSED RULES:</b>	
117.....	12033, 12870, 13005, 14216, 14217	1-1.....	13777	151.....	13003
204.....	13889	3-1.....	14340	234.....	12870
		3-2.....	13261		
<b>35 CFR</b>		3-4.....	14340	<b>46 CFR</b>	
61.....	13970	3-16.....	14340	146.....	13276
253.....	12345, 13650	5A-6.....	14343	160.....	12747
<b>PROPOSED RULES:</b>		5A-7.....	14343	<b>PROPOSED RULES:</b>	
133.....	13288	5A-14.....	14344	10.....	12033
		8-7.....	13262	502.....	13976
<b>36 CFR</b>		9-5.....	11884		
2.....	11882	Ch. 14.....	13263	<b>47 CFR</b>	
4.....	11882	14-1.....	12103	0.....	13543
7.....	11883, 14338	14-2.....	13778	1.....	12990
<b>PROPOSED RULES:</b>		14-12.....	12103	2.....	12351, 12867, 13781, 14346
5.....	11904	14-18.....	12103		
7.....	11904	14-26.....	12103		
		Ch. 18.....	13073		



## 47 CFR—Continued

	Page
15	12748
73	12748, 12990, 13544, 14505
74	12990
76	12991
81	12748, 12749
83	13781
87	14209
97	12995

## PROPOSED RULES:

2	14225
5	14225
43	13676
73	11931,
	12035, 12872, 13007, 13557-13559,
	13788, 14227-14230
74	12771, 13179
76	12873, 13179, 13561, 14288
89	14232
91	14232
93	14232

## 49 CFR

1	13781
171	12750
172	12750
173	12751
174	12752
178	11891, 12752
213	12351

## 49 CFR—Continued

	Page
231	14506
570	12867
571	12104, 14210, 14211
574	12104
575	13971
1003	11891
1033	11891,
	12009, 12010, 12352, 12353, 13158,
	13159, 13264, 13971
1037	12753
1043	13159
1048	12754
1084	13159
1131	12010

## PROPOSED RULES:

171	14357
172	12261, 14358, 14519
173	12034, 12261, 14358, 14519
178	12034
192	14218
195	14220
255	12527
393	13785
391	13900
395	14517
571	12871, 13287
1048	12875, 12876
1201	12038, 12876

## 49 CFR—Continued

	Page
PROPOSED RULES—Continued	
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, 13548, 13882
216	14348
217	11892
218	11892
219	11892
220	11892
221	11892
222	11892
253	13882

## PROPOSED RULES:

17	11903
21	12313
216	12356, 13785
260	11922
5419	12104

## FEDERAL REGISTER PAGES AND DATES—APRIL

Pages	Date	Pages	Date	Pages	Date
11855-11964	Apr. 1	12849-12969	Apr. 9	13753-13859	Apr. 17
11965-12079	2	12971-13062	10	13861-13952	18
12081-12235	3	13063-13250	11	13955-14176	19
12237-12317	4	13251-13512	12	14177-14325	22
12319-12720	5	13513-13615	15	14327-14488	23
12721-12848	8	13617-13747	16	14489-14576	24