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

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

Title 7—Agriculture

CHAPTER I—AGRICULTURAL MARKETING SERVICE (STANDARDS, INSPECTIONS, MARKETING PRACTICES), DEPARTMENT OF AGRICULTURE

SUBCHAPTER A—COMMODITY STANDARDS AND STANDARD CONTAINER REGULATIONS

PART 29—TOBACCO INSPECTION

Allocation of Tobacco Inspection Service and Eligibility for Price Support

On April 10, 1974, a notice of rule-making was published in the FEDERAL REGISTER (39 FR 13008) containing proposals by the Department to amend its regulations relating to tobacco inspection and price support services with regard to flue-cured tobacco by amending Subpart A—Tobacco Loan Program (7 CFR Part 1464) to require the producer to designate the warehouse in which he desires to market his tobacco and comply with other specified conditions before such tobacco will be eligible for price support, by adding a new Subpart G—Policy Statement and Regulations Governing Availability of Tobacco Inspection and Price Support Services to Flue-cured Tobacco on Designated Markets (7 CFR Part 29) and by amending Part 725 (7 CFR Part 725) to conform those regulations to the amendments in Parts 29 and 1464. The aforesaid policy statement and regulations are statements of agency policy and rules and regulations issued pursuant to the authority of the Tobacco Inspection Act (49 Stat. 731, 7 CFR 511 et seq.); the Commodity Credit Corporation Charter Act (62 Stat. 1070, as amended (15 U.S.C. 714 et seq.)); the Agricultural Act of 1949, as amended (63 Stat. 1051 (7 U.S.C. 1421 et seq.)); and the Agricultural Adjustment Act of 1938, as amended (52 Stat. 31, as amended (7 U.S.C. 1301, 1314, 1371, 1375)).

Interested persons were afforded opportunity to file written data, views and arguments on the proposals and a substantial number were received. After consideration of all relevant material, including the proposals set forth in the aforesaid notice, the data, views, and arguments filed thereon, and other available information, it is concluded that such amendments to the tobacco inspection and price support regulations should be made effective with the modifications set forth below.

Statement of consideration. Under the amended regulations, price support will be provided at each warehouse only to the producers whose farms are within limited distances from the warehouse, and only the producers who had

previously designated the warehouses for the marketing of all or specific quantities of their tobacco. Tobacco inspection will be provided throughout the marketing season by apportioning the available inspectors to each marketing area on the basis of the estimated quantity of tobacco ready for marketing in each market area. Such assignment of inspectors will be made by the Secretary of Agriculture after considering the recommendations of a Flue-Cured Tobacco Advisory Committee appointed by the Secretary pursuant to the Federal Advisory Committee Act. In the past, a producer could obtain price support at any warehouse, and the Secretary, in cooperating with the industry, assigned inspectors to all warehouses largely on the basis of schedules recommended by an industry marketing committee and representatives of the various markets.

The facilities available for processing flue-cured tobacco limit the quantity of tobacco which may be marketed, without creating market gluts, to about 85 million pounds per week. This is substantially less than the quantities which are actually ready for marketing and which producers are anxious to market during most weeks of the marketing season. It is also substantially less than the weekly quantities which (i) could be purchased by the sets of buyers which are available to serve all warehouses, or (ii) could be inspected by the number of inspectors which the Secretary has available. In efforts to maintain orderly marketing in this situation, industry committees have for several years, established opening dates for the markets in the various belts, and limitations of the weekly purchases by each set of buyers so that total weekly marketings would not exceed the capacity of the available processing facilities. While the inspection of tobacco by the Secretary, largely in accordance with such opening date and selling schedules, has effectively controlled the quantity of weekly marketings, it has failed to equalize the opportunity of producers in all areas in marketing their tobacco and obtaining price support. With the markets opening first in the most southern areas (where tobacco matures earliest) and moving northward only as the marketing in each area is largely completed, producers in the more northern areas have not had local markets available when their tobacco was ready for market to the same extent as producers in the more southern areas. This has resulted in millions of pounds of tobacco being transported from the northern areas to the more southern markets by producers seeking to market

as early as possible. In many instances, the tobacco transported to southern areas for marketing must be re-transported northward for processing. The movement of tobacco outside its production area for marketing also creates considerable disorder in the overall market situation. It displaces the sales opportunity of the producers in the vicinity of the markets to which it is transported, and delays the reassignment of the inspectors from the southern areas to the more northern areas. In the overall, these conditions have resulted in increasing the costs of marketing tobacco and in the inequity to producers as to their marketing opportunities.

Interested persons were invited to submit views and recommendations by April 25, 1974. Many responses were received. Some recommended that the proposal be adopted without change. Some objected to the proposal on the basis that it restricted the warehouses which producers could use, that it would prolong the time required to market the tobacco, and, that it would be disruptive to normal marketing processes. None of the reasons for opposition, however, were persuasive in showing that the proposal would not be in the best interest of the producers collectively, in that producers would have more equitable access to their local markets, there would be more orderly marketing and the time required to market the entire crop would likely be shortened. In several instances the features objected to by some respondents were the basis of others favoring the proposal.

Many of the responses recommended modifications to the proposal. The greatest number related to the distance limitation on the warehouses which could be designated. Some recommended no limitation, others recommended that the distance be increased to 100 miles, 110 miles and to 120 miles or more. However, it also appeared that many respondents were measuring the distance to the market from the farm rather than from the county seat. Upon considering these suggestions it is concluded that the proposed 80 miles may be unduly restrictive but that more than 100 miles would not be compatible with the objective of affording producers equitable access to their local markets. Accordingly, 100 miles is substituted for the 80 miles set forth in the proposal. Some recommended that changes in designation be allowed more frequently than set forth in the proposal. Some recommended that such changes be allowed at any time. If changes were allowed frequently or at any time the purpose of the designations would be defeated as the designations

would not provide an adequate basis for determining the quantity of tobacco that would be sold at each warehouse and the inspection service and sales opportunity needed at each warehouse. However, after considerations of the recommendations, the proposed provisions are modified to provide that in addition to the periods set forth in the proposal for producers to change designations, changes may be made at any time with respect to tobacco designated for sale at warehouses which have ceased to operate or to have tobacco inspection or price support available.

There were objections to the provisions in the proposal that price support would not be available to tobacco sold at a warehouse which had sold in excess of the quantity allowed and had failed to reduce the quantity sold the following sales day so as to be in compliance with the opening date and selling schedule for the warehouse. It was argued that such would penalize producers rather than the warehouse for warehouse actions. This provision is modified to provide that if a warehouse sells in excess of the quantity allowed by the opening date and selling schedule and does not deduct such excess from the quantity allowed on either of the following two sales days, neither tobacco inspection nor price support will be allowed on the next succeeding day. Since compliance with the selling schedule by warehouses is essential in achieving the orderly and equitable marketing of the tobacco, this change in the sanction should provide incentive to warehouses toward such compliance.

It was recommended that the proposal be modified to specifically provide that, for the purpose of developing opening dates and selling schedules, any undesignated tobacco in any county be apportioned to the warehouses which were designated for the sale of tobacco produced in the county in the same proportion as the tobacco designated to such warehouses. This recommendation is adopted. Objection was also made that the May 31 date for the producer to designate his tobacco each year did not provide the warehouses sufficient time to prepare for the marketing season. Because of the lateness of the effective date of this regulation, a date earlier than May 31 could not be adopted for the 1974 crop. However, if 1974 crop experience shows that an earlier date would be more desirable, the program will be amended to adopt an earlier date for future years.

In the notice of proposed rulemaking, it was proposed that certain conforming amendments be made to Part 725 (7 CFR Part 725) of the regulations. However, a further review indicates that such proposed amendments to Part 725 are unnecessary and, therefore, they are not adopted.

It is hereby found and determined that thirty days notice of the effective date hereof is impractical, unnecessary, and contrary to the public interest in that:

(a) Producers, warehousemen and buyers are familiar with the amend-

ments since notice of proposed rulemaking was given interested parties and they were afforded opportunity to file written data, views, or arguments concerning the amendments involved; (b) farmers, warehousemen and buyers are now making plans for the marketing of the 1974 flue-cured tobacco crop which is expected to begin before mid-July; and (c) it is necessary to provide as much time as possible prior to the start of marketing to allow producers to make their warehouse designations and for the other segments of the industry to make whatever preparations are necessary for the marketing of tobacco under the producer designation system.

Therefore, good cause exists for making the amendments to the regulations herein effective May 20, 1974.

Accordingly, Parts 29 and 1464 of this title are amended as follows:

The regulations governing tobacco inspection are amended by adding a new Subpart G as follows:

Subpart G—Policy Statement and Regulations Governing Availability of Tobacco Inspection and Price Support Services to Flue-Cured Tobacco on Designated Markets

- | | |
|---------|---|
| Sec. | |
| 29.9401 | Definitions. |
| 29.9402 | Policy statement. |
| 29.9403 | Flue-Cured Tobacco Advisory Committee. |
| 29.9404 | Marketing area opening dates and marketing schedules. |
| 29.9405 | Issuance of marketing area opening date and selling schedules by the Secretary. |
| 29.9406 | Failure to comply with opening date and selling schedule by warehouses. |

AUTHORITY: Tobacco Inspection Act, 49 Stat. 731 (7 U.S.C. 511 et seq.); Commodity Credit Corporation Charter Act, 62 Stat. 1070, as amended (15 U.S.C. 714 et seq.).

Subpart G—Policy Statement and Regulations Governing Availability of Tobacco Inspection and Price Support Services to Flue-Cured Tobacco on Designated Markets

§ 29.9401 Definitions.

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

(a) "Secretary" means the Secretary of Agriculture of the United States, or any officer or employee of the Department to whom authority has heretofore been delegated or may hereafter be delegated to act in his stead.

(b) "Marketing area" means a geographical area within the flue-cured tobacco production area specified by the Secretary each year on the basis of his determination that significant quantities of tobacco produced in such area are ready for marketing.

§ 29.9402 Policy statement.

The sets of inspectors available to serve the flue-cured marketing areas are currently adequate to provide inspection service as rapidly as tobacco can be purchased, handled and processed by the currently existing facilities of the buyers, and the lack of inspection personnel is

not a limiting factor to accelerated marketings or the extension of price support to producers. The sets of buyers assigned to the flue-cured markets by the buying industry are adequate to purchase tobacco as rapidly as it can be handled and processed by the buyers' facilities. However, the tobacco ready for marketing during most weeks of the marketing season substantially exceeds the quantities which can be purchased, handled and processed by the currently existing facilities of the buyers. Moreover, the total number of flue-cured markets are substantially greater than the number of sets of buyers assigned by the buying companies or the number of sets of available inspectors. In this situation, about 6 months is required to market a year's crop of flue-cured tobacco and all warehouses cannot be served at the same time by the available sets of inspectors and the sets of buyers assigned by the buying companies. As additional sets of inspectors would not relieve the situation, inspection service will be provided by assigning the available inspectors to the various marketing areas and to warehouses within the marketing areas in a manner determined by the Secretary to provide the best and most equitable service to all growers.

§ 29.9403 Flue-Cured Tobacco Advisory Committee.

To assist the Secretary in making the apportionment and assignment of inspectors, a Flue-Cured Tobacco Advisory Committee, appointed in accordance with the Federal Advisory Committee Act (5 U.S.C. Appendix I), shall advise and recommend to the Secretary marketing area opening dates and selling schedules for the flue-cured tobacco to be sold in each marketing area and in each warehouse within the marketing area.¹

§ 29.9404 Marketing area opening dates and marketing schedules.

(a) The Flue-Cured Tobacco Advisory Committee shall recommend to the Secretary marketing areas in the flue-cured tobacco production area, marketing area opening dates and selling schedules for each marketing area and for the individual warehouses in each marketing area which specify the length of time inspectors will be available to inspect tobacco and/or the quantity of tobacco to be marketed in each area and through each warehouse within such marketing area. In developing such opening date and selling schedules, the committee shall take into account the following:

(1) When a sufficient volume of tobacco produced within a specific area of the flue-cured tobacco production area will be ready for marketing;

(2) The volume of tobacco ready for marketing which the producers have designated under § 1464.2(e) of this title to be sold at specific warehouses and

¹ It is contemplated that for the 1974 marketing year, the current Industry-Wide Flue-Cured Marketing Committee will be appointed as the Flue-Cured Tobacco Advisory Committee.

also the volume of tobacco ready for market which has not been so designated by the producers: for the purpose of developing opening date and selling schedules, the committee shall consider any undesignated tobacco in any county as being distributed to the warehouses which were designated for the sale of tobacco produced in the county in the same proportion as the tobacco designated at such warehouses.

(3) The processing or redrying capacity of the industry and the number of inspectors available to provide inspection service during the specific period involved;

(4) Such other factors or information as may be necessary to develop an effective and equitable opening date and selling schedule.

(b) The Flue-Cured Tobacco Advisory Committee shall thereupon submit its recommended opening date and selling schedule and the geographic areas to be included in specific marketing areas to the Secretary together with a basis supporting its recommendations.

§ 29.9405 Issuance of marketing area opening date and selling schedules by the Secretary.

(a) The Secretary shall review the recommendations of the Flue-Cured Tobacco Advisory Committee and based upon such recommendations and the basis therefor and such other information as may be available to him, shall specify the geographic areas to be encompassed by specific marketing areas, set the opening dates for sale within the marketing areas and issue the selling schedules. The inspection of flue-cured tobacco shall be in accordance with such schedules.

(b) The Flue-Cured Tobacco Advisory Committee shall recommend modifications in the opening date and marketing schedule during the flue-cured tobacco marketing season as may be warranted by changes in marketing conditions and the Secretary shall act thereon in the same manner as approving the initial opening date and marketing schedules.

§ 29.9406 Failure to comply with opening date and selling schedule by warehouses.

Each warehouse shall comply with the opening date and selling schedule issued by the Secretary. If on any sales day a warehouse sells tobacco in excess of that allowed by such schedule, such excess amount shall be deducted from the quantity of tobacco authorized to be sold at that warehouse on either of the following two sales days. If such reduction in the quantity of tobacco sold is not made by the warehouse within such two days, no tobacco inspection or price support services shall be made available at such warehouse on the next succeeding sales day.

CHAPTER XIV—COMMODITY CREDIT CORPORATION, DEPARTMENT OF AGRICULTURE

[Amdt. 5]

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

PART 1464—TOBACCO

Subpart A—Tobacco Loan Program

(1) In § 1464.2, paragraphs (e) (2) and (3) are redesignated paragraphs (e) (3) and (4) respectively and a new paragraph (e) (2) is added as follows:

§ 1464.2 Availability of price support.

* * *

(2) For flue-cured tobacco offered for sale at auction warehouses, price support will be available only on tobacco which has been designated for sale at specified warehouses by the producer under the following conditions:

(i) *Definition.* "Producer" as used in this subparagraph means the person who was issued the tobacco marketing card pursuant to Part 725 of this title.

(ii) *Producer designation of warehouses.* Producers will be required, as a condition of price support, to designate the warehouses at which they will market their tobacco. Such designations may be at any warehouse or warehouses in any market within a radius of 100 miles from the county seat of the county in which the farm is located, or if such farm is physically within two counties, then from the county seat of the county in which the county ASCS office administering that farm is located. To the extent that there are less than eight markets within such radius, any warehouse or warehouses in any of the eight markets nearest to the county seat may be designated. A producer may obtain price support only in a warehouse he has designated, and at each such warehouse only with respect to the quantity of tobacco he designated for sale at such warehouse.

(iii) *When producer designations shall be made.* Producer designations of the warehouse or warehouses at which they will market their tobacco shall be made each year during a period which shall be announced by the county ASCS office in their county prior to the start of the period. Such period shall be prior to May 31 each year, except for the 1974 crop, such period shall be prior to June 15. Producers who lease quota after such period may designate the warehouse or warehouses at which the leased pounds will be marketed at the time the lease is filed at the county ASCS office. During the five workdays ending on the first Friday of each calendar month after any flue-cured marketing area has opened for inspection and sale of tobacco, producers in any part of the flue-cured production area may change their designations with

respect to that portion of their tobacco then remaining to be marketed. Producers who have designated warehouses which cease to operate or cease to have tobacco inspection or price support available may change their designations of such warehouses at any time subsequent to such occurrences.

(iv) *Form and content of designations.* A designation shall be made by each producer for each warehouse at which he desires to market his tobacco by executing a form provided by the county ASCS office. The producer will be required to indicate on such form the name of the warehouse or warehouses designated by him and the pounds of flue-cured tobacco he desires to sell at each such warehouse as well as any other information requested on such form.

(v) *Issuing warehouse designation card.* The county ASCS office shall execute and furnish the producer a warehouse designation card for each warehouse which the producer designates. Changes in designation by the producer shall be accomplished by the producer returning his warehouse designation card to the county ASCS office and requesting the transfer of any unmarketed pounds of flue-cured tobacco shown on any warehouse designation card to a warehouse designation card for another eligible warehouse or warehouses.

(vi) *Use of warehouse designation cards by warehouses.* (a) The warehouse shall enter on the warehouse designation card the date of sale and the pounds of that producer's tobacco sold as well as any other information requested from the warehouse on such card;

(b) A separate sale bill marked "no price support" shall be prepared for that quantity of tobacco weighed in that is in excess of the pounds designated as shown on the warehouse designation card;

(c) The warehouse shall mark "no price support" on the sale bill for any tobacco for which the producer failed to present the warehouse a warehouse designation card.

(vii) *Availability of designation information.* Each county ASCS office shall send all designations received to the Flue-Cured Tobacco Cooperative Stabilization Corporation, Raleigh, North Carolina, following each designation period and each period for changing designations. That corporation shall inform the Flue-Cured Tobacco Advisory Committee of the pounds designated to each warehouse and the pounds of any undesignated tobacco which, for the purpose of recommending opening dates and selling schedules in accordance with Part 29 of this title, is available for apportioning for sale at each warehouse. That corporation also shall furnish each warehouse the name and address of the producers who designated the warehouse, the

pounds each designated and the pounds which represent 110 percent of the marketing quota of each such producer.

(viii) *Failure to comply with opening date and selling schedule by warehouses.* If on any sales day a warehouse sells tobacco in excess of that allowed by the opening date and selling schedule issued in accordance with Part 29 of this title, such excess amount shall be deducted from the quantity of tobacco authorized to be sold at that warehouse on either of the following two sales days. If such reduction in quantity of tobacco sold is not made by the warehouse within such two days, no tobacco inspection or price support shall be made available at such warehouse on the next succeeding sales day.

(2) In § 1464.8 paragraphs (e), (f), (g), (h) and (i) are redesignated as paragraphs (f), (g), (i) and (j) respectively and a new paragraph (e) is added as follows:

§ 1464.8 Eligible tobacco.

(e) If flue-cured tobacco which was delivered to the association through an auction warehouse is a quantity which, when added to previous marketings of that producer at that warehouse, does not exceed the quantity designated by the producer for marketing at that warehouse.

Effective date. The foregoing amendments and revisions shall become effective May 20, 1974.

Done at Washington, D.C., this 15th day of May 1974.

J. PHIL CAMPBELL,
Acting Secretary.

[FR Doc.74-11520 Filed 5-17-74; 8:45 am]

PART 68—REGULATIONS AND STANDARDS FOR INSPECTION AND CERTIFICATION OF CERTAIN AGRICULTURAL COMMODITIES AND PRODUCTS THEREOF

Fees and Charges for Certain Federal Inspection Services

In FR Doc. 11092 appearing at page 17217 in the issue for Tuesday, May 14, 1974, the following correction should be made. In § 68.42a under the entry for "Appeal inspection:" the second indented line should read as follows:

"(b) Basis new sample ----- (2)".

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

[Lemon Regulation 639]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

This regulation fixes the quantity of California-Arizona lemons that may be

shipped to fresh market during the weekly regulation period May 19-25, 1974. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 910. The quantity of lemons so fixed was arrived at after consideration of the total available supply of lemons, the quantity of lemons currently available for market, the fresh market demand for lemons, lemon prices, and the relationship of season average returns to the parity price for lemons.

§ 910.939 Lemon Regulation 639.

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

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

(i) The committee has submitted its recommendation with respect to the quantity of lemons it deems advisable to be handled during the ensuing week. Such recommendation resulted from consideration of the factors enumerated in the order. The committee further reports the demand for lemons continues to improve. Average f.o.b. price was \$6.02 per carton the week ended May 11, 1974, compared to \$5.87 per carton the previous week. Track and rolling supplies at 155 cars were up 15 cars from last week.

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

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this regulation until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this regulation is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter

set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at the meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on May 14, 1974.

(b) *Order.* (1) The quantity of lemons grown in California and Arizona which may be handled during the period May 19, 1974, through May 25, 1974, is hereby fixed at 275,000 cartons.

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

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

Dated: May 15, 1974.

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

[FR Doc.74-11551 Filed 5-16-74; 11:44 am]

[Peach Regulation 4]

PART 917—FRESH PEARS, PLUMS, AND PEACHES GROWN IN CALIFORNIA

Regulation by Grades and Sizes

This regulation requires that all California peaches, entering interstate commerce, grade at least U.S. No. 1. It also establishes minimum sizes for certain specified varieties and a minimum size for all other varieties. This action is necessary to assure that the peaches shipped will be of suitable quality and size in the interest of consumers and producers. The regulation is the same as that which regulates intrastate shipments of California peaches.

Findings. (1) Pursuant to the amended marketing agreement, and Order No. 917 (7 CFR Part 917), regulating the handling of fresh pears, plums, and peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations of the Peach Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available in-

formation, it is hereby found that the limitation of shipments of peaches, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) This regulation is based upon an appraisal of the current and prospective market conditions for California peaches. The committee estimates that 8,010,000 packages of peaches will be available for shipment in the 1974 season compared with actual shipment of 7,288,000 packages last season. Although peach production in the 9 Southern States is forecast at 21 percent less than last year, industry reports indicate that 1974 shipments of fresh California plums, and nectarines will be considerably larger than last year. Such plums and nectarines provide strong competition to California fresh peaches. The grade and size requirements hereinafter set forth are necessary to prevent the handling of California peaches of a lower grade or smaller size than specified herein for such peaches so as to provide good quality fruit in the interest of producers and consumer pursuant to the declared policy of the act.

(3) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this regulation until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553) in that, as hereinafter set forth, the time intervening between the date when information upon which this regulation is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than May 18, 1974. A reasonable determination as to the supply of, and the demand for, such peaches must await the development of the crop thereof, and adequate information thereon was not available to the Peach Commodity Committee until May 9, 1974, on which date an open meeting was held, after giving due notice thereof, to consider the need for, and the extent of, regulation of shipments of such peaches. Interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified was promptly submitted to the Department on May 10, 1974; shipments of the current crop of such peaches are currently underway; this regulation should be applicable to all such shipments in order to effectuate the declared policy of the act; the provisions of this regulation are identical, as to minimum grade and size, with the aforesaid recommendation of the committee; information concerning such provisions and effective time has been disseminated among handlers of such peaches; and compliance with the provisions of this regulation will not require of handlers any prepara-

tion therefor which cannot be completed by the effective time hereof.

§ 917.433 Peach Regulation 4.

(a) During the period May 18, 1974, through July 2, 1974, no handler shall handle:

(1) Any package or container of any variety of peaches unless such peaches meet the requirements of U.S. No. 1 grade.

(2) Any package or container of Arm Gold, Early Amber, Desert Gold, Pat's Pride, Royal April, Royal Gold, Spring Gold, or Springtime variety peaches unless:

(i) Such peaches when packed in a No. 22D standard lug box are of a size that will pack, in accordance with the requirements of standard pack, not more than 108 peaches in the lug box; or

(ii) Such peaches when packed in any container, other than a No. 22D standard lug box, that is packed in accordance with the requirements of standard pack, measure not less than 2 inches in diameter as measured by a rigid ring: *Provided*, That not more than 10 percent by count of peaches in any container may fail to meet such diameter requirement.

(3) Any package or container of Springcrest variety peaches unless:

(i) Such peaches when packed in a No. 22D standard lug box are of a size that will pack, in accordance with the requirements of standard pack, not more than 96 peaches in the lug box; or

(ii) Such peaches when packed in any container, other than a No. 22D standard lug box that is packed in accordance with the requirements, of standard pack, measure not less than 2 1/8 inches in diameter as measured by a rigid ring: *Provided*, That not more than 10 percent by count of peaches in any container may fail to meet such diameter requirement.

(4) Any package or container of Robin, any type of Babcock, Blazing Gold, Bonjour, Cardinal, Dixired, Gold Dust, June Lady, Merrill Gemfree, Royal May, or Early Coronet variety peaches unless:

(i) Such peaches when packed in a No. 22D standard lug box are of a size that will pack, in accordance with the requirements of standard pack, not more than 88 peaches in the lug box;

(ii) Such peaches when packed in a No. 12B standard peach box are of a size that will pack, in accordance with the requirements of standard pack, not more than 75 peaches in the box; or

(iii) Such peaches when packed in any container, other than a No. 22D standard lug box, or a No. 12B standard peach box that is packed in accordance with the requirements of standard pack measure not less than 2 1/4 inches in diameter as measured by a rigid ring: *Provided*, That not more than 10 percent, by count, of peaches in any such container may fail to meet such diameter requirement.

(5) Any package or container of Aurora, Coronet, Indian Red, Merrill Beauty, Merrill Gem, Peterson Elberta, Red Haven, Regina, or Red Top variety peaches unless:

(i) Such peaches when packed in a No. 22D standard lug box are of a size that will pack, in accordance with the requirements of standard pack, not more than 80 peaches in the box; or

(ii) Such peaches when packed in a No. 12B standard peach box are of a size that will pack, in accordance with the requirements of standard pack, not more than 70 peaches in the box; or

(iii) Such peaches when packed in any container, other than a No. 22D standard lug box or a No. 12B standard peach box that is packed in accordance with the requirements of standard pack, measure not less than 2 3/8 inches in diameter as measured by a rigid ring: *Provided*, That not more than 10 percent, by count, of peaches in any such container may fail to meet such diameter requirement.

(6) Any package or container of Alamar, Angelus, Belmont, Carnival, Fairtime, Fay Elberta, Fayette, Fiesta, Fortyniner, Franciscan, Halloween, J. H. Hale, John Gee, Jody Gaye, July Elberta (Early Elberta, Kim Elberta, and Socala), Madera Gem, Maidens, Mardigras, Merricle, O'Henry, Pacifica, Pageant, Parade, Paradise, Preuss Suncrest, Regular Elberta, Red Globe, Red Lady, Rio Oso Gem, Royal Faye, Royal Hale, Scarlet Lady, Summerset, Summertime, Suncrest, Toreador, or William's Gem variety peaches unless:

(i) Such peaches when packed in a No. 22D lug box are of a size that will pack, in accordance with the requirements of standard pack, not more than 72 peaches in the lug box;

(ii) Such peaches when packed in a No. 12B standard peach box are of a size that will pack, in accordance with the requirements of standard pack, not more than 65 peaches in the peach box; or

(iii) Such peaches when packed in any container, other than a No. 22D standard lug box or a No. 12B standard peach box that is packed in accordance with the requirements of standard pack, measure not less than 2 1/8 inches in diameter as measured by a rigid ring: *Provided*, That not more than 10 percent, by count, of peaches in any such container may fail to meet such diameter requirement.

(b) During the period May 18, 1974, through June 30, 1974, no handler shall handle any package or container of any variety of peaches not specifically named in paragraphs (a) (2), (3), (4), (5), or (6) of this section unless:

(1) Such peaches when packed in a No. 22D standard lug box are of a size that will pack, in accordance with the requirements of standard pack, not more than 96 peaches in the lug box; or

(2) Such peaches when packed in any container, other than a No. 22D standard lug box, measure not less than 2 3/8 inches in diameter as measured by a rigid ring: *Provided*, That not more than 10 percent by count of peaches in any such container may fail to meet such diameter requirements.

(c) During the period July 1 and 2, 1974, no handler shall handle any package or container of any variety of peaches not specifically named in para-

graphs (a) (2), (3), (4), (5) or (6) of this section unless:

(1) Such peaches when packed in a No. 22D standard lug box are of a size that will pack, in accordance with the requirements of standard pack, not more than 80 peaches in the lug box; or

(2) Such peaches when packed in a No. 12B standard peach box are of a size that will pack, in accordance with the requirements of standard pack, not more than 70 peaches in the peach box; or

(3) Such peaches when packed in any container, other than a No. 22D standard lug box or a No. 12B standard peach box, measure not less than 2 3/8 inches in diameter as measured by a rigid ring: *Provided*, That not more than 10 percent, by count, of peaches in any such container may fail to meet such diameter requirement.

(d) Peach Regulation 3 (38 FR 11064, 14815) is hereby terminated as of the effective date hereof.

(e) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as given to the respective term in said amended marketing agreement and order: "U.S. No. 1," and "standard pack," shall have the same meaning as when used in the United States Standards for Peaches (7 CFR 51.1210-1223); "No. 22D standard lug box" and "No. 12B standard peach box" shall have the same meaning as set forth in section 43601 of the Agricultural Code of California; and "diameter" shall mean the distance through the widest portion of the cross section of a peach at right angles to a line running from the stem to the blossom end.

Dated: May 15, 1974.

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

[FR Doc.74-11490 Filed 5-17-74;8:45 am]

CHAPTER XIV—COMMODITY CREDIT CORPORATION, DEPARTMENT OF AGRICULTURE

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

PART 1464—TOBACCO

[Amdt. 5]

Subpart A—Tobacco Loan Program

CROSS REFERENCE: For a document concerning tobacco inspection and price support services with regard to flue-cured tobacco, and filed jointly by the Commodity Credit Corporation and the Agricultural Marketing Service, see FR Doc. 74-11520, *supra*.

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Airspace Docket No. 74-WA-14]

PART 73—SPECIAL USE AIRSPACE

Alteration of Restricted Areas

The purpose of this amendment to Part 73 of the Federal Aviation regula-

tions is to change the Using agency for Subareas A and B of Restricted Area R-3101 PMRFAC FOUR, Hawaii, and for Restricted Areas R-3104 A, B, and C Island of Kahoolawe, Hawaii, R-3107 A and B Kaula Rock, Hawaii, and R-3120 PMRFAC Five, Hawaii.

The change will correct the identity of the military organization for whom the restricted areas are designated.

Since designation of a different using agency is a minor amendment upon which the public is not particularly interested, notice and public procedure thereon are unnecessary. However, as it is essential that the correct using agency of the restricted areas be identified, good cause exists for making this amendment effective immediately.

In consideration of the foregoing, Part 73 of the Federal Aviation regulations is amended, effective May 20, 1974, as hereinafter set forth.

In § 73.31 (39 FR 664)

1. The Using agency for R-3101 PMRFAC FOUR, Hawaii, SUBAREA A, is changed to read as follows:

Using agency. Commanding Officer, Pacific Missile Range Facility, Hawaii (COPMRFAC HAWAII).

2. The Using agency for R-3101 PMRFAC FOUR, Hawaii, SUBAREA B, is changed to read as follows:

Using agency. Commanding Officer, Pacific Missile Range Facility, Hawaii (COPMRFAC HAWAII).

3. The Using agency for R-3104A Island of Kahoolawe, Hawaii, is changed to read as follows:

Using agency. Commander, Fleet Training Group Pearl Harbor (COMFLETRAGRU PEARL).

4. The Using agency for R-3104B Island of Kahoolawe, Hawaii, is changed to read as follows:

Using agency. Commander, Fleet Training Group Pearl Harbor (COMFLETRAGRU PEARL).

5. The Using agency for R-3104C Island of Kahoolawe, Hawaii, is changed to read as follows:

Using agency. Commander, Fleet Training Group Pearl Harbor (COMFLETRAGRU PEARL).

6. The Using agency for R-3107A Kaula Rock, Hawaii, is changed to read as follows:

Using agency. Commander, Fleet Training Group Pearl Harbor (COMFLETRAGRU PEARL).

7. The Using agency for R-3107B Kaula Rock, Hawaii, is changed to read as follows:

Using agency. Commander, Fleet Training Group Pearl Harbor (COMFLETRAGRU PEARL).

8. The Using agency for R-3120 PMRFAC FIVE, Hawaii, is changed to read as follows:

Using agency. Commanding Officer, Pacific Missile Range Facility Hawaii (COPMRFAC HAWAII).

(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 May 14, 1974.

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

[FR Doc.74-11436 Filed 5-17-74;8:45 am]

CHAPTER II—CIVIL AERONAUTICS BOARD SUBCHAPTER A—ECONOMIC REGULATIONS

[Reg. ER-852; Amdt. No. 1]

PART 292—CLASSIFICATION AND EXEMPTION OF ALASKAN AIR CARRIERS

Deletion of Procedural Requirements

Adopted by the Civil Aeronautics Board at its office in Washington, D.C.

Section 292.3 provides special procedural requirements relating to the filing and posting of documents affecting Alaskan air carriers in the Board's "Alaska Liaison Office."

Although the Board currently maintains an Alaska regional office in Anchorage, the functions of that office are not the same as those formerly performed by the "Alaska Liaison Office" referred to in § 292.3, which has not been maintained for some years. Thus, since the requirements prescribed by § 292.3 have been rendered obsolete by the discontinuation of the "Alaska Liaison Office," the section should be deleted.

In deleting these special procedural requirements which were previously applicable to all proceedings affecting Alaskan air carriers, it should be noted that the Board intends to prescribe, from time to time, such special procedural requirements as it may deem appropriate, to enable its Alaska regional office to serve as a readily accessible repository for copies of relevant materials filed with the Board in particular proceedings or types of proceedings.

Accordingly, we have determined to amend Part 292 by deleting the provisions of § 292.3.

Inasmuch as this amendment relates only to procedural requirements the Board finds that notice and public procedure hereon are unnecessary, and it may be made effective immediately.

In consideration of the foregoing, the Civil Aeronautics Board hereby amends Part 292 of the Economic Regulations (14 CFR Part 292) effective May 15, 1974, as follows:

1. Amend the table of contents by deleting and reserving the title of § 292.3. As amended the Table of Contents will read in pertinent part:

* * * * *

§ 292.3 [Reserved]

* * * * *

2. Delete and reserve § 292.3 the section as amended to read as follows:

§ 292.3 [Reserved]

(Sec. 204(a) of the Federal Aviation Act of 1958 as amended, 72 Stat. 743; (49 U.S.C. 1324.))

Effective date: May 15, 1974.

Adopted: May 15, 1974.

By the Civil Aeronautics Board.

[SEAL]

EDWIN Z. HOLLAND,
Secretary.

[FR Doc.74-11478 Filed 5-17-74;8:45 am]

[Reg. ER-846; Amdt. 22]

PART 298—CLASSIFICATION AND EXEMPTION OF AIR TAXI OPERATORS

Definition of Large Aircraft

Correction

In FR Doc. 74-10584 appearing at page 16341 in the issue for Wednesday, May 8, 1974, the following correction should be made. On page 16342, in the last paragraph of the first column, the first sentence should read as follows: "Similarly, the objections of some respondents to the exclusion of the Convair 240 and 340 or the Hawker Siddeley 743 rest implicitly on the fact that these were not expressly listed in Order 72-9-62 as aircraft that would not qualify under the air taxi exemption."

Title 16—Commercial Practices

CHAPTER I—FEDERAL TRADE COMMISSION

[Docket No. 8924]

PART 13—PROHIBITED TRADE PRACTICES

Edu-Cards Corp.

Subpart—Furnishing means and instrumentalities of misrepresentation or deception: § 13.1055 Furnishing means and instrumentalities of misrepresentation or deception; § 13.1057 Packaging deceptively; 13.1057-40 Oversized containers. Subpart—Misrepresenting oneself and goods—Goods: § 13.1698 Packaging deceptively. Subpart—Packaging or labeling of consumer commodities unfairly and/or deceptively: § 13.2100 Packaging or labeling of consumer commodities unfairly and/or deceptively, § 13.2100-10 Packaging.*

(Sec. 6, 38 Stat. 721; (15 U.S.C. 46). Interprets or applies sec. 5, 38 Stat. 719, as amended; (15 U.S.C. 45)) [Cease and desist order, Edu-Cards Corporation, Commack, N.Y., Docket 8924, Apr. 24, 1974]

In the Matter of Edu-Cards Corporation a Corporation

Consent order requiring a Commack, N.Y., manufacturer of toy, gift and hobby products, among other things to cease packaging its products in oversized containers creating appearance or impression that contents contained therein are of a greater size or quantity than is the fact.

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

It is ordered, That respondent Edu-Cards Corporation, a corporation, and its officers, agents, representatives, employees, successors and assigns, directly or through any corporation, subsidiary, division or other device, in connection with the offering for sale, sale or distribution of toy, gift and hobby merchandise and any other products, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

*New.

1. Packaging said products in oversized boxes or other containers so as to create the appearance or impression that the width or thickness or other dimensions or quantity of products contained in a box or container is appreciably greater than is the fact; but nothing in this order shall be construed as forbidding respondent to use oversized containers if respondent justifies the use of such containers as necessary for the efficient packaging of the products contained therein and establishes that respondent has made all reasonable efforts to prevent any misleading appearance or impression from being created by such containers;

2. Providing wholesalers, retailers or other distributors of said products with any means or instrumentality with which to deceive the purchasing public in the manner described in paragraph (1) above.

It is further ordered, That respondent or its successors or assigns notify the Commission at least thirty (30) days prior to any proposed change in the corporate respondent such as dissolution, assignment or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries or any other change in the respondent which may affect compliance obligations arising out of this order.

It is further ordered, That the respondent distribute a copy of this order to all divisions and subsidiaries of said corporation and all firms and individuals involved in the formulation or implementation of respondent's business policies, and all firms and individuals engaged in the advertising, marketing, or sale of respondent's products.

It is further ordered, That the respondent herein shall, within sixty (60) days after service upon it of this Order file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this Order.

Issued: April 24, 1974.

By the Commission.

[SEAL] CHARLES A. TOBIN,
Secretary.

[FR Doc. 74-11471 Filed 5-17-74; 8:45 am]

[Docket No. C-2496]

PART 13—PROHIBITED TRADE PRACTICES

Hutcheson Meats and Robert E. Brannan

Subpart—Advertising falsely or misleadingly: § 13.10 Advertising falsely or misleadingly; § 13.15 Business status, advantages or connections; 13.15-70 Financing activities; § 13.73 Formal regulatory and statutory requirements; § 13.73-92 Truth in Lending Act; § 13.85 Government approval, action, connection or standards; § 13.85-60 Standards, specifications, or source; § 13.155 Prices; § 13.155-10 Bait; § 13.155-70 Percent-

age savings; § 13.155-95 Terms and conditions; § 13.155-95(a) Truth in Lending Act; § 13.155-100 Usual as reduced, special, etc.; § 13.175 Quality of product or service; § 13.180 Quantity; § 13.230 Size or weight. Subpart—Failing to maintain records: § 13.1051 Failing to maintain records; § 13.1051-20 Adequate; Subpart—Misrepresenting oneself and goods—Business status, advantages or connections; § 13.1417 Financing activities; —Goods: § 13.1623 Formal regulatory and statutory requirements; § 13.1623-95 Truth in Lending Act; § 13.1715 Quality; § 13.1720 Quantity; § 13.1743 Size or weight. —Prices: § 13.1779 Bait; § 13.1823 Terms and conditions; § 13.1823-20 Truth in Lending Act; § 13.1825 Usual as reduced or to be increased. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 Formal regulatory and statutory requirements; § 13.1852-75 Truth in Lending Act; § 13.1857 Instruments' sale to finance companies; § 13.1882 Prices; § 13.1886 Quality, conditions; § 13.1905-60 Truth in Lending Act, or type; § 13.1905 Terms and conditions.

(Sec. 6, 38 Stat. 721 (15 U.S.C. 46). Interprets or applies sec. 5, 38 Stat. 719, as amended; 82 Stat. 146, 147 (15 U.S.C. 45, 52, 1601-1605)) [Cease and desist order, New Orleans Meats, Inc., doing business as Hutcheson Meats, et al., Kenner, La., Docket C-2496, Mar. 20, 1974]

In the Matter of New Orleans Meats, Inc., a Corporation, Doing Business as Hutcheson Meats, and Robert E. Brannan, Individually and as an Officer of Said Corporation

Consent order requiring a Kenner, La., seller and distributor of beef and other meat products, among other things to cease using bait advertisements; misrepresenting the price, quality, and quantity of its products; and violating the Truth in Lending Act by failing to disclose to consumers, in connection with the extension of consumer credit, such information as required by Regulation Z of the said Act.

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

It is ordered, That respondent New Orleans Meats, Inc., a corporation, doing business as Hutcheson Meats, its successors and assigns, its officers and Robert E. Brannan, individually and as an officer of said corporation, respondents' agents, representatives, salesmen and employees, directly or through any corporation, subsidiary, division or other device, in connection with the offering for sale, sale or distribution of meat or other food products, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Disseminating, or causing the dissemination of, any advertisement, or utilizing any sales presentation, which represents directly or by implication:

(a) That any products are offered for sale, when the purpose of such representation is not to sell the offered products,

but to obtain prospects for the sale of other products at higher prices.

(b) That any product is offered for sale when such offer is not a bona fide offer to sell such product.

(c) That any meat offered for sale is high quality meat, which in fact is either ungraded or below the grades of "Prime", "Choice" and "Good", or which is yield grade 5 of the quality grade.

(d) That the meat a purchaser will receive or take home, when untrimmed beef sides, hindquarters, forequarters, or other untrimmed pieces, "Bundles", or "Packs" are sold, will consist, after cutting, dressing and trimming, entirely or primarily of steaks, or other high quality cuts, unless such is the fact.

2. Disseminating, or causing the dissemination of, any advertisement, or utilizing any sales presentation, which:

(a) Fails to disclose clearly, without ambiguity, and with prominence:

(1) That untrimmed beef sides, hindquarters, forequarters, or other untrimmed pieces, "Bundles", or "Packs", offered for sale, will suffer weight loss due to cutting, dressing and trimming.

(2) That the price charged for untrimmed meat is based on the hanging weight before cutting, dressing and trimming occurs.

(3) That correct average percentage of weight loss of such untrimmed side, quarter, piece, "Bundle", or "Pack" due to cutting, dressing and trimming.

(b) Fails to include clearly and with prominence:

(1) When United States Department of Agriculture graded meat is advertised which is below the grade of "USDA Good", the meat will be identified as grades U.S. Standard and/or U.S. Commercial.

3. Disseminating, or causing the dissemination of, any advertisement, or utilizing any sales presentation, which misrepresents in any manner the price, quantity or quality of any meat or other food products, or savings available to purchasers thereof.

4. Disseminating, or causing the dissemination of, any advertisement, or utilizing any sales presentation, which represents directly or by implication, that the prices stated in such advertisements are not the regular and ordinary prices at which respondents offer for sale, and sell meat or other food products, but are instead "sale" or "special" prices, and therefore are lower than respondents' regular and ordinary prices, when, in fact, such advertised prices are the prices regularly and ordinarily charged by respondents for the products advertised and do not constitute a reduction or dollar saving from respondents' regular and ordinary prices.

5. Disseminating, or causing the dissemination of, any advertisement, or utilizing any sales presentation, which represents, directly or by implication:

(a) That purchasers may arrange for credit granted by respondents for purchases of meat or other food products when respondents do not in fact extend credit in the ordinary course and conduct of their business.

(b) That purchasers may arrange to make deferred payments for their purchases directly to respondents when, in the ordinary course and conduct of their business, respondents do not accept deferred payments but transfer purchasers' obligations to a finance company or other third party to whom such deferred payments must be made.

6. Disseminating, or causing the dissemination of, any advertisement, or utilizing any sales presentation, which fails to disclose clearly and with prominence that purchasers' obligations will be transferred to a finance company, or other third party, when, in the ordinary course and conduct of their business, such is respondents' practice.

7. Discouraging the purchase of, or disparaging in any manner, any meat or other food products which are advertised or offered for sale.

8. Displaying any side, hindquarter, forequarter, or other portion of a beef carcass of inferior quality and unwholesome appearance, or of fatty, wasty yield grade, to prospective customers who have answered an advertisement or sales presentation of respondents, as the meat featured in such advertisement or presentation, so as to discourage such prospective customers from seeking to purchase the meat which was the subject of the advertisement or presentation.

9. Failing to maintain for a period of two (2) years adequate records, and to permit the inspection and copying thereof by Commission representatives:

(a) Which disclose the facts upon which are based price representations and statements as to the quality and the U.S.D.A. grade of meat offered for sale, savings claims, representations as to the percentage of steaks, or other high quality cuts in advertised meat, and similar representations from the type covered by this Order, and from which the validity of such statements and representations can be established; and

(b) Records from which respondents' compliance with the requirements of this Order can be ascertained.

It is further ordered, That respondents New Orleans Meats, Inc., doing business as Hutcheson Meats, its successors and assigns, its officers and Robert E. Brannan, individually and as an officer of said corporation, respondents' agents, representatives, salesmen and employees, directly or through any corporation, subsidiary, division or other device, in connection with any advertisement to aid, assist or promote, directly or indirectly, any extension of consumer credit, as "advertisement" and "consumer credit" are defined in Regulation Z of the Truth in Lending Act, do forthwith cease and desist from:

1. Stating in any advertisement the amount of the down payment required or that no down payment is required, the amount of any installment payment, the dollar amount of any finance charge, the number of installments or the period or repayment, or that there is no charge for credit, unless there is also stated, in terminology prescribed under § 226.8 of regulation Z, as required by § 226.10(d) (2)

of regulation Z, all of the following items—(i) the cash price; (ii) the amount of the down payment required or that no down payment is required, as applicable; (iii) the number, amount, and due dates or period of repayments scheduled to repay the indebtedness if the credit is extended; (iv) the annual percentage rate; and (v) the deferred payment price.

2. Making any disclosure not in accordance with the requirements of § 226.10 of Regulation Z.

It is further ordered, That respondents deliver a copy of this order to cease and desist to all persons now engaged, or who become engaged, in the sale of meat or other food products as respondents' agents, salesmen, representatives or employees, and to secure from each of said persons a signed statement acknowledging receipt of a copy thereof.

It is further ordered, That respondents notify the Commission at least 30 days prior to any proposed change in the corporate respondent such as dissolution, assignment or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries or any other change in the corporation which may affect compliance obligations arising out of the order.

It is further ordered, That the individually respondent named herein promptly notify the Commission of the discontinuance of his present business or employment and of his affiliation with a new business or employment. Such notice shall include respondent's current business address and a statement as to the nature of the business or employment in which he is engaged as well as a description of his duties and responsibilities.

It is further ordered, That the respondents herein shall within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with this order.

Issued: March 20, 1974.

By the Commission.

[SEAL] CHARLES A. TOBIN,
Secretary.

[FR Doc. 74-11470 Filed 5-17-74; 8:45 am]

CHAPTER II—CONSUMER PRODUCT SAFETY COMMISSION

SUBCHAPTER B—CONSUMER PRODUCT SAFETY ACT REGULATIONS

PART 1105—SUBMISSION OF EXISTING STANDARDS; OFFERS TO DEVELOP STANDARDS; AND THE DEVELOPMENT OF STANDARDS

Consumer Product Safety Standards; Requirements and Procedures; Correction

In FR Doc. 74-10731 appearing at page 16206 in the FEDERAL REGISTER of May 7, 1974, the following concluding text was inadvertently omitted from paragraph 16 of the preamble (39 FR 16209):

"The Commission concludes that § 1105.8(a) should not be changed as suggested. Where alternative test meth-

ods are appropriate, the standards will identify them. If not originally included in the standard, they may be added afterwards by amending the standard in accordance with the provisions of section 9(e) of the act."

Dated: May 15, 1974.

SADYE E. DUNN,
Secretary, Consumer Product
Safety Commission.

[FR Doc.74-11468 Filed 5-17-74; 8:45 am]

Title 41—Public Contracts and Property Management

CHAPTER 8—VETERANS ADMINISTRATION

PART 8-75—DELEGATIONS OF AUTHORITY

Special and Limited Delegations of Authority; Construction Contracts

Subpart 8-75.2, Special and Limited Delegations, is revised as follows. The delegation of contracting authority to the Assistant Administrator for Construction is amended to include the services of artists for works of art for new buildings, to reflect an organizational realignment in the Office of Construction, and to include certain site facility work in utility-connection contracts. The delegation of authority for purchases of controlled substances is deleted from this subpart and will be reissued in subpart 8-74. New § 8-75.201-16 is added to incorporate delegations of contracting authority to the National Cemetery System.

Compliance with the provisions of 38 CFR 1.12, as to the notice of proposed regulatory development and delayed effective date is unnecessary in this instance as the change consists of statements of delegations of contracting authority.

1. Section 8-75.201-2 is amended by revising the introductory paragraph and paragraph (b) to read as follows:

§ 8-75.201-2 Architectural and engineering services; Central Office.

Authority to execute, award, and administer contracts and related documents involving the expenditure of funds for the acquisition of architectural and engineering services and of services of artists for works of art authorized in connection with new buildings, is delegated to the following:

(b) Project Directors, or in their absence the Senior Project Supervisors.

2. Sections 8-75.201-4 is amended by revising the section heading, the introductory paragraph, and paragraph (b) as follows:

§ 8-75.201-4 Utility-connection and other site facility contracts; Central Office.

Authority to execute, award, and administer contracts and related documents involving the expenditure of funds for the acquisition of utility connections

and other site facilities is delegated to the following:

(b) Chief, Utilities Contract Administration Division, or in his absence the Director of Architecture and Engineering.

3. Section 8-75.201-5 is revised to read as follows:

§ 8-75.201-5 Construction contracts; field stations, supply depots.

The Chief, Supply Service, at a field station, the Manager, VA Supply Depot, and any employee designated by them in accordance with § 8-75.101(b) of this Chapter are authorized to execute, award, and administer contracts for construction projects assigned by the Chief Medical Director, under delegation of the Assistant Administrator for Construction, or those accomplished with station or depot funds. Contracting officers, in executing, awarding and administering construction contracts, including those for maintenance and repair projects, will be guided by Federal Procurement Regulations, Veterans Administration Procurement Regulations, and procedures established by the Assistant Administrator for Construction.

3. Section 8-75.201-7 is revised to read as follows:

§ 8-75.201-7 Issue of Government bills of lading—Transportation of remains of deceased beneficiaries.

The Chief, Medical Administration Service, at a Veterans Administration hospital, or the person acting in that capacity, is delegated authority to issue and to sign as "Issuing Officer," Government bills of lading for the shipment of the remains of beneficiaries expiring in a Veterans Administration hospital.

4. Section 8-75.201-10 is revised to read as follows:

§ 8-75.201-10 Architectural and engineering services; field stations, supply depots.

The Chief, Supply Service, at a field station, the Manager, VA Supply Depot, and any employee designated by them in accordance with § 8-75.101(b) of this chapter are authorized to execute, award, and administer contracts for the acquisition of architectural and engineering services when the cost of such services are chargeable to station or depot funds.

§ 8-75.201-11 [Revoked]

5. Section 8-75.201-11, Authority to purchase narcotics and other controlled drugs, is revoked.

6. Section 8-75.201-16 is added to read as follows:

§ 8-75.201-16 National Cemetery System.

Authority for the National Cemetery System to procure supplies, equipment and non-personal services is delegated as follows:

(a) Authority to execute, award, and administer contracts and related documents involving the expenditures of funds for the acquisition and transportation of headstones and markers is delegated to the following:

(1) Director and Deputy Director, National Cemetery System.

(2) Director, Headstone Service, National Cemetery System.

(3) Chief, Procurement Division, Headstone Service, National Cemetery System.

(4) Chief and Assistant Chief, Funds and Contracts Section, Procurement Division, Headstone Service, National Cemetery System.

(b) Authority to issue and sign Government Bills of Lading for the transportation of headstones and markers is further delegated to:

(1) Transportation Specialist, Headstone Service, National Cemetery System.

(2) Chief, Transportation Section, Procurement Division, Headstone Service, National Cemetery System.

(c) Authority to procure, in accordance with the provisions of FPR 1-3.6, supplies, equipment, and non-personal services (including construction) required for the operation of National Cemeteries is delegated to:

(1) Director and Deputy Director, National Cemetery System.

(2) Chief and Assistant Chief, National Cemetery Supervising Office.

(3) National Cemetery Superintendents.

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

Effective date. These regulations are effective May 13, 1974.

Approved: May 13, 1974.

By direction of the Administrator.

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

[FR Doc.74-11472 Filed 5-17-74; 8:45 am]

CHAPTER 14—DEPARTMENT OF THE INTERIOR

PART 14-4—SPECIAL TYPES AND METHODS OF PROCUREMENT

Architect Engineer Services; Procurement Actions

Correction

In FR Doc. 74-10020, appearing at page 15272, in the issue for Thursday, May 2, 1974, in the third column, paragraph (f) of § 14-4.1004-3 and the paragraph immediately below it should read as follows:

(f) Any other criteria applicable to a particular procurement.

§ 14-4.1004-4 Action by agency head or his authorized representative.

The head of each procuring activity, as the responsible official to whom authority is delegated, is authorized to perform the functions prescribed by § 1-4.1004-4 of this title.

Title 42—Public Health

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

SUBCHAPTER D—GRANTS

PART 58—GRANTS FOR PUBLIC HEALTH

Grants to Schools of Public Health for
Public Health Training—Miscellaneous
Amendments

Notice of proposed rulemaking, public rulemaking procedures and postponement of effective date have been omitted in the issuance of the following miscellaneous amendments to 42 CFR Part 58, Grants to Schools of Public Health for Public Health Training, because all schools of public health affected hereby have actual notice of such amendments and have previously had an opportunity to comment thereon and consequently such procedures would serve simply to delay necessary implementation and thus be contrary to the public interest.

The major substantive change made hereby is to revise § 58.2 of the current program regulations setting forth the policy concerning availability of funds to permit schools to have 24 months in which to obligate grant funds made available under Part 58, instead of requiring that such funds be obligated during the same year in which the grant is made. This will permit schools to obligate such funds in a more reasonable manner. These amendments also make a number of editorial and technical changes primarily directed at revising the regulations to substitute "Secretary" for "Surgeon General" and to update the citations to the current program authority.

Written comments concerning these miscellaneous amendments are invited from interested persons. Inquiries may be addressed, and data, views and arguments may be presented in writing, in triplicate, to Chief, Office of Grants Policy, Bureau of Health Resources Development, Health Resources Administration, Room 5B-36, Building 31, 9000 Rockville Pike, Bethesda, Maryland 20014. All comments received in response to these amendments will be available for public inspection and copying at the above referred to address weekdays (Federal holidays excepted) between the hours of 8:30 a.m. and 5 p.m. All relevant materials received not later than June 19, 1974, will be considered.

Dated: April 1, 1974.

CHARLES C. EDWARDS,
Assistant Secretary for Health.

Approved: May 15, 1974.

FRANK CARLUCCI,
Acting Secretary.

Part 58 of Title 42 of the Code of Federal Regulations is amended as follows:

1. In § 58.1, paragraph (a) is revised and paragraph (e) is revised. As amended, § 58.1 reads as follows:

§ 58.1 Definitions.

(a) "Schools of public health" mean those public or nonprofit schools in the

United States or its territories or possessions accredited for the degree of Master of Public Health by a body or bodies recognized by the Secretary. The American Public Health Association is a body so recognized.

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

2. Section 58.2 is revised to read as follows:

§ 58.2 Allocations, time of making and duration.

(a) The Secretary shall award a grant under this part in accordance with the allocation set forth in § 58.3, to each school of public health whose application is found by the Secretary to meet the requirements of section 309(c) of the Act and the regulations in this part.

(b) Funds awarded under this part may be expended by the school at any time before the end of the 24 month period specified in the grant award document.

3. The first sentence of § 58.3 is amended to read as follows:

§ 58.3 Basis of allocations.

Two-thirds of the funds made available pursuant to section 309(c) of the Act for any fiscal year shall be allocated among the schools of public health in the same proportion that the average number of Federally sponsored students in each school of public health during the last three fiscal years for which data are available bears to the average total number of Federally sponsored students in all schools of public health for that same period. * * *

4. Section 58.6 is amended as follows: Paragraph (a) is revised and paragraph (b) is revoked. As amended, § 58.6 reads as follows:

§ 58.6 Payments.

Payments from grants to a school of public health shall be made only after an application therefor has been submitted and approved in accordance with § 58.2.

5. Section 58.8 is amended to read as follows:

§ 58.8 Reports.

Each grantee shall at such times and in such form as the Secretary may prescribe, make such reports pertinent to the carrying out of its approved application and to the purposes for which the grant is made available as may be required by the Secretary.

6. Section 58.10 is revised to read as follows:

§ 58.10 Termination of grants.

Whenever the Secretary finds that a grantee has failed to comply with the regulations of this part or its approved application, he may, on reasonable no-

tice to the grantee, withhold further payments or terminate the grant.

[FR Doc. 74-11477 Filed 5-17-74; 8:45 am]

Title 45—Public Welfare

CHAPTER II—SOCIAL AND REHABILITATION
SERVICE (ASSISTANCE PRO-
GRAMS), DEPARTMENT OF HEALTH,
EDUCATION, AND WELFAREPART 250—ADMINISTRATION OF
MEDICAL ASSISTANCE PROGRAMSMedicaid; Federal Matching for Mechanized
Systems

Notice of proposed rulemaking was published June 13, 1973, at 38 FR 15584, implementing section 1903(a)(3) of the Act (amended by section 235 of Public Law 92-603). Requirements were specified for obtaining increased Federal matching, under title XIX of the Social Security Act, for mechanized claims processing and information retrieval systems.

Comments were received concerning the requirements for: (1) Prompt issuance of explanation of benefits (EOB); (2) proprietary rights of the Federal government in systems for which there has been Federal financial participation (FFP) under this regulation; (3) systems compatibility; (4) criteria to be used for approval of systems; and (5) access by Federal and State personnel to systems.

The response of the Department is: (1) Issuance of EOB is required by the Act and by intent of Congress; (2) retention of a Federal right to reproduce or otherwise use software or modifications thereof designed, developed, or installed with 90 percent FFP is necessary to achieve significant economies by preventing repetitive FFP for identical developmental work; (3) the final regulation clarifies that systems compatibility with other organizations means professional standards review organizations (PSRO's) at this time (as requirements evolve, FFP will be available for systems modifications); (4) criteria for approval of systems are contained in the regulation guidelines (equivalent systems are acceptable); and (5) access by Federal and State personnel is necessary to determine economy, efficiency, and effectiveness.

Changes have been made in the regulation to specify that proprietary rights will be retained by the State government. The Federal government will retain a right to reproduce or otherwise use software or modifications thereof designed, developed, or installed with 90 percent Federal matching funds. Other changes have been made to add requirements for a reasonable time period for system use after installation, and for system operation at the time a claim for matching is made. Also, clarifying and editorial changes have been made. The provision for matching of hospital cost determination systems has been deleted since the statutory authorization has expired.

Accordingly, the regulation as proposed with necessary changes has been adopted.

§ 250.90 Federal financial participation: Mechanized claims processing, and information retrieval systems.

(a) *Definitions.* For purposes of this section:

(1) A mechanized claims processing and information retrieval system is a system of software and hardware used to process claims for medical care and services rendered under the medical assistance program and to retrieve and produce utilization and management information about such services which is required by the single State agency and Federal Government for program administration and audit purposes.

(2) Hardware means automatic equipment used for a claims processing and information retrieval system. Such equipment accepts data input, stores data, performs calculations and other processing steps, and prepares information output. This equipment includes:

- (i) Electronic digital computers;
- (ii) Peripheral or auxiliary equipment used in support of electronic computers whether selected and acquired with the computer or separately;
- (iii) Data transmission or communications equipment that is selected and acquired solely or primarily for use with a configuration of automatic data processing equipment which includes an electronic digital computer; and
- (iv) Punched card equipment whether used in conjunction with or independent of an electronic digital computer.

(3) Software means computer programs, procedures and associated documentation used to operate the hardware.

(4) Design and development means the definition of system requirements, detailing of system and program specifications, programing, and testing. This includes the use of hardware only to the extent necessary for the design and development phase.

(5) Installation means the integrated testing of programs and subsystems, system conversion, and turnover to operational status. This includes the use of hardware only to the extent necessary for the installation phase.

(6) Operations means the automated processing of claims, payments, and reports on a continuing basis. Operations includes the use of supplies, software, hardware, and personnel directly associated with the functioning of the mechanized system.

(b) *Federal financial participation.* (1) Effective July 1, 1971, Federal financial participation is available at 90 percent of expenditures in the administration of the plan under title XIX of the Social Security Act for design, development, or installation of a mechanized claims processing and information retrieval system which is likely to afford more efficient, economical and effective administration of the program and which has received approval by the Social and Rehabilitation Service. Such approval shall be based upon a finding by the Service that:

(i) The system meets criteria established in program regulation guides

issued by the Service and meets the following conditions:

(A) It is compatible with the claims processing and information retrieval systems utilized in the administration of title XVIII for prompt eligibility verification and for crossover claims for persons eligible for both programs; and

(B) It supports the data requirements of professional standards review organizations established under Part B of title XI of the Act.

(ii) The State agency agrees in writing that:

(A) The State will have all ownership rights in software or modifications thereof and associated documentation designed, developed, or installed with 90 percent Federal financial participation under this section, except that the Department of Health, Education and Welfare reserves a royalty-free, non-exclusive, and irrevocable license to reproduce, publish, or otherwise use, and to authorize others to do so, such software, modifications, and documentation.

(B) Methods and procedures for properly charging the costs of all systems whether acquired from public or private sources shall be in accordance with Federal regulations in Part 74 of this title and applicable Social and Rehabilitation Service program regulation guides; and

(C) The complete system designed, developed, or installed, or hardware acquired, with Federal financial participation under this regulation will be used for a period of time which is consistent with the advanced planning documentation, as approved, or which the Service determines is sufficient to justify the Federal funds invested.

(D) Information in the system will be safeguarded in accordance with the regulations of the Service.

(2) Effective July 1, 1971, Federal financial participation is available at 75 percent of expenditures in the administration of the plan under title XIX of the act for operations of a mechanized claims processing and information retrieval system which has received approval by the Service. Such approval shall be based upon a finding by the Service that:

(i) The system meets all the conditions specified in paragraph (b) (1) (i) of this section;

(ii) The State agency agrees to the conditions specified in paragraph (b) (1) (ii) (B) and (C) of this section;

(iii) The system with all its component subsystems is operating or has been operating, on a continuing basis as of the date the claim for Federal financial participation is made;

(iv) The system provides both patient and provider profiles for utilization review and program management purposes; and

(v) The system provides prompt written notice to each individual who is furnished services covered by the State plan of the specific services so covered, the name of the provider furnishing the services, the date or dates on which the services were furnished, and the amount

of the payment or payments made under the plan on account of the services.

(3) Access to the system in all of its aspects, including design, development, and operation, including work performed by any source, and including cost records of contractors and subcontractors, shall be made available by the State at intervals deemed necessary by the Service to determine whether the conditions for approval are being met and to determine its efficiency, economy and effectiveness. Failure to provide for full access by appropriate State and Federal representatives to all parts of the system shall result in termination of payments for Federal financial participation for the system.

(4) Approvals of systems by the Service under the provisions of this section will be undertaken only as a result of State applications for increased matching.

(Sec. 1102, 49 Stat. 647 (42 U.S.C. 1302))

Effective date: This regulation shall be effective May 20, 1974. Federal financial participation will be retroactive to July 1, 1971, as provided by section 235 of P.L. 92-603.

(Catalog of Federal Domestic Assistance Program No. 13.714, Medical Assistance Program).

Dated: February 4, 1974.

JAMES S. DWIGHT, Jr.,
Administrator, Social and
Rehabilitation Service.

Approved: May 8, 1974.

CASPAR W. WEINBERGER,
Secretary.

[FR Doc.74-11462 Filed 5-17-74; 8:45 am]

**Title 50—Wildlife and Fisheries
CHAPTER I—BUREAU OF SPORT FISHERIES AND WILDLIFE, DEPARTMENT OF THE INTERIOR**

PART 32—HUNTING

Aransas National Wildlife Refuge, Texas

The following special regulation is issued and is effective May 20, 1974.

**§ 32.32 Special regulations; big game; for individual wildlife refuge areas.
TEXAS**

ARANSAS NATIONAL WILDLIFE REFUGE

Public hunting of deer and wild hogs on a portion of the Aransas National Wildlife Refuge, Texas, with bow and arrow is permitted from noon September 26 through September 30, October 4 through October 7, and October 11 through October 14, 1974. That portion open to hunting is designated by signs and delineated on maps available at refuge headquarters near Austwell, Texas and from the Regional Director, Bureau of Sport Fisheries and Wildlife, P.O. Box 1306, Albuquerque, New Mexico 87103. Hunting shall be in accordance with applicable State hunting regulations subject to the following special conditions:

(1) A bag limit of three (3) deer, either sex, no more than 2 bucks, may be taken by each hunter. There is no limit as to the number of wild hogs that may be taken.

(2) All hunters must check in and out of the hunting area at the refuge entrance on Texas Farm Road 2040.

(3) A valid 1974-75 State of Texas hunting license is required of each participant.

(4) All hunting arrows must bear the name and address of the user in a non-water-soluble medium.

(5) No target or field arrows are permitted on the refuge.

(6) Shooting at, or of other wildlife species on the refuge other than deer or wild hogs is prohibited.

(7) All motor vehicles must travel only on the shell surfaced roads or designated trails of the refuge.

(8) No deer may be removed from the refuge without a metal transportation seal being attached to the carcass by a refuge officer.

(9) In the event of an early arrival of any whooping cranes, the refuge or any portion thereof may be immediately closed to hunting.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in 50 CFR Part 32 and are effective through October 14, 1974.

E. F. JOHNSON,
Refuge Manager, Aransas National Wildlife Refuge, Austin, Texas.

MAY 3, 1974.

[FR Doc. 74-11449 Filed 5-17-74; 8:45 am]

Title 10—Energy

CHAPTER II—FEDERAL ENERGY OFFICE

PART 212—MANDATORY PETROLEUM REGULATIONS

Puerto Rico

I. INTRODUCTION

On March 18, 1974, the Federal Energy Office issued a notice of "proposed price regulation and public hearing," to announce that it would receive written comments and hold a public hearing in San Juan, Puerto Rico with respect to its price regulations in Puerto Rico (39 FR 10454, March 20, 1974). On March 26, 1974, a "further notice of proposed price regulation and public hearing" was issued by FEO, which specified the dates for the hearing as April 8 and 9, 1974 (39 FR 11514, March 27, 1974).

Hearings were held on April 8 and 9, 1974, and on May 6, 1974, the FEO issued a press release to announce its determination in this proceeding to treat all entities of mainland United States refining firms that operate in Puerto Rico as refiners under the FEO price regulations. This means that in determining selling prices, these entities must average the cost of the petroleum products they purchase in Puerto Rico with all other product costs of the mainland

firms of which they are a part. The higher costs of the products purchased in Puerto Rico—which are all refined from foreign crude oil, which is exempt from U.S. price controls—cannot be passed through directly in the prices charged in Puerto Rico.

The background of this proceeding and some of the issues it raised are as follows.

Certain refiners on the mainland United States, which are subject to the general price regulations of the FEO for refiners, also own, control or are otherwise affiliated with entities which operate in Puerto Rico.

Certain of these entities operating in Puerto Rico purchase the products they sell in Puerto Rico from Commonwealth Oil Refining Company, Inc. (CORCO) and/or from Gulf Oil Company, both of which operate refineries in Puerto Rico.

CORCO refines all foreign source crude oil which is exempt from price regulation and is not affiliated with any mainland U.S. refiner. Its products are therefore being sold at generally higher prices than the prices charged by refiners which use both foreign crude oil and domestic crude oil, which is subject to price regulation. Thus, if the entities of a refiner operating in Puerto Rico were to be treated separately under the price regulations as "resellers," the prices charged in Puerto Rico would generally reflect the higher prices of exempt crude oil, whereas, by treating them as part of their affiliated mainland U.S. refiners, the prices charged in Puerto Rico will generally reflect the lower average price of all crude oil, both domestic and foreign, of those refiners.

The FEO amended its regulations on March 18, 1974, to make clear that the Puerto Rican entities of mainland U.S. refiners would be subject to the price regulations applicable to refiners until a determination was made in this proceeding as to whether such treatment is appropriate.

II. THE COMMENTS OF THE INTERESTED PARTIES

The following interested parties participated in this proceeding by filing written comments, by making oral presentations, or both: The Commonwealth of Puerto Rico, by Federico Hernandez Denton, Secretary of the Department of Consumer Affairs, and by Teodoro Moscoso, Administrator of the Economic Development Administration; Commonwealth Oil Refining Company, Inc. (CORCO), which operates its only refinery in Puerto Rico, and sells gasoline to various marketing companies in Puerto Rico; Caribbean Gulf Refining Corp., which operates a refinery in Puerto Rico and is a wholly owned subsidiary of Gulf Oil, and Gulf Petroleum, S.A., which is a marketing company in Puerto Rico, and which is also a wholly owned subsidiary of Gulf Oil; Arco Caribbean, Inc., which is a marketing company in Puerto Rico and is wholly owned subsidiary of Atlantic Richfield Company; Esso Standard Oil, S.A., Limited and Esso Standard Oil Company

(Puerto Rico), both of which are marketing companies in Puerto Rico and are wholly owned subsidiaries of Exxon; Compañía Petrolera Chevron, Inc., which is a marketing company in Puerto Rico and is a wholly owned subsidiary of Standard Oil Company of California; Texaco Puerto Rico, Inc., which is a marketing company in Puerto Rico and is a wholly owned subsidiary of Texaco, Inc.; Mobil Oil Caribe Inc., which is a marketing company in Puerto Rico and is a wholly owned subsidiary of Mobil Oil Corporation; The Shell Company (Puerto Rico) Limited, which is a marketing company in Puerto Rico and is 99.9 percent owned by The Shell Petroleum Company Limited, an English Company; The Shell Oil Company, a Delaware Corporation, which does not have any direct or indirect interest in The Shell Company (Puerto Rico), and the stock of which is approximately 30 percent publicly held and 70 percent owned by Shell Petroleum N.V., a Netherlands company. (The stock of Shell Petroleum, N.V. is owned 60 percent by Royal Dutch Petroleum Company, The Hague, Netherlands, and 40 percent by the "Shell" Transport and Trading Company, Limited, London, England. The "Shell" Transport and Trading, Limited, London, England, owns indirectly, The Shell Company (Puerto Rico)); The Association of Gas Retailers of Puerto Rico, by Efrain Reyes, President; and the Federation of Gasoline Retailers of Puerto Rico, by Heriberto Torres Vazquez and by Orlando Vargas.

The marketing entities of mainland U.S. refiners operating in Puerto Rico generally urged that the traditional and historical approach to pricing petroleum products in Puerto Rico is based on the use of foreign source crude oil and on the pricing of products produced from that oil under a Caribbean price structure. They further urged that any attempt to establish a different price structure would involve subsidies from the mainland, and would result in an economic incentive to abandon operations in Puerto Rico because the Puerto Rican market would no longer be a profit center. As further support for the argument that Puerto Rico should be treated separately, some marketing companies pointed out that the logistics of supply required a Latin American or Caribbean source of supply, that Puerto Rico is identified with the Latin American area for marketing purposes, that Puerto Rico has a unique semi-autonomous relationship with the United States, which results in a separate tax jurisdiction, and that the U.S. import quota system, under which the refining industry in Puerto Rico operates, recognizes that Puerto Rico relies on foreign source crude.

The further point was made, with respect to Puerto Rico's separate tax status, that under the refiner pricing rule, the cost increases incurred in Puerto Rico would be recovered in large part by the prices charged on the mainland and as a result, the net income of the mainland company would increase and be subject

to the Federal corporate income tax, which it is not subject to in Puerto Rico.

One of the marketing entities operating in Puerto Rico (Arco), stated that price regulation as a refiner was preferable because it would lead to a more orderly marketing situation, which, would benefit consumers and the industry.

The Commonwealth of Puerto Rico urged that the refiner price rule be applied in Puerto Rico. The Commonwealth stated that the lower prices that result from the refiner price rule are essential to the economy of Puerto Rico. The adverse impact on the economy of Puerto Rico resulting from the increased prices of foreign crude oil has been particularly severe, since the island is dependent on petroleum for 99 percent of its energy requirements, all of which is of foreign origin. The Commonwealth estimated that the increased prices of crude oil would result in a total impact on its economy in 1974 of over \$300 million in increased costs to consumers for gasoline, electricity, and other fuels, based on the refiner price rule, and an additional \$144 million for gasoline and diesel fuel if the reseller rule were to be applied.

The Government further urged that the economy of Puerto Rico, which is heavily dependent on imports, has a low per capita income and high rates of inflation and unemployment.

All of the marketing companies asserted that, whichever price rule is to be applied, adjustments to their May 15, 1973 prices were needed because of the unusually small margins in effect on that date. These small margins resulted from the price controls of the Puerto Rican government which were then in effect, but which were subsequently modified to restore margins to approximately their historical levels.

III. CONCLUSIONS

The FEO has concluded that the refiner price rule should be applied in Puerto Rico. The foremost consideration in this regard is the adverse impact that the reseller rule would have on the economy of Puerto Rico.

The Emergency Petroleum Allocation Act of 1973 included Puerto Rico in the allocation and price regulation system contemplated by the Act, and the need to maintain "equitable" prices for petroleum products in Puerto Rico is particularly acute in view of the nature of the Puerto Rican economy.

Although Puerto Rico does have a semi-autonomous governmental status, the fact that it has been included in the definition of the United States under the Emergency Petroleum Allocation Act of 1973 means that the averaging of costs in Puerto Rico with costs in the mainland United States cannot properly be regarded as a subsidy, any more than the averaging of costs with respect to one state where costs are high with those of another state where costs are low can be regarded as a subsidy from one state to another.

The FEO recognizes, however, that the differing treatment of Puerto Rico under

the tax laws of the United States results in subjecting increased product cost recoupment revenues to Federal corporate income taxes in the mainland United States, which would not be subject to such taxes in Puerto Rico. The FEO has concluded, however, that the public policy expressed in the Emergency Petroleum Allocation Act of 1973, together with the consistent United States policy of promoting the Puerto Rican economy, favors the conclusion reached here. The tax consequences on each marketing company will vary, depending on its tax situation, and FEO will cooperate with the affected companies in trying to resolve tax problems resulting from this decision.

The comments of the marketing companies were uniform in urging that some adjustment in their May 15, 1973 margins was needed, and the FEO has found that an adjustment should be made, and that the January 15, 1974 margins, which is the date the FEO regulations became applicable in Puerto Rico, are appropriate. Accordingly, lawful base prices for firms in Puerto Rico which sell at the wholesale level to retail sales outlets and which are wholly owned, directly or indirectly, by mainland United States refining firms shall be the weighted average cost of products purchased on May 15, 1973, plus the January 15, 1974 margin on those products plus the amount of increased product cost allocated to the products under the refiner's price formulae of § 212.83 (c).

Increased product costs incurred in Puerto Rico after January 15, 1974, and through April 30, 1974, which have not been recouped in revenues from sales in Puerto Rico through May 30, 1974 and which have not been previously included under the "B" or "G" factors of the refiner's price formulae, may be included under the "G" factor as unrecouped increased product costs when the costs are calculated for the month of May, 1974, to determine lawful base prices for June, 1974. Increased product costs incurred in Puerto Rico during the month of May, 1974, may also be included in the refiner's price formulae, under the "B" factor, when the costs are calculated for the month of May, 1974, (the month of measurement), to determine lawful base prices for June, 1974 (the current month), and increased product costs should thereafter be taken into account in the refiner's price formula on current basis. The amount of unrecouped increased product costs in Puerto Rico for each product shall be the weighted average unit cost of the product sold during the period of January 15, 1974 through April 30, 1974, plus the January 15, 1974 margin on that product, multiplied by the volume of the product sold during the period, less the revenues received on sales of the product during the period of January 15, 1974 through May 30, 1974.

As noted above, Shell (Puerto Rico) is not owned, directly or indirectly by a mainland United States refiner. Accordingly, it must be treated as a reseller

under the price regulations and permitted to pass through its increased product costs in the form of increased prices. In order to avoid the potentially disruptive and chaotic effects in the marketplace of having one marketer with prices substantially in excess of those of the other marketers, FEO has determined that it is necessary to require CORCO to adjust its prices to Shell (Puerto Rico) downward, and to permit CORCO to make an upward adjustment in the prices it charges to its other customers, so that it will continue to obtain a dollar-for-dollar pass through of its increased product costs.

The selling price to Shell (Puerto Rico) by CORCO for each product during each month shall be the weighted average price at which CORCO's products are currently being sold by marketers in Puerto Rico other than Shell (Puerto Rico), less the January 15, 1974 margin of Shell (Puerto Rico) on that product. The total number of dollars that CORCO would otherwise have recouped through sales to Shell (Puerto Rico) at prices determined under the refiner's price formulae may be applied equally to the prices charged during the same month in sales to purchasers other than Shell (Puerto Rico).

Under the reseller price rules, and with an adjusted margin, the lawful base price that may be charged by Shell (Puerto Rico) shall be the weighted average cost of the product in inventory on May 15, 1973, plus the January 15, 1974 margin of Shell (Puerto Rico) on that product, plus increased product costs (the difference between current weighted average unit cost of the product in inventory and the May 15, 1973 weighted average unit cost of the product in inventory), plus an amount to recoup increased product costs which were not recouped between January 15, 1974 and May 15, 1974, but not including any price increases pursuant to § 212.93(b).

The amount permitted to be added by Shell (Puerto Rico) for unrecouped costs in determining its lawful base prices shall be the total number of dollars of unrecouped increased product costs for each product, as defined below, which shall be equally applied to the total volume of each product estimated to be sold between May 15, 1974, and February 28, 1975. The unrecouped increased product costs for each product shall be the weighted average unit cost of the product sold during the period of January 15, 1974 through May 15, 1974, plus the January 15, 1974 margin of Shell (Puerto Rico) on that product, multiplied by the volume of the product sold during that period, less the revenues received on sales of the product during the period.

Issued in Washington, D.C. on May 16, 1974.

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

[FR Doc.74-11616 Filed 5-16-74;3:29 pm]

[RULING 1974-11]

APPENDIX—FEO RULINGS

"NEW" AND "RELEASED" CRUDE OIL

Current Free Market Price Under § 212.74

FACTS. Firm A, a producer, produced 8,170 barrels of a single grade of crude oil from a particular property in April, 1974. The base production control level for that property for the month of April is 6,420 barrels. The ceiling price under § 212.73 for the base production control level crude oil is \$4.10 per barrel and its free market price is \$9.25 per barrel. The free market price is the price being paid in the open market for substantial quantities of that grade and quality of imported crude oil or so-called "stripper-well" crude oil.

Firm A receives an offer from Firm B to purchase its April production of 8,170 barrels of crude oil at an average price of \$9.00 per barrel. This price is based upon a price of \$15.82 per barrel for 1750 barrels of "new" crude petroleum priced under § 212.74(a) and a price of \$15.82 per barrel as the "current free market price," to be applied in the formula of § 212.74(b).

ISSUE. Is Firm B's offer a "bona fide

offer * * * to buy such crude oil at a lawful price," within the meaning at § 211.64(a)?

RULING. No. Firm B's offer is not a bona fide offer to buy at a lawful price because it makes use of an artificially high "current free market price" in order to obtain all of Firm A's production at an average price per barrel that approaches the current free market price for all of Firm A's production of 8,170 barrels, even though Firm A only produced 1,750 barrels of "new" oil.

Section 212.74 was intended to provide an incentive for increased production by permitting the amount of production in excess of the base production control level ("new" oil) to be sold at free market prices, and, in addition, to permit a portion of the base production control level crude oil that is equivalent to the amount of "new" oil also to be sold at free market prices. The formula of § 212.74(b) was intended to spread the increased price of this amount of crude oil equivalent to the amount of "new" oil, which is permitted to be sold at free market prices, across the entire volume of base production control level crude oil sold during the month. It was not intended to permit all base production control level crude oil to be sold at free market prices.

Use of an artificially high "current free market price" for "new" oil and in the formula of § 212.74(b) constitutes an attempt to evade the price limitations of § 212.73 applicable to crude oil, (other than "new" and "released" crude oil) and to obtain an unlawful price, and would be contrary to § 210.62(c), which provides, in part, that "Any practice which constitutes a means to obtain a price higher than is permitted by the regulations in this chapter . . . is a violation of these regulations."

Accordingly, the purpose of this ruling is to make clear that the "current free market price" for purposes of § 212.74(a) "new" oil, and for use in the formula of § 212.74(b), is the price being paid for substantial quantities of that grade and quality of crude oil, from the nearest field, in the open market in sales not subject to price controls, but not including any sales involving crude oil priced pursuant to the price formula of § 212.74(b). Use of any higher "current free market price" will be treated as a violation of the price regulations of § 212.73 and § 210.62(c).

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

MAY 16, 1974.

[FR Doc.74-11656 Filed 5-17-74;8:45 am]

proposed rules

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

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 918]

FRESH PEACHES GROWN IN GEORGIA

Proposed Expenses and Rate of Assessment for FY 1974-75

This notice invites written comment relative to the proposed expenses of \$10,800 and rate of assessment of \$0.02 per bushel basket of peaches (net weight of 48 pounds), or an equivalent of peaches in other containers or in bulk, to support the activities of the Industry Committee for the 1974-75 fiscal period under Marketing Order No. 918.

Consideration is being given to the following proposals which were submitted by the Industry Committee, established under the marketing agreement, as amended, and Order No. 918, as amended (7 CFR Part 918), regulating the handling of fresh peaches grown in the State of Georgia, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), as the agency to administer the terms and provisions thereof:

(1) That expenses that are reasonable and necessary to be incurred by the Industry Committee during the period March 1, 1974, through February 28, 1975, will amount to \$10,800.

(2) That rate of assessment for said period, payable by each handler in accordance with § 918.41, is fixed at \$0.02 per bushel basket of peaches (net weight of 48 pounds), or an equivalent of peaches in other containers or in bulk.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposals shall file the same, in quadruplicate, with the Hearing Clerk, United States Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than June 7, 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)).

Dated: May 15, 1974.

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

[FR Doc.74-11451 Filed 5-17-74;8:45 am]

Agricultural Stabilization and Conservation Service

[7 CFR Parts 728, 1421]

1975 WHEAT SET-ASIDE, LOAN AND PURCHASE PROGRAMS

Proposed Determinations Relative to Set-Aside, Loan Rates, Payments and Program Operating Provisions for 1975

Notice is hereby given that the Secretary of Agriculture proposes to make determinations and issue regulations relative to (a) whether there should be a set-aside requirement for wheat for the 1975 crop; and, if so, the extent of such requirement; (b) whether there should be a provision for additional diversion for the 1975 crop and, if so, the extent of such diversion and payment rate therefor; (c) the loan level for the 1975 crop of wheat, including commodity eligibility and storage requirements; (d) and other related provisions necessary to carry out the loan and purchase program and the set-aside program.

The determinations are to be based on the following considerations:

(a) *Whether there should be a set-aside requirement for wheat for the 1975 crop.* Section 379b(c)(1) of the Agricultural Adjustment Act of 1938, as amended, requires that the Secretary shall provide for a set-aside of cropland if he determines that the total supply of wheat or other commodities will, in the absence of such a set-aside, likely be excessive, taking into account the need for an adequate carryover to maintain reasonable and stable supplies and prices and to meet a national emergency. If a set-aside of cropland is in effect, then, as a condition of eligibility for loans, purchases, and payments authorized by section 107(c) of the Agricultural Act of 1949, the producers on a farm must set aside and devote to approved conservation uses an acreage of cropland equal to such percentage of the wheat allotment for the farm as may be specified by the Secretary.

(b) *Whether there should be a provision for additional diversion and, if so, the extent of such diversion and the payment rate therefor.* Section 379b(c)(2) of the Agricultural Adjustment Act of 1938, as amended, provides that, to assist in adjusting the acreage of commodities to desirable goals, the Secretary may make land diversion payments, in addition to the payments authorized by section 107(c) of the Agricultural Act

of 1949 to be made for required diversion, to producers on a farm who, to the extent prescribed by the Secretary, devote to approved conservation uses an acreage of cropland on the farm in addition to that required to be so devoted under the regular program. The land diversion payments for a farm shall be at such rate or rates as the Secretary determines to be fair and reasonable, taking into consideration the diversion undertaken by the producers and the productivity of the acreage diverted. The Secretary is required to limit the total acreage to be diverted under agreements in any county or local community so as not to affect adversely the economy of the county or local community.

(c) *Loan and purchase program and rate.* Section 107 of the Agricultural Act of 1949, as amended, provides that loans and purchases of each crop of wheat shall be made available at such level as the Secretary determines appropriate, taking into consideration competitive world prices of wheat, the feeding value of wheat in relation to feed grains, and the level at which price support is made available for feed grains: *Provided*, That in no event shall such level be in excess of the parity price for wheat or less than \$1.37 per bushel.

(d) *Other related provisions necessary to carry out the loan and purchase program and the set-aside program for 1975* including but not limited to determinations such as (1) whether substitution should be permitted and, if so, the extent of such substitution, (2) whether to permit haying and grazing and/or alternate crops on set aside acreage if it is determined that set aside is needed, (3) the terms and conditions under which haying and grazing and/or alternate crops will be allowed and (4) such other provisions as may be necessary to carry out the program.

Prior to making any of the foregoing determinations consideration will be given to any data, views and recommendations relative to these determinations which are submitted in writing to the Director, Grain Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C. 20250. In order to be sure of consideration, all submissions must be received by the Director on or before June 19, 1974. All written submissions made pursuant to this notice will be made available for public inspection at

the office of the Director during regular business hours (8:15 a.m. to 4:45 p.m.).

Signed at Washington, D.C., on May 13, 1974.

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

[FR Doc. 74-11487 Filed 5-17-74; 8:45 am]

Commodity Credit Corporation

[7 CFR Part 1421]

1975 WHEAT SET-ASIDE, LOAN AND PURCHASE PROGRAMS

Notice of Proposed Determinations Relative to Set-Aside, Loan Rates, Payments and Program Operating Provisions for 1975

CROSS REFERENCE: For a document concerning loan and purchase programs for 1975 wheat set-aside, and filed jointly by the Commodity Credit Corporation and the Agricultural Stabilization Service, see FR Doc. 74-11487, *supra*.

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[49 CFR Part 571]

[Docket No. 74-21; Notice 1]

MOTOR VEHICLE SAFETY STANDARDS

Windshield Zone Intrusion

The purpose of this notice is to propose a new motor vehicle safety standard that would regulate the intrusion of vehicle parts outside the occupant compartment into a defined zone in front of the windshield during a frontal barrier crash test.

A notice published August 31, 1972 (37 FR 17763), proposed a standard that would prohibit penetration of the protected zone by any part of a vehicle outside of the occupant compartment during a 30-mph frontal impact into a fixed barrier. Comments were submitted in reaction to the proposal and on the basis of all information gathered. The NHTSA has concluded that certain aspects of the initial proposal should be revised.

Objections were raised by a number of commenters to the requirement that no part of the vehicle outside of the occupant compartment enter the protected zone or contact the windshield other than windshield molding and components normally in contact with the windshield. Toyota, Chrysler, Ford, Jeep, Rolls Royce, International Harvester, American Motors, and Japan Automobile Manufacturers Association commented that prohibition of entrance into the protected zone or contact with the windshield by parts of the vehicle such as chips of paint, glass, and other small particles is unrealistic as these materials do not represent a danger to the vehicle occupants if they enter the zone and impact the windshield opening with a

limited amount of force. The difficulty of detecting the intrusion of these particles into the protected zone was also pointed out. The commenters requested that this aspect of the proposed standard be revised to allow penetration of the protected zone and contact with the windshield opening by vehicle fragments during the crash test. Chrysler and General Motors argued that contact by vehicle parts with the windshield opening should be allowed in areas outside of the protected zone.

The NHTSA has found that the position asserted by the commenters has merit. The previously proposed requirement forbidding any intrusion into the protected zone appears to be more stringent than necessary to accomplish the level of vehicle occupant safety desired. Particles capable of no more than one-quarter inch penetration into a Styrofoam template during a 30-mph frontal barrier crash have been found to represent no danger to vehicle occupants. Utilization of the Styrofoam template in the test procedure would have the advantage of assuring reliable test results. Intrusion into the protected zone would be easily ascertainable as the vehicle parts would either dent the material or become embedded in it. In order to provide a more realistic performance requirement, therefore, it is proposed that a Styrofoam template in the shape of the protected zone be affixed to the windshield prior to the barrier collision. It would be required that no vehicle parts penetrate the Styrofoam during the barrier crash by more than one-quarter inch. The template would be cut or formed from Styrofoam type DB, cut cell.

Responding to the requests made by Chrysler and General Motors, the NHTSA has tentatively determined that contact with the windshield opening in the area below the protected zone would not diminish the safety intended to be afforded to vehicle occupants by this standard. That area of the windshield has not been found susceptible to occupant impact and thus, prohibition of the entrance of vehicle parts into that vicinity is not demanded. It is therefore proposed that during the 30-mph frontal barrier crash test, contact by vehicle parts outside of the occupant compartment with the windshield opening below the protected zone be allowed if the inner surface of that portion of the windshield is not penetrated.

A number of comments focused on the prescribed procedure for determining the lower edge of the protected zone. They objected to that part of the requirement specifying the application of a 90-pound force to the sphere used to ascertain the boundary. The NHTSA has tentatively concluded that a revision of the procedure would ensure more repeatable test results. It is proposed that no force other than gravity be exerted on the sphere in defining the lower edge of the protected zone. The sphere would be rolled along the windshield-instrument panel interface, and the line created by the

locus of points contacted would be translated one-half inch downward along the windshield and then projected onto the exterior surface of the windshield glazing material. It has been determined that this procedure will not alter the area covered by the currently proposed protected zone in a way that would reduce the desired degree of safety.

In light of the above, it is proposed that 49 CFR Part 571 be amended by the addition of a new standard to read as set forth below.

Interested persons are invited to submit comments on the proposal. Comments should refer to the docket number and be submitted to: Docket Section, National Highway Traffic Safety Administration, Room 5108, 400 Seventh Street SW., Washington, D.C. 20590. It is requested but not required that 10 copies be submitted.

All comments received before the close of business on the comment closing date indicated below will be considered, and will be available for examination in the docket at the above address both before and after that date. To the extent possible, comments filed after the closing date will also be considered. However, the rulemaking action may proceed at any time after that date, and comments received after the closing date and too late for consideration in regard to the action will be treated as suggestions for future rulemaking. The NHTSA will continue to file relevant material as it becomes available in the docket after the closing date, and it is recommended that interested persons continue to examine the docket for new material.

Comment closing date: July 1, 1974.

Proposed effective date: Passenger cars—September 1, 1975. Multipurpose passenger vehicles, trucks, and buses with GVWR of 10,000 pounds or less—September 1, 1976.

(Secs. 103, 119, Pub. L. 89-563, 80 Stat. 718 (15 U.S.C. 1392, 1407); delegations of authority at 49 CFR 1.51 and 501.8.)

Issued on May 10, 1974.

ROBERT L. CARTER,
Associate Administrator,
Motor Vehicle Programs.

§ 571. Standard No. . . . ; windshield zone intrusion.

S1. *Scope.* This standard specifies limits for the displacement into the windshield area of motor vehicle components during a crash.

S2. *Purpose.* The purpose of this standard is to reduce crash injuries and fatalities that result from occupants contacting vehicle components displaced near or through the windshield.

S3. *Application.* This standard applies to passenger cars, and to multipurpose passenger vehicles, trucks and buses of 10,000 pounds or less gross vehicle weight rating. However, it does not apply to forward control vehicles.

S4. *Definitions.* "Windshield Opening" means the outer surface of the windshield glazing material.

S5. *Requirements.* When the vehicle, traveling longitudinally forward at any

speed up to and including 30 mph, impacts a fixed collision barrier that is perpendicular to the line of travel of the vehicle, under the conditions of S7, no part of the vehicle outside the occupant compartment shall penetrate the protected zone template affixed according to S6 to a depth of more than one-quarter inch, and no such part of a vehicle shall penetrate the inner surface of that portion of the windshield below the protected zone defined in S6.

S6. Protected zone template.

S6.1 The lower edge of the protected zone is determined by the following procedure (see Figure 1).

(a) Place a 6.5-inch diameter rigid sphere in a position such that it simultaneously contacts the inner surface of the windshield glazing and the surface of the instrument panel, including padding. If any accessories or equipment such as the steering control system obstruct positioning of the sphere, remove them for the purposes of this procedure.

(b) Draw the locus of points on the inner surface of the windshield contactable by the sphere across the width of the instrument panel. From the outermost contactable points, extend the locus line horizontally to the edges of the glazing material.

(c) Draw a line on the inner surface of the windshield below and one-half inch distant from the locus line.

(d) The lower edge of the protected zone is the longitudinal projection onto the windshield opening of the line determined in S6.1(c).

S6.2 The protected zone is the space enclosed by the following surfaces, as shown in Figure 1:

(a) The windshield opening in its precrash configuration.

(b) The locus of points 3 inches outward along perpendiculars drawn to each point on the windshield opening.

(c) The locus of lines forming a 45° angle with the windshield opening at each point along the top and side edges of the windshield opening and the lower edge of the protected zone determined in S6.1, in the plane perpendicular to the edge at that point.

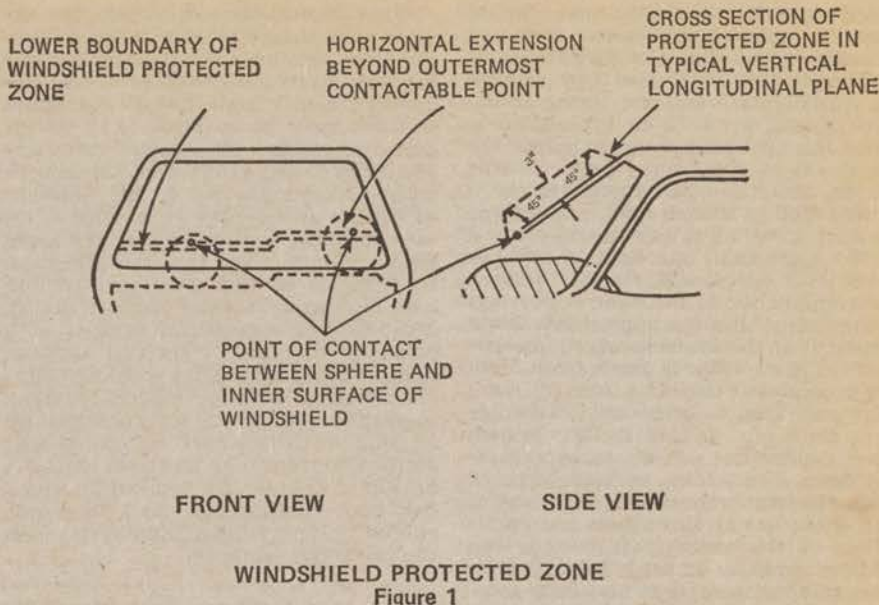
S6.3 A template is cut or formed from Styrofoam, type DB, cut cell, to the dimensions of the zone as determined in S6.2. The template is affixed to the windshield so that it delineates the protected zone and remains affixed throughout the crash test.

S7. Test conditions.

S7.1 The hood, hood latches, and any other hood retention components are engaged prior to the barrier collision.

S7.2 Adjustable cowl tops or other adjustable panels in front of the windshield are in the position used under normal operating conditions when windshield wiping systems are not in use.

S7.3 The vehicle is loaded in the manner specified by the applicable provisions of S8.1.1 of Motor Vehicle Safety Standard No. 208, with anthropomorphic test devices placed and restrained as specified in S4 and S5.1 of that standard.



WINDSHIELD PROTECTED ZONE
Figure 1

[FR Doc.74-11429 Filed 5-17-74;8:45 am]

FEDERAL HOME LOAN BANK BOARD

[12 CFR Part 545]

[No. 74-419]

FEDERAL SAVINGS AND LOAN SYSTEM

Proposed Amendments Relating to Applications by Federal Savings and Loan Associations for Branch Offices, Mobile Facilities or Satellite Offices

MAY 13, 1974.

The Federal Home Loan Bank Board considers it advisable to propose to amend certain provisions in Part 545 of the rules and regulations for the Federal Savings and Loan System (12 CFR Part 545) which limit the number of applications by the same Federal savings and loan association for permission to establish branch offices (12 CFR 545.14), mobile facilities (12 CFR 545.14-4) or satellite offices (12 CFR 545.14-5) that such Board will consider and process at the same time.

Under the present regulations the Board considers and processes at the same time multiple applications for such office facilities to the extent that the State authorities in the State in which the applicant's home office is located consider and process at the same time more than one such application of the same savings and loan association, savings bank or similar institution, or commercial bank of such State. However, the Board does not consider and process such multiple applications for such office facilities in certain States, such as Florida, where commercial banks are not permitted to operate branches but where a comparable competitive situation to multiple office facilities may exist because State authorities and the Federal Reserve Board consider at the same time multiple applications by bank holding companies to acquire commercial banks.

The proposed amendments provide in substance that the Board will consider at the same time multiple applications for such office facilities of Federal associations whose home offices are located in a State in which the State authorities consider at the same time multiple applications of holding companies to acquire thrift institutions or commercial banks having their home offices in such State.

Accordingly, the Federal Home Loan Bank Board hereby proposes to amend said Part 545 by revising §§ 545.14(b) (1) (i), 545.14-4(b) (4), and 545.14-5(c) (5) thereof to read as set forth below.

Interested persons are invited to submit written data, views, and arguments to the Office of the Secretary, Federal Home Loan Bank Board, 101 Indiana Avenue, NW., Washington, D.C. 20552, by June 19, 1974, as to whether this proposal should be adopted, rejected, or modified. Written material submitted will be available for public inspection at the above address unless confidential treatment is requested or the material would not be made available to the public or otherwise disclosed under § 505.6 of the General regulations of the Federal Home Loan Bank Board (12 CFR 505.6).

§ 545.14 Branch office.

(b) *Eligibility.* (1) Except as provided in paragraph (b) (2) of this section, a Federal association shall be eligible to have an application for permission to establish a branch office (including an application for a limited facility branch office) considered and processed only if, at the date on which such application is filed with the Board:

(i) The association does not have on file with the Board any other such application, excluding any application as to

which more than 4 months have elapsed since the date of publication of notice thereof; except that the limitations of paragraph (b)(1)(i) shall not prohibit the consideration and processing at the same time of (a) both an application in which the applicant proposes, under the provisions of paragraph (j)(1) of this section, that the office applied for be a limited facility branch office and an application in which it does not so propose or (b) more than one branch office or more than one limited facility branch office application of the same association to the extent that the appropriate State authority of the State in which the applicant's home office is located considers and processes at the same time (1) more than one branch office application or more than one limited facility branch office application of the same savings and loan association, savings bank or similar institution or commercial bank of such State or (2) more than one application of the same savings and loan holding company or bank holding company to acquire savings and loan associations or similar institutions or commercial banks which have or will have their home offices in such State.

§ 545.14-4 Mobile facility.

(b) *Eligibility.* No application for permission to establish a mobile facility by a Federal association shall be considered or processed, except to determine the association's eligibility under the provisions of this paragraph (b), if, at the date on which such application is filed with the Board:

(4) The association has on file any other application for permission to establish a mobile facility with respect to which action by the Board is pending, except that the association may have on file more than one mobile facility application to the extent that the appropriate State authority of the State in which the applicant's home office is located permits to be on file at the same time (i) more than one mobile facility application of the same savings and loan association, savings bank or similar institution or commercial bank of such State or (ii) more than one application of the same savings and loan holding company or bank holding company to acquire savings and loan associations or similar institutions or commercial banks which have or will have their home offices in such State; or

§ 545.14-5 Satellite office.

(c) *Specific provisions.* Each application for permission to establish a satellite office will be considered or processed pursuant to the provisions of this section. Approval of such an application pursuant to this section will be subject to the following provisions and any other conditions, requirements, and limitations the Board may specify in a particular case:

(5) A Federal association may not operate more than 5 satellite offices at any one time, and may not file applications for more than 2 such offices in any 12-month period, except that a Federal association may file in the same 12-month period more than two satellite office applications to the extent that the appropriate State authority of the State in which the applicant's home office is located permits to be on file at the same time (i) more than two satellite office applications of the same savings and loan association, savings bank or similar institution or commercial bank of such State, or (ii) more than two applications of the same savings and loan holding company or bank holding company to acquire savings and loan associations or similar institutions or commercial banks which have or will have their offices in such State. An application which has been disapproved shall be disregarded in determining compliance with the preceding sentence.

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464, 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. 74-11486 Filed 5-17-74; 8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR Part 240]

[Release No. 34-10788]

REPORTING OF MARKET INFORMATION ON TRANSACTIONS IN LISTED SECURITIES

Proposed Rulemaking

The Commission is publishing for public comment a proposal to amend Rule 17a-15 (17 CFR 240.17a-15) (the "Rule") under the Securities Exchange Act of 1934.¹ The Rule provides for reporting of prices and volume of completed transactions with respect to securities registered on exchanges. The purpose of the amendment, which would add a new paragraph (i) to the Rule, is to establish procedures for appeal to the Commission from certain actions which may be taken pursuant to any composite tape plan declared effective by the Commission under the Rule. In this connection, the Commission also is announcing today that it has declared effective as of May 17, 1974 the consolidated tape plan jointly filed on April 22, 1974 by the New York, American, Midwest, Pacific and PBW Stock Exchanges and the National Association of Securities Dealers, Inc.² Although various provisions of this plan state that decisions of the Consolidated Tape As-

¹ Rule 17a-15 was originally adopted on November 8, 1972 (effective December 15, 1972) and was published in Securities Exchange Act Release No. 9850 (November 8, 1972).

² Securities Exchange Act Release No. 10787 (May 10, 1974).

sociation with respect to certain matters will be subject to an appeal to the Commission, the Commission presently has no applicable rules and regulations for any such petitions of appeal.

The text of the proposed amendment, which would be adopted pursuant to the Commission's authority under the Securities Exchange Act of 1934 and in particular under sections 17(a) and 23(a) of that Act, follows:

§ 240.17a-15 Reporting of market information on transactions in listed securities.

(1) Any person (including but not limited to registered national securities exchanges, national securities associations, brokers, dealers, issuers, vendors and subscribers to last sale reports) aggrieved by any action (including but not limited to denial, limitation or termination of access to last sale reports) taken by any person pursuant to a plan declared effective by the Commission under paragraph (a) of this section may appeal such action to the Commission.

(2) Such action shall be subject to review by the Commission, on its own motion, or upon application by any person aggrieved thereby filed within 30 days after such action has been taken or within such longer period as the Commission may determine.

(3) Application to the Commission for review, or the institution of review by the Commission on its own motion, shall operate as a stay of such action, if the aggrieved party otherwise would forfeit a right he currently is enjoying, until an order is issued upon such review pursuant to paragraph (i)(4) of this section, unless the Commission orders otherwise, after notice and opportunity for hearing on the question of a stay (which hearing may consist solely of affidavits and oral arguments).

(4) In any proceeding for such review, if the Commission, after appropriate notice and opportunity for hearing, and upon consideration of the record of any proceedings conducted in connection with such action and such other evidence as it may deem relevant, determines that the specific grounds on which such action is based exist in fact and such action is in accord with the applicable provisions of such plan, the Commission shall by order dismiss the proceeding. Otherwise, the Commission shall by order set aside the action and require the entity taking such action to accord the aggrieved person the right, benefit or privilege sought to be denied or to take such other action as may be appropriate, subject to such terms and conditions as the Commission determines to be in accordance with the public interest and consistent with such plan. Nothing contained in paragraph (i)(4) of this section, however, shall prevent the Commission from taking such other action, based on the information available to it, that the Commission deems necessary or appropriate in the public interest or for the protection of investors.

All interested persons may submit written comments on the proposed

amendment. Any communication should be addressed: Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, DC. 20549, should be received on or before June 14, 1974 and should refer to File No. S7-433. All comments received will be available for public inspection.

(Secs. 17(a), 23(a), 48 Stat. 897, 901, 49 Stat. 1379, 52 Stat. 1076, (15 U.S.C. 78q, 78w.))

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

MAY 10, 1974.

[FR Doc. 74-11503 Filed 5-17-74; 8:45 am]

FEDERAL ENERGY OFFICE MANDATORY PETROLEUM REGULATIONS [10 CFR Part 212]

Computation of Landed Cost; Proposed Rulemaking

I. The price control regulations for petroleum products currently enforced by the Federal Energy Office were originally published by the Cost of Living Council on August 22, 1973, as part of Phase IV of the Economic Stabilization Program. They were subsequently amended and the responsibility for administering the regulations was delegated by the Cost of Living Council to the Federal Energy Office on December 26, 1973. Independent statutory authority for the regulations was established by enactment of the Emergency Petroleum Allocation Act of 1973 on November 27, 1973. The basic premise of the regulations has been continued throughout. As applied to refiners' prices, the regulatory system permits refiners to increase prices only to reflect, on a dollar-for-dollar basis, costs incurred in acquiring imported and domestic crude petroleum and refined products.¹

The regulations established a formula which must be applied by refiners in calculating allowable price increases on a once-a-month basis. The formula implements in precise mathematical terms the dollar-for-dollar cost pass-through principle. In determining costs of imported crude petroleum which refiners may use as allowable costs to justify price increases, the regulations look to "landed costs". It is at this point that the regulations squarely address the issue of transactions between affiliated entities, or the notion of "transfer pricing", which is the subject of this proposed rulemaking.

The importance of controlling transfer prices can be readily demonstrated. If the transfer price between the international affiliate and the United States affiliate is accepted for the determination of landed cost, the profits of the affiliated entities as a whole can be increased by raising the transfer price. Profits will be

higher for the international affiliate due to the higher transfer price, but the U.S. affiliate will not suffer a corresponding decrease in profitability because under current controls it can recover the higher transfer price through higher domestic prices. In sum, United States users will pay higher prices which will be reflected in higher profits for the international operations of the affiliated entities. There is an obvious incentive for transfer prices to be increased in order to maximize profitability, but to the disadvantage of U.S. consumers. FEO has reason to believe this practice has occurred during the past several months and that it may explain in part the significant increases in international profits reported by the major oil companies.

In FEO regulations the term "landed costs" is defined to mean, for purposes of complete arms-length transactions, the purchase price at the point of origin plus the actual transportation costs. For purposes of products purchased in a transaction between affiliated entities, the landed costs of the product is computed by use of the "customary accounting procedures generally accepted and consistently and historically applied by the firm concerned." Similarly, in the case of products shipped pursuant to a transaction between affiliated entities, the transportation element in landed costs is computed by use of the same standard.²

The Cost of Living Council deliberately used this general and inclusive standard for initially determining costs in transactions among affiliated entities. It did so because the universe of international oil transactions is very broad and the Cost of Living Council was not then prepared to prescribe particular accounting practices.

At the same time, the Council recognized that generally accepted accounting techniques might not accurately reflect actual costs. Sophisticated accounting techniques could potentially be used to circumvent the rules. Moreover, even absent any effort at circumvention, accounting practices applied in times having comparatively stable crude oil prices may not fairly reflect actual costs when applied in the current turbulent period.

Since the regulations were first issued, there have been dramatic increases in world oil prices. For instance, the posted price for 34° Arab light, an important reference crude in the Persian Gulf, moved from \$2.591 in January 1973 to \$5.036 in December, and then in January 1974, the posted price was more than doubled to \$11.651. These changes resulted in increased payments by the oil companies to the governments of the producing countries from \$2.16 per barrel in January 1973, to \$3.06 per barrel in December 1973 and to \$7.00 per barrel by January 1974.

Accompanying these price increases,

² This proposed rulemaking does not deal with transportation costs and is restricted to product costs. Computation of transportation costs may be the subject of a separate rulemaking action.

there has been a substantial increase in the amount of oil which the host countries control directly as part of their increased equity participation in the producing operations. Most of this oil is purchased by the companies pursuant to buy-back agreements at prices which are generally higher than that of the companies own equity oil, hence the higher the participation percentage the higher the average cost of oil. Compounding matters, the buy-back price for participation oil has in many cases not yet been agreed upon. Application of the 93 percent of posted price formula applicable before January 1974 would yield prices above those which are now being quoted in the market, and there remains considerable uncertainty as to what price may ultimately prevail.

Moreover, the Arab oil boycott against most European countries and the United States forced temporary rearrangements of supply patterns and required some firms to enter the spot and auction markets to obtain short-term supplies. This forced prices in those markets to record highs for December and January although prices have subsequently receded somewhat. Under stable market conditions that formerly prevailed, use of different accounting procedures for determining transfer prices by companies similarly situated produced relatively inconsequential differences on cost. But in circumstances where prices have increased as dramatically as in the past year, these differences are greatly magnified and have a significant impact on product prices to U.S. consumers. In addition, the present unsettled market conditions have apparently resulted in various companies giving quite different meaning to "market" when that is used as an accounting standard for setting transfer prices.

Although it could not foresee the exact course of events when the regulations were written, the Cost of Living Council recognized that such problems could occur. To deal with them, the regulations contain language enabling the agency to look behind company accounting procedures. Specifically, the regulations provide in § 212.83(e) that:

Whenever a firm uses a landed cost which is computed by use of its customary accounting procedures, the FEO may allocate such costs between the affiliated entities if it determines that such allocation is necessary to reflect the actual costs of these entities or the FEO may disallow costs which it determines to be in excess of the proper measurement of costs.

Similarly, the preamble to the Phase IV petroleum price regulations states specifically:

The Council intends to review the accounting procedures which firms subject to this section apply in making the necessary computations and reserves the right to require firms to modify their accounting procedures for purposes of this provision where the Council concludes the accounting practices used by the firms are not a fair reflection of the actual cost incurred. Changes in business practices designed to frustrate the purposes of these rules may also be disallowed by the Council. 38 FR 25686 (1973).

¹ A separate provision, Subpart I of Part 212, which would permit prenotification for price increases to recover non-product cost increases—e.g., labor, overhead, new construction and the like—is not relevant to this proposed rulemaking.

Thus, the Council—and now FEO by virtue of the delegation of authority and the enactment of the Emergency Petroleum Allocation Act—has two sets of controls over transfer prices: first, FEO requires companies to measure costs by customary accounting practices which are generally accepted and historically and consistently applied; and second, it has explicit authority to go behind that general standard and insure, in specific cases, that companies use a proper measure of costs to justify allowable price increases.

In the Fall of 1973, the Cost of Living Council Energy Division, working in conjunction with the Internal Revenue Service, formalized its process of reviewing price increases put into effect by refiners pursuant to the predecessor of § 212.83. In January 1974, after the authority was delegated to FEO, Form FEO-96 was issued, requiring refiners to enumerate all the calculations called for under the pricing formula in order to justify their price increases. These forms must be submitted on a monthly basis and FEO has required refiners to file forms covering the period beginning with the month of November.

In addition, on January 10, 1974, FEO announced the establishment of a Refinery Audit Review Program (RARP), designed as a comprehensive audit package to verify the costs which refiners had been reporting in support of price increases. A team of about 60 Internal Revenue Service auditors were trained during the latter part of January and in early February to conduct the audit process, and an exhaustive set of guidelines (an audit checklist) was developed as an enforcement tool for use by the auditors. Beginning in early February, these auditors were dispatched to the headquarters of 30 of the largest refiners to begin the on-site audit process. This audit is still continuing and the first round is not scheduled for completion until the end of May, 1974.

Based upon the preliminary information from those audits, it appears that certain firms are using accounting procedures which do not accurately reflect costs. Thus, it now appears that it will be necessary for FEO to exercise its powers pursuant to § 212.83(e) to disallow costs in excess of actual costs. These regulations set out in detail the standards which FEO proposes to use in exercising this authority. In particular, the proposed rule sets out the methods by which FEO will determine actual costs in order to decide whether customary accounting procedures have accurately reflected increases in these costs.

These proposed regulations are not intended to alter or to expand in anyway the authority which FEO presently may exercise under its existing regulations. Rather the proposed regulations are interpretive in nature, setting out with more precision the measurement of actual costs as required in any application of § 212.83(e). In addition, the proposed regulations set out procedures to be followed in the future to provide for the

timely determination of actual costs for transactions between affiliated entities.

FEO intends to implement this rule (or the rule as modified in the light of public comments on this proposal) through the issuance of orders disallowing costs in excess of those permitted by the rule.

II. In general, the proposed regulations attempt to determine what the actual cost of product would have been to the U.S. affiliate if it had purchased the product in an arms-length transaction. This yardstick is used in order to find a transfer price equal to that which would have resulted from ordinary market forces, and to the extent that it is successfully applied, the arms-length measure should result in refiners having as nearly as possible the same measure of actual costs whether or not the product is purchased from a related party.

The method for determining the comparable market price takes into account two considerations. First, in the absence of affiliation, U.S. refiners dependent upon foreign crude as a matter of ordinary business practice, would have entered into medium and long-term contractual commitments with their major overseas suppliers for the bulk of their crude requirements. Thus spot sales are not an appropriate measure of the prices which U.S. marketing entities would pay to their international affiliates. Second, to discharge its regulatory responsibilities FEO must have available a method for calculating actual costs rapidly and accurately on a monthly basis. Moreover, the method should be one which the companies can apply themselves by reference to their own records or some publicly available standard. In this respect, the Internal Revenue Service's method of determining transfer prices is unsuitable. Although the IRS too focuses on arms-length prices, it has been able to settle on appropriate transfer prices only several years after the fact. To satisfy these considerations the regulations focus on actual prices in sales to unrelated parties for product from the same country of origin, deriving from these a comparable market price.

FEO's preferred measure of costs is the market standard, but in some cases there may be insufficient information from independent sales to make it possible to determine in a timely manner and with reasonable precision the comparable market price. Unless some other clearly appropriate method for determining a representative arms-length price is established as a result of public comments and suggestions in this rule-making proceeding, the net cost method will have to be applied. Under the net cost method cost increases will be measured on the basis of increases in the net cost of the product to the affiliated entities plus the market value of any services performed by the non-United States affiliates. For equity oil this is equivalent to increases in payments to the host governments plus any increases in production expenses. The use of the net cost

standard insures the affiliated entities that they will earn the same absolute per unit profit as they earned in the base period, but it does not permit them any increase in profits which might be permitted through the application of the market standard. In some instances the use of market prices may not permit a firm actually to recover all of its increased cost outlays, and in those instances the firm may calculate its costs on the net cost basis. Increases in landed costs are measured from the base period of May 1973. This is the base period used throughout the regulations for measuring increased costs.

To the extent that increased costs calculated pursuant to the customary accounting methods used by affiliated entities exceed increased actual costs as measured either by increases in comparable market prices or in net cost, they will be disallowed by FEO pursuant to the authority of § 212.83(e). This authority will be exercised with respect to all landed costs incurred beginning October 1973, the first full month after 10 CFR 150.356(c), now § 212.83(e), went into effect.

A. COMPARABLE SALES METHOD

Comparable Market Price. The comparable market price is computed on the basis of all sales or purchases to unrelated parties in the month of measurement. From these sales the regulations identify a representative contract price by excluding both very high and low prices. This is done by arraying by price all sales to unaffiliated entities, including those pursuant to underlift and overlift agreements. From this array the highest priced 20 percent of sales measured on a volume basis and the lowest 20 percent are eliminated. The weighted average price, weighted by volume, of the remaining sales is taken to be the comparable market price. This procedure permits computation of a definite price but eliminates from consideration both very low and very high prices which are not representative of mainstream pricing developments. This approach is not suitable when the volume of independent transactions is small, and in such cases the net cost method must be applied.

Adjustments. In arraying the data from third party transactions, prices must be adjusted to a f.o.b. basis for a standard reference crude. Adjustments will be made to reflect differences in quality, location at which delivery is made, terms of payment, payments for insurance, freight or brokerage, and other contract terms. Adjustments will be made only to the extent that the appropriate values may be ascertained with reasonable precision from market data. When possible, adjustments will be made on the basis of actual price differences to the affiliated entities for the transactions being compared. For instance, adjustments for gravity or sulphur differentials will be based upon the differences in price for the products being compared which the international affiliate pays to the producing country. Only material ad-

justments will be made and no adjustment will be made for ordinary commercial terms, e.g., payment within 60 days.

Purchased oil. Since purchases by the international affiliate from unrelated parties (other than those pursuant to buy-back agreements) are presumed to be arms-length transactions, any resale of the purchased oil to a U.S. affiliate shall be made at the international affiliate's purchase price plus the market value of any services rendered by the international affiliate. In recognition of the fact that the price of buy-back oil is tied to the overall settlement of the host country and producing company's interests, buy-back prices which companies are required to purchase will not ordinarily be considered in determining the comparable market price.

B. NET COST METHOD

Net cost determination. When there is no comparable transaction which, after reasonable adjustment for different circumstances of sale, will permit the calculation of a comparable market price, FEO will require that the cost to the U.S. affiliate be calculated on the basis of the net cost of the crude or product to the international affiliate. In general, the application of the net-cost standard will limit the affiliated companies' margins per barrel to those prevailing in May 1973.

Equity crude. For crude which is produced by an affiliated entity, net costs include direct and indirect production expenses, royalties payable to non-affiliated entities, and foreign taxes and other payments to host governments directly attributable to the production and exportation of the crude. Foreign taxes for these purposes include direct foreign excise taxes imposed on the imported oil and payable by the affiliated entities and income taxes and excess profit taxes to the extent such taxes are payable to host countries on income directly derived from production of petroleum. In general, the application of these rules should permit companies importing equity oil to recover any increase in their tax-paid costs since May 1973. For crude obtained pursuant to production sharing agreements, increased costs shall include any additional foreign excess profit taxes which have become payable because of the increase in world prices.

Purchased crude. For crude purchased from a non-affiliated entity, cost is the purchase price. For participation crude, this is the price paid to the producing country whether pursuant to a buy-back agreement or other form of purchase. When a partner in a joint-venture obtains crude in excess of its proportional share pursuant to an overlift agreement, its cost shall be the net cost to it of that oil after taking account of dividends and other adjustments between the partners attributable to the amount overlifted.

Brokerage and services. When the net-cost method is used to calculate the actual cost to the U.S. affiliate, the market value of brokerage and other serv-

ices including refining provided by the non-U.S. affiliates may be added to net costs. It would not ordinarily be anticipated, however, that the value of such services as measured on a per unit basis will have increased since May 1973.

C. GENERAL RULES

Contingent price contracts. Some crude purchased from international affiliates will be subject to subsequent adjustments in price when the international affiliate determines the price for the crude which it has to pay the producing country or other third parties. In particular this is true for crude from countries in which the percentage of participation is subject to change retroactively and the buy-back price for participation crude has not been finally determined. In those cases, refiners shall at the time of landing in the U.S. use their best estimates of the expected cost. Such judgments must be sustained by the submission of supporting data to FEO. In no case, however, will FEO permit the inclusion in increased costs of amount in excess of the higher of (i) 80 percent of the posted price, (ii) the tax-paid cost for equity crude from the same source, or (iii) actual payments to non-affiliated persons for the product in question. Costs shall be subsequently increased or decreased as appropriate when final liability is determined.

Exchanges. FEO recognizes that suppliers may be able to increase their costs by engaging in wash sales or other artificial exchange or purchase and sale transactions. In general, no problems result in this connection as long as crude imported into the United States is either equity crude of the affiliated entities or is crude purchased directly from the host country. Thus, to monitor the situation FEO will require U.S. affiliate to indicate what percentage of their imports is purchased from non-affiliated entities other than the government of the country of origin. If this percentage has increased over May 1973, FEO may require evidence that the company has not engaged in transactions to artificially increase its landed costs. For purposes of determining net cost in ordinary exchanges, the oil purchased shall be given the cost basis of the oil sold plus or minus any net payments to the exchanging partner.

Timing. Increased costs to a U.S. affiliate shall be considered to be "incurred" only when the U.S. affiliate has actually paid the international affiliate or has accrued its liability to pay for the imported product according to the customary accounting procedures generally accepted and consistently and historically applied by the company. In no case, however, shall increased costs be incurred before the product is actually physically landed in the U.S.

Consistent computation. In order that the computation of the amount of increased costs as required by Part 212 not be artificially inflated, it is necessary that the cost of crude to the U.S. affiliate in the base period, May 1973, and the

month of measurement be computed on the same basis. When both equity and purchased crude is lifted from a country by the non-U.S. affiliates, it is presumed that amounts of equity and purchased crude proportional to liftings will be landed in the U.S. Thus in conformity with industry practice the average net cost of an imported barrel shall be the weighted average of the buy-back price and the tax-paid cost of equity crude. For any month the same method must be used for all crude or product from a particular country. Different methods of computation, however, may be used for crude from different countries.

Supporting data required. In view of the fact that the regulations governing the inclusion of a refiner's increased product costs operate on a monthly basis, refiners in the future will be asked to produce, at the time cost increases are to be passed through as increases in the base price, underlying data justifying such cost increases for the month in question. To this end, firms indicating increases on their Form 96 shall be required to provide accompanying documentation establishing the relevant cost of product both for the May 1973 base period and for the month of measurement. Such documentation shall include, at minimum, net cost data and a computation of the comparable market price for a reference crude for each country from which products are imported as well as a schedule setting forth what adjustments need to be made in computing the comparable market price for other imported crudes or product for each country. Supporting data should indicate all prices paid or received and the volumes passing at such prices pursuant to any contract to any person, affiliated or non-affiliated, and the method by which the comparable market price has been computed. To the extent that data adequate on its face to justify the use of the comparable sales method is not provided, the net cost method must be applied. Contingent price sales should be separately identified and treated in the manner set out above and appropriate supporting data provided.

Effective date. Increases in actual costs as measured by customary accounting methods will be disallowed to the extent that such increases exceed the increase in actual costs as measured by these regulations for all months of measurement beginning October 1973.

III. The following examples illustrate the application of these proposed regulations.

Example 1. X is a refiner for purposes of Section 212.83. X purchases crude from its international affiliate Y. Y in turn purchases crude from Z, a company solely engaged in the production of petroleum in Country M. Z is owned jointly by Y and another international oil company. For May 1973 and the month of measurement, Table A presents various costs and prices for a representative crude lifted from Country M, f.o.b. the point of loading.

In May 1973 and in the month of measurement, X imported into the United States 5,000,000 barrels of crude purchased from Y.

all of which Y was entitled to by virtue of its equity share in Z.

In May 1973 and the month of measurement Y made sales of its equity crude to H, J, K and L, all unaffiliated parties, for the prices shown in Table B. To compute the comparable sales price, the highest priced 20 percent and the lowest priced 20 percent of sales are excluded, and the weighted average price of the remainder is calculated. This price is \$2.02 in May 1973 and at \$7.57 in the month of measurement. Under the net cost method X's per unit cost is the tax-paid cost, \$1.72 in May and \$7.12 in the month of measurement.

X and Y may use a variety of intercompany accounting methods to establish transfer prices. Three methods are set out in Table C. In the first, Y transfers oil to X at the tax-paid cost plus 40 cents per barrel, \$2.12 in May 1973 and \$7.52 in the month of measurement. In the second, Y transfers oil to X at the posted price, \$2.742 in May 1973 and \$11.651 in the month of measurement. In the third, Y transfers to X at "market," but for this purpose the highest price to an unaffiliated buyer is used, \$2.17 in May 1973 and \$9.00 in the month of measurement.

Table C shows the total increased costs for X as calculated pursuant to the comparable

sales method, the net cost method, and each of the three accounting methods.

Cost increases will be disallowed to the extent that they exceed the higher of those allowed by the net-cost method or the comparable sales method which in this case is \$27,750,000. Since the first accounting method yields increased costs less than this, no costs will be disallowed. Under the second accounting method, increased costs are \$44,545,000, and hence increased costs of \$16,795,000 would be disallowed (\$44,545,000-27,745,000). Under the third method increased costs are \$34,150,000 and hence costs of \$6,400,000 would be disallowed (\$34,150,000-27,750,000).

TABLE A.—REPRESENTATIVE CRUDE

	May 1973	Month of measurement
1. Posted price.....	\$2.742	\$11.651
2. Royalty.....	(.34)	(1.46)
3. Producing cost.....	(.12)	(0.12)
4. Pro forma profit.....	2.282	10.071
5. Tax at 55%.....	1.26	5.54
6. Government Take (lines 5+2).....	1.60	7.00
7. Tax paid cost (lines 6+3).....	1.72	7.12

TABLE B.—SALES TO UNAFFILIATED PERSONS
(Prices f.o.b. point of loading)

May 1973				Month of measurement			
Buyer	Price	Sales (barrels)	Adjusted Sales ¹ (barrels)	Buyer	Price	Sales (barrels)	Adjusted Sales (barrels)
H.....				H.....	\$9.00	100,000	
J.....	\$2.12	160,000		J.....	7.58	550,000	450,000
K.....	2.10	200,000	180,000	K.....	7.54	150,000	150,000
L.....	1.98	540,000	360,000	L.....	7.52	200,000	
Total sales.....		900,000		Total sales.....		1,000,000	
Weighted average price of adjusted sales.....	\$2.02			Weighted average price of adjusted sales.....	\$7.57		

¹ Derived by eliminating the 20 percent highest priced sales and the 20 percent lowest priced sales.

TABLE C.—Comparative cost standards^a

Standard	May 1973	Month of measurement	Cost increase per barrel	Total increased costs ^b	Total costs disallowed
Net-cost method ^b	\$1.72	\$7.12	\$5.40	\$27,000,000	NA
Comparable sales method.....	2.02	7.57	5.55	27,750,000	NA
Accounting method 1 ^c	2.12	7.52	5.40	27,000,000	None
Accounting method 2 ^d	2.742	11.651	8.909	44,545,000	\$16,795,000
Accounting method 3 ^e	2.17	9.00	6.83	34,150,000	6,400,000

^aCost of crude only; transport excluded.

^bTax-paid cost.

^cTax-paid cost plus \$0.40 per barrel.

^dPosted Price.

^eHighest third-party sale.

^fCalculated as the total quantity of crude landed in the month of measurement times the cost increase per barrel. This is equivalent to A in the formula of Section 212.53.

Example 2. Assume the same facts as Example 1, except that in May 1973 the country M owns 25 percent of Z pursuant to a participation agreement and that M's share is further increased to 50 percent in the month of measurement. Y is obliged to purchase M's share of production pursuant to a buy-back agreement. The buy-back price was 93 percent of the posted price in May or \$2.55 per barrel. In the month of measurement the buy-back price is 85 percent of posting or \$9.91 per barrel. The net cost per unit of crude to Y in May is the weighted average cost of the equity crude and the buy-back crudes, \$1.9525 ($0.75 \times \$1.72 + 0.25 \times \2.55). The net cost in the month of measurement is \$8.505 ($0.50 \times \$7.12 + 0.50 \times \9.91). The per unit increase in net cost is \$6.5525 and total increase in net costs is \$32,762,500 ($\$6.5525 \times$

5,000,000). If the sales prices to unaffiliated entities remain the same as in Table B increased costs computed according to the comparable sales method would remain unchanged at \$27,750,000. Increased costs calculated by X and Y's customary accounting method would be disallowed only to the extent that they exceeded \$32,762,500, the higher of the two permissible computations.

Example 3. Assume the same facts as Example 1, except that in the month of measurement Y exchanges 5,000,000 barrels with a non-affiliated entity. The oil received in the exchange is then imported by X. Both the oil sold and the oil purchased is priced at \$10.00 per barrel. If the net cost method is used to calculate permissible increased costs, the oil received would take the cost basis of that given up, and hence the net-cost per

unit of the oil imported by X would be \$7.12, the tax-paid cost. Note that the income from the sale and the expense of the purchase balance in Y's income account.

Example 4. Assume the same facts as Example 3 except that the price of the crude purchased from the non-affiliated entity is \$10.50 so that X made a net payment of \$0.50. The actual cost per unit of the oil imported by X per unit is the basis of the oil sold by Y plus the premium paid for the purchased oil. Thus, the net cost would be \$7.62 ($\$7.12 + 0.50$).

IV. Interested persons are invited to participate in the rulemaking by submitting written data, views or arguments with respect to the proposed regulations set forth in this notice. Persons commenting on the proposed regulations are asked to address themselves to the general questions posed in Part A. In addition major international oil companies are requested to provide certain detailed price information set out in Part B.

A. GENERAL QUESTIONS

1. What contract terms or other circumstances should be considered in adjusting sales to independent parties to determine the comparable market price? What values should be assigned to such adjustments? How may such adjustments be readily computed and made before cost increases are recouped?

2. To what extent do the requirements of the regulations deviate from customary accounting practices now being employed?

3. What special problems may result from the application of these regulations to refined products?

4. What economic effects in terms of prices or supply would result from the application of these regulations? In particular, to what extent would individual companies divert supplies away from the United States or rearrange supply patterns if either the comparable sales method or the net cost method were adopted.

5. What other significant and material issues should be considered in the adoption of these regulations?

B. PRICE INFORMATION

Major international oil companies are requested to provide the following:

1. A statement of accounting procedures historically used, and if "market" is used, details of how the market price is determined including actual calculations for the months of May 1973 and October 1973 through April 1974.

2. Schedules by country of origin and month for the months of May 1973, and October 1973 through April 1974, showing for each shipment of crude landed during the month.

- Type of Crude.
- Date landed.
- Volume.
- Payment to host government.
- Tax-paid cost, buy-back price, or purchase price as applicable.
- Purchase price per 10 CFR 212.83(b) (show component parts).
- Transportation cost per 10 CFR 212.83(b).

h. Landed cost (g plus f). This figure should agree with that used to calculate cost increases on the FEO Form 96.

For item 2d and 2e a weighted average of equity and buy-back crude may be used if the company does not separate the two in its own accounts. Crude obtained from unaffiliated persons or pursuant to exchanges should be separately shown.

3. Schedules showing the monthly weighted average by country for items 2d through 2h weighted by volume, segregating equity crude, buy-back crude and other crude, except that a weighted average of equity and buy-back crude may be used if the company does not separate the two in its own accounts.

4. Schedules by country of origin and month of loading for the months of May 1973 and October 1973 through April 1974, showing for each sale of crude by the affiliated companies to a non-affiliated person:

- Type of crude.
- Date of loading.
- Duration of contract pursuant to which the sale is made.
- Volume.
- F.o.b. price, point of loading.
- Rebates, discounts or other consideration passing directly or indirectly to the non-affiliated parties.
- Net realization (e less f).

Volumes shipped pursuant to overlift or underlift agreements should be included at their net cost taking account of dividends or other adjustments attributable to the overlifts.

5. Any other relevant market information.

Companies should answer the questions with respect to their operations and the operations of their affiliates showing in detail the expected impact on their transfer prices of both the comparable sales method and the net cost method. To the extent that persons believe particular regulations are not practical, they should attempt to provide alternatives keeping in mind the paramount need to permit the ascertainment of accurate arms-length prices in a prompt and equitable manner.

To the maximum extent practicable all information submitted pursuant to this rulemaking will be placed on the public record. When, however, a person possesses information which is relevant to this rulemaking and which he believes comes within the exception for trade secrets, commercial or financial information contained in 5 U.S.C. 552 or which contains or relates to a trade secret or other matters referred to in 18 U.S.C. 1905, and which he wishes to have withheld from public disclosure, he should separately identify and separately submit such information. FEO will treat such information as confidential to the extent that it is entitled to such confidentiality under the Freedom of Information Act or Section 205 of the Economic Stabilization Act of 1970, as amended. Pricing information provided by individual companies pursuant to the requests in Part B will be considered confidential for these purposes although ag-

gregate data which does not permit the identification of individual companies may be placed in the public record.

Comments should be addressed to the Executive Secretariat, Room 3309, Box AJ, Federal Energy Office, Washington, D.C. 20461. Comments should be identified on the outside envelope and on the documents submitted to the Federal Energy Office Executive Secretariat with the designation "Computation of Landed Costs." Thirty copies should be submitted. All comments received by Monday, June 17, 1974, will be considered by the Federal Energy Office before final action is taken on the proposed regulations.

(Emergency Petroleum Allocation Act of 1973, Pub. L. 93-159, E.O. 11748, 38 FR 33575)

In consideration of the foregoing, it is proposed to amend Part 212 of Chapter II, Title 10 of the Code of Federal Regulations by adding a new § 212.84 as set forth below.

Issued in Washington, D.C. on May 16, 1974.

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

§ 212.84 Disallowance of Costs.

(a) *Scope.* This section prescribes the standards which FEO shall apply in transactions between affiliated entities in disallowing costs pursuant to § 212.83 (e). Costs shall be disallowed for all months of measurement beginning October 1973 to the extent they exceed these standards.

(b) *Methods of disallowance—*(1) *General rule.* Increased product costs incurred in transactions between affiliated entities shall be disallowed to the extent that such costs calculated pursuant to customary accounting methods used by affiliated entities exceed increased actual costs. Actual costs are calculated by determining what the cost of the crude oil or other covered product would have been to the U.S. affiliate if it had purchased that product in an arms-length transaction from its foreign affiliate. To determine the appropriate arms-length price for these purposes (the "comparable market price"), reference shall be made to actual sales between unrelated parties for that product from a particular country. If sales to related parties are not significant in volume or are composed primarily of spot transactions, actual costs shall be deemed to be the net cost of that product to the affiliate entities plus the market value of any services performed by the foreign affiliate. If net cost exceeds the comparable market price, firms may recoup increased product costs calculated on the net cost basis.

(2) *Comparable sales method.* (i) The comparable market price of crude oil or other covered products shall be determined by reference to all sales of crude oil or other covered product from the country of origin to unaffiliated entities. Quantities lifted pursuant to overlift and underlift agreements shall be considered sales, the price being the net cost of the crude oil taking account of dividends

and other adjustments between partners attributable to the amount overlifted or underlifted. Purchases pursuant to buy-back arrangements shall not be considered sales for this purpose.

(ii) Actual sale prices to unrelated parties shall be adjusted to reflect differences in products and circumstances. Adjustments shall be made to reflect differences in quality, location at which delivery is made, terms of payment, payments for insurance, freight or brokerage, and other contract terms. Adjustments shall be made only to the extent that the appropriate values may be ascertained with reasonable precision from market data. When possible, adjustments shall be made on the basis of actual price differences to the affiliated entities for the transactions being compared. For instance, adjustments for gravity or sulphur differentials shall be based upon the differences in price for the products being compared which the international affiliate pays to the producing country. Only material adjustments shall be made and no adjustment will be made for ordinary commercial terms, e.g., payment within 60 days.

(iii) The comparable sale price shall be the weighted average price after adjustment weighted by volume, of such sales after excluding the highest priced 20 percent of such sales and the lowest priced 20 percent of such sales measured on a volume basis.

(iv) If total sales to unaffiliated parties are not significant or if sales are primarily of a spot or occasional nature, the comparable market price method shall not be used.

(v) The comparable market price for resales to a U.S. affiliate of purchases by the foreign affiliates from unrelated parties (other than purchases pursuant to buy-back agreements) shall be the foreign affiliate's purchase price plus the market value of any services performed by the affiliate.

(3) *Net cost method.* (i) When the comparable sales method cannot be used, the actual cost to the U.S. affiliate shall be calculated on the basis of the net cost of the crude oil or other covered product to the international affiliate.

(ii) For crude oil which is produced by an affiliated entity, net costs include direct and indirect production expenses, royalties payable to non-affiliated entities, and foreign taxes directly attributable to the production and exportation of the crude oil. Foreign taxes for these purposes include direct foreign excise taxes imposed on the exported crude oil and payable by the affiliated entities and income taxes and excess profit taxes to the extent such taxes are payable to host countries on income directly derived from production of crude oil. In general, the application of these rules should permit companies importing equity crude oil to recover any increases in their tax-paid costs since May 1973. For crude oil obtained pursuant to production sharing agreements, increased product costs shall include any additional excess profit taxes which have become payable because of the increase in world prices.

(iii) For crude oil or other covered products purchased from a non-affiliated entity, the net cost is the purchase price. For participation crude oil, net cost is the price paid to the producing country whether pursuant to a buy-back agreement or other form of purchase. When a partner in a joint-venture obtains crude oil in excess of its proportional share pursuant to an overlift agreement, its cost shall be the net cost to it of that crude oil after taking account of dividends and other adjustments between the partners attributable to the amount overlifted.

(iv) When crude oil or another covered product is exchanged with non-affiliated entities, the product received or purchased shall take the basis of the product transferred or sold plus or minus any net payments to the exchanging partner.

(v) The market value of brokerage and other services including refining provided by the international affiliate may be added to net cost when the net cost method is used to calculate the actual costs to the U.S. affiliate. In the absence of substantial evidence to the contrary, it shall be presumed that there has been no increase in the per unit value of such services since May 1973.

(c) *General rule.* (1) In instances

where crude oil or another covered product purchased from foreign affiliates is subject to subsequent adjustments in price, refiners shall give their best estimates of the expected cost, which estimates must be sustained by the submission of supporting data to FEO. In no case, however, shall the inclusion in increased costs be permitted of amounts in excess of the higher of (i) 80 percent of the posted price, (ii) the tax-paid cost for equity crude oil from the same source, or (iii) actual payments to non-affiliated persons for the product in question. Actual costs may be subsequently increased or decreased as appropriate when final liability is determined.

(2) Increased product costs shall be considered incurred when the product is physically landed in the United States. In computing the comparable market price, however, companies may use the sale of quantities loaded at the country of origin during the month of measurement if that accords with the company's customary accounting practices.

(3) The same method of calculation shall be used for all products from a particular country in computing the cost to the U.S. affiliate in the May 1973 base period and in computing the actual cost in the month for which a cost increase is claimed. Different methods of compu-

tation may be used for product from different countries.

(4) Companies claiming increased product costs shall provide documentation establishing the relevant cost of product both for the May 1973 base period and for the month for which a cost increase is claimed. Such documentation shall include, at minimum, net cost data and the computation of the comparable market price for a reference crude oil for each country from which products are imported. Supporting data shall indicate all prices paid and the volumes passing at such prices pursuant to any contract to any firm, affiliated or non-affiliated, and the method by which the comparable market price has been computed. To the extent that data adequate to compute the comparable market price is not provided, the net cost method must be applied. Contingent sales shall be separately identified and treated in the manner set out in subsection (c) (1) and appropriate data provided. In addition, U.S. affiliates shall indicate what percentage of their imports is purchased from non-affiliated entities other than the government of the country of origin. If this percentage has increased over May 1973, FEO may require evidence that the entity has not engaged in transactions artificially to increase its landed costs.

[FR Doc.74-11617 Filed 5-16-74;3:29 pm]

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impacts on competing uses of OCS resources, the effect of the proposed action on the level of environmental study prior to leasing and on the level of supervision of lease operations after leasing, and the degree to which environmental effects might be reduced as a result of improvements in methods of lease supervision; and the alternatives to the proposed action and their potential environmental impacts.

In due course, the Bureau of Land Management will prepare and disseminate a draft environmental statement and solicit comments on the statement from other Federal agencies, State and local governments, and interested members of the public. Moreover, it is the intention of the Bureau of Land Management to schedule public hearings, the location of which will be designated in a future notice published in the *FEDERAL REGISTER*, to consider the proposed action and the draft environmental statement.

The Bureau of Land Management will prepare individual environmental statements pursuant to section 102(2)(C) of the National Environmental Policy Act, supra, for each potential lease sale involved in the proposed action. This will provide a detailed environmental analysis on a tract-by-tract basis.²

The reasoning behind the proposed program and the determination to prepare a formal assessment of the environmental impacts of the proposal to increase OCS oil and gas leasing is as follows:

(a) Energy consumption in the United States will continue to rise. Despite conservation measures which have been instituted as a result of the recent oil embargo, all predictions indicate that there will be further increases in demand. Should domestic oil production continue to decline and demand continue to grow as in the past, imports would necessarily increase from 35 percent of U.S. consumption in 1973 to roughly half of U.S. consumption by 1980.

(b) The substantial rise in foreign oil prices in recent months also has created difficulties. If foreign oil purchases are increased, there would be a chronic balance of payments outflow which would create critical problems in international monetary affairs.

(c) An increase in domestic oil and gas production offers the greatest chance among available alternatives of avoiding increasing dependence upon potentially insecure foreign supplies of energy. While the mix between energy forms may change somewhat with rapid growth of other forms of energy such as increases in coal production and development of nuclear energy, the U.S. must continue to be heavily dependent on oil and gas through the next two decades.

(d) The Outer Continental Shelf represents a large and promising area for

oil and gas exploration. The Department's Geological Survey estimates undiscovered recoverable oil resources offshore totalling 65 to 130 billion barrels of petroleum (7-14 State and 58-116 Federal) and 395 to 790 trillion cubic feet of gas (40-80 State and 355-710 Federal). Production from those resources, in addition to production from known OCS resources, would greatly help in attaining the goal of avoiding dependence on insecure foreign sources of oil and gas.

(e) The proposed action to increase OCS oil and gas leasing to 10 million acres in 1975 is a major Federal action significantly affecting the quality of the human environment.

(f) The environmental statement process articulated in the National Environmental Policy Act provides a formalized method for evaluating the environmental impact of OCS development. For example, the view—that the considerable OCS development which has occurred to date has not resulted in long lasting, unacceptable marine or shoreline environmental or socio-economic impacts—would be evaluated.

The viability of the program, and the bases therefor, will be evaluated in the decision-making processes of which the environmental statement concerning the increases in OCS leasing from approximately 3 million acres in 1974 to 10 million acres in 1975, and the individual environmental statements on the 1975 sales, are a part. Studies and views that will be considered in these decision-making processes include more than the preparation of the environmental statements referred to. The following steps have already been taken:

(a) On April 18, 1973, the President directed the Council on Environmental Quality to study the potential environmental impacts of OCS oil and gas exploration and development along the Atlantic Coast and the Gulf of Alaska. The Report of the Council on Environmental Quality, OCS Oil and Gas—An Environmental Assessment, which was submitted to the President on April 18, 1974, is undergoing a thorough review within the Department.

(b) On February 20, 1974, the Bureau of Land Management published in the *FEDERAL REGISTER* (39 FR 6541), a "Request for Comments" inviting and encouraging all concerned parties representing the oil and gas industry and the general public to submit information concerning areas of interest for oil and gas resource potential and areas of environmental concern. Comments received to date in response to this request are now being studied and analyzed within the Department of the Interior, and a report will be released in the near future. This is one action taken during the first tier of a new two-tier system for selecting potential OCS leasing areas and individual tracts within those areas. The Bureau of Land Management will use these rankings of areas, and its own evaluations of resource potential and need to protect environmental values, the CEQ report, and views of other Fed-

eral agencies to identify areas for potential lease sales. In the second tier of the system, industry and other groups will be asked to provide their views on individual tracts within areas as in the past. Thereafter, an environmental statement for the individual lease sale would be prepared, as mentioned above, and if the sale is determined to be environmentally acceptable, the terms of the leases would be established, and the sale held.

(c) The Department is conducting an inventory and analysis of existing environmental and socio-economic data. The CEQ report represents a significant contribution to this level of effort. Contracts have been entered into with universities for more specific analyses of frontier areas such as the North Atlantic, from the Bay of Fundy to Sandy Hook, New Jersey; the mid-Atlantic, from Sandy Hook to Cape Hatteras; the South Atlantic, from Cape Hatteras to Cape Canaveral; and the Gulf of Alaska, from Cook Inlet to Unimak Island. The Department has also contracted for studies of southern California and is broadening and updating our information concerning the Gulf of Mexico.

(d) The Secretary of the Interior has created a Federal-State Research Advisory Board which will advise on the scope and conduct of baseline studies and monitoring programs for potential leasing in frontier areas of the Atlantic and Alaska. We expect to issue a number of contracts for base-line studies after receiving advice from the advisory board. Representatives of seaboard States have been invited to participate on the Board and others will be so invited.

In this connection, the Department has decided to proceed in nearly simultaneous time frames with environmental base-line studies on the Outer Continental Shelves of the Atlantic Ocean and the Gulf of Alaska in order to explore further the feasibility of oil and gas leasing in those areas. These base-line studies will consider weather, sea state, biologic populations and natural hazards. Their design will draw upon the National Oceanic and Atmospheric Administration (NOAA), Bureaus in the Department, the States, and the private sector. NOAA and the USGS have been asked to design appropriate studies for the Gulf of Alaska for early consideration by the Advisory Board. Because legal issues may delay OCS development in the Atlantic, the Gulf of Alaska may be the first frontier area in which an OCS sale could be held.

The Gulf of Alaska was identified by the CEQ in its recent report as one of the frontier OCS areas with the greatest environmental risk. The studies to be undertaken are necessary to determine the acceptability of leasing in this area. The Department believes steps should now be taken to protect the option of a sale in that area near the end of 1975 if the difficult environmental and technological problems identified in the CEQ report can be satisfactorily dealt with. The Department has no intention of leasing anywhere on the OCS if it cannot be

² Decisions to prepare environmental impact statements for potential lease sales would take into account the status of pending litigation, including *U.S. v. Maine et al.* and *U.S. v. Florida*.

accomplished in an environmentally acceptable way.

(e) The Department is now evaluating the feasibility of requiring permittees and lessees to furnish the Secretary with copies of all data obtained during offshore exploration and development for oil and gas. Notice of proposed rule making will be published in the *FEDERAL REGISTER* for public comment soon.

(f) Officials of the Department of the Interior have been involved in a continuing dialogue with environmental organizations, representatives of industry and other concerned individuals in an effort to obtain the benefit of their views relative to the environmental aspects and the oil and gas potential of the proposed action. Discussions have been held on the advisability of an OCS exploratory program that would further help to pinpoint the areas of the greatest potential production of oil and gas. These discussions have involved a number of alternative plans which include: special limited lease sales in frontier areas with a requirement for prompt exploration; leases for exploration only; a Federal exploratory drilling program; and off-structure stratigraphic drilling by both private and public entities.

Persons wishing to express their views concerning the preparation of an environmental impact statement for the proposed program to increase OCS oil and gas leasing and the other undertakings referred to may submit comments to Director, Attention 730, Bureau of Land Management, Washington, D.C. 20240.

GEORGE C. TURCOTT,
Associate Director,
Bureau of Land Management.

Approved: May 13, 1974.

JOHN C. WHITAKER,
Under Secretary of the Interior.
[FR Doc. 74-11447 Filed 5-17-74; 8:45 am]

Office of Hearings and Appeals
[Docket No. M74-113]

BIMBO COAL COMPANY, INC.
Petition for Modification of Application of
Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 861(c) (1970), Bimbo Coal Company, Inc. has filed a petition to modify the application of 30 CFR 77.1605(k) to its No. 2 Mine located at Hall Hollow, Buchanan County, Virginia.

30 CFR 77.1605(k) provides as follows:
Berms or guards shall be provided on the outer bank of the elevated roadways.

The alternate method which Petitioner proposes to establish in lieu of the mandatory standard is as follows:

1. A daily inspection of all coal-hauling vehicles shall be made and any defects detected shall be corrected before the vehicle is put into service. A record of the inspection

and repair on each vehicle shall be kept and maintained by a supervisory employee.

2. Roadway surfaces shall be kept free of debris, excessive water and snow and ice, and maintained as free as practicable of small ditches (washboard effects).

3. A traffic system should be put into use for these roads requiring that the loaded vehicles have the right-of-way on the highwall side of roads regardless of their direction of travel.

4. Warning signals shall be posted designated curves, steep grades where trucks should shift to a lower gear, and where roadways are reduced to one-lane traffic. Stop signs shall be posted where one road intersects another, giving main haulage road traffic the right-of-way. Signs should also be posted designating passing points.

5. All equipment operators should be trained in the use of haulage equipment and the safety of vehicles on haulage roads.

6. All haulage vehicles shall have:
(a) Original manufacturers brakes.
(b) Engine or Jacobs brakes.
(c) Emergency (parking) braking system.
7. Adequate supplies of crushed stone or other suitable materials shall be stored at strategic locations along the haulage roads for use when the road surface becomes slippery.

8. A minimum width of 30 feet shall be provided and maintained along two-lane roads, and where widths of less than 30 feet are provided and maintained, the roads shall be designated as single-lane roads.

9. On roads that afford only one traffic lane, a minimum width of 16 feet shall be maintained, with passing points provided at intervals of not more than 1,000 feet; if visibility is obscured by brush or other materials, passing points shall not be more than 500 feet apart.

10. Where abrupt drop-offs are present along the outer banks, super-elevation shall be provided to cause the vehicles to gravitate toward the highwall side of the road.

11. All rules of the road (traffic system) shall be posted on the bulletin boards throughout the mine area, and such rules of the road shall be made part of the training and retraining programs.

Petitioner further states that the alternative method outlined above will, at all times guarantee no less than the same measure of protection afforded the miners at the Petitioner's mine by the mandatory standard.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before June 19, 1974. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

JAMES R. RICHARDS,
Director,
Office of Hearings and Appeals.

MAY 13, 1974.

[FR Doc. 74-11463 Filed 5-17-74; 8:45 am]

[Docket No. M 74-101]

O. C. COAL MINE #2

Petition for Modification of Application of
Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301

(c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 861(c) (1970), H. W. Weaver, d.b.a. O. C. Coal Mine #2 has filed a petition to modify the application of 30 CFR 75.1405 to its O. C. Coal Mine #2 located at Gunnison, Colorado.

30 CFR 75.1405 provides as follows:

All haulage equipment acquired by an operator of a coal mine on or after March 30, 1971, shall be equipped with automatic couplers which couple by impact and uncouple without the necessity of persons going between the ends of such equipment. All haulage equipment without automatic couplers in use in a mine on March 30, 1970, shall also be so equipped within 4 years after March 30, 1970.

Petitioner seeks a waiver of the foregoing safety standard for the following reasons:

(1) Petitioner utilizes forty inch wide, one-ton wooden cars in its mine. These cars comprise two three-car trips which are hauled by one-half inch rope cable. The cars are maneuvered by hand on the surface, and they are pulled inside by a mule.

(2) The subject cars are not uncoupled in the mine. The uncoupling takes place above-ground on a flat surface when the cars are at rest.

(3) The size and awkwardness of automatic couplers would create a safety hazard. In addition, the installation of said couplers would prove impractical because:

(a) The cars are too small to accommodate the couplers.

(b) Petitioner's personnel would be unable to maneuver the cars by hand on the surface.

(c) It would not be possible to maneuver the cars underground by mule.

(d) The mine will continue to produce coal for only three more years.

(4) The alternate method will at all times guarantee no less than the same measure of protection as afforded by the application of the mandatory standard.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before June 19, 1974. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

JAMES R. RICHARDS,
Director, Office of
Hearings and Appeals.

MAY 13, 1974.

[FR Doc. 74-11466 Filed 5-17-74; 8:45 am]

[Docket No. M 74-102]

O. C. COAL MINE #2

Petition for Modification of Application of
Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301 (c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 861(c) (1970), H. L. Weaver, d.b.a. O. C. Coal Mine #2 has filed a petition to modify the application of 30 CFR 75.313 to its O. C. Coal Mine #2 located in Gunnison, Colorado.

30 CFR 75.313 provides in pertinent part as follows:

The Secretary or his authorized representative shall require, as an additional device for detecting concentrations of methane, that a methane monitor, approved as reliable by the Secretary after March 30, 1970, be installed, when available, on any electric face cutting equipment, continuous miner, long-wall face equipment, and loading machine, except that no monitor shall be required prior to the date on which such equipment is required to be permissible under §§ 75.500, 75.501, and 75.504. When installed on any such equipment, such monitor shall be kept operative and properly maintained and frequently tested as prescribed by the Secretary. * * *

Petitioner seeks a waiver of the foregoing safety standard as it applies to Petitioner's Sullivan shortwall cutting machine for the following reasons:

- (1) Petitioner's mine is situated above the water table level, and there has never been any gas detected in the mine.
- (2) From information Petitioner has gathered, it is impractical to mount a methane monitor on the subject cutting machine.
- (3) Petitioner cannot afford to install a methane monitor on its cutting machine.
- (4) Petitioner's alternate method will at all times guarantee the same measure of protection as afforded by the application of the mandatory safety standard.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before June 19, 1974. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

JAMES R. RICHARDS,
Director, Office of
Hearings and Appeals.

MAY 13, 1974.

[FR Doc.74-11464 Filed 5-17-74; 8:45 am]

[Docket No. M 74-116]

ISLAND CREEK COAL CO.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 861(c) (1970), Island Creek Coal Co. has filed a petition to modify the application of 30 CFR 75.1405 to its Bird No. 3 Mine located in Tire Hill, Pennsylvania.

30 CFR 75.1405 provides as follows:

All haulage equipment acquired by an operator of a coal mine on or after March 30, 1971, shall be equipped with automatic couplers which couple by impact and uncouple without the necessity of persons going between the ends of such equipment. All haulage equipment without automatic couplers in use in a mine on March 30, 1970, shall also be so equipped within 4 years after March 30, 1970.

To be read concurrently with § 75.1405 is 30 CFR 75.1405-1 which provides as follows:

The requirement of § 75.1405 with respect to automatic couplers applies only to track haulage cars which are regularly coupled and uncoupled.

In support of its petition, Petitioner states the following:

(1) Cars subject to this petition for modification are small two-ton cars of an extremely old manufacture, and no automatic couplers for these cars are available by any manufacturer. These cars have been in use in Petitioner's mine since 1962, and no accidents have resulted therefrom.

(2) Due to nature of grade, cars must travel by rope haulage on 20 percent grade for a distance of 600 feet. In the coupling process, a coupling pin is attached to a lever which extends to the side of the car and the pin remains in the hole in the bumper, thus making it unnecessary for person to be between cars. The link end of the coupler has a rod permanently attached to the coupling link of the other car and it extends outward to the side of the car, thus making it unnecessary for person to be between cars. Cars can be coupled and uncoupled by these rods thereby assuring adequate clearance and safety of Petitioner's employees. The motor-man, while remaining in his locomotive, can maneuver the coupling link to the bumper of the locomotive by said rod.

(3) Coal in Petitioner mine is transported by belt haulage.

(4) The aforementioned plan was initiated and instituted by pilot plan on one car in order to determine its efficacy. Results determined from test and pilot project concluded that outstanding protection is afforded employees. This is indicated conclusively by the fact that no employee is required to place any part of his body between any cars when coupling or uncoupling haulage vehicles.

(5) All personnel operating cars subject to this petition for modification are provided with training and safety orientation.

(6) Petitioner asserts that its alternate method will at all times guarantee adequate protection to the miners and will not result in a diminution of safety.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before June 19, 1974. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

JAMES R. RICHARDS,
Director, Office of
Hearings and Appeals.

MAY 13, 1974.

[FR Doc.74-11465 Filed 5-17-74; 8:45 am]

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

EMERGENCY CONSERVATION MEASURES PROGRAM

Availability of Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Agricultural Stabilization and Conservation Service, Department of Agriculture, has prepared a draft environmental statement on the Emer-

gency Conservation Measures Program, USDA-ASCS-ES (Adm.) 74-2. The Emergency Conservation Measures Program is authorized under Public Law 85-58. This program provides cost-sharing assistance to farmers for carrying out emergency conservation measures to control wind erosion on farmlands or to rehabilitate farmlands damaged by wind erosion, floods, hurricanes or other natural disasters in counties designated by the Secretary upon a finding that a natural disaster has occurred. The measures carried out under the ECM restore or enhance the quality of the environment and in some instances reduces the potential for health hazards.

In general, the environment is enhanced in the area of the disaster by correcting damage to the farmlands by the removal of debris and other solid wastes, the filling or shaping of gullies, and the repairing of damaged conservation structures. Also, measures carried out to control wind erosion result in an improvement of the air quality in the area. Potential adverse environmental impacts include a temporary increase in sedimentation of waterways, some damage to wildlife habitat during construction activities, some temporary lowering of air quality while carrying out some measures.

The draft statement was filed with the CEQ on April 30, 1974. Copies of the statement are being forwarded to all State Clearinghouses, various conservation and environmental organizations and Federal agencies as outlined in the CEQ guidelines. Copies of the statement are available for inspection during regular working hours at USDA, Agricultural Stabilization and Conservation Service, Room 4702-South Building, 14th & Independence Avenue, SW., Washington, D.C. 20250, and at the State office for the Agricultural Stabilization and Conservation Service in each State. A limited number of single copies are available upon request to the Washington, D.C. office.

Comments concerning the proposed action should be addressed to the Director, Environmental Quality and Land Use Programs Division, Agricultural Stabilization and Conservation Service, Washington, D.C., to be received by June 28, 1974.

Signed at Washington, D.C. on May 13, 1974.

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

[FR Doc.74-11488 Filed 5-17-74; 8:45 am]

Forest Service

APALACHICOLA NATIONAL FOREST, FLA. Proposed Transmission Line Right-of-Way; 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 envi-

ronmental statement for the proposal for a 230 KV Transmission Line Right-of-Way across the Apalachicola National Forest, Florida, USDA-FS-R8-DES (Adm.)-74-8.

This environmental statement concerns an application for a special use permit by the City of Tallahassee, Florida for the proposed construction of a 230 KV Transmission line across the Apalachicola National Forest.

This draft environmental statement was transmitted to CEQ on May 10, 1974.

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

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

USDA, Forest Service
1720 Peachtree Road, N.W., Room 804
Atlanta, Ga. 30309

Forest Supervisor
USFS, Box 1050
214 South Bronough Street
Tallahassee, Florida 32302

A limited number of single copies are available upon request to B. Frank Finison, Forest Supervisor, National Forests in Florida, Box 1050, 214 South Bronough Street, Tallahassee, Florida 32302.

Copies of the environmental statement have been sent to various Federal, State, and local agencies as outlined in the Council on Environmental Quality Guidelines.

Comments are invited from the public, and from State and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact involved for which comments have not been requested specifically.

Public meetings will be held on June 3, 1974, at 7:30 p.m. at the Leon County Courthouse in Tallahassee, Florida and on June 4, 1974, at 7:30 p.m. at the Wakulla County Courthouse in Crawfordville, Florida.

Comments concerning the proposed action and requests for additional information should be addressed to B. Frank Finison, Forest Supervisor, National Forests in Florida, Box 1050, 214 South Bronough Street, Tallahassee, Florida 32302. Comments must be received by July 10, 1974 in order to be considered in the preparation of the final environmental statement.

DAVID F. JOLLY,
Regional Environmental Coordinator.

[FR Doc. 74-11452 Filed 5-17-74; 8:45 am]

EUREKA-GRAVE CREEK PLANNING UNIT, MONTANA; MULTIPLE USE PLAN

Notice of Availability of Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a draft environmental statement for Multiple Use

Plan—Eureka-Grave Creek Planning Unit, Forest Service Report Number USDA-FS-DES (Adm) R1-74-16.

The environmental statement concerns a proposed implementation of a revised multiple use plan for the Eureka-Grave Creek Planning Unit, on the Fortine Ranger District, Kootenai National Forest, and located in Lincoln County, Montana. The proposal affects approximately 93,585 acres of National Forest lands which have been stratified into eight management situations or units with similar resource implications.

This draft environmental statement was filed with CEQ on May 13, 1974.

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

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

USDA Forest Service
Northern Region
Federal Building
Missoula, MT 59801

USDA Forest Service
Kootenai National Forest
418 Mineral Avenue
Libby, MT 59923

A limited number of single copies are available upon request to Forest Supervisor Floyd J. Marita, Kootenai National Forest, Box AS, Libby, MT 59923.

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

Comments are invited from the public and from state and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact involved for which comments have not been requested specifically.

Comments concerning the proposed action and requests for additional information should be addressed to Forest Supervisor Floyd J. Marita, Kootenai National Forest, Box AS, Libby, MT 59923. Comments must be received by July 12, 1974, in order to be considered in the preparation of the final environmental statement.

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

MAY 13, 1974.

[FR Doc. 74-11455 Filed 5-17-74; 8:45 am]

PORCUPINE/BUFFALO HORN PLANNING UNIT, MONTANA; MULTIPLE USE PLAN

Notice of Availability of Final Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a final environmental statement for Porcupine/Bufalo Horn Planning Unit, Forest Service Report Number USDA-FS-FES (Adm) 74-19.

The environmental statement concerns a proposed action to implement a revised Multiple Use Plan for the Porcupine/Bufalo Horn Planning Unit, Gallatin Ranger District, Gallatin National Forest in Gallatin County, Montana. The number of affected acres are 46,167. Inventory analysis was done to the most intense level used by the Forest Service. The plan provides the District Ranger with detailed management prescriptions for the Unit. The Unit is broken into four subunits (management units) which contain similar resource problems, opportunities, and capabilities.

This final environmental statement was filed with CEQ on May 13, 1974.

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

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

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

USDA Forest Service
Gallatin National Forest
Federal Building
Bozeman, MT 59715

USDA Forest Service
Gallatin Ranger District
Gallatin Gateway, MT 59730

A limited number of single copies are available upon request to Forest Supervisor Lewis E. Hawkes, Gallatin National Forest, P.O. Box 130, Bozeman, MT 59715.

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

KEITH M. THOMPSON,
Acting Regional Forester,
Northern Region, Forest Service.
MAY 13, 1974.

[FR Doc. 74-11453 Filed 5-17-74; 8:45 am]

UPPER FISHER PLANNING UNIT, MONTANA; MULTIPLE USE PLAN

Notice of Availability of Draft Environmental Statement

Pursuant to section 102(2)(c) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture has prepared a draft environmental statement for Multiple Use Plan, Upper Fisher Planning Unit, Forest Service Report Number USDA-FS-DES (Adm) R1-74-15.

The environmental statement concerns a proposed implementation of a revised multiple use plan for the Upper Fisher Planning Unit, Libby and Fisher River Ranger Districts, Kootenai National Forest, and located in Lincoln County, Montana. The proposal affects approximately 65,000 acres of National Forest lands which have been stratified into ten management situations or units with similar resource implications.

This draft environmental statement was filed with CEQ on May 10, 1974.

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

USDA, Forest Service
South Agriculture Bldg., Room 3231
12th St. and Independence Ave., S.W.
Washington, D.C. 20250

USDA Forest Service
Northern Region
Federal Building
Missoula, MT 59801
Supervisor's Office
Kootenai National Forest
418 Mineral Avenue
Libby, MT 59923

USDA Forest Service
Libby Ranger District
Libby Ranger Station
Libby, MT 59923

USDA Forest Service
Fisher River Ranger District
Canoe Gulch Ranger Station
Libby, MT 59923

A limited number of single copies are available upon request to Forest Supervisor, Floyd J. Marita, Kootenai National Forest, Box AS, Libby, MT 59923.

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

Comments are invited from the public and from state and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact involved for which comments have not been requested specifically.

Comments concerning the proposed action and requests for additional information should be addressed to Forest Supervisor, Floyd J. Marita, Kootenai National Forest, Box AS, Libby, MT 59923. Comments must be received by July 10, 1974, in order to be considered in the preparation of the final environmental statement.

Dated: May 10, 1974.

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

[FR Doc.74-11454 Filed 5-17-74; 8:45 am]

DEPARTMENT OF COMMERCE

Maritime Administration

TANKERS OF 400,000 DWT

Computation of Foreign Construction Costs

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 compute the estimated foreign cost of the construction of tankers of about 400,000 DWT. This notice supersedes the "Notice of Intent" dated October 1, 1973, for the same size vessel, which was published in the FEDERAL REGISTER of October 4, 1973.

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 June 7, 1974, with the Secretary, Maritime Subsidy Board, Maritime Administration, Room 3099B, Department of Commerce Building, 14th & E Streets, NW., Washington, D.C. 20230.

Dated: May 15, 1974.

By order of the Maritime Subsidy Board, Maritime Administration.

JAMES S. DAWSON, Jr.,
Secretary.

[FR Doc.74-11493 Filed 5-17-74; 8:45 am]

CONVERSION OF SINGLE SCREW CARGO SHIPS TO CARGO/CONTAINER VESSELS

Computation of Foreign Cost

Notice is hereby given of the intent of the Maritime Subsidy Board to compute the estimated foreign cost of conversion of single screw cargo ships to cargo/container vessels, pursuant to the provisions of section 502(b) of the Merchant Marine Act, 1936, as amended.

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 June 12, 1974, with the Secretary, Maritime Subsidy Board, Maritime Administration, Room 3099B, Department of Commerce Building, 14th and E Streets NW., Washington, D.C. 20235.

Dated: May 15, 1974.

By order of the Maritime Subsidy Board, Maritime Administration.

JAMES S. DAWSON, Jr.,
Secretary.

[FR Doc.74-11492 Filed 5-17-74; 8:45 am]

National Oceanic Atmospheric Administration

MARINE MAMMALS; CAPTURE, KILLING, INJURY OR OTHER TAKING OF MARINE MAMMALS

Notice of Intent To Prescribe Regulations; Correction

On March 13, 1974, in 39 FR 9685 a notice of intent to prescribe regulations pursuant to section 101(a)(2) of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361, et seq. "the Act") was published. The notice included a table listing 19 species of marine mammals with estimated population levels. Number 10 on the list, spotted dolphin, was listed as "unknown-rare." The word "rare" was erroneously included. The correct listing should be:

"10. Spotted dolphin (*Stenella attenuata*, *S. frontalis*, *S. graffmani*, *S. dubia*). unknown"

Dated: May 10, 1974.

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

[FR Doc.74-11479 Filed 5-17-74; 8:45 am]

ROBERT ELSNER

Application for Marine Mammal Scientific Research Permit

Notice is hereby given that the following applicant has applied in due form for a permit to take marine mammals for scientific research as authorized by the Marine Mammal Protection Act of 1972 and the Regulations Governing the Taking and Importing of Marine Mammals.

Robert Elsner, Professor of Physiology, Institute of Marine Science, University of Alaska, Fairbanks, Alaska 99701, to take by shooting, forty (40) harbor seals (*Phoca vitulina richardii* and/or *Phoca vitulina largha*), forty (40) ringed seals (*Pusa hispida*), ten (10) ribbon seals (*Histiophoca fasciata*), ten (10) bearded seals (*Erignathus barbatus*) and ten (10) northern sea lions (*Eumetopias jubatus*) for the purpose of scientific research.

The harbor seals will be taken from the southern coast of Alaska and the Bering Sea. The ringed seals, ribbon seals and bearded seals will be taken from the Bering Sea and the Chukchi Sea. The northern sea lions will be taken from coastal regions of the Bering Sea and the Gulf of Alaska. All of the animals will be taken between July, 1974 and June, 1976 by Dr. Robert Elsner or a skilled agent.

Dr. Elsner has conducted physiological research in Alaska since 1953, and has dealt specifically with Alaska seals and sea lions since 1963.

The requested species of marine mammals have been selected because of their known and suspected responses to diving asphyxia. Thus, they provide experimental models for clarification of physiological and biochemical reactions which can be usefully explored in them and, by comparison with terrestrial species, can be useful in establishing biological generalizations regarding asphyxia and natural defenses against its consequences.

Tissue and organ samples taken from the requested seals and sea lions will be utilized in a series of comparative studies on the responses of such tissues to asphyxial hypoxia, or reduced levels of oxygen. These samples will be utilized in the following projects:

1. The response of kidney, heart and brain tissues to asphyxia, and the interrelationships between asphyxia, circulation and metabolism;
2. The function of the elastic, bulbous structure at the base of the aorta;
3. The responses of the seal heart to prolonged exposure to low oxygen and elevated carbon dioxide levels;
4. The response of cardiac muscle to experimental blockage of coronary arteries;
5. The mechanisms involved in the control of cardiovascular reactions to diving asphyxia;
6. The adaptations of morphology and function of respiratory organs and their collapse during dives;
7. Microscopic structural changes of seal heart and kidneys during severe reduction of blood supply to the heart.

Certain parts of the skeletal remains will be presented to collections of the

Alaska Department of Fish and Game and the University of Alaska for further study.

Documents submitted in connection with this application are available in the Office of the Director, National Marine Fisheries Service, Washington, D.C. 20235, telephone 202-343-7780 and the Office of the Regional Director, National Marine Fisheries Service, Alaska Region, P.O. Box 1668, Juneau, Alaska 99801, telephone 907-586-7221.

Concurrent with the publication of this notice in the FEDERAL REGISTER the Secretary of Commerce is sending copies of the application to the Marine Mammal Commission and the Committee of Scientific Advisors.

Interested parties may submit written data or views on this application on or before June 19, 1974, to the Director, National Marine Fisheries Service, Department of Commerce, Washington, D.C. 20235.

All statements and opinions contained in this notice in support of this application are those of the Applicant and do not necessarily reflect the views of the National Marine Fisheries Service.

Dated: May 15, 1974.

JOSEPH W. SLAVIN,
Acting Director, National Marine
Fisheries Service.

[FR Doc.74-11481 Filed 5-17-74; 8:45 am]

SEA-ARAMA MARINEWORLD

Application for Marine Mammal Public Display Permit

Notice is hereby given that the following applicant has applied in due form for a permit to take marine mammals for the purpose of public display, as authorized by the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361-1407) and the Regulations Governing the Taking and Importing of Marine Mammals.

Sea-Arama Marineworld, Seawall Boulevard at 91st Street, P.O. Box 3068, Galveston, Texas 77550, to take seven (7) Atlantic bottlenosed dolphins (*Tursiops truncatus*) for the purpose of public display, and to subsequently maintain a permanent inventory of no more than fifteen (15) Atlantic bottlenosed dolphins (*Tursiops truncatus*), through the replacement of animals lost in the course of normal attrition.

The dolphins will be taken from the Gulf of Mexico along the Texas coast, primarily in the vicinity of Galveston Island and Aransas Bay. They will be taken by Sea-Arama Marineworld capture personnel by means of a nylon net, and then transported to the Galveston facility by truck. Following the taking of the seven dolphins which are currently desired, other dolphins will be taken as needed to maintain the dolphin inventory at fifteen animals.

Three dolphins will be maintained in each of four circular concrete holding pools, 15 feet in diameter and 7 feet deep. These twelve dolphins will be displayed in the show stadium, 100 feet long, 40 feet wide and 14 feet deep.

The entire stadium/holding pool complex contains 340,000 gallons of filtered sea water.

The three remaining dolphins will be maintained and displayed in the 30,000 gallon porpoise petting pool, 29 feet long, 17 feet wide and 10 feet deep. Two 10,000 gallon isolation pools, 11 feet in diameter and 6 feet deep, are also available.

Dr. Kenneth N. Gray, Veterinarian and Curator of Sea-Arama Marineworld, supervises the care and maintenance staff. He is assisted by two Assistant Curators, with 8 and 1½ years experience in marine mammal husbandry, and a Curating assistant, with 8 months experience. The training staff includes two individuals each with 9 years experience and two individuals each with 2 years of experience or less.

Sea-Arama Marineworld hosts approximately 400,000 visitors annually, and cooperates, through a formal alliance, with the marine mammal research program of the Marine Biomedical Institute of the University of Texas.

The arrangements and facilities for transporting and maintaining the marine mammals requested in the above application have been inspected by a licensed veterinarian, who has certified that such arrangements and facilities are adequate to provide for the well-being of the animals.

Documents submitted in connection with this application are available as follows:

Office of the Director, National Marine Fisheries Service, Department of Commerce, Washington, D.C. 20235 (telephone 202-343-7780);

Regional Director, National Marine Fisheries Service, Southeast Region, Duval Building, 9450 Gandy Boulevard, St. Petersburg, Florida 33702 (telephone 813-893-3145).

Concurrent with the publication of this notice in the FEDERAL REGISTER, the Secretary of Commerce is sending copies of the application to the Marine Mammal Commission and the Committee of Scientific Advisors.

Interested parties may submit written data or views on this application on or before June 19, 1974, to the Director, National Marine Fisheries Service, Department of Commerce, Washington, D.C. 20235.

All statements and opinions contained in this notice in support of this application are those of the Applicant and do not necessarily reflect the views of the National Marine Fisheries Service.

Dated: May 15, 1974.

JOSEPH W. SLAVIN,
Acting Director, National
Marine Fisheries Service.

[FR Doc.74-11485 Filed 5-17-74; 8:45 am]

SEA-ARAMA MARINEWORLD

Application for Marine Mammal Public Display Permit; Hearing

Notice is hereby given that, as authorized by § 216.33 of the regulations govern-

ing the taking and import of marine mammals (39 FR 1851, January 15, 1974), a hearing will be held at 10 a.m. on June 5, 1974, in the Penthouse Conference Room, National Marine Fisheries Service, Page Building No. 1, 2001 Wisconsin Avenue NW., Washington, D.C. 20007. The purpose of the hearing is to consider a display permit application from Sea-Arama Marineworld, Galveston, Texas, to take seven (7) Atlantic bottlenosed dolphins (*Tursiops truncatus*) for the purpose of public display, thus increasing the current dolphin inventory to fifteen (15) animals, and to maintain an inventory of fifteen dolphins by replacing those animals lost in the course of normal attrition.

It is the desire of the National Marine Fisheries Service to receive public comments on the specific application outlined above as well as on the general concept of permitting, in advance, marine mammals to be taken for the purpose of replacing those animals lost in the course of normal attrition, and on the general concept of permitting scientific investigators to conduct "research of opportunity" by taking dead marine mammals which are found in the course of other authorized research projects.

Individuals and organizations may express their views or opinions by appearing at this hearing, or by submitting written comments for inclusion in the record between the date of publication of this notice and 15 days following the hearing. Written comments should be submitted, and inquires with respect to this hearing directed, either to the Director, National Marine Fisheries Service, Washington, D.C. 20235, or to the Regional Director, National Marine Fisheries Service, Southeast Region, Duval Building, 9450 Gandy Boulevard, St. Petersburg, Florida 33702.

Dated: May 15, 1974.

JOSEPH W. SLAVIN,
Acting Director, National
Marine Fisheries Service.

[FR Doc.74-11484 Filed 5-17-74; 8:45 am]

BUTTONWOOD PARK ZOO, NEW BEDFORD, MASS., ET AL.

Marine Mammal Applications for Public Display Permits

Notice is hereby given that the following applicants have applied in due form for permits to take marine mammals for public display as authorized by the Marine Mammal Protection Act of 1972 and the regulations governing the taking and importing of marine mammals.

1. Buttonwood Park Zoo, Park Department, City of New Bedford, Massachusetts to take two (2) California sea lions (*Zalophus californianus*) and four (4) Atlantic harbor seals (*Phoca vitulina concolor*) for public display.

The California sea lions will be taken by a professional collector from the California Channel Islands, acclimated to captivity by the collector and transported via commercial airline to the New Bedford facility. The harbor seals will be taken during June 1974 by a pro-

professional collector in the vicinity of Casco Bay, Maine, acclimated to captivity by the collector and transported by truck to the New Bedford facility.

The animals will be maintained in a 68,000 gallon pool, which has maximum dimensions of 66 feet long, 34 feet wide and five feet deep. Fresh water for the pool is provided by the municipal water supply, and is monitored to maintain proper water quality standards. A salt water bath is constantly available to the animals, as are hauling out areas and shelter facilities.

In addition to the Zookeeper, Mr. Jim Reviere, who has been with the Buttonwood Park Zoo since June 1973, care and maintenance for the seals and sea lions will be provided by a Zoo Caretaker and an attendant, who have each been with the Zoo for 20 years or more.

The seals and sea lions will be displayed in a non-performing exhibit.

In addition to the four harbor seals and two sea lions, two Atlantic harbor seals will be boarded during the period of September to June of each year on behalf of the aquarium at the Northeast Fisheries Center, National Marine Fisheries Service, if that facility is granted a permit to take two harbor seals.

The Buttonwood Park Zoo is solely owned by the City of New Bedford, and is operated on a non-profit basis for the benefit of the general populace of the New Bedford area.

2. Aquarium Program, National Marine Fisheries Service, Northeast Fisheries Center, Woods Hole, Massachusetts 02543 to take two (2) Atlantic harbor seals (*Phoca vitulina concolor*) for public display.

The harbor seals will be taken during June 1974, by a professional collector in the vicinity of Casco Bay, Maine, acclimated to captivity by the collector, and transported to the Woods Hole facility by National Marine Fisheries Service personnel familiar with the care and maintenance requirements of harbor seals.

The seals will be displayed during the months of June through September each year at the Woods Hole facility. They will be maintained in a 7,000 gallon oval concrete pool, 30 feet long, 15 feet wide and four feet deep. The pool is supplied constantly with flowing seawater taken from Woods Hole Harbor.

During the months of September to June each year, the harbor seals will be maintained at the Buttonwood Park Zoo, New Bedford, Massachusetts. They will be held in a 68,000 gallon pool with up to four other harbor seals and two California sea lions. The seals will be transferred to New Bedford each September by truck, under the supervision of the Buttonwood Park Zoo pinniped maintenance staff. They will be returned in the same manner to Woods Hole each June.

The Aquarium facility is an adjunct of the Northeast Fisheries Center Laboratory of the National Marine Fisheries Service. No admission is charged to the

200,000 annual visitors to the aquarium.

The arrangements and facilities for transporting and maintaining the marine mammals as described in the above applications have been reviewed and inspected by licensed veterinarians, who have certified that such arrangements and facilities are adequate to provide for the well-being of the animals.

Documents submitted in connection with these applications are available as follows:

Office of the Director, National Marine Fisheries Service, Washington, D.C. 20235, telephone 202-343-4543.

Regional Director, National Marine Fisheries Service, Northeast Region, Federal Building, 14 Elm Street, Gloucester, Massachusetts, 01930, Telephone 617-281-0640.

Concurrent with the publication of this notice in the FEDERAL REGISTER, the Secretary of Commerce is sending copies of the applications to the Marine Mammal Commission and the Committee of Scientific Advisors.

Interested parties may submit written data or views on these applications on or before June 19, 1974, to the Director, National Marine Fisheries Service, Department of Commerce, Washington, D.C. 20235.

All statements and opinions contained in this notice in support of these applications are those of the applicants and do not necessarily reflect the views of the National Marine Fisheries Service.

Dated: May 9, 1974.

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

[FR Doc.74-11480 Filed 5-17-74; 8:45 am]

CHILDREN'S ZOO; LINCOLN, NEBR. ET AL.

Marine Mammal Applications for Public Display Permits

Notice is hereby given that the following applicants have applied in due form for permits to take marine mammals for public display as authorized by the Marine Mammal Protection Act of 1972 and the regulations governing the taking and importing of marine mammals.

1. The Children's Zoo, 2800 A Street, Lincoln, Nebraska 68502, to take one (1) male and two (2) female California sea lions (*Zalophus californianus*) for the purpose of public display.

The California sea lions will be taken by a professional collector from the beaches of the California Channel Islands. All animals will be taken from beaches using nets, during the period from November 1974 to April 1975.

The sea lions will be maintained in a 44,000 gallon display tank with an island in the center for emergence from the water and sun basking.

The Children's Zoo Director, Alan B. Bietz, graduated from Union College with a degree in biology. George Smith, Curator, has 7 years experience as Curator at Children's Zoo.

The Zoo is owned and operated by Arnett R. Folsom Zoological Society, a non-profit, independent organization.

Last year the zoo was visited by 47,029 adults and 44,610 children.

2. Marineland of Florida, Route 1, Box 122, St. Augustine, Florida 32084 to take two (2) Pacific pilot whales (*Globicephala macrorhyncha*) for the purpose of public display.

The pilot whales will be taken off the coast of southern California by Marineland of the Pacific personnel using a head net. The animals will be transferred to St. Augustine by air freight under the supervision of the Director of Training at Marineland of Florida, who has 16 years experience with marine mammals.

The pilot whales will be maintained and displayed in a 67,000 gallon oval pool, 40 feet long, 30 feet wide, and 9 feet deep. One pilot whale currently occupies this pool. The care and maintenance requirements of the pilot whales will be provided by staff members with from five to twenty-one years experience, with an average of fifteen years in the care, training and husbandry of marine mammals.

The pilot whales will be displayed in a performing exhibit six times each day. An estimated 800,000 persons will visit Marineland annually.

3. Dianna Wilson Allen, P.O. Box 971, Donna, Texas 78737, to take two (2) California sea lions (*Zalophus californianus*) for the purpose of public display.

The sea lions will be taken from the California Channel Islands by a professional collector, acclimated to captivity by the collector, and transported to the Applicant by air freight.

The sea lions will be maintained in a salt water pool, 5½ feet long, 3 feet wide and 3 feet deep, with a cage of the same dimensions situated above the pool. A portable pool, 10 feet in diameter, is also available to the sea lions.

Mrs. Allen currently exhibits two sea lions in a traveling seal show, which performs in circuses, and at shopping centers and schools. The requested animals will be trained to perform in this show. The sea lions will be transported between show sites by truck.

Mrs. Allen has been training and exhibiting sea lions for approximately 50 years. Her engagements at schools are arranged with a School Assembly Service.

4. The Birmingham Zoo, 2630 Cahaba Road, Birmingham, Alabama 35233, to take one (1) male and six (6) female California sea lions (*Zalophus californianus*) for the purpose of public display.

The sea lions will be taken from the California Channel Islands by a professional collector, acclimated to captivity by the collector and transported to the Birmingham facility by commercial airlines.

The sea lions will be maintained and displayed in a pool, 48 feet long, 20 feet wide and 5½ feet deep. Three holding pools, 9 feet wide and 10 feet long will also be available. This sea lion facility is currently under construction and will be completed during the summer of 1974. Two animal keepers with more than ten years experience each, and one new trainee keeper, will provide for the care and maintenance requirements of the

sea lions. The animal keepers will work under the supervision of the Zoo Director, with 17 years experience, the Assistant Director, 4½ years, and the Zoo Veterinarian, with 19 years of practice with exotic wild animals.

The sea lions will be displayed daily in a non-performing exhibit. With the completion of the new sea lion facility, the Birmingham Zoo, a municipal facility, will be the only facility to display marine mammals in this manner in the State of Alabama. An estimated 400,000 persons will visit the Zoo annually.

The arrangements and facilities for transporting and maintaining the marine mammals requested in the above described applications have been inspected by licensed veterinarians, who have certified that such arrangements and facilities are adequate to provide for the well-being of the marine mammals involved.

Documents submitted in connection with the above applications are available for review at the following locations:

Office of the Director, National Marine Fisheries Service, Department of Commerce, Washington, D.C. 20235, telephone 343-7780;

Regional Director, National Marine Fisheries Service, Southeast Region, Duval Building, 9450 Gandy Boulevard, St. Petersburg, Florida 33702, telephone 813-893-3145;

Regional Director, National Marine Fisheries Service Southwest Region, 300 South Ferry Street, Terminal Island, California 90731, telephone 213-548-2575.

Concurrent with the publication of this notice in the FEDERAL REGISTER, the Secretary of Commerce is forwarding copies of these applications to the Marine Mammal Commission and the Committee of Scientific Advisors.

Interested parties may submit written data or views on these applications on or before June 19, 1974, to the Director, National Marine Fisheries Service, Department of Commerce, Washington, D.C. 20235.

All statements and opinions contained in this notice in support of these applications are those of the Applicants and do not necessarily reflect the views of the National Marine Fisheries Service.

Dated: May 15, 1974.

JOSEPH W. SLAVIN,
Acting Director, National
Marine Fisheries Service.

[FR Doc. 74-11482 Filed 5-17-74; 8:45 am]

ALASKA, DEPARTMENT OF FISH AND GAME, ET AL.

Marine Mammal Applications for Scientific Research Permits

Notice is hereby given that the following applicants have applied in due form to take marine mammals for the purpose of scientific research, as authorized by the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361-1407) and the regulations governing the taking and importing of marine mammals.

1. State of Alaska, Department of Fish and Game, Subport Building, Juneau,

Alaska 99801, to take by killing each year for three years: one hundred-fifty (150) Pacific harbor seals (*Phoca vitulina richardii*); fifty (50) northern sea lions (*Eumetopias jubata*); five (5) belukha whales (*Delphinapterus leucas*); ten (10) ringed seals (*Pusa hispida*); ten (10) bearded seals (*Erignathus barbatus*); ten (10) ribbon seals (*Histiophoca fasciata*); and ten (10) ice-breeding harbor seals (*Phoca vitulina largha*), and to tag up to 500 Pacific harbor seals (*Phoca vitulina richardii*), 300 ice-breeding harbor seals (*Phoca vitulina largha*), and 3,000 northern sea lions (*Eumetopias jubata*).

The research proposal involves the following:

1. Determination of the status of Alaskan marine mammal populations by an annual examination of distribution, migration and concentration, sex and age composition, productivity, mortalities, seasons with associated harvests and hunting pressures, population trends, and habitat factors;
2. Determination of the selective utilization of prey species by ringed seals, Pacific harbor seals, ribbon seals and bearded seals, and assessment of the influence and significance of oceanographic conditions on the distribution of seals and sea lions in view of the ecological adaptations of each species;
3. Assessment of age composition, growth patterns, productivity, distribution, movements, food habits and other major aspects of the biology of ice inhabiting seals.

Tissues and organ samples collected from the requested marine mammals will be used as follows:

1. Teeth will be collected from all animals for age determination;
2. Weights and morphometric measurements will be recorded to determine growth rates and seasonal condition of different species and geographic populations;
3. Skeletal materials will be collected for taxonomic and systematic studies;
4. Reproductive organs will be utilized in determining age at sexual maturity, annual reproductive cycles, age specific productivity, occurrence of reproductive senility, uterine mortality, fetal implantation, fetal development, and the probability of isolation;
5. Stomachs will be analyzed to determine various aspects of specific and interspecific food webs;
6. Internal organs will be analyzed for the presence of parasites, geographic and interspecific comparisons of internal organ characteristics, pathology, and pesticide and heavy metal burdens;
7. Skin samples will be analyzed to determine molt patterns and geographic variations in pelage patterns;
8. Blubber samples will be analyzed for interspecific and seasonal comparisons of fatty acid compositions;
9. Muscle tissues will be analyzed for determination of pathology and pesticide and heavy metal burdens.

Specimen materials not utilized in Department of Fish and Game projects will be made available to other researchers. Skeletal materials will be placed in the collections of the University of Alaska and the Smithsonian Institution. Usable remains will be given, where feasible, to coastal residents for food.

2. Dr. Harry Hollien, Communication Sciences Laboratory, University of Florida, Gainesville, Florida 32601, to conduct bioacoustic studies with Atlantic

bottlenosed dolphins (*Tursiops truncatus*) off the Atlantic coast of Florida.

These studies are to be conducted to determine the feasibility of using underwater transmission of various recorded sounds to divert bottlenosed dolphins from the trawl nets used by fishing vessels in the Atlantic Ocean and Gulf of Mexico, thus reducing the probability of entanglement and subsequent death of the dolphins.

The studies will involve a dolphin population of approximately 100 animals, located in coastal waters between Ft. Pierce and Melbourne, Florida. Three local fishermen will provide the boat facilities from which the studies will be conducted. The recorded sounds which will be tested include killer whale sounds, distress calls, baby dolphin cries, dolphin jaw claps, tail and/or fin slapping, male dominance sounds, motor boat noise, sounds of explosions, and noise or periodic sounds of various frequencies.

The bioacoustic field studies will be conducted with approximately 50 separate tests through December 1974. If the preliminary results warrant an extension, a second series of tests will be conducted through December 1975. Concurrent with the field studies, laboratory studies will be conducted with a dolphin taken into captivity prior to the effective date of the Act. Dr. Hollien, Director of the Communication Sciences Laboratory, will coordinate the studies.

3. David T. Richardson, Department of Marine Resources, Fisheries Research Station, West Boothbay Harbor, Maine 04575, to take, mark and release twenty five (25) Atlantic harbor seals for the purpose of scientific research.

The seals will be taken by means of a light, positively buoyant entangling net from coastal regions of the State of Maine, in the area of Sagadahoc or Lincoln counties and in the Mount Desert area of Hancock County.

Each seal will be restrained within the capture boat, tagged with a sonic transmitter, marked with a yellow picric acid dye and released. The sonic transmitter weighs approximately 400 grams and is attached to the seal by means of a canvas webbing harness with degradable lacings. The requested harbor seals will be taken, tagged and tracked through December 1975. The tagging and tracking operations will be conducted by Mr. Richardson, who has worked with seals in Maine since 1971.

This project is a continuation of a study conducted under an economic hardship exemption, during which study one harbor seal was successfully taken. The project is directed toward a determination of the relationships involving seals and fisheries resources on the Maine coast. Efforts will be made to observe, photograph and document the feeding and hunting behavior of seals in the field by visual observation, color photography and ultrasonic telemetry. Tagged seals will be tracked and monitored in an effort to correlate time spent at various depths of the water column and geographic areas with observed pres-

ence and behavior of prey populations. Selective tagging of prey populations by ultrasonic telemetry may be used to substantiate prey-predator relationships.

Documents submitted in connection with these applications are available as follows:

Office of the Director, National Marine Fisheries Service, Washington, D.C. 20235, telephone 202-343-7780 (All Applications);
Regional Director, National Marine Fisheries Service, Alaska Region, P.O. Box 1668, Juneau, Alaska 99801, telephone 907-586-7221 (Application No. 1);

Regional Director, National Marine Fisheries Service, Southeast Region, Duval Building, 9450 Gandy Boulevard, St. Petersburg, Florida 33702, telephone 813-893-3141 (Application No. 2);

Regional Director, National Marine Fisheries Service, Northeast Region, Federal Building, 14 Elm Street, Gloucester, Massachusetts 01930, telephone 617-281-0640 (Application No. 3).

Concurrent with the publication of this notice in the *FEDERAL REGISTER* the Secretary of Commerce is sending copies of those applications to the Marine Mammal Commission and the Committee of Scientific Advisors.

Interested parties may submit written data or views on these applications on or before June 19, 1974, to the Director, National Marine Fisheries Service, Department of Commerce, Washington, D.C. 20235.

All statements and opinions contained in this notice in support of these applications are those of the Applicants and do not necessarily reflect the views of the National Marine Fisheries Service.

Dated: May 15, 1974.

JOSEPH W. SLAVIN,
Acting Director, National
Marine Fisheries Service.

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Office of the Secretary

[Dept. Organization Order 25-5B]

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

Organization and Functions

APRIL 25, 1974.

This order, effective April 25, 1974, supersedes the material appearing at 38 FR 15980 of June 19, 1973; 38 FR 19267 of July 19, 1973; 38 FR 26477 of September 21, 1973; and 39 FR 1871 of January 15, 1974.

SECTION 1. Purpose.

.01 This order prescribes the organization and assignment of functions within the National Oceanic and Atmospheric Administration (NOAA). The scope of authority and functions of NOAA are set forth in Department Organization Order 25-5A.

.02 This revision establishes a new Great Lakes Environmental Research Laboratory (Section 17.05), a Program Manager for Marine Ecosystems Analysis (Section 17.01), and an Office of International Fisheries (Section 12.05). It also eliminates the old Office of Coastal

Environment, replaces it with an Office of Coastal Zone Management (Section 9), and makes certain other changes.

Sec. 2. *Organization structure.* The organization structure and line of authority of NOAA shall be as depicted in the attached organization chart (Exhibit 1). A copy of the organization chart is attached to the original of this document on file in the Office of the Federal Register.

Sec. 3. *Office of the Administrator.* .01 The Administrator of NOAA formulates policies and programs for achieving the objective of NOAA and directs the execution of these programs.

.02 The Deputy Administrator assists the Administrator in formulating policies and programs and in managing NOAA. He is assisted by an Assistant Deputy Administrator, who also acts as Naval Deputy to the Administrator, to effect necessary coordination and joint activity with the Navy on ocean programs of mutual organizational interest.

.03 The Associate Administrator assists the Administrator and the Deputy Administrator in formulating policies and programs and in managing NOAA.

.04 The Executive Office shall perform such services as will facilitate the handling of matters and execution of actions by the Administrator and other officials within the Office of the Administrator.

Sec. 4. *Special staff offices.* .01 The Office of General Counsel shall provide legal services for all components of NOAA, subject to the overall authority of the Department's General Counsel as provided in Department Organization Order 10-6.

.02 The Office of Congressional and Legislative Affairs shall coordinate contacts with Congress, except for matters relating to appropriations, and, in consultation with NOAA's General Counsel, formulate recommendations for legislative programs, and review, coordinate, and advise on all legislative matters affecting NOAA's programs and activities. These activities shall, as applicable, be carried out in coordination with and in recognition of the responsibilities of the Departmental Office of Congressional Relations, and of the Departmental Office of the General Counsel.

.03 The Office of International Affairs shall recommend policies and plans for U.S. participation in international activities relating to NOAA's programs; coordinate NOAA's policies on treaties and international multilateral and bilateral agreements; prepare and coordinate positions for U.S. participation in international organizations and maintain liaison with those organizations providing protocol and secretariat functions, as required, for U.S. representatives; manage NOAA's international training program; and coordinate and advise on special programs for bilateral cooperation with foreign countries including U.S. AID programs. The office shall provide a broad overview of international fisheries affairs. The Office of International Affairs will work through the of-

fices of the Associate Administrator and appropriate major line components on matters of substance.

.04 The Office of Public Affairs shall recommend objectives and policies relating to public affairs; plan and conduct an information and education program to insure that the public, Congress, user groups, and employees are properly informed on matters relating to NOAA's activities and environmental safety and conservation; and provide direction to all public affairs activities within NOAA. These activities shall be carried out in collaboration with the Departmental Office of Communications.

.05 The Office of Ecology and Environmental Conservation shall act as a central point to which ecological and environmental conservation interests can communicate their views on NOAA activities; act as a focal point for the review of all NOAA activities which impinge upon ecological and environmental conservation matters; review NOAA activities to insure full compliance with the purposes and provisions of Sections 102 and 103 of the National Environmental Policy Act of 1969; coordinate preparation, within NOAA, of environmental statements and comments required by Section 102 of the Act; and represent NOAA within the interagency councils of the Government on matters that involve ecology or environmental quality within NOAA's assigned responsibilities.

Sec. 5. *Associate Administrator for Marine Resources.* The Associate Administrator for Marine Resources shall maintain cognizance over and establish policy for NOAA's marine resources, marine and coastal environment management and protection, mapping, charting, and geodetic programs, as well as those programs closely related thereto. He shall not maintain cognizance over or establish policy for NOAA's real time marine environmental predictions (including observations related thereto) which are assigned to the Associate Administrator for Environmental Monitoring and Prediction. As the primary program policy officer for marine resources, marine and coastal environment management and protection, mapping, charting and geodetic programs, he shall:

Undertake long-range policy planning and analysis; recommend NOAA policy to the Administrator; and provide guidance on long-range goals and plans to NOAA's operating elements.

Assure development of plans and programs for adequate operational services and research and technology for meeting user requirements.

Maintain current projections of resources required to implement approved plans, and make recommendations on existing and future programs.

Monitor and evaluate assigned programs in terms of planned accomplishments, quality and degree of responsiveness to user needs; and recommend, as necessary, program curtailments, redirections, expansion and new program initiatives.

Discharge Federal coordinating functions assigned to Commerce under OMB Circular A-16 (National Geodetic Control and Related surveys), Federal coordination of marine

mapping, charting and geodesy, and others as may be assigned by the Administrator.

Act as NOAA's focal point for coordination of marine affairs with the National Science Foundation; develop and coordinate NOAA's posture for relevant deliberations by the Committees of the Federal Council for Science and Technology and the Committees of the National Academies of Science and Engineering.

Develop NOAA policy and provide continuing direction and overview of international fisheries affairs, including participation in negotiation within international forums, commissions, and agreements; provide the NOAA focal point for management and coordination of NOAA's responsibilities in assigned marine science bilateral international agreements, including those for which NOAA is assigned lead U.S. agency functions.

Provide direct policy and program overview of programs in marine environmental protection, including those of major regional significance; act as NOAA's focal point in developing NOAA's posture in dealing with related programs of other agencies, including the required interagency coordination to assure that assigned programs are coordinated with related programs of other agencies.

Provide management and coordination for the manned undersea science and technology program and other special programs assigned by the Administrator.

SEC. 6. Associate Administrator for Environmental Monitoring and Prediction. The Associate Administrator for Environmental Monitoring and Prediction shall maintain cognizance over and establish policy: for environmental satellite, meteorological, hydrologic, marine environmental services, climatological, upper atmospheric and space, geomagnetic and seismological programs which entail monitoring and prediction of the environment; for activities in intentional and inadvertent environmental modification; and for aircraft resources. The marine environmental services program includes marine environmental observations necessary for the prediction of coastal zone and oceanic conditions and those required on a routine basis for the measurement of pollution and other ocean constituents. He shall also be the NOAA focal point for planning emergency readiness and preparedness against natural disasters. As the primary program policy officer for all activities indicated above, he shall:

Undertake long-range policy planning and analysis; recommend NOAA policy to the Administrator; and provide guidance on long-range goals and plans to NOAA's operating elements.

Assure the development of plans and programs for adequate research, technology and operational services for meeting user requirements. Maintain current projections of resources required to implement approved plans, and make recommendations on existing and future programs.

Monitor and evaluate assigned programs in terms of planned accomplishments, quality and degree of responsiveness to user needs; and recommend as necessary, program curtailments, redirections, expansions and new program initiatives.

Carry out Department of Commerce responsibilities under the Weather Modification Reporting Act, P.L. 92-205, 15 U.S.C. 330-330e.

Conduct or monitor studies of the economic, social, and legal ramifications of en-

vironmental modification and conduct or monitor studies of unwanted side effects.

Establish policy on the scheduling and utilization of Research Flight Facility aircraft in conjunction with the Director of the Environmental Research Laboratories; monitor the development of a plan for the modernization of the Research Flight Facility; and monitor the management and allocation of NOAA aircraft resources, including reviews of the adequacy of flying safety programs.

Provide management and coordination for the Global Atmospheric Research Program (GARP) of the World Weather Program, International Hydrologic Decade, the special foreign currency program and other special programs assigned by the Administrator.

Act as NOAA's focal point for coordination with the National Science Foundation; develop and coordinate NOAA's posture for relevant deliberations by the Committees of the Federal Council for Science and Technology; and participate in interagency and international coordination and negotiation to assure that assigned programs are coordinated with related programs of other agencies.

Act as NOAA's focal point for relevant coordination with Committees of the National Academy of Sciences and the National Academy of Engineering.

Discharge Federal coordinating functions assigned to Commerce under OMB Circular A-62 (Federal meteorological services), those assigned to NOAA for the World Weather Watch and the Global Atmospheric Research Program, and the Integrated Global Ocean Station System, and others as may be assigned by the Administrator.

SEC. 7. Assistant Administrator for Administration. The Assistant Administrator for Administration shall provide administrative management and support services for all components of NOAA except for elements of such services that appropriate components are directed to provide for themselves, exercise functional supervision over such decentralized services, and provide advice and guidance to the Administrator on the utilization of NOAA resources. To carry out his responsibilities, the Assistant Administrator shall have and direct the following units.

.01 The Administrative Operations Division shall perform the following functions: property and supply management; directives management; records and files management; reports management; space and facilities management; travel and transportation services; mail, messenger, and related office services; graphic services; safety; security; and processing of tort claims.

.02 The Office of Management and Computer Systems shall conduct studies and provide analytical assistance to develop or improve the organization and staffing structure and other management systems within NOAA; provide management staff services in the application of advance management principles and techniques; carry out the NOAA committee management function; develop and maintain a central system for collecting, analyzing, presenting and disseminating information on program status and performance; develop systems for measuring productivity and performance; exercise overall management, planning and coordination of NOAA's automatic data processing and

telecommunication needs and facilities including serving as the focal point within NOAA for intra- and interagency matters, and the review and evaluation of proposals for automatic data processing and telecommunications requirements and systems; and engage in research into advance system concepts and apply or provide guidance in the application of these concepts. It shall provide systems analysis and programming support to NOAA's executive and administrative management functions and to other NOAA functions as requested, and shall operate and provide system and special software support for automatic data processing facilities for all NOAA components except where separate facilities are approved.

.03 The Personnel Division shall provide personnel management services by conducting recruitment, employment, classification and compensation, employee relations, labor relations, incentive awards, and career development activities for civilian personnel.

.04 The Finance Division shall provide centralized financial accounting for all components of NOAA, determine needs of managers for accounting data, and maintain a financial reporting system that will facilitate effective management of NOAA's financial resources.

.05 The Radio Frequency Management Division shall, as a Department-wide responsibility, coordinate the requirements and the management and use of radio frequencies by all organizations of the Department of Commerce.

.06 The Northwest Administrative Service Office shall provide administrative services responsive to the requirements of the National Marine Fisheries Service Northwest, Southwest, and Alaska Regions, the NOS Pacific Marine Center, and such other NOAA organizational units which can be accommodated. These services shall include personnel administration, procurement and contracting, property management, motor vehicle pool operation, and office services.

SEC. 8. Office of Sea Grant. The Office of Sea Grant shall provide support, primarily to institutions, for research, education, and advisory services aimed at assisting those who are interested in and responsible for the development, utilization, and management of the seas and the Great Lakes of the United States, including their resources, and shall manage NOAA's Marine Advisory Services to the user community.

SEC. 9. Office of Coastal Zone Management. The Office of Coastal Zone Management shall serve as the focal point for the coordination with State, Federal, and other governmental institutions concerned with the implementation of the Coastal Zone Management Act of 1972, 16 U.S.C. 1451-1464. The Office shall develop policies and guidelines on a continuing basis to effectively manage, and where possible restore or enhance the land and water resources of the coastal zones of the nation. It shall make annual grants to the coastal States in support of the development and administration of State coastal zone man-

agement programs and the acquisition, development, and operation of estuarine sanctuaries. The Office shall also develop policies and guidelines and administer the marine sanctuaries program authorized under Title III of the Marine Protection, Research and Sanctuaries Act of 1972, 16 U.S.C. 1431-1434.

Sec. 10. Office of programs and budget. The Office of Programs and Budget shall provide NOAA management with overall program and budgetary control from program integration through budget execution. This Office shall be the focal point for contacts with the Office of the Secretary and the Office of Management and Budget on NOAA program and budgetary matters and shall guide the overall planning and budgetary functions so as to assure the effective development, justification and presentation of NOAA programs and budgets. The Office shall provide advice to the Office of the Administrator and other NOAA officials on program and budgetary matters and perform the following specific functions:

Plan and manage the annual review of NOAA programs.

Consolidate and integrate program guidance developed by the primary program policy officers on the development of issue studies and related supporting documentation requested by the Office of the Secretary and OMB in conjunction with the program-budget cycle.

Formulate and interpret budgetary policies and procedures.

Analyze and aggregate NOAA budgetary requirements.

Develop and recommend fiscal plans to assure optimum use of available funds; and allocate and maintain budgetary control of funds.

Review and report on execution of approved budgets and associated fiscal plans in close collaboration with the Assistant Administrator for Administration.

Sec. 11. Director of the NOAA Corps. The Director of the NOAA Corps shall develop plans for the efficient utilization of the NOAA commissioned officers corps; develop and implement policies and procedures for the recruitment, commissioning, and assignment of commissioned officers; and represent NOAA in interdepartmental activities having to do with the uniformed services.

Sec. 12. National Marine Fisheries Service. The National Marine Fisheries Service (NMFS) shall conduct an integrated program of research and services related to the protection and rational use of living marine resources for their aesthetic, economic, and recreational value by the American people. The Service shall administer programs to determine the consequences of the naturally varying environment and man's activities on living marine resources; to provide knowledge and services to foster their efficient and judicious use; and to achieve domestic and international management, use and protection of living marine resources. The Service shall be organized as set forth below.

.01 Office of the Director. The Director shall formulate and execute basic policies and manage the Service. He

shall be immediately assisted by a Deputy Director.

.02 The Office of Resource Research shall plan, develop, and manage research programs designed to better understand living marine resources and the environmental quality essential for their existence, and to describe options for their utilization consistent with national needs and goals. The Office's activities shall include: biological surveys designed to monitor, assess and predict abundance and availability of living marine resources; collection and documentation of scientific data for protecting access of U.S. citizens to living marine resources; development and interpretation of data for use by managers of resources; and major regional ecological studies where NMFS is assigned the leadership role. It shall also conduct research on the potential of aquaculture, the assessment and characterization of the living resources, and the improvement of fish detection and harvesting systems.

.03 The Office of Resource Utilization shall plan, develop, evaluate, and manage programs: of economic and marketing research including demand and supply projections, cost benefit studies, and foreign trade analysis; of collection, analysis, compilation, and dissemination of fisheries statistical and market news information; of financial assistance to the fishing industry in the form of loans, mortgages, loan insurance, and subsidies; of microbiological, chemical, and technological research to enhance the quality and utilization of fishery resources; of voluntary national inspection and certification of fishery products; to improve marketing practices and to alleviate extraordinary short term supply-demand imbalances; and of fishery extension services. The Office shall also be responsible for the management of national research programs in fishery products technology.

.04 The Office of Resource Management shall manage programs concerning promulgation and enforcement of domestic and international regulations for the protection of marine fisheries and marine mammal resources of the United States; the Pribilof Islands fur seal harvest; the Columbia River Anadromous Fisheries Resources Enhancement; water resources development projects and fisheries environment protection; and State-Federal fisheries management. It shall plan, develop, and evaluate programs to improve the management of fisheries resources so as to achieve the appropriate allocation of these resources among competing users and to protect their environment; establish national guidelines for managing fisheries for biological, economic, and social purposes; provide a mechanism through legislation, coordination, and cooperation for State and the Federal Government to jointly manage resources within these guidelines; and administer a grant-in-aid program to improve the capability of the States to conduct improved biological, social, and economic information re-

quired for management of fisheries resources.

.05 The Office of International Fisheries shall be the focal point and have primary staff responsibility for all matters involving international affairs within the purview of the NMFS. This shall include coordinating all NMFS inputs to other government agencies, industry, other interested constituencies, and foreign and international entities; overseeing the implementation throughout NMFS of NOAA policy decisions in the area of international affairs; responsibility for all international negotiations in which NMFS is involved; acquiring data and providing analysis regarding the status and impacts of foreign fishing efforts and industry as well as foreign governmental attitudes and policies regarding fishing; monitoring and coordinating activities with regard to the U.S. Fisheries Attache Program; and responsibility for the NMFS Foreign Translation Program.

.06 a. The Field Structure shall consist of the following organizational elements:

(1) **Five Regional Offices** as shown in Exhibit 2.¹ Regional Offices shall act as representatives of the Director with State conservation agencies, recreational interests, the fishing industry, universities, and the general public. Regional Offices shall also plan, organize, and manage regionalized fishery resource research, conservation, management, and utilization programs within the geographical area of responsibility.

(2) **Fisheries Centers and Laboratories, and Fishery Products Technology Centers and Laboratories** which shall report to program components at the Headquarters of NMFS or Regional Offices, as appropriate.

b. **The Southeast and Northeast Regions** shall provide their own administrative support and, where feasible and practical, extend this support to other NOAA field units. The Northwest, Southwest, and Alaska Regions shall obtain administrative support from the Northwest Administrative Service Office at Seattle, Washington. The Fishery Research Centers and Laboratories and Fishery Products Technology Centers and Laboratories shall obtain administrative support from the nearest NMFS Regional Office or the Northwest Administrative Service Office.

Sec. 13. National Ocean Survey. The National Ocean Survey (NOS) shall provide charts for the safety of marine and air navigation; provide a basic network of geodetic control; and provide basic data for engineering, scientific, commercial, industrial and defense needs, support the quest for more knowledge of our environment and undertake a program of marine technology development to observe, measure and chart oceanic phenomena and resources. In performance

¹ A copy of Exhibit 2 is attached to the original of this document on file in the Office of the Federal Register.

of these functions, it shall conduct surveys, investigations, analyses and research and technology development; and shall disseminate data in the fields of geodesy, gravity, astronomy, aeronautical charting, hydrography, oceanography, and marine technology. The NOS shall be organized as set forth below.

.01 *Office of the Director.* The Director shall formulate and execute basic policies and manage the NOS. He shall be immediately assisted by a Deputy Director.

.02 *The Office of National Geodetic Survey* shall fulfill national requirements for a system of geodetic control for precise gravimetric and global configuration and mensuration data. It shall establish and maintain a geodetic control network based on satellite observations; plan and direct geodetic, gravity, astronomical, earth movement and boundary surveys; make observations for variation of latitude and longitude; disseminate geodetic data; and conduct related research.

.03 *The Office of Fleet Operations* shall manage the NOAA fleet and the NOAA ship facilities in support of the NOAA marine program. It shall direct and monitor ship operating schedules and activities related to ship operations, repairs and maintenance of vessels, vessel complements, and special equipment and instrumentation unique to NOAA ships. The Office shall be responsive to overall NOAA fleet service requirements.

.04 *The Office of Marine Surveys and Maps* shall contribute to the safety of marine navigation through nautical charting and related publications, and seek added knowledge about the states and processes of the ocean. It shall plan and direct marine geophysical mapping and services, hydrographic and oceanographic surveys; analyze physical phenomena pertaining to the sea, including tide and current phenomena, the dynamic and physical properties of seawater and shoreline and bottom configuration as they affect seawave and current propagation and attenuation; operate a network of tide stations; compile survey data, including the compilation of nautical charts and marine geophysical maps; and conduct research. It shall also make studies and conduct photogrammetric surveys for coastal mapping, seaward boundaries and coastal evacuation maps.

.05 *The Office of Aeronautical Charting and Cartography* shall contribute to the safe navigation of air commerce and provide nautical and aeronautical charts for widespread use. It shall collect and evaluate air navigation information and compile aeronautical chart manuscripts; print and distribute nautical and aeronautical charts; maintain liaison with interests concerned with navigation regulations and information; and conduct research in support of these programs. The Office also shall print and distribute weather charts and related documents.

.06 *The Office of Marine Technology* shall act as the focus of the national effort for technology related to testing,

evaluation and calibration of sensing systems for ocean use, and shall enhance the quality of such systems by the dissemination of operational results and technical information to the national oceanographic community. It shall serve NOAA with marine systems technology, ocean engineering, sensor systems, buoy systems, data automation systems and other technology functions as may be assigned, and shall assist with the design, development and procurement in these technical areas.

.07 *The Office of Program Development and Management* shall serve as the focal point for NOS planning, budgeting, and allocation and reprogramming of resources; provide executive and technical services in support of programs throughout the NOS; and provide executive management services to the Director.

.08 a. *The Field Structure* shall consist of the following organizational elements:

(1) *The Atlantic and Pacific Marine Centers* shall direct the operation of ocean-going survey ships; maintain ship bases at Norfolk, Miami, and Seattle; operate shore facilities for processing oceanographic data and compiling photogrammetric survey data; and manage photogrammetric field units.

(2) *The Lake Survey Center* shall conduct surveys of the Great Lakes and their outflow rivers, Lake Champlain, New York State Barge Canal, the Minnesota-Ontario Border Lakes, and compile and publish charts and related publications. It shall plan and collect data relating to the Great Lakes including flood and storm protection, power generation, beach erosion, and shore structures as they apply to navigation.

(3) *The NOAA Data Buoy Office and the National Oceanographic Instrumentation Center* shall report to the Office of Marine Technology at the Headquarters of NOS.

b. *The Atlantic Marine Center and the Lake Survey Center* shall provide their own administrative support, including that required by vessels under their respective jurisdictions, and, where feasible and practical, extend this support to other NOAA field units. The Pacific Marine Center shall obtain administrative support, including that required by vessels under its jurisdiction, from the Northwest Administrative Service Office at Seattle. The NOAA Data Buoy Center and the National Oceanographic Instrumentation Center shall receive administrative support from NOAA Headquarters.

SEC. 14. *National Weather Service.* The National Weather Service (NWS) shall observe and report the weather, river, and ocean conditions of the United States and its possessions; issue forecasts and warnings of weather, flood and ocean conditions that affect the Nation's safety, welfare and economy; develop the National Meteorological, Hydrologic and Oceanic Service Systems; participate in international meteorological, hydrologic, oceanic and climatological activities, including exchange of data and forecasts;

and provide forecasts for domestic and international aviation and for shipping on the high seas. The Service shall be organized as set forth below.

.01 *Office of the Director.* a. The Director shall formulate and execute basic policies and manage the Service. He shall be immediately assisted by a Deputy Director.

b. *The Engineering Division* shall be responsible for engineering aspects of procurement specifications, contract monitoring, coordination of training, testing and inspection, equipment reconditioning, installation and maintenance standards and procedures, and field modification of all facilities, equipment and instruments of NWS and other NOAA organizational units on a designated organizational basis.

.02 *The Office of Meteorological Operations* shall have cognizance over and establish policies and procedures to observe, prepare and distribute forecasts of weather conditions and warnings of severe storms and other adverse weather conditions for protection of life and property; develop the plans and procedures for operation of meteorological field services; and serve as the primary channel for coordinating NWS field services operations and for technical aspects of meteorological programs.

.03 *The Office of Hydrology* shall have cognizance over and establish policies and procedures to provide river and flood forecasts and warnings, and water supply forecasts; conduct research to improve river and flood forecasts and warnings; and analyze and process hydrometeorological data for use in water resource planning and operational problems.

.04 *The Systems Development Office* shall manage, plan, design, and develop a system to meet all meteorological, hydrological and oceanographic service requirements of the NWS; develop, test and evaluate techniques and equipment; and translate research results into operational practices.

.05 *The National Meteorological Center* shall provide analyses of current weather conditions over the globe and depict the current and anticipated state of the atmosphere for general national and international uses; conduct development programs in numerical weather prediction; and lead in the extension and application of advanced techniques.

.06 *The Office of Oceanography* shall establish policies and develop plans and procedures for observing, collecting, and processing data for forecasts and warnings of the oceanic environment and their dissemination to users. The Office shall serve as the primary channel for coordinating all aspects of the NWS oceanographic service programs and procedures.

.07 *The Field Structure* shall consist of six regions as shown in Exhibit 3.¹ A

¹ A copy of Exhibit 3 is attached to the original of this document on file in the Office of the Federal Register.

region shall consist of a Regional Office managed by a Regional Director, and field offices reporting to the Regional Director.

a. Each region shall provide weather, river and oceanic services within its prescribed geographical area by issuing forecasts and warnings of weather, flood and oceanic conditions, and shall conduct operational and scientific meteorological, hydrological, oceanographic and climatological service programs as are assigned to it.

b. Regional Offices shall provide administrative and technical support for all NWS components in their respective regions and shall provide such services to other components of NOAA as determined to be practicable and advantageous to NOAA.

SEC. 15. *Environmental Data Service.* The Environmental Data Service (EDS) shall acquire, process, archive, analyze, and disseminate worldwide environmental (solid earth, marine, atmospheric, solar, and aeronomy) information, data, and products for use by commerce, industry, the scientific and engineering community, the general public and for Federal, State, and local governments; guide applied research pertinent to the improvement of such services; provide relevant World Data Center facilities; coordinate international exchange activities in oceanic, climatological, geophysical, solar, and aeronomy data; and provide editorial, publishing, library and related information services. The Service shall be organized as set forth below.

.01 *Office of the Director.* The Director shall formulate and execute basic policies and shall manage the Service.

.02 *The Environmental Science Information Center* shall develop policies for and provide editorial and publishing services to NOAA components; manage central library system; provide functional guidance to NOAA libraries; and develop and implement automated scientific information systems for NOAA and external use.

.03 *The National Climatic Center* shall acquire, process, archive, and disseminate climatological data and develop analytical and descriptive products to meet user requirements, and shall provide facilities for the World Data Center—A (Meteorology and Nuclear Radiation).

.04 *The National Oceanographic Data Center* shall acquire, process, archive, and disseminate oceanographic data and develop analytical and descriptive products to meet user requirements and provide facilities for the World Data Center—A (Oceanography).

.05 *The National Geophysical and Solar-Terrestrial Data Center* shall acquire, process, archive, evaluate and disseminate solid earth and marine geophysical data and ionospheric, solar and other space environment data; develop analytical, climatological and descriptive products to meet user requirements; and provide facilities for World Data Center—A (Geomagnetism, Gravity, Seismology and Solar-Terrestrial Physics).

.06 *The Center for Experiment Design and Data Analysis* shall provide service and support in data management and scientific analysis for large-scale environmental field research projects, and assist in the planning, design, and implementation of such projects to ensure that data needs are met.

SEC. 16. *National Environmental Satellite Service.* The National Environmental Satellite Service (NESS) shall provide observations of the environment by operating the National Environmental Satellite System; increase the utilization of satellite data in environmental services; and manage and coordinate all operational satellite programs within NOAA and certain research-oriented satellite activities with NASA and DOD. The Service shall be organized as set forth below.

.01 *Office of the Director.* The Director shall formulate and execute basic policies and manage the Service. He shall be immediately assisted by a Deputy Director.

.02 *The Office of Operations* shall provide data from environmental satellites and increase the value and the use of these data by operating the NOAA environmental satellite systems, including collecting, processing and analyzing data from operational and specified research and development satellites, and developing new and improved applications of satellite data.

.03 *The Office of Systems Engineering* shall provide conceptual and detailed engineering to implement new or modified environmental satellite systems. It shall conduct design studies; specify, procure, install and check out ground equipment required for the environmental satellite systems; modify existing hardware to accommodate spacecraft changes; and originate development of new equipment when required.

.04 *The Office of Research* shall improve understanding of the environment through satellite data and provide new and improved satellite measurement techniques and applications.

.05 *The Office of Systems Integration* shall conduct definition studies, provide overall planning, arrange for the development of major elements and coordinate the integration and check out the environmental satellite system. It shall coordinate the efforts of other NESS offices, other NOAA services, other agencies, and industrial and other groups for the establishment of these capabilities; establish system objectives, performance, cost criteria, and interface standards; and provide assessments of system performance and requirements for new system capabilities.

SEC. 17. *Environmental Research Laboratories.* The Environmental Research Laboratories (ERL) shall conduct an integrated program of research, fundamental technology development, and services relating to the oceans and inland waters, the lower and upper atmosphere and the space environment so as to increase understanding of man's geophysical environment and thus provide the scientific basis for improved services. The ERL shall be organized as set forth below.

.01 *Office of the Director.* a. The Director shall formulate and execute basic policies and manage ERL. He shall be immediately assisted by a Deputy Director.

b. *The Office of Programs* shall provide policy and management advice to the Director; lead and coordinate program planning activities, including program planning and budgetary requirements; coordinate ERL's activities with national and international scientific programs; review and evaluate current programs; develop a management information system; and provide related staff assistance to the Director.

c. *The Office of Research Support Services* shall provide administrative and technical services to all ERL components at Boulder, Colorado, and at other locations except as otherwise specified.

d. *The Program Manager for Weather Modification* shall have technical cognizance over laboratory work in experimental weather modification; and, in particular, shall have line management authority over the Experimental Meteorology Laboratory, the Research Flight Facility, and the National Hurricane Research Laboratory.

e. *The Program Manager for Marine Ecosystems Analysis* shall provide leadership in the planning and coordination of NOAA's major regional Marine Ecosystems Analysis projects, including the direction of the planned field studies incorporated therein.

.02 *Oceanographic Laboratories.*

a. *The Atlantic Oceanographic and Meteorological Laboratories* shall conduct research toward a fuller understanding of the ocean basins and borders, of oceanic processes and of ocean-atmosphere interactions.

b. *The Pacific Marine Environmental Laboratory* shall conduct basic and applied research directed at achieving a comprehensive understanding of the environmental process at work in the coastal areas of the Pacific Northwest, as well as in selected areas of the open ocean. Emphasis shall be placed on investigations of the natural physical processes, and on monitoring and predicting the effects of man's activities in the regions on physical and associated biological processes.

.03 *Space and Aeronomy Laboratories.*

a. *The Space Environment Laboratory* shall conduct research in the field of solar-terrestrial physics; develop techniques necessary for forecasting of solar disturbances and their subsequent effects on the earth environment; and provide environment monitoring of forecasts.

b. *The Aeronomy Laboratory* shall study the nature of and the physical and chemical process controlling the ionosphere and exosphere of the earth and other planets. Theoretical, laboratory, ground-based, rocket and satellite studies are included.

c. *The Wave Propagation Laboratory* shall act as a focal point for the development of new methods for remote sensing of man's geophysical environment. Special emphasis shall be given to the propagation of sound waves and electromag-

netic waves at millimeter, infrared and optical frequencies.

.04 Atmospheric Laboratories.

a. The Atmospheric Physics and Chemistry Laboratory shall perform research on processes of cloud physics and precipitation and the chemical composition and nucleating substances in the lower atmosphere. The Laboratory is NOAA's major focus for design and conduct of laboratory and field experiments towards developing feasible methods of practical, beneficial weather modification.

b. The Air Resources Laboratories shall conduct research on the diffusion, transport, and dissipation of atmospheric contaminants, using laboratory and field experiments to develop methods for prediction and control of atmospheric pollution.

c. The Geophysical Fluid Dynamics Laboratory shall conduct investigations of the dynamics and physics of geophysical fluid systems to develop a theoretical basis, by mathematical modeling and computer simulation, for the behavior and properties of the atmosphere and the ocean.

d. The National Severe Storms Laboratory shall conduct studies of tornadoes, squall lines, thunderstorms and other severe local convective phenomena in order to achieve improved methods of forecasting, detecting and providing advance warning of their occurrence and severity.

.05 The Great Lakes Environmental Research Laboratory shall conduct research directed toward an understanding of the environmental processes in the Great Lakes and their watersheds. Emphasis shall be placed upon an interdisciplinary systems approach to the solving of problems in resource management and environmental services for that region.

Effective date. April 25, 1974.

HERBERT M. WHITE,
Administrator, National Oceanic and Atmospheric Administration.

Approved:

HENRY B. TURNER,
Assistant Secretary for Administration.

[FR Doc.74-11491 Filed 5-17-74; 8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Health Resources Administration NATIONAL ADVISORY COUNCILS Meetings

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

Committee name	Date, time, place	Type of meeting and/or contact person
National Advisory Health Services Council.	June 18, 9 a.m., Conference Room G, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md.	Closed—Contact Russell Z. Seidel, Parklawn Bldg., Room 15-35, 5600 Fishers Lane, Rockville, Md., Code 301-443-2940.

Purpose. The Council is charged with advising on policies, needs, and requirements for research and development designed to increase effectiveness and efficiency of medical care and health services. Council is also charged with the final review of grant applications for Federal assistance in the program areas administered by the Bureau of Health Services Research.

Agenda. The Council will review research grant applications. Meeting will be closed to the public in accordance with the determination made by the Administrator, Health Resources Administration pursuant to the provisions of Public Law 92-463, section 10(d).

Committee name	Date, time, place	Type of meeting and/or contact person
Joint Meeting of the National Advisory Health Services Council and Federal Hospital Council.	June 19, 9 a.m., Conference Room G-H, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md.	Open—Contact Russell Z. Seidel, Parklawn Bldg., Room 15-35, 5600 Fishers Lane, Rockville, Md., Code 301-443-2940.

Purpose. The Councils are charged with advising on policies and regulations under Title III and Title VI of the Public Health Service Act.

Agenda. The Councils will be receiving reports from the Director and staff members of the Bureau of Health Services Research relative to program plans and will be open to the public.

Committee name	Date, time, place	Type of meeting and/or contact person
Federal Hospital Council.	June 20, 9 a.m., Conference Room G, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md.	Closed—9-10 a.m. Open—remainder of meeting. Contact Russell Z. Seidel, Parklawn Bldg., Room 15-35, 5600 Fishers Lane, Rockville, Md., Code 301-443-2940.

Purpose. The Council is charged with advising on policies and regulations under Title VI of the Public Health Service Act and to provide final review of grant applications for Federal assistance in the program area administered by the Bureau of Health Services Research.

Agenda. The Council will review research grant applications. Meeting will be closed to the public in accordance with the determination made by the Administrator, Health Resources Administration pursuant to the provisions

of Public Law 92-463, Section 10(d). The meeting will be open to the public for that portion when the Director, Division of Facilities Utilization submits his report.

Agenda items are subject to change as priorities dictate.

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

Dated: May 14, 1974.

KENNETH M. ENDICOTT,
Administrator,
Health Resources Administration.
[FR Doc.74-11434 Filed 5-17-74; 8:45 am]

Office of Education FULBRIGHT-HAYS TRAINING GRANTS Criteria for Funding of Applications for Fiscal Year 1974

On March 26, 1974, there was published in the FEDERAL REGISTER at 39 FR 11216, a notice which set forth criteria for funding of applications for Fiscal Year 1974 for financial assistance under section 102(b) (6) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2452).

Interested persons were given until April 10, 1974, in which to submit written comments, suggestions, or objections regarding the proposed criteria. No such responses were received.

The criteria are therefore adopted without change, as set forth below.

Effective date. Since no changes have been made in the proposed criteria, they shall become effective May 20, 1974.

(Catalog of Federal Domestic Assistance Programs: 13.438 Fulbright-Hays Training Grants—Faculty Research Abroad; 13.439 Fulbright-Hays Training Grants—Foreign Curriculum Consultants; 13.440 Fulbright-Hays Training Grants—Group Projects Abroad; 13.441 Fulbright-Hays Training Grants—Doctoral Dissertation Research Abroad.)

Dated: May 3, 1974.

DUANE J. MATTHEIS,
Acting U.S. Commissioner
of Education.

Approved: May 15, 1974.

FRANK CARLUCCI,
Acting Secretary of Health,
Education, and Welfare.

Four separate programs are supported under the authority of section 102(b) (6). The programs and the criteria for each read as follows:

1. *Doctoral Dissertation Research Abroad program.* Under this program the Commissioner, with the approval of the Board of Foreign Scholarships, will select applications to be funded on the basis of the following criteria:

(a) Academic qualifications of the candidate;

(b) Soundness and feasibility of the project;

(c) Preference will be given to foreign languages and areas that are critical to the national interest, for which adequate instruction has not been widely available in the United States, and for which there exists a shortage of trained personnel.

2. *Faculty Research Abroad program.* Under this program the Commissioner, with the approval of the Board of Foreign Scholarships, will select applications to be funded on the basis of the following criteria:

(a) Relevance of the proposed project to the U.S. educational institution's educational goals and to its plans for developing programs in foreign languages and area studies;

(b) The project's potential impact on foreign languages and area studies in American education;

(c) The project's relevance to contemporary issues and problems significantly related to the national interest;

(d) Scholarly qualifications of the candidate, and his previous opportunities for research abroad;

(e) The extent to which direct experience abroad is necessary to complete the project and the effectiveness with which host country resources would be utilized;

(f) Soundness and feasibility of the project.

3. *Group Projects Abroad program.* Under this program the Commissioner, with the approval of the Board of Foreign Scholarships, will select applications to be funded on the basis of the following criteria:

(a) The potential impact of the project on the development of foreign language and area studies programs in American education;

(b) The project's relevance to the applicant institution's educational goals and its relationship to the institution's program development in foreign languages and area studies;

(c) The extent to which direct experience abroad is necessary to achieve the project's objectives and the effectiveness with which host country resources would be utilized;

(d) Preference to projects concerning foreign languages and geographic areas which are of special concern to the national interest and for which adequate instruction has not been widely available in the United States.

4. *Foreign Curriculum Consultants program.* Under this program the Commissioner, with the approval of the Board of Foreign Scholarships, will select applications to be funded on the basis of the following criteria:

(a) Potential impact on the applicant institution's plans for developing its foreign language and area studies programs;

(b) Potential effective use of the results of the consultant's work following the completion of the project;

(c) Appropriateness of the consultant's duties and the approximate allocation of time among the duties;

(d) Number of faculty, students, and members of the relevant community who

are expected to be affected by the consultant's activities;

(e) Likelihood that educational institutions other than the grantee will share in the consultant's services and the extent to which such institutions have participated in helping define the nature of these services;

(f) Adequacy of the arrangements made for coordinating the consultant's work under the supervision of a project director.

(22 U.S.C. 2452(b) (6))

[FR Doc. 74-11448 Filed 5-17-74; 8:45 am]

Office of the Secretary CALIFORNIA

Proposed Designation of Professional Standards Review Organization for Area VIII

Notice is hereby given, in accordance with section 1152(f) of the Social Security Act and 42 CFR 100.104, that the Secretary of Health, Education, and Welfare proposes, subject to satisfactory completion of the contract negotiation process, to enter into an agreement with the San Joaquin Foundation for Medical Care designating it as the Professional Standards Review Organization for PSRO Area VIII, which area is designated a Professional Standards Review Organization in 42 CFR 101.7.

The Secretary has determined that the San Joaquin Foundation for Medical Care is qualified to assume the duties and responsibilities of a Professional Standards Review Organization as specified in Title XI, Part B of the Social Security Act. The aforementioned organization is incorporated, according to the laws of the State of California, as a non-profit professional organization whose membership is voluntary and comprises at least 25 percentum of the licensed doctors of medicine or osteopathy engaged in active practice in PSRO Area VII. As stipulated in its Articles of Incorporation, the principal officers of San Joaquin Foundation for Medical Care are:

Name	Office held
1. Robert E. Evert, M.D.	President.
2. Arnold Sherveman, M.D.	Vice President.
3. Joseph Brakovic, M.D.	Secretary-Treasurer.

The official address of the corporation is 302 Fresno Street, Suite 102, Stockton, California 95212.

Any licensed doctor of medicine or osteopathy engaged in active practice in PSRO Area VIII who objects to the Secretary entering into an agreement with the San Joaquin Foundation for Medical Care on the grounds that this organization is not representative of doctors in such area may, on or before June 19, 1974, mail such objection in writing to the Director, Office of Professional Standards Review, Department of Health, Education, and Welfare, P.O. Box #2111, Rockville, Maryland 20852. All such objections must include the

physician's address, the location(s) of his office, his signature, and a certification that such physician is engaged in the active practice of medicine or osteopathy (i.e. direct patient care and related clinical activities, administrative duties in a medical facility or other health related institution, and/or medical or osteopathic teaching or research activity).

Pursuant to 42 CFR 101.103, the Secretary has determined that 433 doctors of medicine and osteopathy are engaged in active practice in the PSRO Area VIII. In the event that more than 10 percentum of such doctors express objections as described in the preceding chapter, the Secretary will, in accordance with 42 CFR 101.106, conduct a poll of all such doctors of medicine or osteopathy in such area to determine whether the San Joaquin Foundation for Medical Care is representative of such doctors in such area.

Dated: May 14, 1974.

HENRY E. SIMMONS,
Deputy Assistant Secretary for
Health, Director, Office of
Professional Standards Review.

[FR Doc. 74-11457 Filed 5-17-74; 8:45 am]

MASSACHUSETTS

Proposed Designation of Professional Standards Review Organization for Area III

Notice is hereby given, in accordance with section 1152(f) of the Social Security Act and 42 CFR 100.104, that the Secretary of Health, Education, and Welfare proposes, subject to satisfactory completion of the contract negotiation process, to enter into an agreement with the Charles River Health Care Foundation, Incorporated, designating it as the Professional Standards Review Organization for PSRO Area III located in the State of Massachusetts, which area is designated a Professional Standards Review Organization area in 42 CFR 101.25.

The Secretary has determined that the Charles River Health Care Foundation, Incorporated is qualified to assume the duties and responsibilities of a Professional Standards Review Organization as specified in Title XI, Part B of the Social Security Act. The aforementioned organization is incorporated, according to the laws of the State of Massachusetts, as a non-profit professional organization whose membership is voluntary and comprises at least 25 percentum of the licensed doctors of medicine or osteopathy engaged in active practice in PSRO Area III. As stipulated in its Articles of Incorporation, the principal officers of Charles River Health Care Foundation, Inc., are:

Name	Office Held
1. Richard C. Kerr, M.D.	President.
2. Thomas J. Carnicelli, M.D.	Vice President.
3. Frederick C. Had-don, M.D.	Treasurer.
4. Lewis S. Pilcher, M.D.	Executive Director.

The official address of the corporation is 200 Washington Street, Newton Lower Falls, Massachusetts 02162.

Any licensed doctor of medicine or osteopathy engaged in active practice in PSRO Area III who objects to the Secretary entering into an agreement with the Charles River Health Care Foundation, Inc., on the grounds that this organization is not representative of doctors in such area may, on or before June 19, 1974, mail such objection in writing to the Director, Office of Professional Standards Review Department of Health, Education, and Welfare, P.O. Box No. 2111, Rockville, Maryland 20852. All such objections must include the physician's address, the location(s) of his office, his signature, and a certification that such physician is engaged in the active practice of medicine or osteopathy (i.e. direct patient care and related clinical activities, administrative duties in a medical facility or other health related institution, and/or medical or osteopathic teaching or research activity).

Pursuant to 42 CFR 101.103, the Secretary has determined that 738 doctors of medicine and osteopathy are engaged in active practice in PSRO Area III. In the event that more than 10 percentum of such doctors express objections as described in the preceding chapter, the Secretary will, in accordance with 42 CFR 101.106, conduct a poll of all such doctors of medicine or osteopathy in such area to determine whether the Charles River Health Care Foundation, is representative of such doctors in such area.

Dated: May 14, 1974.

HENRY E. SIMMONS,
Deputy Assistant Secretary for
Health, Director, Office of
Professional Standards Review.

[FR Doc.74-11459 Filed 5-17-74; 8:45 am]

MASSACHUSETTS

Proposed Designation of Professional Standards Review Organization for PSRO Area IV

Notice is hereby given, in accordance with section 1152(f) of the Social Security Act and 42 CFR 100.104, that the Secretary of Health, Education, and Welfare proposes, subject to satisfactory completion of the contract negotiation process, to enter into an agreement with the Bay State Health Care Foundation, Inc., designating it as the Professional Standards Review Organization for PSRO Area IV located in the State of Massachusetts, which area is designated a Professional Standards Review Organization in 42 CFR 101.25.

The Secretary has determined that the Bay State Health Care Foundation is qualified to assume the duties and responsibilities of a Professional Standards Review Organization as specified in

Title XI, Part B of the Social Security Act. The aforementioned organization is incorporated, according to the laws of the State of Massachusetts, as a non-profit professional organization whose membership is voluntary and comprises at least 25 percentum of the licensed doctors of medicine or osteopathy engaged in active practice in Massachusetts. As stipulated in its Articles of Incorporation, the principal officers of the Bay State Health Care Foundation, Inc., are:

Name	Office Held
1. Robert J. Brennen, M.D.	President.
2. Curtis Prout, M.D.	Vice-President.
3. Richard Kahn	Executive Director.
4. Russell Rowell, M.D.	Secretary.
5. Edward P. Hanley	Treasurer.

The official address of the corporation is 100 Charles River Plaza, Boston, Massachusetts 02114.

Any licensed doctor of medicine or osteopathy engaged in active practice in PSRO Area IV who objects to the Secretary entering into an agreement with the Bay State Health Care Foundation, Inc., on the grounds that this organization is not representative of doctors in such area may, on or before June 19, 1974, mail such objection in writing to the Director, Office of Professional Standards Review, Department of Health, Education, and Welfare, P.O. Box No. 2111, Rockville, Maryland 20852. All such objections must include the physician's address, the location(s) of his office, his signature, and a certification that such physician is engaged in the active practice of medicine or osteopathy (i.e. direct patient care and related clinical activities, administrative duties in a medical facility or other health related institution, and/or medical or osteopathic teaching or research activity).

Pursuant to 42 CFR 101.103, the Secretary has determined that 7,884 doctors of medicine and osteopathy are engaged in active practice in the PSRO Area IV. In the event that more than 10 percentum of such doctors express objections as described in the preceding chapter, the Secretary will, in accordance with 42 CFR 101.106, conduct a poll of all such doctors of medicine or osteopathy in such area to determine whether the Bay State Health Care Foundation Incorporated is representative of such doctors in such area.

Dated: May 14, 1974.

HENRY E. SIMMONS,
Deputy Assistant Secretary for
Health, Director, Office of
Professional Standards Review.

[FR Doc.74-11458 Filed 5-17-74; 8:45 am]

MINNESOTA

Proposed Designation of Professional Standards Review Organization for Area II

Notice is hereby given, in accordance with section 1152(f) of the Social Security

Act and 42 CFR 100.104, that the Secretary of Health, Education, and Welfare proposes, subject to satisfactory completion of the contract negotiation process, to enter into an agreement with the Foundation for Health Care Evaluation designating it as the Professional Standards Review Organization for PSRO Area II located in the State of Minnesota, which area is designated a Professional Standards Review Organization in 42 CFR 101.27.

The Secretary has determined that the Foundation for Health Care Evaluation is qualified to assume the duties and responsibilities of a Professional Standards Review Organization as specified in Title XI, Part B of the Social Security Act. The aforementioned organization is incorporated, according to the laws of the State of Minnesota, as a non-profit professional organization whose membership is voluntary and comprises at least 25 percentum of the licensed doctors of medicine or osteopathy engaged in active practice in PSRO Area II. As stipulated in its Articles of Incorporation, the principal officers of the Foundation for Health Care Evaluation are:

Name	Office Held
1. Richard YaDeau, M.D.	Chairman.
2. Frederick Dill, M.D.	President.
3. Richard Carley, M.D.	President elect.
4. David Craig	Secretary.
5. Thomas Recht	Treasurer.

The official address of the corporation is 1535 Medical Arts Building, Minneapolis, Minnesota 55402.

Any licensed doctor of medicine or osteopathy engaged in active practice in PSRO Area II who objects to the Secretary entering into an agreement with the Foundation for Health Care Evaluation on the grounds that this organization is not representative of doctors in such area may, on or before June 19, 1974, mail such objection in writing to the Director, Office of Professional Standards Review, Department of Health, Education, and Welfare, P.O. Box #2111, Rockville, Maryland, 20852. All such objections must include the physician's address, the location(s) of his office, his signature, and a certification that such physician is engaged in the active practice of medicine or osteopathy (i.e. direct patient care and related clinical activities, administrative duties in a medical facility or other health related institution, and/or medical or osteopathic teaching or research activity).

Pursuant to 42 CFR 101.103, the Secretary has determined that 2,220 doctors of medicine and osteopathy are engaged in active practice in the PSRO Area II. In the event that more than 10 percentum of such doctors express objections as described in the preceding chapter, the Secretary will, in accordance with 42 CFR 101.106, conduct a poll of all such doctors of medicine or osteopathy in such area to determine whether the Foundation for Health Care Evalu-

ation is representative of such doctors in such area.

Dated: May 14, 1974.

HENRY E. SIMMONS,
Deputy Assistant Secretary for
Health, Director, Office of
Professional Standards Review.

[FR Doc.74-11460 Filed 5-17-74; 8:45 am]

OREGON

Proposed Designation of Professional Standards Review Organization for Area I

Notice is hereby given, in accordance with section 1152(f) of the Social Security Act and 42 CFR 100.104, that the Secretary of Health, Education, and Welfare proposes, subject to satisfactory completion of the contract negotiation process, to enter into an agreement with the Multnomah Foundation for Medical Care designating it as the Professional Standards Review Organization for PSRO Area I located in the State of Oregon, which area is designated a professional Standards Review Organization in 42 CFR 101.41.

The Secretary has determined that the Multnomah Foundation for Medical Care is qualified to assume the duties and responsibilities of a Professional Standards Review Organization as specified in Title XI, Part B of the Social Security Act. The aforementioned organization is incorporated, according to the laws of the State of Oregon, as a non-profit professional organization whose membership is voluntary and comprises at least 25 percentum of the licensed doctors of medicine or osteopathy engaged in active practice in Oregon. As stipulated in its Articles of Incorporation, the principal officers of the Multnomah Foundation for Medical Care are:

Name	Office Held
1. John W. Bussman	President.

The official address of the corporation is 5319 S.W. Westgate Drive, Portland, Oregon 97221.

Any licensed doctor of medicine or osteopathy engaged in active practice in PSRO Area I who objects to the Secretary entering into an agreement with the Multnomah Foundation for Medical Care on the grounds that this organization is not representative of doctors in such area may, on or before June 19, 1974, mail such objection in writing to the Director, Office of Professional Standards Review, Department of Health, Education, and Welfare, P.O. Box #2111, Rockville, Maryland 20852. All such objections must include the physician's address, the location(s) of his office, his signature, and a certification that such physician is engaged in the active practice of medicine or osteopathy (i.e. direct patient care and related clinical activities, administrative duties in a medical facility or other health related institution, and/or medical or osteopathic teaching or research activity).

Pursuant to 42 CFR 101.103, the Secretary has determined that 1,640 doctors of

medicine and osteopathy are engaged in active practice in the PSRO Area I. In the event that more than 10 percentum of such doctors express objections as described in the preceding chapter, the Secretary will, in accordance with 42 CFR 101.106, conduct a poll of all such doctors of medicine or osteopathy in such area to determine whether the Multnomah Foundation for Medical Care is representative of such doctors in such area.

Dated: May 14, 1974.

HENRY E. SIMMONS,
Deputy Assistant Secretary for
Health, Director, Office of
Professional Standards Review.

[FR Doc.74-11456 Filed 5-17-74; 8:45 am]

WYOMING

Proposed Designation of Professional Standards Review Organization

Notice is hereby given, in accordance with section 1152(f) of the Social Security Act and 42 CFR 100.104, that the Secretary of Health, Education, and Welfare proposes, subject to satisfactory completion of the contract negotiation process, to enter into an agreement with the Wyoming Health Services Company, Inc., designating it as the Professional Standards Review Organization for the State of Wyoming, which area is designated a Professional Standards Review Organization in 42 CFR 101.56.

The Secretary has determined that the Wyoming Health Services Company is qualified to assume the duties and responsibilities of a Professional Standards Review Organization as specified in Title XI, Part B of the Social Security Act. The aforementioned organization is incorporated, according to the laws of the State of Wyoming, as a non-profit professional organization whose membership is voluntary and comprises at least 25 percentum of the licensed doctors of medicine or osteopathy engaged in active practice in the State of Wyoming. As stipulated in the Articles of Incorporation, the principal officers of the Wyoming Health Services Company, Incorporated are:

Name	Office Held
1. Thomas Nicholas, M.D.	Chairman.
2. Fenworth M. Downing, M.D.	President.
3. John Corbett, M.D.	Vice President.
4. William Nichols	Secretary-Treasurer.

Any licensed doctor of medicine or osteopathy engaged in active practice in the State of Wyoming who objects to the Secretary entering into an agreement with the Wyoming Health Services, Inc., on grounds that this organization is not representative of doctors in such area may, on or before June 19, 1974, mail such objection in writing to the Director, Office of Professional Standards Review, Department of Health, Education, and Welfare, P.O. Box 2111, Rockville Maryland 20852. All such objections must

include the physician's address, the location(s) of his office, his signature, and a certification that such physician is engaged in the active practice of medicine or osteopathy (i.e. direct patient care and related clinical activities, administrative duties in a medical facility or other health related institution, and/or medical or osteopathic teaching or research activity).

Pursuant to 42 CFR 101.103, the Secretary has determined that 332 doctors of medicine and osteopathy are engaged in active practice in the State of Wyoming. In the event that more than 10 percentum of such doctors express objections as described in the preceding chapter, the Secretary will, in accordance with 42 CFR 101.106, conduct a poll of all such doctors of medicine or osteopathy in such area to determine whether the Wyoming Health Services Company, Inc., is representative of such doctors in such area.

Dated: May 14, 1974.

HENRY E. SIMMONS,
Deputy Assistant Secretary for
Health, Director, Office of
Professional Standards Review.

[FR Doc.74-11461 Filed 5-17-74; 8:45 am]

CHILD AND FAMILY DEVELOPMENT RESEARCH REVIEW COMMITTEE

Notice of Meeting

The Child and Family Development Research Review Committee will meet on Tuesday, May 21 through Friday, May 24. The meeting will be held daily from 9 a.m. to 5:30 p.m. in Room 905, Holiday Inn of Chevy Chase, 5520 Wisconsin Avenue, NW., Chevy Chase, Maryland 20015, and will be closed to the public except for the opening remarks. The purpose of the Committee is to review applications for research and demonstration projects in the areas of child development and child welfare, and to make recommendations to the Director, Office of Child Development, as to which projects should be funded. The agenda of this meeting will consist of opening remarks by the Director, OCD, followed by the review of demonstration proposals concerned with the study of family styles, adoption of handicapped children, and other child development and child welfare issues which have been submitted to the Office of Child Development for the award of grants. These applications are exempt from mandatory disclosure under 5 USC 552(b)(4) and (6) in that they contain trade secrets, commercial or financial information obtained from a person and privileged or confidential, and other personnel records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

A list of Committee members and a summary of the meeting may be obtained from:

Barbara Rosengard
Research and Evaluation Division
Office of Child Development
P.O. Box 1182
Washington, D.C. 20013
(202) 755-7758

Dated: May 7, 1974.

BARBARA ROSENGARD,
Executive Secretary.

THE CHILD AND FAMILY DEVELOPMENT
RESEARCH REVIEW COMMITTEE

AGENDA

May 21-24, 1974

May 21, 9 a.m., Opening Remarks (Saul R. Rosoff, Acting Director, OCD; Frank Ferro, Acting Associate Chief, Children's Bureau, OCD).
May 21, 9:30 a.m., May 24, 5 p.m., Review of grant applications.

[FR Doc.74-11475 Filed 5-17-74;8:45 am]

CHILD AND FAMILY DEVELOPMENT
RESEARCH REVIEW COMMITTEE

Notice of Meeting

The Child and Family Development Research Review Committee will meet on Tuesday, May 28, 1974, through Friday, May 31. The meeting will be held daily from 9 a.m. to 5 p.m. in Room P509, Statler Hilton Hotel, 16th and K Streets, NW., Washington, D.C., and will be closed to the public except for the opening remarks. The purpose of the committee is to review applications for research and demonstration projects in the areas of child development and child welfare, and to make recommendations to the Director, Office of Child Development, as to which projects should be funded. The agenda of this meeting will consist of opening remarks by the Acting Director, Office of Child Development, followed by the review of research and demonstration proposals concerned with the study of the interface between family and school, television and children, deinstitutionalization of children, and other child development and child welfare issues, which have been submitted to the Office of Child Development for the award of grants. These applications are exempt from mandatory disclosure under 5 USC 552(b) (4) and (6) in that they contain trade secrets, commercial and financial information obtained from a person and privileged or confidential, and other personnel records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. A list of Committee members and a summary of the meeting may be obtained from:

Barbara Rosengard
Research and Evaluation Division
Office of Child Development
P.O. Box 1182
Washington, D.C. 20013
(202) 755-7758

Dated: May 3, 1974.

BARBARA ROSENGARD,
Executive Secretary.

THE CHILD AND FAMILY DEVELOPMENT
RESEARCH REVIEW COMMITTEE

AGENDA

May 28-31, 1974

May 28, 9 a.m., Opening remarks: (Saul R. Rosoff, Acting Director, OCD; Frank Ferro, Acting Associate Chief, Children's Bureau).
May 28, 9:30 a.m., May 31, 5 p.m., Review of grant applications.

[FR Doc.74-11476 Filed 5-17-74;8:45 am]

ATOMIC ENERGY COMMISSION

[Byproduct Material License No.
48-12397-01]

GREEN BAY X-RAY SERVICE, INC.

Notice of Hearing

Green Bay X-Ray Service, Inc., 838 Borvan Avenue, Green Bay, Wisconsin (the Licensee) is the holder of Byproduct Material License No. 48-12397-01, which authorizes the company to perform industrial radiography in accordance with the conditions specified therein. The license is due to expire on March 31, 1978.

On December 26, 1973, the Director of Regulatory Operations, pursuant to section 234 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2282) and 10 CFR 2.205 of the Commission's regulations, served on the Licensee a Notice of Violation together with a Notice of Proposed Imposition of Civil Penalties. The Notice of Violation alleged that the Licensee had committed eighteen separate violations of the Commission's regulations and/or the conditions of the Licensee's license and set forth the proposed civil penalty to be assessed for each violation. These alleged violations were based on the results of an inspection conducted from October 15, 1973 to November 1, 1973 of the Licensee's activities.

On January 24, 1974, the Licensee responded to the above Notices by requesting remission of the penalties proposed in the Notice of Violation for the violations designated as Items 3, 4, 5, 9, 14, 15, 16a, 16b, and 17. The Licensee's response further requested mitigation of the penalties proposed for the violations designated in the Notice of Violation as Items 1, 2, 6, 7, 8, and 11. The Director of Regulatory Operations, after consideration of the Licensee's response, by letter dated February 19, 1974, served on the Licensee an Order Imposing Civil Monetary Penalties requiring the Licensee to pay civil penalties in the amount of Five Thousand Dollars (\$5,000.00). The Order contained a determination by the Director of Regulatory Operations that the penalties proposed for the violations designated in the Notice of Violation as Items 1, 2, 3, 5, 6, 7, 8, 10, 11, 13, 14, 15, 16a, 16b, and 17 should be imposed. The penalties proposed for Items 4 and 12 were remitted, and the penalty proposed for Item 9 was reduced from Three Hundred Dollars (\$300.00) to One Hundred and Fifty Dollars (\$150.00). On February 28, 1974, the

Licensee requested a hearing with respect to the violations designated in the Notice of Violation as Items 1, 2, 6, 7, 14, 15, and 17.

Pursuant to the Atomic Energy Act of 1954, as amended, and the regulations in Title 10, Code of Federal Regulations, Part 2, "Rules of Practice," notice is hereby given that a hearing will be held before Mr. Samuel W. Jenssch, Chief Administrative Law Judge, at a time and place to be set by the Chief Administrative Law Judge.

The Chief Administrative Law Judge will consider and initially decide, as the issues in this proceeding:

(a) whether the Licensee committed the violations of the Commission's regulations and the conditions of the license designated as Items 1, 2, 6, 7, 14, 15, and 17 in the Notice of Violation referenced above; and

(b) whether the Order Imposing Civil Penalties as it relates to Items 1, 2, 6, 7, 14, 15, and 17 designated in the Notice should be sustained.

A prehearing conference or conferences will be held by the Chief Administrative Law Judge, at a date and place to be set by him, to consider pertinent matters in accordance with the Commission's "Rules of Practice." The date and place of the hearing will be set at or after the prehearing conference. Notices as to the dates and places of the prehearing conference and the hearing will be published in the FEDERAL REGISTER.

An answer to this notice, pursuant to the provisions of 10 CFR 2.705, may be filed by the Licensee not later than June 10, 1974.

Papers required to be filed in this proceeding may be filed by mail or telegram addressed to the Secretary of the Commission, U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Chief, Public Proceedings Staff, or may be filed by delivery to the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

Pending further order of the Chief Administrative Law Judge, parties are required to file, pursuant to the provisions of 10 CFR 2.708, an original and twenty (20) conformed copies of each such paper with the Commission.

Pursuant to 10 CFR 2.785, the Commission authorizes an Atomic Safety and Licensing Appeal Board to exercise the authority and perform the review functions which would otherwise be exercised and performed by the Commission. The Appeal Board will be designated pursuant to 10 CFR 2.787, and notice as to its membership will be published in the FEDERAL REGISTER.

Dated at Germantown, Maryland, this 13th day of May, 1974.

For the Atomic Energy Commission.

PAUL C. BENDER,
Secretary of the Commission.

[FR Doc.74-11444 Filed 5-17-74;8:45 am]

[Docket No. 50-277]

PHILADELPHIA ELECTRIC CO., ET AL.
Notice of Issuance of Facility License
Amendment

Notice is hereby given that the U.S. Atomic Energy Commission (the Commission) has issued Amendment No. 2 to the Facility Operating License No. DPR-44 issued to Philadelphia Electric Co., Public Service Electric and Gas Co., Delmarva Power and Light Co. and Atlantic City Electric Co., which revised certain Technical Specifications for operation of the Peach Bottom Atomic Power Station, Unit 2, located in York County, Pennsylvania on the western shore of the Conowingo Pond. This amendment is effective as of its date of issuance and remains in effect through May 20, 1974.

The amendment permits a temporary change of the allowable time which the reactor core isolation cooling system can remain inoperable while reactor power operation is continued.

The application for the amendment complies with the standards and requirements of the Act and the Commission's rules and regulations and the Commission has made appropriate findings as required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations in 10 CFR Chapter 1, which are set forth in the license amendment.

For further details with respect to this action, see (1) the application for amendment dated May 10, 1974, (2) Amendment No. 2 to the License No. DPR-44, with attachments, and (3) the Commission's related Safety Evaluation, dated May 13, 1974. All of these are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. and at the Martin Memorial Library, 159 E. Market Street, York, Pennsylvania 17401.

A copy of items (2) and (3) may be obtained upon request addressed to the United States Atomic Energy Commission, Washington, D.C. 20545, Attention: Deputy Director for Reactor Projects, Directorate of Licensing—Regulation.

Dated at Bethesda, Maryland this 13th day of May, 1974.

For the Atomic Energy Commission.

WALTER R. BUTLER,
 Chief, Light Water Reactors
 Projects Branch 1-2, Di-
 rectorate of Licensing.

[FR Doc.74-11445 Filed 5-17-74; 8:45 am]

CIVIL SERVICE COMMISSION
FEDERAL EMPLOYEES PAY COUNCIL
Notice of Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act, Public Law 92-463, notice is hereby given that the Federal Employees Pay Council will meet at 2 p.m. on Wednesday, May 22, 1974, to continue discussions on the fiscal year 1975 comparability ad-

justment 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.74-11489 Filed 5-17-74; 8:45 am]

ENVIRONMENTAL PROTECTION
AGENCY

[OPP-32000/60]

NOTICE OF RECEIPT OF APPLICATIONS
FOR PESTICIDE REGISTRATION

Data To Be Considered in Support of
Applications

On November 19, 1973, the Environmental Protection Agency published in the FEDERAL REGISTER (38 FR 31862) its interim policy with respect to the administration of section 3(c)(1)(D) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 979), and its procedures for implementation. This policy provides that EPA will, upon receipt of every application, publish in the FEDERAL REGISTER a notice containing the information shown below. The labeling furnished by the applicant will be available for examination at the Environmental Protection Agency, Room EB-37, East Tower, 401 M Street, SW., Washington, D.C. 20460.

On or before July 19, 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 July 19, 1974.

APPLICATIONS RECEIVED

EPA File Symbol 6414-A. Bain Pest Control Service, 347 Central Street, Lowell, Massachusetts 01852. *Checker Brand Roach & Ant Residual Spray*. Active Ingredients: Pyrethrins 0.052%; Piperonyl Butoxide, Technical 0.260%; Chlorpyrifos [O,O-diethyl O-(3,5,6-trichloro-2 pyridyl) phosphorothioate] 0.500%; Petroleum Distillate 98.736%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 4-EGU. Bonide Chemical Co., Inc., 2 Wurzel Avenue, Yorkville, New York 13495. *Bonide Seed Protector*. Active Ingredients: Hardwood Distillate Oils 10.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 4-58. Bonide Chemical Co., Inc., 2 Wurzel Avenue, Yorkville, New York 13495. *Bonide Copper Spray or Dust Superior to Bordeaux Mixture*. Active Ingredients: Copper (in basic copper sulphate) expressed as metallic 7.00%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 4-126. Bonide Chemical Co., Inc., 2 Wurzel Avenue, Yorkville, New York 13495. *Bonide Vegetable Spray 4-In-1 Liquid*. Active Ingredients: Malathion (O,O-Dimethyl dithiophosphate of diethyl mercaptosuccinate) 9.4%; Technical Methoxychlor (equivalent to 8.36% 2,2-bis (p-methoxyphenyl)-1,1,1-trichloroethane and 1.14% related compounds) 9.5%; 2,4-Dinitro-6-octyl phenyl crotonate 1.4%; 2,6-Dinitro-4-octyl phenyl crotonate Nitrooctyl phenols (principally dinitro) 0.1%; Aromatic Petroleum Solvents 13.5%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 270-IL. Farnam Companies, Inc., P.O. Box 21447, Phoenix, Arizona 85036. *Farnam Summer Sore Screw-Worm Ear-Tick Bomb IV*. Active Ingredients: Ronnel O,O-dimethyl O-(2,4,5-trichlorophenyl) phosphorothioate (from technical grade) 2.5%; Xylene 0.5%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 270-30. Farnam Companies, Inc., 9990 F Street, Omaha, Nebraska 68127. *Farnam Repel-X Emulsifiable Fly Spray*. Active Ingredients: Piperonyl Butoxide Technical 1.00% (Equivalent 0.80% (Butylcarbityl) (6-propylpiperonyl) ether and 0.20% of related compounds); Pyrethrins I & II 0.40%; Petroleum Hydrocarbons 3.60%; Butoxypolypropylene Glycol 50.00%; Pine Oil 40.00%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 1258-OIN. Olin Corporation, P.O. Box 991, Little Rock, Arkansas 72203. *Olin Calcium Hypochlorite Sanitizer*. Active Ingredients: Calcium Hypochlorite 50%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 655-70. Prentiss Drug & Chemical Co., Inc., 363 Seventh Avenue, New York, New York 10001. *Prentox Rotenone 5% Oil Concentrate*. Active Ingredients: Rotenone 5.00%; Other Cube Resins 10.00%; Methyl Naphthalenes 85.00%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 6720-EU. Southern Mill Creek Products Company, Inc., P.O. Box 1096, Tampa, Florida 33601. *SMCP Diazinon 12.5% Insect Spray*. Active Ingredients: O,O-diethyl O-(2-isopropyl-6-methyl-4-pyrimidinyl) phosphorothioate 12.5%; Aromatic petroleum derivative solvent 72.4%.

Method of Support: Application proceeds under 2(c) of Interim policy.
EPA File Symbol 5741-O. Spartan Chemical Company, Inc., 110 N. Westwood Ave., Toledo, Ohio 43607. *Spartan's Sparquat 256 Germicidal Cleaner*. Active Ingredients: Octyl Decyl Dimethyl Ammonium Chloride 3.750%; Dioctyl Dimethyl Ammonium Chloride 1.875%; Didecyl Dimethyl Ammonium Chloride 1.875%; Alkyl (C14 50%, C12 40%, C16 10%) Benzy Dimethyl Ammonium Chloride 5.000%; Tetrasodium Ethylenediamine Tetraacetate 3.420%; Isopropyl Alcohol 3.000%; Ethyl Alcohol 1.000%. Method of Support: Application proceeds under 2(a) of Interim policy.

REPUBLICED ITEMS

The following items represent a correction and/or change in the list of Applications Received previously published in the Federal Register of May 2, 1974 (39 FR 15439).

EPA Reg. No. 359-399. Rhodia Inc., Chipman Division, P.O. Box 2009, New Brunswick, New Jersey 08903. *Shed-A-Leaf "L"*. Correction: Originally published as *Sled-A-Leaf "L"*.

EPA File Symbol 538-RRU. O. M. Scott & Sons Co., Marysville, Ohio 43040. (*Scott's Proturf 101V Broad Spectrum Fungicide*). Active Ingredients: Chlorothalonil (Tetrachloroisophthalonitrile) 9.5% . . . Correction: Originally published as Chlorothalonil (Tetraolisoisophthalonitrile) 9.5%.

REPUBLICED ITEM

The following item represents a correction and/or change in the list of Applications Received previously published in the Federal Register of May 8, 1974 (39 FR 16406).

EPA File Symbol 602-EUL. Ralston Purina Company, General Offices, Checkerboard Square, St. Louis, Missouri 63188. *Purina Diazinon Spray-12½%*. Correction: Originally published as *Purina Diazinon Spray-11 12½%*.

Dated: May 14, 1974.

DOUGLAS D. CAMPT,
Acting Director,
Registration Division.

[FR Doc.74-11582 Filed 5-17-74;8:45 am]

FEDERAL POWER COMMISSION

[Docket No. CP73-340]

COLORADO INTERSTATE GAS CO.

Availability of Staff Draft Environmental Impact Statement

MAY 13, 1974.

Notice is hereby given in the above Docket, that on May 14, 1974, as required by § 2.82(b) of Commission Order No. 415-C, a draft environmental statement prepared by the staff of the Federal Power Commission was made available for comments. This statement deals with the application by Colorado Interstate Gas Company for a certificate of public convenience and necessity under section 7(c) of the Natural Gas Act authorizing construction and operation of 223 miles of 16-inch pipeline extending from the Elk Basin on the Montana-Wyoming border to Chouteau County, Montana, 114 miles of 16-inch pipeline loop extending from Carbon County, Wyoming to Fremont County, Wyoming; and a 4,800 horsepower compressor station in Chouteau County, Montana.

This statement has been circulated for comments to Federal, state and local agencies, has been placed in the public files of the Commission, and is available for public inspection both in the Commission's Office of Public Information, Room 1000, 825 North Capitol Street, NE., Washington, D.C. 20426 and at its Regional Office located at 555 Battery Street, San Francisco, California 94111. Copies may be obtained from the Federal Power Commission's Office of Public Information, Washington, D.C. 20426.

Any person who wishes to do so may file comments on the staff draft statement for the Commission's consideration. All comments must be filed on or before June 27, 1974.

Any person who wishes to present evidence regarding environmental matters in this proceeding must file with the Commission a petition to intervene pursuant to § 1.8 of the Commission's rules of practice and procedure. Petitioners must also file timely comments on the draft statement in accordance with § 2.82 (c) of Order No. 415-C.

All petitions to intervene must be filed on or before June 28, 1974.

MARY B. KIDD,
Secretary.

[FR Doc.74-11527 Filed 5-17-74;8:45 am]

FOREIGN TRADE ZONES BOARD

[Docket No. 3-74]

KANSAS CITY INTERNATIONAL AIRPORT,
KANSAS CITY, MISSOURI

Application To Establish A Foreign-Trade Zone Site

Notice is hereby given that an application has been submitted by the Greater Kansas City Foreign-Trade Zone, Inc. (GKCFZTI), grantee of Foreign-Trade Zones No. 15 (Kansas City, Missouri) and No. 17 (Kansas City, Kansas), to the Foreign-Trade Zones Board (the Board) requesting authority for the establishment of an additional zone site at 117th and International Avenue (Gateway Plaza), Kansas City, Missouri, on a parcel adjacent to the new Kansas City International Airport.

The proposal calls for the construction and operation of a warehouse/office type zone building with some 75,000 square feet of space by Airport Entrance Development Company (AEDC), a Missouri copartnership, owner of the land on which the building would be located. Final construction plans were prepared after being reviewed by the Port Director of Customs who advised concerning security requirements. Eventual expansion of the facility to a total of 150,000 square feet is contemplated. The proposed facility is to be located within an international business center, known as Gateway Plaza, being developed in the airport area by AEDC. Management agent for the center including the proposed zone site is Leo Eisenberg & Company, Kansas City, Missouri.

Based upon a need in the airport area for special Customs facilities to serve air

freight related activities, the zone proposal is considered by the sponsor a part of their efforts to enhance the international trade related business climate of the Greater Kansas City inland port area by providing foreign-trade zone facilities for the business community. Reference was made in its original 1972 application as to the possibility of such a site when the new airport went into operation. This occurred in 1973.

Certain business firms have expressed an interest in using the proposed zone as initial tenants for air freight related activities involving such items as software, wigs, watches, sports equipment and luggage goods. Airlines have also indicated an interest.

In accordance with the Board's regulations an Examiners Committee has been appointed to conduct an investigation of the proposal and report its findings to the Board. The committee is composed of John J. Da Ponte, Jr. (Chairman), Executive Secretary, Foreign-Trade Zones Board, U.S. Department of Commerce, Washington, D.C. 20234; Donald E. Grimwood, Director, Inspection and Control Division, Office of the Regional Commissioner of Customs, 300 South Wacker Drive, Chicago, Illinois 60606; and Colonel W. R. Needham, District Engineer, U.S. Army Engineer District Kansas City, Kansas City, Missouri 64106.

A copy of the application and accompanying exhibits will be available for public inspection, together with the original zone application and hearing transcript, during regular business hours for 30 calendar days from the appearance of this notice in the FEDERAL REGISTER at the following locations:

Office of the Executive Secretary
Foreign-Trade Zones Board
U.S. Department of Commerce, Room 6886B
14th and Constitution Avenue, NW.
Washington, D.C. 20230

Office of the Port Director of Customs
U.S. Customs Service
Room 160, Federal Building
601 East 12th Street
Kansas City, Missouri 64106

Comments concerning the proposal are invited in writing (original and six copies) from interested persons and organizations. They should be addressed to the Board's Executive Secretary at the above address and postmarked by June 19, 1974.

Dated: May 15, 1974.

JOHN J. DA PONTE, JR.,
Executive Secretary,
Foreign-Trade Zones Board.

[FR Doc.74-11496 Filed 5-17-74;8:45 am]

NATIONAL SCIENCE FOUNDATION

IDOE PROPOSAL REVIEW PANEL

Notice of Meeting

Pursuant to the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given of a meeting of the IDOE Proposal Review Panel to be held at 8:30 a.m. on June 5, 6, and 7, 1974, in Room 704 at 1800 G Street, NW., Washington, D.C. 20550.

The purpose of the panel is to provide advice and recommendations as part of the review and evaluation process for specific proposals and projects. The agenda will be devoted to the review and evaluation of IDOE proposals.

This meeting is concerned with matters which are within the exemptions of 5 U.S.C. 552(b) and will not be open to the public in accordance with the determination by the Director of the National Science Foundation dated December 17, 1973, pursuant to the provisions of section 10(d) of Pub. L. 92-463.

Individuals requiring further information about this panel may contact Mr. Feenan D. Jennings, Head, Office for the International Decade of Ocean Exploration, Room 710, 1800 G Street, NW., Washington, D.C. 20550.

ELDON D. TAYLOR,
Acting Assistant Director
for Administration.

MAY 8, 1974.

[FR Doc.74-11474 Filed 5-17-74;8:45 am]

OFFICE OF MANAGEMENT AND BUDGET

CLEARANCE OF REPORTS

List of Request

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 May 15, 1974 (44 U.S.C. 3509). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number, if applicable; the frequency with which the information is proposed to be collected; the name of the reviewer or reviewing division within OMB, and an indication of who will be the respondents to the proposed collection.

The symbol (x) identifies proposals which appear to raise no significant issues, and are to be approved after brief notice through this release.

Further information about the items on this Daily List may be obtained from the Clearance Office, Office of Management and Budget, Washington, D.C. 20503 (202-395-4529).

NEW FORMS

DEPARTMENT OF AGRICULTURE

Economic Research Service, Marketing Florist Crops in 11 Selected SMSA's, Form, Single time, Lowry, Growers, wholesalers, retailers and mass markets.

Forest Service, Youth Conservation Corps IV, Summer, 1974, Form, Single time, Planchon, Enrollees in Youth Conservation Corps Program in 1974.

Statistical Reporting Service, Illinois Soybean Insecticide Survey, 1974, Form, Single time, Lowry/Foster, Soybean farmers.

DEPARTMENT OF COMMERCE

Bureau of the Census, National Prisoner Statistics—Inmates Under Sentence of Death,

Form NPS 8, Annual, Tunstall, State correctional agencies or institutions.

National Oceanic and Atmospheric Administration, Ocean Science Resources Study State Questionnaire, Form, Single time, Planchon, State agencies dealing in Ocean and coastal science.

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration, Oceanic Gamefish Investigations Big Game Fishing Log, Form NOAA 88-904A, Occasional, Planchon, Recreational fishermen and boat captains.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education, Instructions for Right to Read A-102 Financial and Performance Report, Form OE 361, Semi annual, Lowry, SEA's LEA's, community projects.

Health Resources Administration, Death Registration and Chronic Disease Project, Form HRANCHS 0426, Single time, Wann, Individuals.

REVISIONS

AGENCY FOR INTERNATIONAL DEVELOPMENT

Application for Assistance—American Schools and Hospitals Abroad, Form 1010-2, Single time, Caywood, Boards of directors of private organizations.

DEPARTMENT OF AGRICULTURE

Statistical Reporting Service, Custom Work Rates, Form, Annual, Lowry, Custom operators and farmers.

DEPARTMENT OF COMMERCE

National Bureau of Standards, Survey of Lead-Based Paint Hazard in Dwelling Units, Form NBS 744, Single time, Sunderhauf, Households in Allegheny Co., Pa.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Social and Rehabilitation Service, Statistical Report on Medical Care: Recipients, Payments, Services, Form SRS NCSS-2082, Annual, Sunderhauf, State Medicaid (Title XIX) agencies.

Annual Statistical Report on Cost Standards and Maximums and other Limitations on Money Payments, Form SRS-NCSS 108, Annual, Sauderhauf, State public assistance agencies.

VETERANS ADMINISTRATION

Request for Change of Program or Place of Training (Son or Daughter), Form VA 22-5495, Occasional, Caywood, Son or daughter of veteran.

Request for Change of Program or Place of Training (Widow, Widower, Wife, or Husband), Form VA 22-5495W, Occasional, Caywood, Widow, widower, wife, or husband of veteran.

EXTENSIONS

DEPARTMENT OF AGRICULTURE

Forest Service, Pulpwood Received, Form, -----, Annual, Evinger, Pulpmills in eastern U.S.

DEPARTMENT OF COMMERCE

Bureau of Domestic Commerce: Copper Controlled Materials—Copper-Base Powder Mills, Form DIB 919, Quarterly, Evinger, Mills making powder of copper metal.

Copper Controlled Materials—Brass and Bronze Foundries, Form DIB 918, Quarterly, Evinger, 150 large copper foundries.

Copper Controlled Materials—Brass Mills and Copper Wire Mills, Form DIB 917,

Quarterly, Evinger, 100 large brass and wire mills.

Economic Development Administration, Supplement to Application for Title III, Technical Assistance Grant, Form ED 300, Occasional, Evinger (x).

Application for Technical Assistance, Form ED 302, Occasional, Evinger (x).

Financial Report Title III Technical Assistance Grants, Form ED 325, Quarterly, Evinger (x).

Application for Loan-Statement of Personal History, Form ED 200, Occasional, Evinger (x).

Application for Commercial or Industrial Loan—Direct Loan, Form ED 201, Occasional, Evinger (x).

Application for Loan-Commercial or Industrial Project by a Local Development Company or Other Agent, Form ED 202, Occasional, Evinger (x).

Application for Working Capital Guarantee, Form ED 203, Occasional, Evinger (x).

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Center for Disease Control, Teenagers' Self Testing Kit (Longitudinal Study of Impact of Elementary Health Education Curriculum on Attitudes and Behavior of Students), Form CDC 164, Single time, Wann, Teenagers.

Social and Rehabilitation Service, A System of Quality Control of Eligibility and Payments in Public Assistance, Forms 341-A, etc., Occasional, Evinger (x).

PHILLIP D. LARSEN,
Budget and Management Officer.

[FR Doc.74-11547 Filed 5-17-74;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[File No. 500-1]

ALLIED EQUITIES CORP.

Notice of Suspension of Trading

MAY 7, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Allied Equities Corporation being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15 (c) (5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from 2:00 p.m. (EDT) May 7, 1974 through midnight on May 16, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.74-11518 Filed 5-17-74;8:45 am]

[File No. 500-1]

AMERICAN EXPORT LINES, INC. (FORMERLY KNOWN AS AMERICAN EXPORT ISBRANDTSEN LINES, INC.)

Notice of Suspension of Trading

MAY 8, 1974.

It appearing to the Securities and Exchange Commission that the summary

suspension of trading in the common stock of American Export Lines, Inc. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from 2:30 p.m. (EDT) May 8, 1974 through May 17, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.74-11517 Filed 5-17-74; 8:45 am]

AMERICAN EXPORT INDUSTRIES, INC.

[File No. 500-1]

Notice of Suspension of Trading

MAY 8, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the preferred stock series A and B, the convertible subordinated debentures 5 1/4 1993, the warrants and the common stock of American Export Lines, Inc. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from 2:30 p.m. (EDT) on May 8, 1974 through May 17, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.74-11507 Filed 5-17-74; 8:45 am]

[Release No. 34-10787]

AMERICAN STOCK EXCHANGE, INC., ET AL.

Consolidated Tape Plan

The Securities and Exchange Commission announced that it has sent to the sponsors of a consolidated tape plan refiled jointly by the New York, American, Midwest, Pacific and PBW Stock Exchanges and the National Association of Securities Dealers, Inc. on April 22, 1974 a letter declaring the plan effective as of May 17, 1974. The plan, originally filed on March 2, 1973 pursuant to Securities Exchange Act Rule 17a-15 (17 CFR 240.17a-15), provides for reporting of prices and volume of completed transactions in securities registered on exchanges.

The text of the letter follows:

American Stock Exchange, Inc.
Midwest Stock Exchange, Inc.
National Association of Securities Dealers, Inc.

New York Stock Exchange, Inc.
Pacific Stock Exchange, Inc.
PBW Stock Exchange, Inc.

DEAR SIRs: This is in response to the revised consolidated tape plan jointly filed by you

with the Commission on April 22, 1974 (the "Revised Plan"), pursuant to Securities Exchange Act Rule 17a-15.

On March 8, 1974, the Commission notified the plan's sponsors of its definitive comments on the consolidated tape plan filed initially on March 2, 1973. Initial comments had been conveyed to the plan's sponsors on July 13, 1973.

The Commission's letter of March 8, 1974 requested modification of the plan's terms in a number of areas. After a review of the Revised Plan the Commission finds that, except as may specifically be discussed below, the plan accurately reflects the Commission's requested changes.

Eligible Securities—In its March 8 letter, the Commission requested that the term "Eligible Securities" be defined as those securities substantially meeting the listing standards of the New York Stock Exchange ("NYSE") and the American Stock Exchange ("Amex"). The Revised Plan contains a new section on Eligible Securities with, among other things, the following provisions: (1) Initially, Eligible Securities will include all securities presently listed on the NYSE and Amex and securities listed or admitted to unlisted trading privileges on other registered national securities exchanges if they substantially meet the listing standards of the NYSE or Amex; (2) After the date "Phase II" commences, the term Eligible Securities will include any security which becomes listed and which, at the time of listing or commencement of trading, substantially meets the listing requirements of the NYSE or Amex, as they may be in effect at that time; (3) Securities shall cease to be Eligible Securities whenever they do not substantially meet the listing criteria from time to time in effect for continued listing on the NYSE or Amex; (4) The determination of whether a security meets the criteria for eligibility is to be made by the national securities exchange on which such security is listed or admitted to unlisted trading privileges; and (5) If the Commission finds any such determination is improper, it may require that such security be deemed not to be an Eligible Security for purposes of the Revised Plan. The Commission has no objection to this modification in view of the right reserved to the Commission to review the determination that a security, or any group of securities, meets, or continues to meet, the eligibility standards.

Allocation of Expenses—The Commission indicated in its March 8 letter it would not object to an equitable allocation of expenses of the tape among exchanges which are open during periods when other exchanges are closed. The Revised Plan provides, in effect, that expenses incurred in reporting trades after the end of the normal operating hours of the NYSE and Amex will be allocated "on an appropriate pro rata basis." The Commission understands that at this point it is difficult to estimate reasonably the extent of such expenses and therefore it would be premature to comment on the fairness of any such allocation.

Pre-Opening Run-off—The Commission's March 8 letter requested that some procedure be adopted whereby the consolidated tape would be activated prior to the opening of any exchange so that all trades which took place subsequent to the prior day's close of the tape, and before the opening of exchanges, would be reported in sequence. The Revised Plan contains no provision for such run-off. We understand, however, that the Revised Plan's sponsors will reconsider the feasibility of such run-off when data is available as to the number of trades which would be involved.

Additional Provisions Not Requested By The Commission—The Revised Plan has been

changed to include a provision to cover the cost of "installing hardware as necessary" for the operation of the consolidated tape and for the high speed transmission line for interrogation equipment, the availability of which the Commission had requested in its March 8 letter.

The Revised Plan also contains a provision which requires that the Revised Plans' sponsors resolve by June 7, 1974 certain issues with respect to the reporting of bonds, options and any possible new "products".

The Commission does not object to the inclusion of these provisions in the Revised Plan.

Amendments to the Plan—As you are aware, the Commission in its March 8 letter did not request the plan's sponsors to include in the Revised Plan a provision for Commission approval of subsequent amendments thereto or for Commission initiation of amendments. The Commission wants to reiterate that its reason for not requiring such a provision is that the authority to declare a plan effective pursuant to Securities Exchange Act Rule 17a-15 includes the authority to review and pass upon subsequent amendments to the plan. In addition, inherent in the Commission's authority to amend Rule 17a-15 when necessary or appropriate is the authority to require amendments to the plan.

The Commission is of the view that the Revised Plan represents an appropriate vehicle for the consolidated reporting of transactions in listed securities; therefore, having due regard for the maintenance of fair and orderly markets, the public interest and the protection of investors, the Commission hereby declares the Revised Plan effective as of May 17, 1974.

Now that the Revised Plan has been declared effective, it is important the CTA make available to vendors the technical specifications and other data necessary for the consolidated tape to be fully operational within the time frame specified in the Revised Plan.

The plan sponsors should note also that the Commission is today publishing for comment a proposed amendment to Rule 17a-15 which would establish procedures for appeal to the Commission of certain actions which may be taken pursuant to the plan.¹

Sincerely yours,

George A. Fitzsimmons,
Secretary.

(Secs. 17(a), 23(a), 48 Stat. 897, 901, 49 Stat. 1379, 52 Stat. 1076, 15 U.S.C. 78q., 78w.)

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

MAY 10, 1974.

[FR Doc.74-11502 Filed 5-17-74; 8:45 am]

APOLLO INDUSTRIES, INC.

[File No. 500-1]

Notice of Suspension of Trading

MAY 10, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common and preferred stock of Apollo Industries Inc. (incorporated in Maine) being traded otherwise than on a national securities exchange is required in the pub-

¹ Securities Exchange Act Release No. 10788 (May 10, 1974).

lic interest and for the protection of investors;

Therefore, pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from 10:00 a.m. (EDT) on May 10, 1974 through May 19, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc. 74-11505 Filed 5-17-74; 8:45 am]

[70-5502]

ARKANSAS POWER & LIGHT CO.

Notice of Proposed Issue and Sale of First Mortgage Bonds at Competitive Bidding

Notice is hereby given that Arkansas Power & Light Company ("Arkansas"), Ninth and Louisiana Streets, Little Rock, Arkansas 72203, an electric utility subsidiary of Middle South Utilities, Inc. ("Middle South"), a registered holding company, has filed an application with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating section 6(b) of the Act and rule 50 promulgated thereunder as applicable to the proposed transaction. All interested persons are referred to the application, which is summarized below, for a complete statement of the proposed transaction.

Arkansas proposes to issue and sell, subject to the competitive bidding requirements of rule 50 promulgated under the Act, \$40,000,000 principal amount of its First Mortgage Bonds, percent Series due 2004. The interest rate on the bonds (which will be a multiple of $\frac{1}{8}$ of 1 percent) and the price, exclusive of accrued interest, to be paid to Arkansas (which will be not less than 100 percent nor more than 102 $\frac{3}{4}$ percent of the principal amount thereof) will be determined by the competitive bidding. The bonds will be issued under Arkansas' Mortgage and Deed of Trust dated as of October 1, 1944, to Morgan Guaranty Trust Company of New York, Trustee, as heretofore supplemented and as to be further supplemented by a Twenty-sixth Supplemental Indenture to be dated as of June 1, 1974, which includes a prohibition until June 1, 1979, against refunding the bonds with the proceeds of funds borrowed at a lower effective interest cost.

Arkansas proposes to utilize the net proceeds from the issuance and sale of the proposed bonds and of \$20,000,000 of common stock to Middle South (File No. 70-5487) to retire short-term debt outstanding (estimated to aggregate \$50,000,000 when the proceeds of the bonds are received) and to finance its construction program (estimated at \$170,300,000 for 1974). Fees and expenses incident to the proposed transactions are estimated at \$120,000, including counsel fees of \$31,500 and accountants' fees of \$7,500. The fee of counsel for the successful bidders is estimated at \$12,000 and is to be paid by the successful bidders.

The Arkansas Public Service Commission and the Tennessee Public Service Commission have authorized the proposed issuance and sale of the bonds. No other State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transaction.

Notice is further given that any interested person may, not later than June 5, 1974, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application, as filed or as it may be amended, may be granted as provided in rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc. 74-11514 Filed 5-17-74; 8:45 am]

[File No. 500-1]

CALEDONIA SILVER LEAD MINING CO., ET AL.

Notice of Suspension of Trading

MAY 7, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Caledonia Silver Lead Mining Co., Judith Gold Corporation, Lookout Mountain Mining & Milling Co., Nancy Lee Mines, Inc., New Era Mines, Inc., Signal Silver Gold, Inc., Silver Bowl, Inc., United Mines, Inc., and Utah-Idaho Consolidated Uranium, Inc. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from 2:00 p.m.

(EDT) May 7, 1974 through midnight on May 16, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc. 74-11509 Filed 5-17-74; 8:45 am]

[70-5498]

CENTRAL POWER AND LIGHT CO.

Notice of Proposed Installment Purchase of Pollution Control Facilities; Request for Exemption from Competitive Bidding

Notice is hereby given that Central Power and Light Company, ("CP&L") 120 North Chaparral Street, Corpus Christi, Texas 78403, an electric utility subsidiary company of Central and South West Corporation, a registered holding company, has filed an application-declaration with this Commission pursuant to the Public Utility Holding Company Act 1935 ("Act") designating sections 6(a), 7, 9(a)(1), 10, 12(d) and rules 44(b)(3) and 50 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the application-declaration, which is summarized below, for a complete statement of the proposed transactions.

CP&L states that in order to comply with applicable federal and state control standards with respect to its Barney M. Davis Power Station presently under construction in Nueces County, Texas, it is necessary to construct certain air and water pollution control facilities ("facilities"). To finance construction of the facilities, CP&L proposes to enter into an Installment Sale Agreement ("agreement") with the Nueces County Navigation District No. 1 ("District"), an instrumentality of the State of Texas.

The agreement provides that CP&L will transfer to the District CP&L's interest in the facilities as they presently exist and that the District will reimburse CP&L for the cost of construction of the presently completed facilities. CP&L will then cause the construction of the facilities to be completed for the District, the District reimbursing CP&L for the costs of construction to the extent funds are available in the construction fund created under an Indenture of Trust ("indenture"), as further described below. Upon completion of the construction of the facilities, title to the facilities will automatically vest in CP&L, and CP&L will pay for the facilities through installments, as further described below.

The District will finance the acquisition and construction of the facilities through the issue and sale of the District's Environmental Improvement Revenue Bonds, to be issued initially in two series, denominated "Series 1974, Issue A Bonds" and "Series 1974, Issue B Bonds" (collectively, the "bonds"). The Issue A Bonds will be in a total principal amount of \$8,000,000, the bond sale proceeds to be used to finance the cost of the water pollution control facilities. The Issue B Bonds will be in a total principal amount of \$1,000,000, the bond sale proceeds to be used to finance the cost of the air pollution control facilities. The

bonds will be issued under the indenture between the District and a corporate trustee approved by CP&L; the bonds will be dated June 1, 1974, will bear interest semi-annually and will mature June 1, 2004. The bonds are not redeemable prior to 1984 except under certain circumstances. The bonds are subject to mandatory redemption beginning in 1990 in satisfaction of sinking fund provisions which will cause at least 25 percent in principal amount of the bonds to be retired prior to maturity.

The proceeds from the sale of the bonds (except as otherwise required by the indenture) will be deposited in a construction fund created under the indenture, and costs of acquisition and construction of the facilities will be reimbursed to CP&L out of funds in the construction fund. In the event amounts in the construction fund are insufficient to pay all costs of the facilities, the agreement obligates CP&L to pay all additional amounts.

The agreement contains an unsecured commitment by CP&L to pay the District the purchase price for the facilities in installments. The installments will be sufficient to enable the District to pay principal, interest, sinking fund and redemption premium requirements with respect to the bonds.

CP&L states that it is contemplated that the bonds will be sold by the District pursuant to arrangements between the District and Blyth Eastman Dillon & Co., Inc., as underwriter. It is expected that the terms of the bonds, including sale price and interest rate, will be agreed upon on or about June 11, 1974, that a public offering of the bonds will be made by the underwriter, and that delivery and payment for the bonds will be made on July 10, 1974. CP&L will not be a party to the Bond Purchase Agreement, pursuant to which the underwriter will purchase the bonds from the District, but the Bond Purchase Agreement provides that the terms of the bonds and of the indenture will be satisfactory to CP&L.

CP&L states that counsel states they are prepared to give a legal opinion that interest on the bonds will be exempt from federal income taxation. CP&L states that it has been advised that similar tax-exempt bonds have historically carried an annual interest rate approximately 1½ percent to 2½ percent lower than comparable taxable long-term bonds.

CP&L requests exception from the competitive bidding requirements of rule 50 pursuant to clause (a) (5) thereof.

Fees and expenses to be incurred in connection with the proposed transactions are estimated at \$100,000, including legal fees of \$58,750. It is stated that no state commission and no federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given, that any interested person may, not later than June 3, 1974, request in writing that a hearing

be held with respect to the proposed transactions, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicant-declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as filed or as it may be amended, may be granted and permitted to become effective as provided in rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.
[FR Doc.74-11504 Filed 5-17-74; 8:45 am]

[File No. 500-1]

COOK INDUSTRIES, INC.

Notice of Suspension of Trading

MAY 8, 1974.

The common stock of Cook Industries, Inc. being traded on the American Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Cook Industries, Inc. being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to sections 19(a) (4) and 15(c) (5) of the Securities Exchange Act of 1934, trading in such securities on the above mentioned exchange and otherwise than on a national securities exchange is suspended, for the period from 12:00 noon (EDT) on May 8, 1974 through May 9, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.
[FR Doc.74-11516 Filed 5-17-74; 8:45 am]

[File No. 500-1]

EQUITY FUNDING CORPORATION OF AMERICA

Notice of Suspension of Trading

MAY 10, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, warrants to purchase the stock, 9½ percent debentures due 1990, 5½ percent convertible subordinated debentures due 1991, and all other securities of Equity Funding Corporation of America being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from May 12, 1974 through May 21, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.
[FR Doc.74-11512 Filed 5-17-74; 8:45 am]

[812-3568]

GENERAL ELECTRIC OVERSEAS CAPITAL CORP.

Notice of Application Pursuant To Section 6(c) of the Act for An Exemption From Certain Provisions of Rule 6c-1 Thereunder

Notice is hereby given that General Electric Overseas Capital Corporation ("Applicant"), 570 Lexington Avenue, New York, New York 10022, a wholly owned finance subsidiary of General Electric Company ("GE"), has filed an application pursuant to Section 6(c) of the Investment Company Act of 1940 ("Act") for an order exempting it from the provision of subparagraph (b) (7) of rule 6c-1 ("Rule") under the Act which requires that 90 percent of Applicant's assets must be invested in or loaned to companies at least 10 percent of the equity securities of which are, or at the completion of the investment will be, owned directly or indirectly by GE. Applicant is seeking a reduction of that requirement from 90 percent to 60 percent. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

Rule 6c-1 states certain requirements which Applicant must meet in order to be exempt from all provisions of the Act. Subparagraph (b) (7) thereof requires that at least 90 percent of the assets of the finance subsidiary, exclusive of United States Government securities and cash items and short-term investments in foreign government and commercial paper, will be invested in or loaned to companies at least 10 percent of the equity securities of which are, or at the completion of the investment will be,

owned, directly or indirectly, by the parent company, and any assets of the finance subsidiary not invested in such companies will only be invested in or loaned to companies which are customers or suppliers of the parent company or a subsidiary of the parent company; and any of the assets invested in or loaned to investment companies will only be invested in or loaned to investment companies which are wholly-owned subsidiaries of the parent company.

Applicant was incorporated in 1965, in part to support export sales to GE's foreign customers. On December 7, 1965, the Commission granted Applicant an exemption from all provisions of the Act (Act Release No. 4433). Applicant indicated in its application for such order that it then contemplated that at least 90% of its assets would be invested in or loaned to foreign companies which were affiliates of GE within the meaning of the Act. Following the Commission's adoption of Rule 6c-1 in 1968, Applicant was requested by the Commission to relinquish its exemptive order and to operate under the Rule and agreed to do so. Applicant's earlier exemptive order was, accordingly, rescinded.

Subsequently GE began using Applicant to make loans to foreign airlines to assist them in purchasing McDonnell Douglas DC-10 aircraft using GE engines. Because of the magnitude of the loan program, Applicant reached the maximum permitted limits under the Rule in July, 1973. Although Applicant is presently complying with the Rule, it has been necessary for it to transfer some of its loans to GE in order to do so. Because Applicant is already committed to lend substantial additional amounts under existing loan agreements, Applicant states that further transfers will be required in the near future unless the order sought is granted. For the following reasons Applicant believes that such transfers are undesirable and that it should be permitted to allocate up to 40% of its assets for investment in and loans to companies which are unaffiliated customers or suppliers of GE or a subsidiary of GE:

1. Based on past experience and present conditions, Applicant states that continued sales of DC-10 aircraft and their associated engines can be made only to foreign customers to whom credit is advanced. In the earlier phase of the DC-10 program, this required GE (through Applicant) to assume a very substantial portion of the financing burden for the sales of the jet engines. Although the need for financing from the manufacturers has diminished, Applicant states that it is still required on occasion to make new loans to procure sales. Applicant asserts that obtaining foreign sales has been and continues to be of great importance to the success of the DC-10 program. From the standpoint of the United States balance of payments, Applicant states that the aggregate value of export sales of the aircraft (including engines) placed under firm orders or under options to date is in excess of \$2

billion and that accordingly the program has real significance to this country's continued economic health.

2. Applicant states that since GE itself could make almost all the loans GE should not be prevented from realizing the advantages which accrue when Applicant makes them. First, by using Applicant, GE minimizes to some extent the risk in making the loans which might result if the lender were also the manufacturer, should a dispute arise out of a claim by the purchaser of inadequate engine performance. Second, use of Applicant assures greater potential flexibility in tapping sources of funds for these loans since Applicant can avail itself, when financial conditions are favorable, of the Eurodollar pool as a source for funds to support airline financing loans, a source which would be partly foreclosed to GE because of certain provisions of the Internal Revenue Code. Third, Applicant has been able to make loans to support the DC-10 program in circumstances in which GE could not do so without incurring substantial tax burdens under foreign tax laws.

3. Applicant submits that an examination of the purposes and policies of the Act, as reflected in section 1(b) thereof, indicates that granting the relief sought in the application would not in any way involve or give rise to any of the dangers or abuses which the Act was designed to eliminate or remedy. Applicant is not a conventional investment company which owns, holds or trades securities and is owned directly by the public. Rather, it is an entity whose sole purpose is to provide a method of financing for the foreign business activities of GE in such a way as to promote a favorable United States balance of payments. Applicant further submits that, to the extent that subparagraph (b) (7) of Rule 6c-1 is sought to be modified, it is believed that Applicant's agreement that the assets not invested in affiliates of GE or its subsidiaries will be loaned only to customers or suppliers of GE or its subsidiaries will be adequate to preclude the possibility that Applicant might become, in effect, an investment company investing in securities solely in anticipation of the return to be derived therefrom or the profits to be made upon trading therein. Finally, Applicant argues that since all of the outstanding securities of Applicant not held by its parent are debt securities, guaranteed by GE, public security holders of Applicant rely on the credit of GE rather than on the loan portfolio of Applicant. Applicant therefore submits that there would not appear to be a compelling need for the holders of its securities to be protected by the more stringent provisions of the Rule.

4. Applicant indicates that it has been forced to transfer some \$11.5 million of foreign airline financing loans to GE in order to maintain compliance with the existing 10 percent limitation in the Rule.

Applicant submits that the administrative burdens involved in transferring

such loans are extensive and achieve no additional protection to the investors either in securities of Applicant or GE.

Applicant states that it is seeking this exemption in order to increase the flexibility necessary to promote export sales to foreigners, thereby benefiting the United States balance of payments; and Applicant also states that the exemption requested is appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Section 6(c) authorizes the Commission to exempt any person, security, or transaction, or any class or classes of persons, securities, or transactions from the provisions of the Act and Rules promulgated thereunder if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than June 3, 1974 at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the Applicant at the address stated above. Proof of such service (by affidavit or, in case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc. 74-11508 Filed 5-17-74; 8:45 am]

[70-5496]

GENERAL PUBLIC UTILITIES CORP.

Notice of Proposed Issue and Sale of Common Stock by Holding Company Pursuant to A Rights Offering; Request for Exemption from Competitive Bidding

Notice is hereby given that General Public Utilities Corporation ("GPU"), 80 Pine Street, New York, New York 10005,

a registered holding company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a), 7 and 12(e) of the Act and rules 42 and 50 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transactions.

GPU proposes to offer up 4,340,000 authorized but unissued shares of its common stock ("additional common stock") for subscription by the holders of its outstanding shares of common stock on the basis of 1 share for each 10 shares of common stock held on the record date. The record date will be June 6, 1974, or such later date as GPU's registration statement under the Securities Act of 1933 may become effective. The subscription price, to be determined by GPU's Board of Directors at about 9:00 a.m. on the anticipated record date, will not be more than 100 percent and not less than 85 percent of the closing price of GPU common stock on the New York Stock Exchange on the day prior to the record date. The subscription offer will expire June 28, 1974, unless the record date should be later than June 6, 1974, in which event the expiration date will be specified by amendment.

Rights to subscribe to the additional common stock will be evidenced by transferable subscription warrants which will be issued to all record holders of GPU common stock as promptly as practicable after the record date. No fractional shares will be issued; however, any holder with more than 10 shares, but not in exact multiples thereof, may purchase, at the subscription price, one extra share of additional common stock. A stockholder with less than 10 shares of common stock will be entitled to purchase, at the subscription price, one full share of additional common stock. In addition, each holder of a warrant or warrants who exercises such warrant or warrants in full will be given the privilege of subscribing, subject to allotment, at the same subscription price, for shares of additional unsubscribed common stock.

The offering of the additional common stock will not be underwritten. GPU proposes to utilize the services of securities dealers ("participating dealers") in soliciting the exercise by the initial record holders of original issue warrants of the subscription privileges and in disposing of the shares of additional common stock available to GPU for such disposition. The purchase price to be paid to GPU by participating dealers (during the 45 business days following the warrant expiration date when the released shares are made available by GPU to the participating dealers for purchase) for such released shares will be the price per share then applicable to sales of GPU common stock by participating dealers as determined and announced by GPU, less the participating dealer purchase fee.

GPU does not propose to mail warrants to stockholders whose registered addresses are outside the United States, Bermuda, Canada and Mexico. To the

extent that GPU does not receive instructions from such stockholders to exercise their warrants, the rights evidenced by such warrants may be sold by Hartford National Bank and Trust Company, the subscription agent. The net proceeds of such sale will be held by Hartford National Bank and Trust Company for the account of such stockholders.

It is stated that the net proceeds of the sale of the additional common stock will be used by GPU for additional investment in its subsidiaries and to repay all or a portion of GPU's short-term indebtedness expected to be outstanding at the time of sale of the additional common stock.

The estimated fees and expenses to be incurred in connection with the proposed transactions are \$831,000, including legal fees of \$44,000. It is stated that no state commission and no federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than May 31, 1974, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in rules 20 (a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.74-11506 Filed 5-17-74;8:45 am]

[File No. 500-1]

INDUSTRIES INTERNATIONAL, INC.

Notice of Suspension of Trading

MAY 10, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Industries International, Inc. being traded otherwise than on a na-

tional 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 May 12, 1974 through May 21, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.74-11513 Filed 5-17-74;8:45 am]

SOVEREIGN INDUSTRIES, INC.

[File No. 500-1]

Notice of Suspension of Trading

MAY 7, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Sovereign 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 exchange is suspended, for the period from 2:00 p.m. (EDT) May 7, 1974 through midnight on May 16, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.74-11510 Filed 5-17-74;8:45 am]

[File No. 500-1]

WESTGATE CALIFORNIA CORP.

Notice of Suspension of Trading

MAY 9, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock (class A and B), the cumulative preferred stock (5 percent and 6 percent subordinated debentures due 1979 and the 6½ percent convertible subordinated debentures due 1987 being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from May 10, 1974 through May 19, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.74-11515 Filed 5-17-74;8:45 am]

[File No. 500-1]

ZENITH DEVELOPMENT CORP.

Notice of Suspension of Trading

MAY 10, 1974.

It appearing to the Securities and Exchange Commission that the summary

suspension of trading in the common stock of Zenith Development Corporation being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from May 12, 1974 through May 21, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.74-11511 Filed 5-17-74;8:45 am]

SEC REPORT COORDINATING GROUP (ADVISORY)

Public Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act, Public Law 92-463, 86 Stat. 770, the Securities and Exchange Commission announces the following public advisory committee meeting.

The Commission's Report Coordinating Group (Advisory), first announced on January 24, 1974 (Securities Exchange Act Release No. 10612), will hold its first meeting on June 3, 1974 at the Securities and Exchange Commission, 500 North Capitol Street, NW., Washington, D.C. The meeting will commence at 10:30 a.m. local time.

The Report Coordinating Group was formed to assist the Commission in developing a coherent, industry-wide, coordinated reporting system. In carrying out this objective, the Report Coordinating Group is to review all reports, forms, and similar materials required of broker-dealers by the Commission, the self-regulatory community and others. The Group is expected to advise the Commission on such matters as eliminating unnecessary duplication in reporting, reducing reporting requirements where feasible, and developing a uniform key regulatory report.

The Group's scheduled meeting will be for the purpose of formulating the initial steps to be taken in pursuing the committee's goals.

The Group's meetings are open to the public. Any interested person may attend and appear before or file statements with the advisory committee. Said statements, if in written form, may be filed before or after the meeting. Oral statements shall be made at the time and in the manner permitted by the Report Coordinating Group.

GEORGE A. FITZSIMMONS,
Secretary.

MAY 15, 1974.

[FR Doc.74-11614 Filed 5-17-74;8:45 am]

SMALL BUSINESS ADMINISTRATION

[License No. 02/02-5277]

PRUDENTIAL MINORITY ENTERPRISES, INC.

Notice of Filing of Application for Transfer of Control

Notice is hereby given that an application has been filed with the Small Business Administration pursuant to 13 CFR 107.701 (1974) for the transfer of control of Prudential Minority Enterprises, Inc. (licensee), a small business investment company licensed by the Small Business Administration on March 10, 1970, and operating under the provisions of section 301(d) of the Small Business Investment Act of 1958, as amended (the Act).

Licensee, a New Jersey corporation with its principal place of business located at 213 Washington Street, Newark, New Jersey 07101, is presently owned by PRUCO, Inc. (a wholly owned subsidiary of The Prudential Insurance Company of America).

Under a Stock Purchase Agreement between PRUCO, Inc., and Rutgers Minority Investment Company (License No. 02/02-5283) (Rutgers), a small business investment company operating under the provisions of section 301(d) of the Act, Rutgers will acquire all of the licensee's capital stock in exchange for shares of the non-voting Common Stock, Series A, of Rutgers plus a limited amount of cash.

The basis for the exchange will be (a) the net worth of the licensee at March 31, 1974, plus (b) the amount of an investment made by the licensee since March 31, 1974, in a certain small business concern, less a 15 percent reserve against such investment for losses; (c) subtract from the sum of (a) and (b) the Final Cash Balance of the licensee, as defined in the Stock Purchase Agreement; and (d) divide the result of (c) by 1,000. Rutgers will pay PRUCO, Inc., cash in lieu of delivering a fractional share.

Notice is further given that any person may submit comments on the proposed transfer of control to the Associate Administrator for Finance and Investment, Small Business Administration, 1441 L Street, NW., Washington, D.C. 20416 on or before June 4, 1974.

A similar notice shall be published by the licensee in a newspaper of general circulation in Newark, New Jersey.

Dated: May 16, 1974.

JAMES THOMAS PHELAN,
Deputy Associate Administrator
for Investment.

[FR Doc.74-11648 Filed 5-17-74;8:45 am]

VETERANS ADMINISTRATION

ADVISORY COMMITTEE ON STRUCTURAL SAFETY OF VETERANS ADMINISTRATION FACILITIES

Notice of Meeting

The Veterans Administration gives notice pursuant to Public Law 92-463 that a meeting of the Advisory Committee on Structural Safety of Veterans Administration Facilities will be held in Room 442 at the Veterans Administration Central Office, 811 Vermont Avenue NW., Washington, D.C. on June 21, 1974 at 10 a.m. The committee members will review Veterans Administration construction standards and criteria relating to fire, earthquake, and other disaster resistant construction.

The meeting will be open to the public up to the seating capacity of the room. Because of the limited seating capacity it will be necessary for those wishing to attend to contact Mr. James Lefter, Director, Civil Engineering Service, Office of Construction, Veterans Administration Central Office (phone 202-389-2868), prior to June 19, 1974.

Dated: May 14, 1974.

By direction of the Administrator.

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

[FR Doc.74-11473 Filed 5-17-74;8:45 am]

DEPARTMENT OF LABOR

Office of the Secretary

[V-74-26]

ALUMINUM COMPANY OF AMERICA

Notice of Application for Variance and Interim Order; Grant of Interim Order

I. *Notice of application.* Notice is hereby given that Aluminum Company of America, 1501 Alcoa Building, Pittsburgh, Pennsylvania 15219 has made application pursuant to section 6(b) (6) (A) of the Williams-Steiger Occupational Safety and Health Act of 1970 (84 Stat. 1594; 29 U.S.C. 655), and 29 CFR 1905.10 for a variance, and interim order pending a decision on the application for a variance, from the standards prescribed in 29 CFR 1910.212(a) (3) (ii) Point of operation guarding.

The address of the place of employment that will be affected by the application is as follows:

Aluminum Company of America
Warrick Operations
Highway 66
Newburgh, Indiana 47630

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 are nor-

mally 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 states that it uses press brakes for construction and maintenance purposes. The applicant contends that it is not able to comply with the requirements of 29 CFR 1910.212(a)(3)(ii) because no existing point of operation guarding device can be utilized in its operation.

The applicant states that it has purchased and tested two devices normally employed on production-type machines. Both the photoelectric system and the altering capacitance device have proven inadequate. With either system, the variations in the size or shape of the work piece precludes the use of the guard or requires its constant readjustment thereby placing its control in the hands of the operator. The applicant believes this situation greatly enhances the probability that the guard might be improperly set or bypassed altogether, thus, enhancing the danger by instilling the operator with a false sense of security.

The applicant states that it has screened other available guarding devices and queried numerous manufacturers concerning its problem, but to no avail.

The applicant contends that it is insuring the safety of its employees by: (1) Adhering to ANSI Standard B11.3-1973 which recognizes the difficulty in guarding press brakes and allows location guarding; (2) placing safety color coding on its press brakes; (3) placing warning signs and operating instructions on or near the press brakes; (4) discussing the situation during its monthly safety committee meetings; and (5) continuing its search for an effective guard.

The applicant contends that its continuing attempts at providing a guard should bring compliance with 29 CFR 1910.212(a)(3)(ii) by March 14, 1975.

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
300 South Wacker Drive
Room 1201
Chicago, Illinois 60606
U.S. Department of Labor
Occupational Safety and Health Administration
U.S. Post Office and Courthouse
Room 423
46 East Ohio Street
Indianapolis, Indiana 46204

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 June 19, 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 June 19, 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 applicant and its employees pending a decision on the application for variance. Therefore, it is ordered, pursuant to authority in section 6(b)(6)(A) of the Williams-Steiger Occupational Safety and Health Act of 1970, and 29 CFR 1905.10(c) that Aluminum Company of America be, and it is hereby, authorized to follow ANSI Standard B11.3-1973 and to maintain those continuous research, safety, and informational programs stipulated in its application for variance in lieu of the requirements of § 1910.212(a)(3)(ii).

Aluminum Company of America 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 May 20, 1974, and shall remain in effect until a decision is rendered on the application for variance.

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

JOHN STENDER,
Assistant Secretary of Labor.

[FR Doc. 74-11438 Filed 5-17-74; 8:45 am]

[V-74-27]

BRUNSWICK STAMPING, INC.

Notice of Application for Variance and Interim Order; Grant of Interim Order

I. Notice of application. Notice is hereby given that Brunswick Stamping, Inc., Green Swamp Road, Brunswick, Georgia 31520 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 for an interim order pending a decision on the application for a variance from the standards prescribed in 29 CFR 1910.217(c)(3)(i)(c); (c)(3)(iv); (c)(3)(vi) and in 29 CFR 1910.217(d) concerning mechanical power presses.

The address of the place of employment that will be affected by the application is as follows:

Brunswick Stamping, Inc.
Green Swamp Road
Brunswick, Georgia 31520

The applicant certifies that employees who would be affected by the variance have been notified of the application by posting a copy on the bulletin board at the corporation's manufacturing facility. Employees have been informed of their right to petition the Assistant Secretary for a hearing.

Regarding the merits of the application, the applicant contends that it is providing a place of employment as safe as that required by 29 CFR 1910.217(c)(3)(i)(c); (c)(3)(iv); (c)(3)(vi) and (d). 29 CFR 1910.217(c)(3)(i)(c) requires a restraint device to prevent the operator from reaching into the point of operation at all times; § 1910.217(c)(3)(iv) provides that pull-outs shall be operated only by the press slide or upper die; § 1910.217(c)(3)(vi) requires that the operator be restrained from reaching into the point of operation; and § 1910.217(d) prohibits the hand feeding of materials within the point of operation of dies in mechanical power presses, effective August 31, 1974. The applicant states that he has designed, built, and tested new safety devices which effectively prevent a press from stroking or the slide falling while an operator's hands or fingers are in the point of operation. It contends that new means of safeguarding will permit manual feeding within the point of operation of dies, and that compliance with 29 CFR 1910.217(d) is not required. The new safeguard consists of a slide stop which is automatically interposed between the upper and lower dies when the slide is at top stop position for manual feeding. An interlocked barrier device or a pull-out/restraint device is used in series with the slide stop. The operating system utilizes two-part position sensing pneumatic controls which relay operating signals only when contact is made by a mechanical moving part as it reaches a predetermined position. A pressure sensing sequence lock will render the system inoperative in the event of inadequate pilot air pressure and device will fail safe. The operator must be in full restraint position before press is capable of intentional or unintentional stroking. The slide cannot fall when the operator is in any released position. The press is incapable of starting an intentional stroke unless the slide stop with trip control is in the fully retracted position. The operator restraint and press are nonrepeat and restraint is fail safe.

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, Room 210, 1726 M Street, NW., 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, NE.
Suite 587
Atlanta, Georgia 30309
U.S. Department of Labor
Occupational Safety and Health Administration
Enterprise Building, Suite 201
6605 Abercorn Street
Savannah, Georgia 31405

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 June 19, 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 June 19, 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 pending a decision the variance application. 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 Brunswick Stamping, Inc. be, and it is hereby, authorized to fully utilize and demonstrate the effectiveness of the new safety devices.

Brunswick Stamping, Inc. 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 May 20, 1974, and shall remain in effect until a decision is rendered on the application for variance.

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

JOHN STENDER,
Assistant Secretary of Labor.

[FR Doc.74-11439 Filed 5-17-74; 8:45 am]

[V-74-28]

INTERLAKE STAMPING CORP. Notice of Application for Variance

Notice of application. Notice is hereby given that Interlake Stamping Corp., 4732 East 355th Street, Willoughby, Ohio 44094, 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 from the standards prescribed in 29 CFR 1910.217(c) (3) (iii) (c) concerning presence sensing devices and 29 CFR 1910.217(d) (1) concerning conduct of mechanical power press operations.

The address of the place of employment that will be affected by the application is as follows:

Interlake Stamping Corp.
4732 East 355th Street
Willoughby, Ohio 44094

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 is providing a place of employment as safe as that required by 29 CFR 1910.217(c) (3) (iii) (c) which requires that a presence sensing device not be used as a tripping mechanism and by 29 CFR 1910.217(d) (1) which prohibits the manual feeding within the point of operation of dies (effective August 31, 1974). The applicant states that he has purchased a 22-ton Bliss OBI mechanical power press equipped with an air friction clutch and an Erwin Sick electronic light curtain. The press is equipped with special controls and a highly reliable brake monitoring system. The applicant further proposes to use the electronic light curtain as both a protective device and as a means of cycling the press. The applicant states that electronic light curtain devices are used as a tripping means in Europe and a large body of standards governing their design and use in this manner has been accumulated.

The applicant claims that records in European countries which widely employ presence sensing devices as a means of actuating the press, indicate that they are fully as safe as any of the alternative methods currently accepted by OSHA. As presently installed in the applicant's plant, they are designed for completely fail-safe operation and do not rely upon the perfect functioning of any one relay or other component. When used as a tripping mechanism as well as a point of operation device, electronic light curtains require minimal operator effort and are less fatiguing than other actuating means such as two-hand trips or foot pedals. Use of electronic light curtains as described results in increased productivity. The applicant has visited Europe several times for the purpose of studying the method he proposed to use.

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
300 South Wacker Drive, Room 1201
Chicago, Illinois 60606

U.S. Department of Labor
Occupational Safety and Health Administration
847 Federal Office Building
1240 East Ninth Street
Cleveland, Ohio 44199

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 June 19, 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 June 19, 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.

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

JOHN STENDER,
Assistant Secretary of Labor.

[FR Doc.74-11440 Filed 5-17-74; 8:45 am]

ADVISORY COMMITTEE ON CONSTRUCTION SAFETY AND HEALTH Subcommittee Meeting

Notice is hereby given that the Project 1926/1910 Subcommittee of the Advisory Committee on Construction Safety and Health, established under section 107(e) (1) of the Contract Work Hours and Safety Standards Act (40 U.S.C. 333) and section 7(b) of the Williams-Steiger Occupational Safety and Health Act of 1970 (20 U.S.C. 656) will meet on Wednesday, June 5, and Thursday, June 6, 1974, starting at 9:00 a.m. in Room 107 B & C, Main Labor Building, 14th Street and Constitution Avenue NW., Washington, D.C. The meeting shall be open to the public.

The Subcommittee will continue review of the General Industry Standards, Part 1910, to determine which individual items may be applicable to construction operations.

Written data, views, or arguments concerning the subject to be considered may be filed, together with 20 copies thereof, with the Committee Management Officer by May 31, 1974. Such submissions may also be filed with the Committee Management Officer at the meeting. Any such submissions will be provided to the members of the 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, together with 20 copies thereof, to the Committee Management Officer no later than May 31, 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:

N. Schnaubelt
Committee Management Office
Department of Labor
Occupational Safety and Health Administration
1726 M Street, N.W. Room 200
Washington, D.C. 20210

Signed at Washington, D.C., this 16th day of May, 1974.

JOHN STENDER,
Assistant Secretary of Labor.

[FR Doc.74-11629 Filed 5-17-74; 8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice No. 511]

ASSIGNMENT OF HEARINGS

MAY 15, 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 May 20, 1974.

MC 112822 Sub-312, Bray Lines Incorporated, now being assigned July 8, 1974 (2 days), in Room 13025, 450 Golden Gate Ave., San Francisco, California.

MC 119234 Sub-3, Mercer Marine Transit Corp., Extension Boats, now being assigned July 10, 1974 (3 days), in Room 13025, 450 Golden Gate Ave., San Francisco, Calif.

MC-136384 Sub-7, Palmer Motor Express, Inc., now being assigned hearing July 8, 1974 (2 weeks), at Atlanta, Ga., in a hearing room to be later designated.

MC-133316 Sub-7, Frank R. Givigliano, DBA Givigliano Transport, now assigned May 20, 1974, at Denver, Colo., is postponed indefinitely.

MC-C-8282, Foothills Trucking Company, Inc. and Guignard Freight Lines, Inc.—Investigation of Operations and Practices, now being assigned hearing July 22, 1974 (1 day), at Atlanta, Ga., in a hearing room to be later designated.

MC-136155 Sub-3, Gay Trucking Company, now being assigned hearing July 23, 1974 (2 days), at Atlanta, Ga., in a hearing room to be later designated.

MC-106644 Sub-168, Superior Trucking Company, Inc., MC-108341 Sub-34, Moss Trucking Company, Inc., MC-108676 Sub-56, A. J. Metter Hauling & Rigging, Inc., and MC-127834 Sub-96, Cherokee Hauling & Rigging, Inc., now being assigned hearing July 25, 1974 (2 days), at Atlanta, Ga., in a hearing room to be later designated.

MC-107515 Sub-886, Refrigerated Transport Co., Inc., now being assigned hearing July 29, 1974 (1 week), at Atlanta, Ga., in a hearing room to be later designated.

MC-134958 Sub-6, Hams Express, Inc., now being assigned July 8, 1974 (2 days), at Chicago, Ill., in a hearing room to be later designated.

MC-111662 Sub-1, Space World U.S.A. Tours, Inc., now being assigned July 10, 1974 (3 days), at Chicago, Ill., in a hearing room to be later designated.

MC 134612 Sub-1, Fast Motor Service, Inc., now being assigned July 15, 1974 (1 week), at Chicago, Ill., in a hearing room to be later designated.

MC 114734 Sub 25, D and J Transfer Co., Extension—Iowa Beef, now being assigned hearing July 8, 1974 (2 days), at Omaha, Nebr., in a hearing room to be later designated.

MC 124211 Sub 121, Hilt Truck Line, Inc., now being assigned hearing July 10, 1974 (3 days), at Omaha, Nebr., in a hearing room to be later designated.

MC 124211 Sub 243, Hilt Truck Line, Inc., now being assigned hearing July 15, 1974 (1 week), at Omaha, Nebr., in a hearing room to be later designated.

MC 27356 Sub 6, M-F Express, Inc., now assigned June 17, 1974, at Greenville, Miss., will be held in Hearing Room 3rd Floor, U.S. Post Office & Federal Bldg., Main Street.

[SEAL]

ROBERT L. OSWALD,
Secretary.

[FR Doc.74-11501 Filed 5-17-74;8:45 am]

IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY—ELIMINATION OF GATEWAY LETTER NOTICES

MAY 15, 1974.

The following letter-notices of proposals to eliminate gateways for the purpose of reducing highway congestion, alleviating air and noise pollution, minimizing safety hazards, and conserving fuel have been filed with the Interstate Commerce Commission under the Commission's Gateway Elimination Rules (49 CFR 1065(a)), and notice thereof to all interested persons is hereby given as provided in such rules.

An original and two copies of protests against the proposed elimination of any gateway herein described may be filed with the Interstate Commerce Commission on or before May 30, 1974. A copy must also be served upon applicant or its representative. Protests against the elimination of a gateway will not operate to stay commencement of the proposed operation.

Successively filed letter-notices of the same carrier under these rules will be numbered consecutively for convenience in identification. Protests, if any, must refer to such letter-notices by number.

No. MC-730 (Sub-No. 32), filed May 2, 1974. Applicant: PACIFIC INTERMOUNTAIN EXPRESS CO., 1417 Clay Street, Oakland, Calif. 94612. Applicant's representative: R. N. Cooledge (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products* as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles, from Sacramento, Stockton, and Coalinga, Calif., points within 30 miles of Coalinga, Calif., and those points in that part of Alameda, Contra Costa, and Solano Counties, Calif., on and south of California Highway 12, to points in Colorado. The purpose of this filing is to eliminate the gateways of Sparks, Nev., and points in Utah.

No. MC-730 (Sub-No. E33), filed May 15, 1974. Applicant: PACIFIC INTERMOUNTAIN EXPRESS CO., P.O. Box 638, Oakland, Calif. 94612. Applicant's representative: R. N. Cooledge (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *petroleum and petroleum products* as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles, from Sacramento, Stockton, and Coalinga, Calif., points within 30 miles of Coalinga, Calif., and those points in that part of Alameda, Contra Costa, and Solano Counties, Calif., on or south of California Highway 12, to points in that part of Idaho south of Idaho County. The purpose of this filing is to eliminate the gateway of Sparks, Nev.

No. MC-730 (Sub-No. E34), filed May 2, 1974. Applicant: PACIFIC INTERMOUNTAIN EXPRESS CO., 1417 Clay Street, Oakland, Calif. 94612. Ap-

plicant's representative: R. N. Cooledge (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Petroleum products* as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles, from Sacramento, Stockton, and Coalinga, Calif., points within 30 miles of Coalinga, Calif., and those points in that part of Alameda, Contra Costa, and Solano Counties, Calif., on and south of California Highway 12, to those points in that part of Montana in and west of Carbon, Yellowstone, Golden Valley, Fergus, Chouteau, and Hill Counties, Mont. The purpose of this filing is to eliminate the gateways of Sparks, Nev., and Pocatello, Idaho.

No. MC-730 (Sub-No. E35), filed May 2, 1974. Applicant: PACIFIC INTERMOUNTAIN EXPRESS CO., 1417 Clay Street, Oakland, Calif. 94612. Applicant's representative: R. N. Cooledge (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products* as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles, from Sacramento, Stockton, and Coalinga, Calif., points within 30 miles of Coalinga, Calif., and those points in that part of Alameda, Contra Costa, and Solano Counties, Calif., on and south of California Highway 12, to points in Wyoming. The purpose of this filing is to eliminate the gateways of Sparks, Nev., and points in Utah.

No. MC-730 (Sub-No. E36), filed May 2, 1974. Applicant: PACIFIC INTERMOUNTAIN EXPRESS CO., 1417 Clay Street, Oakland, Calif. 94612. Applicant's representative: R. N. Cooledge (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products* as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 (except petroleum products which require special equipment for the application of heat or to facilitate unloading), in bulk, in tank vehicles, from points in Los Angeles, Orange, and Ventura Counties, Calif., to points in that part of Idaho south of Idaho County. The purpose of this filing is to eliminate the gateway of Sparks, Nev.

No. MC-730 (Sub-No. E37), filed May 2, 1974. Applicant: PACIFIC INTERMOUNTAIN EXPRESS CO., P.O. Box 638, Oakland, Calif. 94612. Applicant's representative: R. N. Cooledge (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Petroleum products* as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 (except petroleum products requiring special equipment for the application of heat or to facilitate unloading), in bulk, in tank vehicles, from points in Los An-

geles, Orange, and Ventura Counties, Calif., to those points in that part of Montana in and west of Carbon, Yellowstone, Golden Valley, Fergus, Chouteau, and Hill Counties, Mont. The purpose of this filing is to eliminate the gateways of Sparks, Nev., and Pocatello, Idaho.

No. MC-730 (Sub-No. E38), filed May 2, 1974. Applicant: PACIFIC INTERMOUNTAIN EXPRESS CO., 1417 Clay Street, Oakland, Calif. 94612. Applicant's representative: R. N. Cooledge (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Petroleum products* as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles, from Great Falls, Mont., to points in Oregon. The purpose of this filing is to eliminate the gateway of Asotin County, Wash.

No. MC-730 (Sub-No. E39), filed May 2, 1974. Applicant: PACIFIC INTERMOUNTAIN EXPRESS CO., 1417 Clay Street, Oakland, Calif. 94612. Applicant's representative: R. N. Cooledge (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from Kalispell and Missoula, Mont., and points within 7 miles of Kalispell, and Missoula, Mont., to points in Oregon. The purpose of this filing is to eliminate the gateway of Asotin County, Wash.

No. MC-730 (Sub-No. E40), filed May 2, 1974. Applicant: PACIFIC INTERMOUNTAIN EXPRESS CO., P.O. Box 638, Oakland, Calif. 94612. Applicant's representative: R. N. Cooledge (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from points in Arizona to points in Wyoming. The purpose of this filing is to eliminate the gateway of points in Utah.

No. MC-76177 (Sub-No. E2), filed April 24, 1974. Applicant: BAGGETT TRANSPORTATION COMPANY, 2 South 32nd Street, Birmingham, Ala. 35233. Applicant's representative: T. C. Sinclair (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Classes A & B explosives and blasting supplies*, between points in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont, on the one hand, and, on the other, points in Colorado, Montana, and Wyoming. The purpose of this filing is to eliminate the gateway of points within 15 miles of both Allentown and Reynolds, Pa., and Seneca, Ill.

No. MC-76177 (Sub-No. E3), filed April 24, 1974. Applicant: BAGGETT TRANSPORTATION COMPANY, 2 South 32nd Street, Birmingham, Ala. 35233. Applicant's representative: T. C. Sinclair (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes,

transporting: *Classes A & B explosives and blasting supplies*, between points in Delaware and New Jersey, on the one hand, and, on the other, points in Arizona and New Mexico. The purpose of this filing is to eliminate the gateways of points within 15 miles of both Reynolds and Allentown, Pa., and Wolf Lake, Ill.

No. MC-76177 (Sub-No. E4), filed April 24, 1974. Applicant: BAGGETT TRANSPORTATION COMPANY, 2 South 32nd Street, Birmingham, Ala. 35233. Applicant's representative: T. C. Sinclair (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Classes A and B explosives and blasting supplies*, between points in New York, on the one hand, and on the other, points in Alabama, Louisiana, and Mississippi. The purpose of this filing is to eliminate the gateway of McAdory, Ala.

No. MC-95540 (Sub-No. E146), filed April 22, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30302. Applicant's representative: Clyde W. Carver, Suite 212, 5299 Roswell Rd. NE., Atlanta, Ga. 30342. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products*, as described in Section A 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), from Dade City, Fla., to points in Alabama. The purpose of this filing is to eliminate the gateway of Tifton, Ga.

No. MC-95540 (Sub-No. E147), filed April 22, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, Suite 212, 5299 Roswell Rd. NE., Atlanta, Ga. 30342. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen meats and frozen meat products*, from Jacksonville, Fla., to points in Minnesota. The purpose of this filing is to eliminate the gateway of Tifton, Ga., and Florence, Ala.

No. MC-95540 (Sub-No. E149), filed April 22, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, Suite 212, 5299 Roswell Rd. NE., Atlanta, Ga. 30342. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *meats, meat products, and dairy products*, from Orangeburg, S.C., to points in Minnesota. The purpose of this filing is to eliminate the gateway of Doraville, Ga.

No. MC-95540 (Sub-No. E183), filed April 28, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, Suite 212, 5299 Roswell Rd. NE., Atlanta, Ga. 30342. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Canned goods*, from

points in New Jersey on and south of U.S. Highway 30, to points in Oklahoma on and south of a line beginning at the Texas-Oklahoma State line, and thence along U.S. Highway 66 to Bristow, thence along Oklahoma Highway 16 to Muskogee, thence along Oklahoma Highway 10 to the intersection with U.S. Highway 62, thence along U.S. Highway 62 to the Oklahoma-Arkansas State line. The purpose of this filing is to eliminate the gateway points in Pike or Spaulding Counties, Ga.

No. MC-95540 (Sub-No. E214), filed April 28, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, Suite 212, 5299 Roswell Rd. NE., Atlanta, Ga. 30342. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Bananas*, from Jacksonville and Tampa, Fla., to points in Idaho. The purpose of this filing is to eliminate the gateway of Gulfport, Miss.

No. MC-95540 (Sub-No. 215), filed April 28, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, Suite 212, 5299 Roswell Rd. NE., Atlanta, Ga., 30342. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Bananas* from Tampa and Jacksonville, Fla., to points in California. The purpose of this filing is to eliminate the gateway of Gulfport, Miss.

No. MC-110525 (Sub-No. E30), filed May 1, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from points in Connecticut to points in Arizona. The purpose of this filing is to eliminate the gateways of Newark, N.J., Allegheny County, Pa., and Addyston, Ohio.

No. MC-110525 (Sub-No. E33), filed May 1, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from points in Connecticut to points in Colorado. The purpose of this filing is to eliminate the gateways of Newark, N.J., and Addyston, Ohio.

No. MC-110525 (Sub-No. E38), filed May 1, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from points in Connecticut to

points in Idaho. The purpose of this filing is to eliminate the gateways of Newark, N.J., Pittsburgh, Pa., and Addyston, Ohio.

No. MC-110525 (Sub-No. E41), filed May 1, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* as defined in *The Maxwell Co., Extension—Addyston*, 63 M.C.C. 677 (except bituminous products and materials), in bulk, in tank vehicles, from points in Connecticut to points in Iowa. The purpose of this filing is to eliminate the gateways of Newark, N.J., and Morgantown and Natrium, W. Va.

No. MC-110525 (Sub-No. E42), filed May 1, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from points in Connecticut to points in Kansas. The purpose of this filing is to eliminate the gateways of Newark, N.J., Pittsburgh, Pa., and Addyston, Ohio.

No. MC-110525 (Sub-No. E46), filed May 1, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from points in Connecticut to points in Michigan. The purpose of this filing is to eliminate the gateways of Newark, N.J., Pittsburgh, Pa., and Painesville, Ohio.

No. MC-110525 (Sub-No. E47), filed May 1, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, as defined in *The Maxwell Co., Extension—Addyston*, 63 M.C.C. 677, in bulk, in tank vehicles, from points in Connecticut to points in Minnesota. The purpose of this filing is to eliminate the gateways of Newark, N.J., and Bridgeville, Pa.

No. MC-110525 (Sub-No. E48), filed May 1, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, as defined in *The Maxwell Co., Extension—Addyston*, 63 M.C.C. 677, in bulk, in tank vehicles, from points in Connecticut to points in Mississippi. The purpose of this filing is to eliminate the

gateways of Newark, N.J., and Institute, W. Va.

No. MC-110525 (Sub-No. E49), filed May 1, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from points in Connecticut to points in Missouri. The purpose of this filing is to eliminate the gateways of Newark, N.J., and S. Fayette Township, Allegheny County, Pa.

No. MC-110525 (Sub-No. E50), filed May 1, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from points in Connecticut to points in Montana. The purpose of this filing is to eliminate the gateways of Newark, N.J., Pittsburgh, Pa., and Addyston, Ohio.

No. MC-110525 (Sub-No. E51), filed May 1, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from points in Connecticut to points in Nebraska. The purpose of this filing is to eliminate the gateways of Newark, N.J., Pittsburgh, Pa., and Addyston, Ohio.

No. MC-110525 (Sub-No. E52), filed May 1, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from points in Connecticut to points in Nevada. The purpose of this filing is to eliminate the gateways of Newark, N.J., Pittsburgh, Pa., and Addyston, Ohio.

No. MC-110525 (Sub-No. E53), filed May 1, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from points in Connecticut to points in New Mexico. The purpose of this filing is to eliminate the gateways of Newark, N.J., Pittsburgh, Pa., and Addyston, Ohio.

No. MC-110525 (Sub-No. E54), filed May 1, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Authority sought to operate as a *common carrier*,

by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from points in Connecticut to points in North Carolina. The purpose of this filing is to eliminate the gateway of Carteret, N.J.

No. MC-110525 (Sub-No. E55), filed May 1, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from points in Connecticut to points in North Dakota. The purpose of this filing is to eliminate the gateways of Newark, N.J., Pittsburgh, Pa., and Addyston, Ohio.

No. MC-11055 (Sub-No. E56), filed May 1, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from points in Connecticut to points in Ohio. The purpose of this filing is to eliminate the gateways of Newark, N.J. and Pittsburgh, Pa.

No. MC-110525 (Sub-No. E57), filed May 1, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* as defined in *The Maxwell Co., Extension—Addyston*, 63 M.C.C. 677, in bulk, in tank vehicles, from points in Connecticut to points in Oklahoma. The purpose of this filing is to eliminate the gateways of Newark, N.J. and Bridgeville, Pa.

No. MC-110525 (Sub-No. E58), filed May 1, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from points in Connecticut to points in Oregon. The purpose of this filing is to eliminate the gateways of Newark, N.J., Pittsburgh, Pa., and Addyston, Ohio.

No. MC-110525 (Sub-No. E60), filed May 1, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from points in Connecticut to points in South Carolina. The purpose of this filing is to eliminate the gateway of Carteret, N.J.

No. MC-110525 (Sub-No. E61), filed May 1, 1974. Applicant: CHEMICAL

LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from points in Connecticut to points in South Dakota. The purpose of this filing is to eliminate the gateways of Newark, N.J., Pittsburgh, Pa., and Addyston, Ohio.

No. MC-110525 (Sub-No. E63), filed May 1, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *liquid chemicals*, in bulk, in tank vehicles, from points in Connecticut to points in Texas. The purpose of this filing is to eliminate the gateway of Newark, N.J.

No. MC-110525 (Sub-No. E64), filed May 1, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *liquid chemicals*, in bulk, in tank vehicles, from points in Connecticut to points in Utah. The purpose of this filing is to eliminate the gateways of Newark, N.J., Pittsburgh, Pa., and Addyston, Ohio.

No. MC-110525 (Sub-No. E73), filed May 1, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* as defined in *The Maxwell Co., Extension-Addyston*, 63 M.C.C. 677, in bulk, in tank vehicles, from points in Delaware to points in Arkansas. The purpose of this filing is to eliminate the gateway of Institute, W. Va.

No. MC-110525 (Sub-No. E74), filed May 1, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from points in Delaware to points in California. The purpose of this filing is to eliminate the gateways of Institute, W. Va., and Addyston, Ohio.

No. MC-110525 (Sub-No. E75), filed May 1, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from points in

Delaware to points in Colorado. The purpose of this filing is to eliminate the gateways of points in Allegheny County, Pa., and Addyston, Ohio.

No. MC-110525 (Sub-No. E76), filed May 1, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from points in Delaware to points in Connecticut. The purpose of this filing is to eliminate the gateway of points in the New York, N.Y., Commercial zone.

No. MC-110525 (Sub-No. E77), filed May 1, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *liquid chemicals*, in bulk, in tank vehicles, from points in Delaware to the District of Columbia. The purpose of this filing is to eliminate the gateway of Baltimore, Md.

No. MC-110525 (Sub-No. E78), filed May 1, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except derivatives of petroleum or bituminous materials), in bulk, in tank vehicles, from points in Delaware to points in Florida. The purpose of this filing is to eliminate the gateway of Greensboro, N.C.

No. MC-110525 (Sub-No. E79), filed May 1, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except bituminous products and materials), in bulk, in tank vehicles, from points in Delaware to points in Georgia. The purpose of this filing is to eliminate the gateway of Greensboro, N.C.

No. MC-110525 (Sub-No. E80), filed May 1, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from points in Delaware to points in Idaho. The purpose of this filing is to eliminate the gateways of points in Allegheny County, Pa., and Addyston, Ohio.

No. MC-110525 (Sub-No. E81), filed May 1, 1974. Applicant: CHEMICAL

LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* in bulk, in tank vehicles, from points in Delaware to points in Illinois. The purpose of this filing is to eliminate the gateway of points in Allegheny County, Pa.

No. MC-110525 (Sub-No. E82), filed May 1, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, as defined in *The Maxwell Co., Extension-Addyston*, 63 M.C.C. 677, (except bituminous products and materials), in bulk, in tank vehicles, from points in Delaware to points in Indiana. The purpose of this filing is to eliminate the gateways of Natrium and Follansbee, W. Va.

No. MC-110525 (Sub-No. E83), filed May 1, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, as defined in *The Maxwell Co., Extension-Addyston*, 63 M.C.C. 677 (except bituminous products and materials), in bulk, in tank vehicles, from points in Delaware to points in Iowa. The purpose of this filing is to eliminate the gateway of Follansbee and Natrium, W. Va.

No. MC-110525 (Sub-No. E84), filed May 1, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from points in Delaware to points in Kansas. The purpose of this filing is to eliminate the gateway of points in Allegheny County, Pa., and Addyston, Ohio.

No. MC-110525 (Sub-No. E85), filed May 1, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except derivatives of petroleum or bituminous materials), in bulk, in tank vehicles, from points in Delaware to points in Louisiana. The purpose of this filing is to eliminate the gateway of Greensboro, N.C.

No. MC-110525 (Sub-No. E86), filed May 1, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's

representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from points in Delaware to points in Massachusetts. The purpose of this filing is to eliminate the gateway of points in the New York, N.Y., commercial zone.

No. MC-110525 (Sub-No. E88), filed May 1, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* as defined in *The Maxwell Co., Extension—Addyston*, in bulk, in tank vehicles, from points in Delaware to points in Minnesota. The purpose of this filing is to eliminate the gateway of Bridgeville, Pa.

No. MC-110525 (Sub-No. E89), filed May 1, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except derivatives of petroleum or bituminous materials), from points in Delaware to points in Mississippi. The purpose of this filing is to eliminate the gateway of Greensboro, N.C.

No. MC-110525 (Sub-No. E90), filed May 1, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from points in Delaware to points in Missouri. The purpose of this filing is to eliminate the gateway of S. Fayette Township, Allegheny County, Pa.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc. 74-11497 Filed 5-17-74; 8:45 am]

[Notice No. 83]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

Synopses of orders entered by the Motor Carrier Board of the Commission pursuant to sections 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

Each application (except as otherwise specifically noted) filed after March 27, 1972, contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the ap-

plication. As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings on or before June 10, 1974. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-74840. By order of May 14, 1974, the Motor Carrier Board approved the transfer to Cedar Van Lines, Inc., Minneapolis, Minn., of Certificate No. MC-133904 issued December 23, 1969, to McConnell Van Lines, Inc., Hershey, Nebr., authorizing the transportation of household goods between Hershey, Nebr., and points in Nebraska within 55 miles of Hershey on the one hand, and, on the other, points in Colorado and Wyoming. Mr. Robert E. Swanson, Registered Practitioner, 1211 South Sixth Street, Stillwater, Minn. 55082.

No. MC-FC-74841. By order of May 14, 1974, the Motor Carrier Board approved the transfer to Cedar Van Lines, Inc., Minneapolis, Minn., of Certificate No. MC-134072 issued April 24, 1970, to Jackson Transfer, Inc., Minneapolis, Minn., authorizing the transportation of household goods and emigrant movables between points in Greenwood County, Kansas, on the one hand, and, on the other, points in Arkansas, Kansas, Missouri, Oklahoma, and Texas. Mr. Robert E. Swanson, Registered Practitioner, 1211 So. Sixth Street, Stillwater, Minn. 55082.

No. MC-FC-75083. By supplemental order entered May 13, 1974, the Motor Carrier Board approved the transfer to Sharon Trucking Corp., Jersey City, N.J., of the operating rights set forth in Permit No. MC-129228 (Sub-No. 3), issued April 12, 1974, to McCabe's Express & Trucking Co., Ltd., Jersey City, N.J., authorizing the transportation of lighting fixtures and lamps, and equipment, materials, and supplies used in their manufacture and sale (except commodities in bulk), between Fall River, Mass., on the one hand, and, on the other, points in Louisiana, Minnesota, Texas, and points in that part of the United States on and east of a line beginning at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with the western boundary of Itasca and Koochiching Counties, Minn., to the United States-Canada Boundary lines, restricted to operations to be performed under a continuing contract, or contracts with Aluminum Processing Corporation of Fall River, Miss. Robert B. Pepper, 168 Woodbridge Ave., Highland Park, N.J. 08904, practitioner for transferee and George A. Olsen, 69 Tonnele Ave., Jersey City, N.J. 07306, practitioner for transferor.

No. MC-FC-75129. By order entered May 14, 1974, the Motor Carrier Board approved the transfer to John P. Atkin-

son, Philadelphia, Pa., of the operating rights set forth in Certificate No. MC-519, issued December 31, 1969, to Carl S. Tucker, Woodrow W. Tucker, Jesse C. Tucker, Harry E. Tucker, and Russell A. Tucker, a partnership, doing business as H. Tucker & Sons, Philadelphia, Pa., authorizing the transportation of household goods, as defined by the Commission, between Philadelphia, Pa., on the one hand, and, on the other, points in New York, New Jersey, Maryland, and Delaware; and electrical equipment, between points in Philadelphia County, Pa.; and between Philadelphia, Pa., on the one hand, and, on the other, New York, N.Y., and Atlantic City, N.J. Raymond A. Thistle, Jr., Suite 1012 Four Penn Center, Philadelphia, Pa. 19103, attorney for transferor and Henry E. Skaroff, 1555 Pratt St., Philadelphia, Pa. 19124, attorney for transferee.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc. 74-11500 Filed 5-17-74; 8:45 am]

[Notice No. 68]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

MAY 13, 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 on or before June 4, 1974. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 200 (Sub-No. 266 TA), filed May 6, 1974. Applicant: RISS INTERNATIONAL CORPORATION, 903 Grand Avenue, P.O. Box 2809 (Box zip 64106), Kansas City, Mo. 64142. Applicant's representative: Rodger John Walsh (same address as applicant). 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 Sec-

tions 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 Maryland, the District of Columbia, Illinois, Delaware, New Jersey, New York, Indiana, Pennsylvania, Connecticut, Rhode Island, Massachusetts, and Ohio, 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:** District Supervisor Vernon V. Coble, Interstate Commerce Commission, Bureau of Operations, 600 Federal Office Building, 911 Walnut Street, Kansas City, Mo. 64106.

No. MC 730 (Sub-No. 366 TA), filed May 3, 1974. Applicant: PACIFIC INTRAMOUNTAIN EXPRESS CO., a Corporation, 1417 Clay Street, P.O. Box 958, Oakland, Calif. 94612. Applicant's representative: R. N. Cooledge (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from Rathdrum, Idaho, and points within 5 miles thereof, to Spokane, Wash., for 180 days. **SUPPORTING SHIPPER:** Golden Penn Oil Co., Inc., 3011 So. Fife, Tacoma, Wash. 98409. **SEND PROTESTS TO:** A. J. Rodriguez, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 450 Golden Gate Avenue, Box 36004, San Francisco, Calif. 94102.

No. MC 1846 (Sub-No. 5 TA), filed April 30, 1974. Applicant: W. D. KIBLER TRUCKING COMPANY, 60 South State Avenue, Indianapolis, Ind. 46201. Applicant's representative: Donald W. Smith, Suite 2465, One Indiana Square, Indianapolis, Ind. 46204. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by wholesale, retail, and chain grocer and food business houses and in connection therewith, equipment, materials, and supplies used in the conduct of such business*, from Indianapolis, Ind., to Middletown, Dayton, Miamisburg, Hamilton, and Harrison, Ohio, for 180 days. **SUPPORTING SHIPPER:** The Great Atlantic & Pacific Tea Company, Inc., 950 Stuyvesant Avenue, Union, N.J. 07083. **SEND PROTESTS TO:** James W. Habermehl, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 802 Century Bldg., 36 S. Penn. St., Indianapolis, Ind. 46204.

No. MC 2900 (Sub-No. 258 TA), filed April 30, 1974. Applicant: RYDER TRUCK LINES, INC., Off.: 2050 Kings Rd., Mlg.: P.O. Box 2408 (Box zip 33003), Jacksonville, Fla. 32209. Applicant's representative: S. E. Somers, Jr. (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except com-

modities in bulk, household goods as defined by the Commission, Classes A and B explosives, commodities of unusual value and those requiring special equipment), serving the plant site and warehouse facilities of Fisher-Price at or near Murray, Ky., as an off-route point in connection with applicant's presently authorized regular routes, for 180 days. **SUPPORTING SHIPPER:** Fisher-Price Toys, East Aurora, N.Y. 14052. **SEND PROTESTS TO:** G. H. Fauss, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations, Box 35008, 400 West Bay St., Jacksonville, Fla. 32202.

NOTE.—Applicant states that with authority in MC 2900 and subs, it will interline shipments at present interchange points but plan no interchange at point sought.

No. MC 10761 (Sub-No. 264 TA), filed May 3, 1974. Applicant: TRANSAMERICAN FREIGHT LINES, INC., 5650 Foremost Drive SE., Grand Rapids, Mich. 49506. Applicant's representative: A. David Millner, 744 Broad Street, Newark, N.J. 07102. 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 North Carolina, South Carolina, Michigan, Ohio, Connecticut, Rhode Island, Vermont, New Jersey, New Hampshire, Massachusetts, Maine, Pennsylvania, and New York, 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:** C. R. Flemming, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 225 Federal Building, Lansing, Mich. 48933.

No. MC 13900 (Sub-No. 20 TA), filed May 3, 1974. Applicant: MIDWEST HAULERS, INC., 228 Superior Street, Toledo, Ohio 43604. Applicant's representative: Harold G. Hernly, 118 North St. Asaph St., Alexandria, Va. 22314. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, which are at the time moving on bills of lading of freight forwarders as defined in Section 402(a) of the Act, from St. Louis, Mo., to Norfolk, Va., and its commercial zone, for 180 days. **SUPPORTING SHIPPER:** Springmeier Shipping Company, Inc., 1123 Hadley Street, St. Louis, Mo. 63101. **SEND PROTESTS TO:** Keith D. Warner, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 313 Federal Office Building, 234 Summit Street, Toledo, Ohio 43604.

No. MC 20916 (Sub-No. 14 TA), filed May 3, 1974. Applicant: JOHN T. SISK,

Route 2, Box 182-B, Culpeper, Va. 22701. Applicant's representative: Frank B. Hand, Jr., P.O. Box 446, Winchester, Va. 22601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Utility vaults, junction boxes, pad mounts, highway median barriers, stairs and balconies, cattleguards, stock waterers, fences, and feed bunks*, all made of concrete, from the plant facilities of Smith Cattleguard, Inc., at Midland, Va., to points in the District of Columbia, Delaware, Florida, Georgia, Kentucky, Maryland, New Jersey, New York, North Carolina, Pennsylvania, South Carolina, and West Virginia, and (2) *Concrete fence*, from the facilities of Smith Cattleguard, Inc., at Gainesville, Ga., to Mechanicsville, Va., for 180 days. **SUPPORTING SHIPPER:** Rodney Smith, President, Smith Cattleguard, Inc., Midland, Va. 22728. **SEND PROTESTS TO:** W. C. Hersman, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 12th St. and Constitution Avenue NW., Washington, D.C. 20423.

No. MC 27356 (Sub-No. 7 TA) (CORRECTION), filed April 10, 1974, published in the FEDERAL REGISTER issue of April 29, 1974 and May 8, 1974, and in third publication this issue. Applicant: M-F EXPRESS, INC., 610 E. Emma Ave., Springdale, Ark. 72764. Applicant's representative: Douglas C. Wynn, P.O. Box 1295, Greenville, Miss. 38701. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except commodities in bulk, Classes A and B explosives, household goods as defined by the Commission, and commodities which because of size, weight or value require the use of special equipment), between Hattiesburg, Miss., and junction U.S. Highway 98 and Mississippi Highway 26 at or near Lucedale, Miss.: From Hattiesburg over U.S. Highway 49 to junction U.S. Highway 98 south of Hattiesburg, thence over U.S. Highway 98 to junction Mississippi Highway 26 at or near Lucedale, Miss., and return over the same route, as an alternate route for operating convenience only, serving no intermediate points and serving Lucedale, Miss. as a point of joinder only, for 180 days.

NOTE.—Applicant states that it does intend to join the regular route authority in Docket No. MC 27356 and Subs, thereunder and interline with all carriers at all authorized service points.

SUPPORTING SHIPPERS: Jones Truck Lines, Inc., 610 E. Emma Ave., Springdale, Ark. 72764, MC 111231.

NOTE.—Support statement is submitted by Jones Truck Lines, Inc., which was authorized on August 16, 1973, by order entered in Docket No. MC-F-11951, to assume temporary management control of MF Express, Inc. (MFEX).

SEND PROTESTS TO: District Supervisor William H. Land, Jr., Interstate Commerce Commission, Bureau of Operations, 2519 Federal Office Building, 700 West Capitol, Little Rock, Ark. 72201.

No. MC 29734 (Sub-No. 10 TA), filed April 30, 1974. Applicant: JOSEPH H. SMITH AND WILLIAM H. SMITH, doing business as JOSEPH H. SMITH & COMPANY, 950 Marlborough Street, Philadelphia, Pa. 19125. Applicant's representative: Alan Kahn, 1920 Two Penn Center Plaza, Philadelphia, Pa. 19102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tallow and inedible animal grease and inedible animal oil*, in bulk, in tank vehicles, between Philadelphia, Pa., on the one hand, and, on the other, points in Delaware, in Maryland east of the Susquehanna River and the Chesapeake Bay; and points in Accomac, Norfolk, Namsemond, Northampton, Isle of Wight, Southampton, Surry, and Sussex Counties, Va., for 180 days. SUPPORTING SHIPPERS: Jacob Stern & Sons, Inc., 910 Benjamin Fox Pavilion, Jenkintown, Pa. 19046 and Acme-Hardesty Company, Inc., 910 Benjamin Fox Pavilion, Jenkintown, Pa. 19046. SEND PROTESTS TO: Ross A. Davis, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Federal Building, 600 Arch Street, Room 3238, Philadelphia, Pa. 19106.

No. MC 41951 (Sub-No. 20 TA), filed May 1, 1974. Applicant: WHEATLEY TRUCKING, INC., 125 Brohawn Avenue, P.O. Box 458, Cambridge, Md. 21613. Applicant's representative: M. Bruce Morgan, Azar Building, Box 786, Glen Burnie, Md. 21061. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food-stuffs* (except frozen, in containers) from Queen Anne, Md., and Millsboro, Del., to points in North Carolina, Florida, South Carolina, and Georgia, for 180 days. SUPPORTING SHIPPERS: Wm. S. Treat, Jr., Vice President-Sales, Fox Foods, Inc., P.O. Box 298, Queen Anne, Md. 21657, and Ernest P. Szwarc, Traffic Manager, Flasic Foods, Inc., 28820 Southfield, Box 104, Lathrup Village, Mich. 48076. SEND PROTESTS TO: W. C. Hersman, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 12th St. and Constitution Ave. NW., Washington, D.C. 20423.

No. MC 76449 (Sub-No. 19 TA), filed May 1, 1974. Applicant: NELSON'S EXPRESS, INC., 675 North Market Street, P.O. Box 312, Millersburg, Pa. 17061. Applicant's representative: John M. Muselman, P.O. Box 1146, 410 N. Third Street, Harrisburg, Pa. 17108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Current carrying wiring devices and parts; machinery, equipment, tools, materials and supplies* used in the production, storage, transportation and installation of current carrying wiring devices and parts; *plastic hose and couplings; test materials; office, plant, laboratory and warehouse machinery, equipment, materials and supplies; janitorial equipment and supplies; and advertising materials*, between the plants and warehouses of AMP, Incorporated located in Cumberland, Dauphin, Lancaster, Snyder, York, Perry, Schuylkill,

Chester, and Franklin Counties, Pa., on the one hand, and, on the other, the plants and warehouses of AMP, Incorporated located in Staunton, Va., and points in Amherst and Augusta Counties, Va., restricted to shipments originated at the above origins and destined to the above destinations, for 180 days. SUPPORTING SHIPPER: AMP, Incorporated, P.O. Box 3608, 2800 Fulling Mill Road, Harrisburg, Pa. SEND PROTESTS TO: Robert P. Amerine, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 278 Federal Building, P.O. Box 869, Harrisburg, Pa. 17108.

No. MC 78830 (Sub-No. 3 TA), filed April 29, 1974. Applicant: MOULDEN & SONS, INC., P.O. Box 18, Enumclaw, Wash. 98022. Applicant's representative: James T. Johnson, 1610 IBM Building, Seattle, Wash. 98101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal and charcoal*, from Black Diamond, Wash., to Springfield and Portland, Oreg., for 180 days. SUPPORTING SHIPPER: Palmer Coal Company, Box 8, Black Diamond, Wash. 98010. SEND PROTESTS TO: L. D. Boone, Transportation Specialist, Interstate Commerce Commission, Bureau of Operations, 6049 Federal Office Building, Seattle, Wash. 98104.

No. MC 82492 (Sub-No. 105 TA), filed May 3, 1974. Applicant: MICHIGAN & NEBRASKA TRANSIT CO., INC., 2109 Olmstead Road, P.O. Box 2853, Kalamazoo, Mich. 49003. Applicant's representative: William C. Harris (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cider and vinegar*, in containers, from the facilities utilized by Vintage Foods, Inc., at or near Bailey, Mich., to points in North Dakota (except Fargo) and South Dakota, for 180 days. SUPPORTING SHIPPER: Vintage Foods, Inc., 17558 Bailey Rd., Bailey, Mich. 49303. SEND PROTESTS TO: C. R. Flemming, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 225 Federal Building, Lansing, Mich. 48933.

No. MC 99780 (Sub-No. 39 TA), filed April 30, 1974. Applicant: CHIPPER CARTAGE COMPANY, INC., 1327 NE. Bond Street, Mlg. P.O. Box 1345 (Box zip 61601), Peoria, Ill. 61603. Applicant's representative: John R. Zang (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods, frozen meats, and vegetables*, from Noblesville, Ind., to points in Illinois, and Indiana, that portion of Wisconsin bounded on the south by Wisconsin State line, north from Beloit on State Route 213 to U.S. Route 14 to U.S. Route 12 including all of Madison, north along U.S. Route 12 to where it intersects with Interstate Route 94, then east along Interstate Route 94 to State Route 33, east along State Route 33 to Lake Michigan. That portion of Iowa bounded by the State line on the east

and from Dubuque west along U.S. Route 52 to State Route 136, south along State Route 136 to U.S. Route 151, west along U.S. Route 151 to Cedar Rapids, Iowa, south along U.S. Highway 218 to the State line including all of Cedar Rapids and Iowa City. That portion of Missouri bounded on the east by the State line, from the State line west and south along State Route 47 to State Route 21A, east along State Route 21A to the State line. From Posen, Ill., to points in Iowa and Missouri, restricted to traffic originating at the above specified origins and destined to the above specified destinations;

(2) *Frozen foods, meats and vegetables*, from Noblesville, Ind., to points in Illinois, Indiana, that portion of Wisconsin bounded on the south by the Wisconsin State line, north from Beloit on State Route 213 to U.S. Route 14 to U.S. Route 12 including all of Madison, north along U.S. Route 12 to where it intersects with Interstate Route 94, then east along Interstate Route 94 to State Route 33, east along State Route 33 to Lake Michigan. That portion of Iowa bounded by the State line on the east and from Dubuque west along U.S. Route 52 to State Route 136, south along State Route 136 to U.S. Route 151, west along U.S. Route 151 to Cedar Rapids, Iowa, south along U.S. 218 to the State line including all of Cedar Rapids and Iowa City. That portion of Missouri bounded on the east by the State line, from the State line west and south along State Route 47 to State Route 21A, east along State Route 21A to the State line. From Posen, Ill., to points in Iowa and Missouri, restricted to traffic originating at the above specified origins and destined to the above specified destinations; (3) *Frozen foods, meats, and vegetables*, from Noblesville, Ind., to that portion of Wisconsin bounded on the south by the Wisconsin State line, north from Beloit on State Route 213 to U.S. Route 14 to U.S. Route 12 including all of Madison, north along U.S. Route 12 to where it intersects with Interstate Route 94, then east along Interstate Route 94 to State Route 33, east along State Route 33 to Lake Michigan, restricted to traffic originating at the above specified origins and destined to the above specified destinations;

(4) *Frozen foods, meats and vegetables*, from Noblesville, Ind. That portion of Iowa bounded by the State line on the east and from Dubuque west along U.S. Route 52 to State Route 136, south along State Route 136 to U.S. Route 151, west along U.S. Route 151 to Cedar Rapids, Iowa, south along U.S. 218 to the State line including all of Cedar Rapids and Iowa City, restricted to traffic originating at the above specified origins and destined to the above specified destinations; and (5) *Frozen foods, meats, and vegetables*, from Noblesville, Ind. That portion of Missouri bounded on the east by the State line, from the State line west and south along State Route 47 to State Route 21A, east along State Route 21A to the State line, restricted to traffic originating at the above specified origins and

destined to the above specified destinations, for 180 days. SUPPORTING SHIPPER: James L. Phillips, Customer Service Manager, Fred's Frozen Foods, 2395 East Conner Street, Noblesville, Ind. 46060. SEND PROTESTS TO: District Supervisor Richard K. Shullaw, Bureau of Operations, Interstate Commerce Commission, Everett McKinley Dirksen Building, 219 S. Dearborn Street, Room 1086, Chicago, Ill. 60604.

No. MC 107496 (Sub-No. 952 TA), filed May 1, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855 (Box zip 50304), Third St. and Keosauqua Way, Des Moines, Iowa 50309. Applicant's representative: E. Check (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Sodium hypochlorite*, in bulk, in tank vehicles, from points in Clinton County, Iowa, on and west of U.S. Highway 61 to points in Illinois, for 150 days. SUPPORTING SHIPPER: Vertex Chemical Corp., DeWitt, Iowa 52742. SEND PROTESTS TO: Herbert W. Allen, Transportation Specialist, Interstate Commerce Commission, Bureau of Operations, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 109324 (Sub-No. 27 TA), filed April 30, 1974. Applicant: GARRISON MOTOR FREIGHT, INC., P.O. Box 969, Harrison, Ark. 72601. Applicant's representative: Louis Tarlowski, 914 Pyramid Life Building, Little Rock, Ark. 72201. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Pulpboard and pulpboard boxes*, between the plant site of Rock City Packaging of Arkansas, Inc., located at Conway, Ark., on the one hand, and, on the other, points in Texas, Oklahoma, Kansas, Missouri, Illinois, Tennessee, Alabama, Mississippi, and Louisiana, for 180 days. SUPPORTING SHIPPER: Rock City Packaging, Inc., P.O. Box 877, Harrison, Ark. 72601. SEND PROTESTS TO: District Supervisor William H. Land, Jr., Interstate Commerce Commission, Bureau of Operations, 2519 Federal Office Building, 700 West Capitol, Little Rock, Ark. 72201.

No. MC 109692 (Sub-No. 26 TA), filed May 3, 1974. Applicant: GRAIN BELT TRANSPORTATION COMPANY, 625 Livestock Exchange Building, P.O. Box 5608, Kansas City, Mo. 64105. Applicant's representative: Lucy Kennard Bell, 910 Fairfax Building, 101 West Eleventh Street, Kansas City, Mo. 64105. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Clay, clay products and fittings, and other clay articles*, from Pittsburg, Kans., to points in Arkansas, Colorado, Iowa, Minnesota, Missouri, Oklahoma, South Dakota, and Wyoming, for 180 days. SUPPORTING SHIPPER: U.S. Dickey Clay Manufacturing Company, P.O. Box 6, Pittsburg, Kans. 66762. SEND PROTESTS TO: Vernon V. Coble, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 600 Federal Office Building, 911 Walnut Street, Kansas City, Mo. 64106.

No. MC 110525 (Sub-No. 1094 TA), filed April 30, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 E. Lancaster Avenue, P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Mixed styrene monomer*, in bulk, in tank vehicles, from the plantsite of American Aniline Corp., Calvert City, Ky., to the plantsite of O'Brien Corp., South Bend, Ind., for 180 days. SUPPORTING SHIPPER: The O'Brien Corporation, 2001 W. Washington, P.O. Box 4037, South Bend, Ind. 46634. SEND PROTESTS TO: Peter R. Guman, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Federal Building, Room 3238, 600 Arch St., Philadelphia, Pa. 19106.

No. MC 111045 (Sub-No. 116 TA), filed May 3, 1974. Applicant: REDWING CARRIERS, INC., 7809 Palm River Road, P.O. Box 426, Tampa, Fla. 33601. Applicant's representative: J. V. McCoy (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Asphalt*, in bulk, in tank vehicles, from Mobile, Ala., to Tampa, Fla., for 180 days. SUPPORTING SHIPPER: GAF Corporation, 32 Main Street, South Bound Brook, N.J. 08880. SEND PROTESTS TO: District Supervisor Joseph B. Teichert, Interstate Commerce Commission, Bureau of Operations, Palm Coast II Building, Suite 208, 5255 NW. 87th Avenue, Miami, Fla. 33166.

No. MC 111170 (Sub-No. 213 TA), filed May 3, 1974. Applicant: WHEELING PIPE LINE, INC., P.O. Box 1718, 2811 N. West Avenue, El Dorado, Ark. 71730. Applicant's representative: Tom E. Moore (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Clay*, in bulk, from Little Rock, Ark., to Springhill, La., for 180 days. SUPPORTING SHIPPER: Stauffer Chemical Co., Westport, Conn. 06880. SEND PROTESTS TO: District Supervisor William H. Land, Jr., Interstate Commerce Commission, Bureau of Operations, 2519 Federal Office Building, 700 West Capitol, Little Rock, Ark. 72201.

No. MC 111231 (Sub-No. 187 TA), filed April 30, 1974. Applicant: JONES TRUCK LINES, INC., 610 East Emma Avenue, Springdale, Ark. 72764. Applicant's representative: James B. Blair, 111 Holcomb Street, P.O. Box 869, Springdale, Ark. 72764. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Plastic fittings and bonding cement*, from Clinton, Iowa, to Oklahoma City, Okla., for 180 days. SUPPORTING SHIPPER: Carlon—An Indianhead Co., Commerce Part Square, 23200 Chagrin, Cleveland, Ohio 77122. SEND PROTESTS TO: District Supervisor William H. Land, Jr., Interstate Commerce Commission, Bureau of Operations, 2519 Fed-

eral Office Building, 700 West Capitol, Little Rock, Ark. 72201.

No. MC 111401 (Sub-No. 415 TA), filed April 30, 1974. Applicant: GROENDYKE TRANSPORT, INC., 2510 Rock Island Blvd., P.O. Box 632, Enid, Okla. 73701. Applicant's representative: Victor R. Comstock (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Liquid Wood Preservative (Petroleum Base)*, in bulk, in tank vehicles, from Cotton Valley, La., to Caney, Kans., for 180 days. SUPPORTING SHIPPER: H. P. Struessel, T. M., Koppers Company, Inc., 5137 Southwest Avenue, St. Louis, Mo. 63110. SEND PROTESTS TO: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Rm. 240, Old P.O. Building, 215 NW. Third, Oklahoma City, Okla. 73102.

No. MC 111729 (Sub-No. 435 TA) filed May 3, 1974. Applicant: PUROLATOR COURIER CORP., 2 Nevada Drive, Lake Success (NHP-PO), 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: *Prescription drugs and items related thereto*, between points in Florida, restricted to traffic having an immediately prior or subsequent movement by air, for 90 days. SUPPORTING SHIPPER: Walgreen Drugs Stores, 4300 Peterson Avenue, Chicago, Ill. 60646. SEND PROTESTS TO: Anthony D. Gialmo, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 113861 (Sub-No. 57 TA), filed May 1, 1974. Applicant: WOOTEN TRANSPORTS, INC., 153 Gaston Avenue, P.O. Box 725, Memphis, Tenn. 38101. Applicant's representative: James N. Clay, III, 2700 Sterick Building, Memphis, Tenn. 38103. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Liquid asphalt*, in bulk, in tank vehicles, from Memphis, Tenn., to points in Alabama, for 180 days. SUPPORTING SHIPPER: Trumbull Asphalt Company of Delaware, 59th & Archer Road, Summit, Ill. 60501. SEND PROTESTS TO: Floyd A. Johnson, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 435 Federal Office Building, 167 North Main Street, Memphis, Tenn. 38103.

No. MC 114004 (Sub-No. 143 TA), filed May 3, 1974. Applicant: CHANDLER TRAILER CONVOY, INC., 8828 New Benton Highway, P.O. Box 1715, Little Rock, Ark. 72209. Applicant's representative: Joseph Howard, 118 North St. Asaph Street, Alexandria, Va. 22314. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, and *buildings*, in sections, transported on wheeled undercarriages, from the plantsite of Fuqua

Homes, Inc., located at or near Ruston, La., to points in Texas, Arkansas, and Oklahoma, for 180 days. SUPPORTING SHIPPER: Fuqua Homes, Inc., 200 McDonald Avenue, Ruston, La. 71270. SEND PROTESTS TO: District Supervisor William H. Land, Jr., Interstate Commerce Commission, Bureau of Operations, 2519 Federal Office Building, 700 West Capitol, Little Rock, Ark. 72201.

No. MC 114273 (Sub-No. 183 TA), filed May 3, 1974. Applicant: CEDAR RAPIDS STEEL TRANSPORTATION, INC., P.O. Box 68, 3930 16th Avenue SW., Cedar Rapids, Iowa 52406. Applicant's representative: Robert E. Konchar, P.O. Box 1943, Cedar Rapids, Iowa 52406. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Steel paving joint roadway, from Maquoketa, Iowa, to points in Illinois, Indiana, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Pennsylvania, Texas, West Virginia, and Wisconsin, for 180 days.* SUPPORTING SHIPPER: Wady, Inc., P.O. Box 942, Maquoketa, Iowa 52060. SEND PROTESTS TO: Herbert W. Allen, Transportation Specialist, Interstate Commerce Commission, Bureau of Operations, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 114761 (Sub-No. 8 TA), filed April 30, 1974. Applicant: GETTER TRUCKING INCORPORATED, P.O. Box 368, Cut Bank, Mont. 59427. Applicant's representative: John R. Davidson, Suite 805, Midland Bank Bldg., Billings, Mont. 59101. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Machinery, materials, equipment, and supplies used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, between points in Montana and North Dakota, on the one hand, and, on the other, points in Pennsylvania, West Virginia, Ohio, Indiana, Michigan, and Illinois, for 180 days.* SUPPORTING SHIPPERS: L. P. Anderson Supply, 820 Main St., Billings, Mont. 59101; and Cenex, P.O. Box 126, Laurel, Mont. 59044; and Continental Technical Service, Inc., 6554 South Frontage Rd. W., Billings, Mont. 59102. SEND PROTESTS TO: Paul J. Labane, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 222, U.S. Post Office Building, Billings, Mont. 59101.

NOTE.—Applicant intends to tack with MC 114761.

No. MC 115162 (Sub-No. 291 TA), filed May 2, 1974. Applicant: POOLE TRUCK LINE, INC., P.O. Drawer 500, Evergreen, Ala. 36401. Applicant's representative: Robert E. Tate (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Charcoal, charcoal briquettes, wood chips, lighter fluid, and fireplace logs, from Branson, Mo., to points in Arkansas, Illinois, and Texas,*

for 180 days. SUPPORTING SHIPPER: Husky Industries, 62 Perimeter Center East, Atlanta, Ga. 30338. SEND PROTESTS TO: Clifford W. White, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 1616, 2121 Building, Birmingham, Ala. 35203.

No. MC 115322 (Sub-No. 100 TA), filed April 29, 1974. Applicant: REDWING REFRIGERATED, INC., Mfg. P.O. Box 10177, Off: Highway 527, Taft, Fla. 32809. Applicant's representative: J. V. McCoy, P.O. Box 426, Tampa, Fla. 33601. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Canned and bottled foodstuffs, from Cade and Lozes, La., to points in Alabama, Florida, and Georgia, for 180 days.* SUPPORTING SHIPPER: Bruce Foods Corporation, P.O. Drawer 1030, New Iberia, La. 70560. SEND PROTESTS TO: G. H. Fauss, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations, Box 35008, 400 West Bay St., Jacksonville, Fla. 32202.

No. MC 115876 (Sub-No. 28 TA), filed May 2, 1974. Applicant: ERWIN HURNER, 2605 South Rivershore Drive, Moorhead, Minn. 56560. Applicant's representative: Thomas J. Van Osdel, 502 First National Bank Building, Fargo, N. Dak. 58102. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Plastic containers, closures, caps and/or covers for plastic containers, from Itasca, Ill., to Fargo, N. Dak., for 180 days.* SUPPORTING SHIPPER: Cass Clay Creamery, Inc., 200 North 20th Street, Fargo, N. Dak. 58102. SEND PROTESTS TO: Joseph H. Ambs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, P.O. Box 2340, Fargo, N. Dak. 58102.

No. MC 116254 (Sub-No. 142 TA), filed May 2, 1974. Applicant: CHEM-HAULERS, INC., P.O. Drawer M, Sheffield, Ala. 35660. Applicant's representative: Walter Harwood, P.O. Box 15214, Nashville, Tenn. 37215. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Aluminum furnace residue and aluminum scrap, from El Campo, Plano, and Pasadena, Tex., to Mt. Pleasant, Tenn., for 180 days.* SUPPORTING SHIPPER: American Recycle Company, P.O. Box 525, Mt. Pleasant, Tenn. 38474. SEND PROTESTS TO: Clifford W. White, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 1616, 2121 Building, Birmingham, Ala. 35203.

No. MC 117427 (Sub-No. 66 TA), filed May 3, 1974. Applicant: G. G. PARSONS TRUCKING CO., a Corporation, P.O. Box 1085, North Wilkesboro, N.C. 28659. Applicant's representative: Francis J. Ortman, 1100 17th St. NW., Washington, D.C. 20036. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Laminated particleboard, from the plantsite of Funder America, Inc., at Mocksville,*

N.C., to points in Delaware, Maryland, Illinois, Indiana, Kentucky, Michigan, New York, New Jersey, Pennsylvania, Ohio, Tennessee, Virginia, South Carolina, North Carolina, and West Virginia, for 180 days. SUPPORTING SHIPPER: Funder America, Inc., P.O. Box 907, Mocksville, N.C. 27028. SEND PROTESTS TO: Terrell Price, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 800 Briar Creek Road, Room CC516, Charlotte, N.C. 28205.

No. MC 117557 (Sub-No. 18 TA), filed May 2, 1974. Applicant: MATSON, INC., P.O. Box 43, Cedar Rapids, Iowa 52406. 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 and equipment, industrial and contractor's machinery and equipment, truck bodies, truck beds, conveyor bodies mounted on vehicles or wheel assemblies, and parts, attachments, and accessories for the above, from the plantsite and facilities of Henderson Manufacturing Company at Manchester, Iowa, to points in the United States (except Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, New Mexico, Nevada, Oregon, Utah, Washington, and Wyoming), for 180 days.* SUPPORTING SHIPPER: Henderson Mfg. Co., Manchester, Iowa 52507. SEND PROTESTS TO: Herbert W. Allen, Transportation Specialist, Interstate Commerce Commission, Bureau of Operations, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 117883 (Sub-No. 192 TA), filed April 18, 1974. Applicant: SUBLER TRANSFER, INC., 791 East Main Street, P.O. Box 62, Versailles, Ohio 45380. Applicant's representative: Edward J. Subler (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products and vehicle body sealer or sound deadener compound, and related advertising materials and supplies when shipped therewith (except commodities in bulk), from Congo, W. Va., Emlenton and Farmers Valley, Pa., to points in Illinois, Indiana, Michigan, and Wisconsin, restricted to traffic originating at the above-named origins and destined to the named destinations, for 180 days.* SUPPORTING SHIPPER: Quaker State Oil Refining Corporation, P.O. Box 989, Oil City, Pa. 16301. SEND PROTESTS TO: Paul J. Lowry, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 5514-B Federal Bldg., 550 Main Street, Cincinnati, Ohio 45202.

No. MC 118089 (Sub-No. 15 TA), filed May 3, 1974. Applicant: ROBERT HEATH TRUCKING, INC., P.O. Box 2501, Lubbock, Tex. 79408. Applicant's representative: Charles 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 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 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 Alabama, Georgia, Florida, North Carolina, Mississippi, Tennessee, South Carolina, Colorado, Kansas, Texas, Oklahoma, Arkansas, Louisiana, New Mexico, Idaho, Arizona, California, Nevada, Oregon, Washington, Utah, Montana, Virginia, Maryland, the District of Columbia, New Jersey, New York, Pennsylvania, Connecticut, Rhode Island, and Massachusetts, 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, Interstate Commerce Commission, Bureau of Operations, Box H-4395, Herring Plaza, Amarillo, Tex. 79101.

No. MC 123233 (Sub-No. 53 TA), filed May 2, 1974. Applicant: PROVOST CARTAGE INC., 7887 Second Avenue, Ville d'Anjou, 437, Quebec, Canada. Applicant's representative: J. P. Vermette (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid asphalt*, in bulk, in tank vehicles, from ports of entry between the United States and Canada located at or near Highgate Springs, Vt. and Derby Line, Vt., to Twin Mountain, N.H., and West Lebanon, N.H., restricted to traffic having an immediate prior movement in foreign commerce, for 180 days. SUPPORTING SHIPPER: Pike Industries, Inc., Tilton, N.H. SEND PROTESTS TO: Paul D. Collins, District Supervisor, Interstate Commerce Commission, Bureau of Operations, P.O. Box 548, Montpelier, Vt. 05602.

No. MC 124060 (Sub-No. 1 TA), filed May 6, 1974. Applicant: JOHN Y. WIGGINS, doing business as JOHNNY'S EXPRESS, 70 Thiem Avenue, Rochelle Park, N.J. 07662. Applicant's representative: Morris Honig, 150 Broadway, New York, N.Y. 10038. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Antiques, new furniture, store fixtures, displays, advertising materials, and department store supplies*, between Carlstadt, N.J., on the one hand, and, on the other, points in Connecticut on and west of U.S. Highway 5 running from Long Island Sound to the Massachusetts-Connecticut border, for 180 days. SUPPORTING SHIPPER: Lord & Taylor, 424 Fifth Avenue, New York City, N.Y. 10017. SEND PROTESTS TO: District Supervisor Joel Morrows, Interstate Commerce Commission, Bureau of Operations, 9 Clinton St., Newark, N.J. 07102.

No. MC 124078 (Sub-No. 595 TA), filed May 1, 1974. Applicant: SCHWERMAN TRUCKING CO., a Corporation, 611 South 28th Street, Milwaukee, Wis. 53246. Applicant's representative: Richard H. Prevette (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mineral spirits*, in bulk, in tank vehicles, between Douglasville, Ga., on the one hand, and, on the other, Jacksonville, Largo, Orlando, Pompano Beach, and Tampa, Fla., for 180 days. SUPPORTING SHIPPER: Arivec Chemicals, Inc., P.O. Box 54, Douglasville, Ga. 30134. 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 124078 (Sub-No. 596 TA), filed May 3, 1974. Applicant: SCHWERMAN TRUCKING CO., a Corporation, 611 South 28th Street, Milwaukee, Wis. 53246. Applicant's representative: Richard H. Prevette (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Refined vegetable oil*, in bulk, in tank vehicles, from Louisville, Ky., to Jackson, Miss., for 180 days. SUPPORTING SHIPPER: Glidden-Durkee Div. of SCM Corp., P.O. Box 958, 1303 S. Shelby, Louisville, Ky. 40201 (J. L. Himmelheber, Sr., Transportation Manager-Southern Region). 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 124964 (Sub-No. 16 TA), filed April 29, 1974. Applicant: JOSEPH M. BOOTH, doing business as J. M. BOOTH TRUCKING, P.O. Box 907, Eustis, Fla. 32726 and Off: Highway 441 and Haines Creek Rd. Tavares, Fla. 32778. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Drugs*, in mechanical refrigerated equipment, from West Orange, N.J., to Atlanta, Ga., restricted to traffic moving under continuing contract with Organon, Inc., West Orange, N.J., for 180 days. SUPPORTING SHIPPER: Organon, Inc., Marion Drive, West Orange, N.J. SEND PROTESTS TO: G. H. Fauss, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations, Box 35008, 400 West Bay Street, Jacksonville, Fla. 32202.

No. MC 125023 (Sub-No. 24 TA), filed May 6, 1974. Applicant: SIGMA-4 EXPRESS, INC., 3825 Beech Avenue, Erie, Pa. 16504. Applicant's representative: Richard G. McCurdy (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, in containers, and *related advertising materials*, from Rochester,

N.Y., to Fort Wayne, Ind., for 180 days. SUPPORTING SHIPPER: Allen Products, Inc., 1701 N. Harrison, Fort Wayne, Ind. 46808. SEND PROTESTS TO: John J. England, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 2111 Federal Bldg., 1000 Liberty Avenue, Pittsburgh, Pa. 15222.

No. MC 127625 (Sub-No. 18 TA), filed May 6, 1974. Applicant: SANTEE CEMENT CARRIERS, INC., P.O. Box 638, Holly Hill, S.C. 29059. Applicant's representative: Frank B. Hand, Jr., P.O. Box 446, Winchester, Va. 22601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum rock*, in bulk, in dump vehicles, from points in Chatham County, Ga., to the plantsite of Gifford-Hill & Company, Inc., near Harleyville, S.C., for 180 days. SUPPORTING SHIPPER: Gifford-Hill and Company, Inc., P.O. Box 11576, Charlotte, N.C. 28209. SEND PROTESTS TO: E. E. Strotheid, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 302, 1400 Building, 1400 Pickens Street, Columbia, S.C. 29201.

No. MC 129350 (Sub-No. 46 TA), filed May 3, 1974. Applicant: CHARLES E. WOLFE, doing business as EVERGREEN EXPRESS, 15 South 21st Street, P.O. Box 212, Billings, Mont. 59101. Applicant's representative: Clayton Brown (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tires and tubes*, from Dayton, Ohio, to Phillip and Spearfish, S. Dak.; Dickinson, N. Dak.; and Lewiston, Idaho, for 180 days. SUPPORTING SHIPPER: BLM Tire Co., 2307 4th Avenue North, Billings, Mont. 59101. SEND PROTESTS TO: Paul J. Labane, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Rm. 222 U.S. Post Office Building, Billings, Mont. 59101.

No. MC 129662 (Sub-No. 3 TA), filed April 30, 1974. Applicant: LOISELLE TRANSPORT LTD., a Corporation, 426 Deschambault Street, St. Boniface 6, Manitoba, Canada. Applicant's representative: James E. Ballenthin, 630 Osborn Building, St. Paul, Minn. 55102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Building materials*, from the ports of entry on the International Boundary line between the United States and Canada at or near Baudette, Noyes, and Lancaster, Minn. and Pembina, N. Dak., to points in Nebraska, Kansas, Montana, Wisconsin, Iowa, North Dakota, South Dakota, Minnesota, Indiana, Illinois, Michigan, Wyoming, and Colorado, limited to foreign commerce originating at Winnipeg, Canada, and (2) *Rock asphalt*, from Augusta, Kans., to ports of entry on the International Boundary line, between the United States and Canada at or near Noyes, Baudette, and Lancaster, Minn. and Pembina, N. Dak., limited to foreign

commerce destined for delivery at Winnipeg, Canada, for the account of Welclad Industries Canada, Ltd., for 180 days. SUPPORTING SHIPPER: Welclad Industries Canada, Ltd., 515 Munroe Avenue, Winnipeg, Manitoba, Canada. SEND PROTESTS TO: J. H. Amb, District Supervisor, Interstate Commerce Commission, Bureau of Operations, P.O. Box 2340, Fargo, N. Dak. 58102.

No. MC 133966 (Sub-No. 33 TA), filed May 6, 1974. Applicant: NORTH EAST EXPRESS, INC., P.O. Box 127, Mountaintop, Pa. 18707. Applicant's representative: Edward G. Villalon, 1032 Pennsylvania Building, Pennsylvania Ave. and 13th St. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mineral wool, mineral wool products, insulation and insulation materials* (except commodities in bulk), and materials used in the installation thereof, from points in Carbon, Lackawanna, Luzerne, and Schuylkill Counties, Pa., to points in Delaware, the District of Columbia, Maryland, New York, Connecticut, New Hampshire, Rhode Island, Massachusetts, Vermont, Maine, Virginia, West Virginia, Indiana, Ohio, Michigan, Kentucky, North Carolina, South Carolina, and New Jersey, for 180 days. SUPPORTING SHIPPER: Certain-teed Products Corp./CSG Group, P.O. Box 860, Valley Forge, Pa. 19482. SEND PROTESTS TO: Paul J. Kenworthy, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 309 U.S. Post Office Building, Scranton, Pa. 18503.

No. MC 134477 (Sub-No. 58 TA), filed April 2, 1974. Applicant: SCHANNO TRANSPORTATION, INC., 5 West Mendota Road, West St. Paul, Minn. 55118, and Mailing: P.O. Box 3496, St. Paul, Minn. 55165. Applicant's representative: Thomas Fischbach (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Puddings and sauces*, from the facilities utilized by Land O'Lakes, Inc., at Albert Lea, Brownsville, Faribault, Minneapolis-St. Paul, Mountain Lake, and Winthrop, Minn., and Clear Lake, Eau Claire, Madison, Reedsburg, and Spencer, Wis., to Danbury, Hartford, New London, South Windsor, and Suffield, Conn.; Boston, Bridgewater, Cambridge, Canton, Lynn, Norwood, Salem, and Springfield, Mass.; Bayonne, Elizabeth, Jersey City, Plainfield, Secaucus, and Woodbridge, N.J.; Amsterdam, Binghamton, Buffalo, Jamestown, Mount Kisco, New York, Rochester, Schenectady, and Watford, N.Y.; Harrisburg, Philadelphia, and Scranton, Pa.; Cranston, Cumberland, and Providence, R.I., for 180 days. SUPPORTING SHIPPER: Land O'Lakes, Inc., 614 McKinley, Minneapolis, Minn. 55413. SEND PROTESTS TO: A. N. Spath, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building & U.S. Court House, 110 S. 4th St., Minneapolis, Minn. 55401.

No. MC 134477 (Sub-No. 59 TA), filed April 9, 1974. Applicant: SCHANNO TRANSPORTATION, INC., 5 West Mendota Road, West St. Paul, Minn. 55118, and Mailing: P.O. Box 3496, St. Paul, Minn. 55165. Applicant's representative: Thomas Fischbach (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, and articles distributed by meat 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 tallow in tank vehicles and hides), from the plantsite and storage facilities utilized by American Beef Packers, Inc., at or near Cactus, Tex., to points in Connecticut, Delaware, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Dakota, Ohio, Pennsylvania, Rhode Island, South Dakota, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia, for 180 days. RESTRICTION: Restricted to traffic originating at and destined to the named points. SUPPORTING SHIPPER: American Beef Packers, Inc., 7000 W. Center Road, Omaha, Nebr. SEND PROTESTS TO: A. N. Spath, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building & U.S. Court House, 110 S. 4th Street, Minneapolis, Minn. 55401.

No. MC 134477 (Sub-No. 61 TA), filed May 3, 1974. Applicant: SCHANNO TRANSPORTATION, INC., Off: 5 West Mendota Road, West St. Paul, Minn. 55118, and Mlg: P.O. Box 3496, St. Paul, Minn. 55165. Applicant's representative: Thomas D. Fischbach (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cleaning or washing compound, liquid or dry; buffing or polishing compounds; textile softener; grease or oil; lubricating; and deodorants or disinfectants* (except commodities in bulk), from the plantsite and storage facilities utilized by Economics Laboratory, Inc., at or near Joliet, Ill., to Hopkins and Roseville, Minn., for 180 days. RESTRICTION: Restricted to traffic originating at and destined to points named above. SUPPORTING SHIPPER: Economics Laboratory, Inc., Osborn Bldg., St. Paul, Minn. 55101. SEND PROTESTS TO: A. N. Spath, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building & U.S. Court House, 110 S. 4th St., Minneapolis, Minn. 55401.

No. MC 134775 (Sub-No. 5 TA), filed May 2, 1974. Applicant: GUNTER BROTHERS, INC., 19060 Frager Road, Kent, Wash. 98031. Applicant's representative: James T. Johnson, 1610 IBM Building, Seattle, Wash. 98101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Roofing materials, shakes, and shingles*, from Santa Clara,

Pittsburg, and Bakersfield, Calif., to points in Washington, under contract with Hugh McNiven Co. of Seattle, Wash., for 180 days. SUPPORTING SHIPPER: McNiven Co., 1021 Mercer, Seattle, Wash. SEND PROTESTS TO: L. D. Boone, Transportation Specialist, Interstate Commerce Commission, Bureau of Operations, 6049 Federal Office Building, Seattle, Wash. 98104.

No. MC 134783 (Sub-No. 22 TA), filed April 29, 1974. Applicant: DIRECT SERVICE, INC., Dimmet Highway West, P.O. Box 786, 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 (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 Colorado, Kansas, Missouri, Iowa, Illinois, Mississippi, Texas, Oklahoma, and Louisiana, 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, Interstate Commerce Commission, Bureau of Operations, Box H-4395 Herring Plaza, Amarillo, Tex. 79101.

No. MC 135874 (Sub-No. 44 TA), filed May 6, 1974. Applicant: LTL PERISHABLES, INC., 132nd and Q Streets, P.O. Box 37468 (Box zip 68152), Omaha, Nebr. 68137. Applicant's representative: Bill White (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products*, from Newman Grove, Nebr., to the Minneapolis-St. Paul, Minn., Commercial Zone, for 180 days. SUPPORTING SHIPPER: Newman Grove Cooperative Creamery Company, Inc., Howard Deaver, Plant Manager, Newman Grove, Nebr. 68758. SEND PROTESTS TO: District Supervisor Carroll Russell, Interstate Commerce Commission, Bureau of Operations, Suite 620, Union Pacific Plaza, 110 North 14th Street, Omaha, Nebr. 68102.

No. MC 136511 (Sub-No. 4 TA), filed May 3, 1974. Applicant: VIRGINIA APPALACHIAN LUMBER CORPORATION, P.O. Box 48, Big Island, Va. 24526. Applicant's representative: Frank B. Hand, Jr., P.O. Box 446, Winchester, Va. 22601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, from Galax, Va., and Elkin, N.C., to points in Arizona, New Mexico, California, Colorado, Nevada, Oregon, Texas, Utah, and Washington, for 180 days. SUPPORTING SHIPPER: Vaughan-

Bassett Furniture Corporation, P.O. Box 779, Galax, Va. 24333. SEND PROTESTS TO: Danny R. Beeler, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 215 Campbell Avenue SW., Roanoke, Va. 24011.

No. MC 138835 (Sub-No. 16 TA), filed May 6, 1974. Applicant: EASTERN REFRIGERATED TRANSPORT, INC., P.O. Box 1059, Harrisonburg, Va. 22801. Applicant's representative: Harry J. Jordan, 1000 Sixteenth Street NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Winchester, Va., to points in (a) Arkansas, Alabama, Florida, Louisiana, Maine, Mississippi, New Hampshire, Vermont; (b) New York on and west of Interstate Highway 87 (except Albany, N.Y.), and points within 10 miles of Albany, N.Y., and the New York, N.Y., Commercial Zone; (c) Maryland on and south of U.S. Highway 301; (d) Georgia on and south of Interstate Highway 85 (except Atlanta, Ga.) and points within 15 miles thereof; and (e) Tennessee on and west of Interstate Highway 65 (except points in Davidson County, Tenn.), for 180 days. SUPPORTING SHIPPER: Rich Products Corporation, P.O. Box 245, 1145 Niagara Street, Buffalo, N.Y. 14240. SEND PROTESTS TO: Danny R. Beeler, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 215 Campbell Avenue SW., Roanoke, Va. 24011.

No. MC 139071 (Sub-No. 1 TA), filed April 29, 1974. Applicant: SENTRY TRANSPORT, INC., 5525 East 51st Street, Tulsa, Okla. 74135. Applicant's representative: Wm. L. Peterson, Jr., 401 N. Hudson, P.O. Box 917, Oklahoma City, Okla. 73101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Mobile homes*, from Wilkes-Barre, Pa., and Mechanicsburg, Pa., along irregular routes to designated strategic storage areas in Granite City, Ill. and Dempsey SSC, Mineral Wells, Tex., for 180 days. SUPPORTING SHIPPER: C. H. Culpepper, Director, Emergency Preparedness Staff, Dept. of Housing and Urban Development, 451 7th Street SW., Washington, D.C. 20910. SEND PROTESTS TO: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Rm. 240, Old P.O. Bldg., 215 NW. Third, Oklahoma City, Okla. 73102.

No. MC 139071 (Sub-No. 2 TA), filed April 29, 1974. Applicant: SENTRY TRANSPORT, INC., 5525 E. 51st Street, Tulsa, Okla. 74135. Applicant's representative: Wm. L. Peterson, Jr., 401 N. Hudson, P.O. Box 917, Oklahoma City, Okla. 73101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Mobile homes*, from Forest Park, Ga., to points in Alabama, Tennessee, North Carolina, South Carolina, and Kentucky, for 180 days. SUPPORTING SHIPPER: C. H. Culpepper, Director, Emergency Preparedness Staff, Dept. of Housing and

Urban Development, 451 7th Street SW., Washington, D.C. 20910. SEND PROTESTS TO: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Rm. 240, Old P.O. Bldg., 215 NW. Third, Oklahoma City, Okla. 73102.

No. MC 139222 (Sub-No. 1 TA), filed April 30, 1974. Applicant: MERCURY TRUCK LINES, INC., 510 East Spruce Street, Missoula, Mont. 59801. Applicant's representative: Milton Datsopoulos, 310 North Higgins Avenue, Missoula, Mont. 59801. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *General commodities* (except those of unusual value, Class A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), REGULAR ROUTES, *General Commodities* (with the usual exceptions), (1) From Ravalli, Mont., over Alternate U.S. Highway 10 to Dixon, Mont., thence over unnumbered highway via Charlo, Mont., to Ronan, Mont.; and also from Charlo over unnumbered highway to junction U.S. Highway 93 at a point four miles north of St. Ignatius, Mont., and thence over U.S. Highway 93 to Kalispell, and return over the same routes. Service is authorized to and from all intermediate points; (2) Between Missoula and Darby, Mont.: From Missoula over U.S. Highway 93 to Darby via Florence, Mont. (also from Florence, Mont. over unnumbered highway to Hamilton, Mont., and thence over U.S. Highway 93 to Darby), and return over the same routes. Service is authorized to and from all intermediate points; (3) Between Polson, Mont., and Kalispell, Mont., serving all intermediate points: From Polson over Montana Highway 35 to U.S. Highway 2, thence over U.S. Highway 2 to Kalispell, and return over the same route; and (4) Between Darby, Mont., and the Trapper Creek Job Corps Camp, located approximately 10.5 miles southwest of Darby, serving all intermediate points: From Darby over U.S. Highway 93 to junction Montana Highway 473, thence over Montana Highway 473 to the Trapper Creek Job Corps Camp, and return over the same route. IRREGULAR ROUTES, *General Commodities* (with the usual exceptions), between Missoula and Kalispell, Mont., on the one hand, and, on the other, Swan River Youth Forest Camp at or near Goat Creek, Mont., for 180 days.

NOTE.—Applicant intends to tack at Missoula and Ravalli, Mont. with other authority sought by us in a simultaneous application and will interline at Missoula and Kalispell, Mont.

SUPPORTING SHIPPERS: There are approximately 10 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. SEND PROTESTS TO: Paul J. Labane, District Supervisor, Interstate Commerce Com-

mission, Bureau of Operations, Room 222, U.S. Post Office Bldg., Billings, Mont. 59101.

No. MC 139222 (Sub-No. 2 TA), filed April 30, 1974. Applicant: MERCURY TRUCK LINES, INC., 510 East Spruce Street, Missoula, Mont. 59801. Applicant's representative: Milton Datsopoulos, 310 N. Higgins Avenue, Missoula, Mont. 59801. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, specifically *athletic mats* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Missoula, Mont., and Ravalli, Mont.: From Missoula over Montana Highway 200 and U.S. Highway 10 to junction with Montana Highway 200, thence over Montana Highway 200 to Ravalli, Mont., and return over the same route serving all intermediate points, for 180 days.

NOTE.—Applicant states it will tack at Missoula and Ravalli, Mont., with other authority sought by us in a simultaneous application and will interline at Missoula, Mont.

SUPPORTING SHIPPER: Terry's Manufacturing, Inc., Ravalli, Mont. 59863. 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 139273 (Sub-No. 1 TA), filed May 3, 1974. Applicant: KINGS COUNTY TRUCK LINES, a Corporation, 550 S. L Street, Tulare, Calif. 93274. Applicant's representative: Donald Murchison, 9454 Wilshire Blvd., Suite 400, Beverly Hills, Calif. 90212. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Ice cream, accessories, and related supplies*, from Burbank, Calif., to Reno, Sparks, and Carson City, Nev., for 180 days. SUPPORTING SHIPPER: Baskin Robbins, Inc., 1201 South Victory Blvd., Burbank, Calif. 91502. SEND PROTESTS TO: Walter W. Strakosch, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 7708 Federal Building, 300 North Los Angeles Street, Los Angeles, Calif. 90012.

No. MC 139723 (Sub-No. 1 TA), filed April 30, 1974. Applicant: FARISH R. THOMPSON, doing business as THOMPSON TRUCKING, P.O. Box 733, Afton, Wyo. 83110. Applicant's representative: Dennis M. Olsen, 485 "E" Street, Idaho Falls, Idaho 83401. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood chips, sawdust, and wood shavings*, from the facilities of Star Studs Co., a division of New Idria Mining and Chemical Company near Afton, in Lincoln County, Wyo., to the railroad yards in Cokeville, Lincoln County, Wyo., for further shipment in interstate commerce, for 180 days. SUPPORTING SHIPPERS: Star Studs Company, division of New Idria Mining & Chemical Company, P.O. Box 517, Afton, Wyo. 83110, and Inter-

national Paper Company, Long-Bell Division, P.O. Box 579, Longview, Wash. 98632. SEND PROTESTS TO: District Supervisor Paul A. Naughton, Interstate Commerce Commission, Bureau of Operations, Rm. 1006 Federal Bldg. & Post Office, 100 East "B" Street, Casper, Wyo. 82601.

No. MC 139733 (Sub-No. 1 TA), filed April 23, 1974. Applicant: J. L. HUTCHISON, doing business as J. L. HUTCHISON TRUCKING, Route 3, Freeport, Ill. 61032. Applicant's representative: J. L. Hutchison (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Feed and feed ingredients*, from points in (1) Illinois, Minnesota, and Nebraska, to points in Iowa; (2) Iowa, Minnesota, Nebraska, North Dakota, South Dakota, and Wisconsin, to Gilt Edge Farms, Inc., at Dakota, Ill.; (3) Illinois, Iowa, Kansas, Minnesota, Missouri, North Dakota, South Dakota, and Wisconsin, to Oink, Inc., at Pilger, Nebr., and (B) *Equipment, materials, and supplies* used or useful in the construction, maintenance, and operation of livestock production facilities, from points in (1) Indiana, Iowa, Minnesota, Missouri, Nebraska, Ohio, Pennsylvania, and Wisconsin, to Gilt Edge Farms, Inc., at Dakota, Ill., and (2) Illinois, Indiana, Iowa, Minnesota, Missouri, and Wisconsin, to Oink, Inc., at Pilger, Nebr., for 180 days. SUPPORTING SHIPPER: Hunter Barney, Vice President, Gilt Edge Farms, Inc., Box 63, Freeport, Ill. SEND PROTESTS TO: District Supervisor Richard O. Chandler, Interstate Commerce Commission, Bureau of Operations, Everett McKinley Dirksen Building, 219 S. Dearborn Street, Room 1086, Chicago, Ill. 60604.

No. MC 139756 (Sub-No. 1 TA), filed April 30, 1974. Applicant: HOWARD HERLEE LISK, doing business as HOWARD LISK, Route 1, Box 166, Wadesboro, N.C. 28170. Applicant's representative: George W. Clapp, P.O. Box 836, Taylors, S.C. 29687. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Pre-cast concrete products and materials, equipment, and supplies* used in the production of pre-cast concrete products (except commodities in bulk), between Charlotte, N.C., on the one hand, and, on the other, points in Georgia, South Carolina, Tennessee, Virginia, and West Virginia, for 180 days. SUPPORTING SHIPPER: Carolina Concrete Pipe Co., a Division of Reliance Universal Inc., 3701 N. Graham, P.O. Box 10004, Charlotte, N.C. 28237. SEND PROTESTS TO: Terrell Price, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 800 Briar Creek Road, Room CC516, Mart Office Building, Charlotte, N.C. 28205.

No. MC 139757 (Sub-No. 1 TA), filed May 1, 1974. Applicant: GUS MATONEK, INC., 256 State Park Drive, Bay

City, Mich. 48706. Applicant's representative: James R. Davis, 1018 Michigan National Tower, Lansing, Mich. 48933. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum rock*, crushed, ground, or pulverized, in bulk, in dump vehicles, from points in Iosco County, Mich., to the plant site of Medusa Cement Company at or near Sylvania, Ohio, for 180 days. SUPPORTING SHIPPER: Gold Bond Building Products, Division of National Gypsum Company, 325 Delaware Avenue, Buffalo, N.Y. 14202, and Michigan Gypsum Company, 28404 Bay Road, Saginaw, Mich. 48605. SEND PROTESTS TO: C. R. Flemming, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 225 Federal Building, Lansing, Mich. 48933.

No. MC 139759 (Sub-No. 1 TA), filed May 3, 1974. Applicant: BENJAMIN FERNANDEZ, doing business as DIRECT COURIER, 2780 Jefferson Davis Highway, Arlington, Va. 22202. Applicant's representative: Gerald K. Gimmel, 303 N. Frederick Avenue, Gaithersburg, Md. 20760. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sera, cell and cultures, biological research products and equipment, chemicals, laboratory equipment and apparatus, medical reagents, plasma, and live animals*, between points in Montgomery and Frederick Counties, Md., on the one hand, and, on the other, points in Maryland, Virginia, West Virginia, Pennsylvania, Delaware, New Jersey, Rhode Island, New York, Massachusetts, Connecticut, and the District of Columbia, restricted to shipments weighing not in excess of 150 pounds, from one consignor to one consignee in a given day, and restricted against the transportation of radio-pharmaceuticals, for 180 days. SUPPORTING SHIPPERS: Dr. Robert W. McKinney, Vice President, Production, Microbiological Associates, Inc., Walkersville, Md. and Stephanie Passman, Marketing Associate, Electro-Nuclonics Labs, Inc., 4905 Del Ray Avenue, Bethesda, Md. 20014. SEND PROTESTS TO: W. C. Hersman, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 12th Street & Constitution Avenue NW., Washington, D.C. 20423.

No. MC 139764 (Sub-No. 1 TA), filed April 29, 1974. Applicant: RALPH E. WITTH, doing business as C & L TRUCKING CO., 1827 Clement Avenue, Alameda, Calif. 94501. Applicant's representative: R. Frederic Fisher, 311 California Street, San Francisco, Calif. 94104. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Tin plate, black plate, and cold rolled sheet steel*, restricted to shipments having a subsequent movement by water carrier in foreign commerce, from the plant site of Pennville Corporation, Benicia Industrial Tract, Benicia, Calif., to Oakland, Alameda, and San Francisco,

Calif., for 180 days. SUPPORTING SHIPPER: Pennville Corporation, 810 E. Main, Ontario, Calif. SEND PROTESTS TO: A. J. Rodriguez, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 450 Golden Gate Avenue, Box 36004, San Francisco, Calif. 94102.

No. MC 139771 TA, filed May 6, 1974. Applicant: GAFCO, INC., 1040 West 45th Street, Norfolk, Va. 23508. Applicant's representative: Chester A. Zyblut, 1522 K Street NW., Washington, D.C. 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Alcoholic and malt beverages*, in containers, and *tobacco products*, from the facilities of C. H. Peters & Co., Inc., at Norfolk, Va., to the International Boundary line between the United States and Canada at or near Noyes, Minn., for 180 days. SUPPORTING SHIPPER: C. H. Peters & Co., Inc., 1041 W. 45th Street, Norfolk, Va. 23508. SEND PROTESTS TO: District Supervisor C. M. Harmon, Interstate Commerce Commission, Bureau of Operations, 10-502 Federal Bldg., 400 North Eighth Street, Richmond, Va. 23240.

MOTOR CARRIERS OF PASSENGERS

No. MC 139688 (Sub-No. 1 TA), filed April 30, 1974. Applicant: GULF SOUTH TRANSIT, LTD., 729 Prentiss Avenue, Pascagoula, Miss. 39567. Applicant's representative: V. Douglass Gunter, 4750A McWillie Drive, Jackson, Miss. 39206. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Passengers*, between points in Mobile County, Ala., and the plant sites of Ingalls Shipbuilding, Division of Litton Industries, Pascagoula, Miss., under contract with Ingalls Shipbuilding, for 180 days. SUPPORTING SHIPPER: Litton Industries, Ingalls Shipbuilding, Pascagoula, Miss. SEND PROTESTS TO: Alan C. Tarrant, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 212, 145 East Amite St., Jackson, Miss. 39201.

No. MC 139707 (Sub-No. 1 TA), filed May 3, 1974. Applicant: RESORT BUS LINES, INC., 41 Railroad Avenue, Yonkers, N.Y. 10710. Applicant's representative: Samuel B. Zinder, 98 Cutter Mill Road, Great Neck, N.Y. 11021. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Passengers*, from Bronx, N.Y., to Paterson, N.J., and return, for 150 days. SUPPORTING SHIPPER: The Great Atlantic & Pacific Tea Co., Inc., Attn: J. J. McCusker, 900 Delaware Avenue, Paterson, N.J. 07503. SEND PROTESTS TO: Stephen P. Tomany, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 26 Federal Plaza, New York, N.Y. 10007.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc. 74-11499 Filed 5-17-74; 8:45 am]

INTERSTATE COMMERCE COMMISSION

[Ex Parte No. MC-43 (Sub-No. 2)]

LEASE AND INTERCHANGE OF VEHICLES

Adjustment of Compensation for Equip- ment Leased by Motor Carriers of Prop- erty Because of Rising Fuel Costs

At a General Session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 9th day of May, 1974.

Upon consideration of the record in the above-entitled proceeding, including the order entered February 14, 1974 (35 FR 6519) and of:

- (1) Petition of Tajon, Inc., filed March 13, 1974, for reconsideration;
- (2) Petition of Movers Round Table, filed March 18, 1974, for reconsideration;
- (3) Petition of Movers' & Warehousemen's Association of America, Inc., filed March 18, 1974, for reconsideration;
- (4) Petition of Beaver Transport Co., et al., filed March 18, 1974, for reconsideration;
- (5) Petition of The Kaplan Trucking Co., et al., filed March 18, 1974, for reconsideration;
- (6) Petition of Household Goods Carriers' Bureau, Inc., filed March 12, 1974, as corrected by letter dated March 14, 1974, for reconsideration;
- (7) Petition of Steel Carriers' Tariff

Association, Inc., filed March 14, 1974, for reconsideration;

(8) Petition of National Independent Truckers Unity Committee, filed April 3, 1974, for leave to intervene and permission to file a tendered reply to the petition in (7) above;

(9) Tendered reply by petitioner named in (8) above, filed April 3, 1974, to the petition in (7) above;

(10) Tendered supplemental reply by petitioner named in (8) above, filed April 8, 1974, to the petition in (7) above;

(11) Petition of the Commonwealth of Pennsylvania, filed April 12, 1974, for leave to intervene for the purpose of submitting for inclusion in the record a tendered copy of a letter (dated April 11, 1974) from the Governor of Pennsylvania to the Chairman of this Commission;

(12) Tendered reply (letter specified in (11) above), of the Commonwealth of Pennsylvania, filed April 12, 1974, to the petition in (7) above;

It appearing that petitioner in (8) above is an organization whose members have an interest in the outcome of this proceeding and, accordingly, permission to intervene should be granted in order to allow the interests of such operators to be protected;

It further appearing that petitioner in (11) above represents millions of citizens whose vital interests depend upon the continued availability of responsive

motor transportation service and, therefore, permission to intervene should be granted; and good cause appearing therefor:

It is ordered, That National Independent Truckers Unity Committee and the Commonwealth of Pennsylvania be, and they are hereby, permitted to intervene in this proceeding with the right to participate in all further proceedings herein.

It is further ordered, That the tendered pleadings in (9), (10), (11), and (12) above be, and they are hereby, accepted for filing.

It is further ordered, That the petitions in (1), (2), (3), (4), (5), (6), and (7) above be, and they are hereby, denied, for the reasons that no sufficient or proper cause appears for reconsidering the order entered and served herein February 14, 1974, or for granting any other relief sought.

It is further ordered, That notice of this order shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Interstate Commerce Commission, at Washington, D.C., and by filing a copy with the Director, Office of the Federal Register.

By the Commission.

[SEAL]

ROBERT L. OSWALD,
Secretary

[FR Doc.74-11498 Filed 5-17-74;8:45 am]

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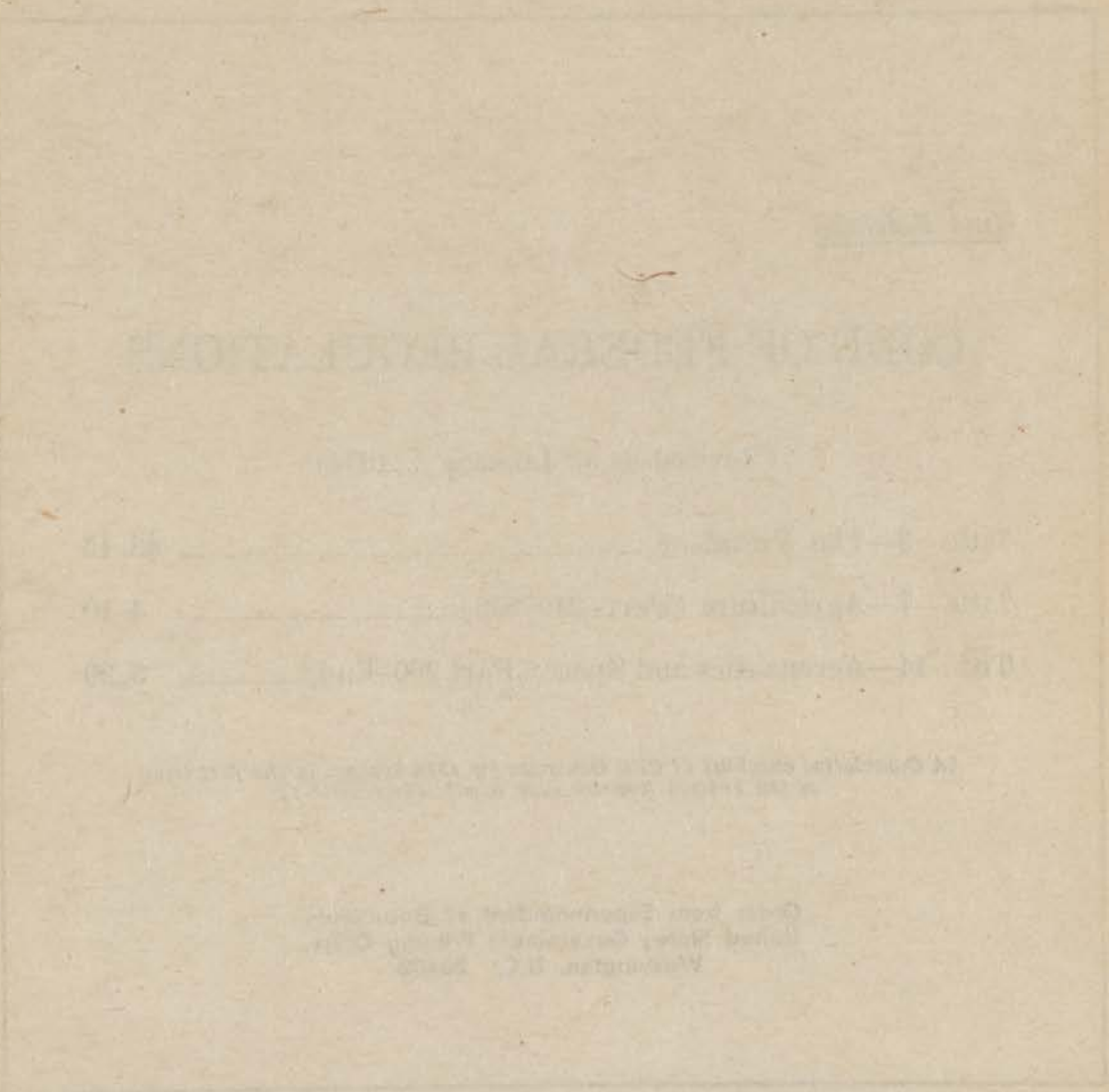
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The following is a list of the names of the persons who have been
 named in the various reports of the Committee on the subject of
 the proposed amendment to the Constitution of the State of New York.
 The names are arranged in alphabetical order, and are given in full.
 The names of the persons who have been named in the various reports
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APPENDIX TO THE REPORT OF THE COMMITTEE ON THE PROPOSED
 AMENDMENT TO THE CONSTITUTION OF THE STATE OF NEW YORK

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