federal register

TUESDAY, MAY 21, 1974

WASHINGTON, D.C.

Volume 39 ■ Number 99

Pages 17825–17920

PART I

HIGHLIGHTS OF THIS ISSUE

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

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reminders

NOTE: There were no items published after October 1, 1972, that are eligible for inclusion in the list of RULES GOING INTO EFFECT TODAY.

federal register

Area Code 202 Phone 523-5240

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

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list of cfr parts affected

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

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

rules and regulations

Title 7—Agriculture

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

[Valencia Orange Reg. 464, Amdt. 1]

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

Limitation of Handling

This regulation increases the quantity of California-Arizona Valencia oranges that may be shipped to fresh market during the weekly regulation period May 10–16, 1974. The quantity that may be shipped is increased due to improved market conditions for California-Arizona Valencia oranges. The regulation and this amendment are issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 908.

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

(2) The need for an increase in the quantity of oranges available for handling during the current week results from changes that have taken place in the marketing situation since the issuance of Valencia Orange Regulation 464 (39 FR 16472). The marketing picture now indicates that there is a greater demand for Valencia oranges than existed when the regulation was made effective. Therefore, in order to provide an opportunity for handlers to handle a sufficient volume of Valencia oranges to fill the current demand thereby making a greater quantity of Valencia oranges available to meet such increased demand, the regulation should be amended, as hereinafter set forth.

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this amendment relieves restriction on the handling of Valencia oranges grown in Arizona and designated part of California.

(b) *Order, as amended.* The provisions in paragraph (b)(1) (i), (ii), and (iii) of § 908.764 (Valencia Orange Regulation 464 (39 FR 16472)) are hereby amended to read as follows:

§ 908.764 Valencia Orange Regulation 464.

* * * * *

(b) * * *

(1) * * *

(i) District 1: 400,000 cartons;

(ii) District 2: 340,000 cartons;

(iii) District 3: 260,000 cartons.

* * * * *

(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.74–11552 Filed 5–20–74;8:45 am]

[Lemon Reg. 638, Amdt. 1]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

This regulation increases the quantity of California-Arizona lemons that may be shipped to fresh market during the weekly regulation period May 12–18, 1974. The quantity that may be shipped is increased due to improved market conditions for California-Arizona lemons. The regulation and this amendment are issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 910.

(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 an increase in the quantity of lemons available for handling during the current week results from changes that have taken place in the marketing situation since the issuance of Lemon Regulation 638 (39 FR 16852). The marketing picture now indicates that there is a greater demand for lemons than existed when the regulation was made effective. Therefore, in order to provide an opportunity for handlers to handle a sufficient volume of lemons to fill the current market demand thereby making a greater quantity of lemons available to meet such increased demand, the regulation should be amended, as hereinafter set forth.

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this amendment relieves restriction on the handling of lemons grown in California and Arizona.

(b) *Order, as amended.* Paragraph (b)(1) of § 910.938 (Lemon Regulation 638) (39 FR 16852) is hereby amended to read as follows: "The quantity of lemons grown in California and Arizona which may be handled during the period May 12, 1974, through May 18, 1974, is hereby fixed at 300,000 cartons.

(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.74–11553 Filed 5–20–74;8:45 am]

[Nectarine Reg. 5]

PART 916—NECTARINES GROWN IN CALIFORNIA

Limitation of Shipments

This regulation for California Nectarine shipments sets a minimum grade of

U.S. No. 1, except that it provides an additional tolerance for individual fruit of all varieties not well formed but not badly misshapen, and an additional tolerance for the Sun Free and Golden Grand Varieties affected by fairly smooth or smooth russeting. It also prescribes minimum sizes for 39 named varieties. The regulation is essentially the same as that which was effective for the 1973 crop.

Findings. (1) Pursuant to the amended marketing agreement and Order No. 916 (7 CFR Part 916), regulating the handling of nectarines 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 Nectarine Administrative Committee, established under the aforesaid marketing agreement and order, and upon other information, it is hereby found that the limitation of shipments of nectarines, as hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) This regulation is based upon an appraisal of projected crop and marketing conditions. The committee estimates that 8,265,000 packages of nectarines will be available for shipment in the 1974 season compared with actual shipments of 7,509,000 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 freestone peaches and plums likely will be the largest in several years. Such peaches and plums are strong competitors of nectarines. It is concluded that the grade and size requirements hereinafter provided are necessary to provide good quality fruit, in the interest of producers and consumers 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 rulemaking 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 the date hereinafter specified. A reasonable determination as to the supply of, and the demand for, such nectarines, which are currently regulated pursuant to Nectarine Regulation 4 (38 FR 12811, 15727), must await the development of the crop thereof, adequate information thereon was not available to the Nectarine Administrative Committee until the date hereinafter set forth on which an open meeting was held, after giving due notice thereof, to consider the need for, and the extent of, regulation of shipments of such nectarines; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; shipments of the current crop of such nectarines are expected to begin on or about the effective date of this regulation; 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 with the aforesaid recommendation of the committee, information concerning such provisions and effective time has been disseminated among handlers of such nectarines; and compliance with the provisions of this regulation will not require of handlers any preparation therefor which cannot be completed by the effective time hereof. Such committee meeting was held on May 8, 1974.

§ 916.347 Nectarine Regulation 5.

(a) *Order.* (1) During the period May 22, 1974, through July 6, 1974, no handler shall handle any package or container of any variety of nectarines unless such nectarines grade at least U.S. No. 1: *Provided,* That nectarines 2 inches in diameter or smaller, or 4 x 4 size or smaller, shall not have fairly light colored, fairly smooth scars which exceed the aggregate area of a circle ⅜ inch in diameter, and nectarines larger than 2 inches in diameter, or larger than 4 x 4 size, shall not have fairly light colored, fairly smooth scars which exceed an aggregate area of a circle ½ inch in diameter: *Provided further,* That an additional tolerance of 25 percent shall be permitted for fruit that is not well formed but not badly misshapen: *Provided further,* That 25 percent of the surface of each fruit of the Sun Free and Golden Grand varieties may be affected by fairly smooth or smooth russeting.

(2) During the period May 22, 1974, through July 6, 1974, no handler may handle any package or container of May Red variety nectarines unless:

(i) Such nectarines, when packed in a No. 22D standard lug box are of a size that will pack, in accordance with the requirements of a standard pack, not more than 130 nectarines in the lug box;

(ii) Such nectarines when packed in a standard basket, are of a size not smaller than a size that will pack 4 x 5 standard pack; or

(iii) Such nectarines when packed in any container other than the containers specified in subdivisions (i) and (ii) of this subparagraph (2), measure not less than 1¾ inches in diameter as measured by a rigid ring: *Provided,* That not more than 10 percent, by count, of nectarines in any container may fail to meet such diameter requirement.

(3) During the period May 22, 1974, through July 6, 1974, no handler shall handle any package or container of Arm King, Crimson Gold, Mayfair, or Zee Gold variety nectarines unless:

(i) Such nectarines, when packed in a No. 22D standard lug box, are of a size that will pack, in accordance with the requirements of a standard pack, not more than 112 nectarines in the lug box; or

(ii) Such nectarines, when packed in a standard basket, are of a size not smaller than a size that will pack a 3 x 4 x 5 standard pack;

(iii) Such nectarines, when packed in any container other than the containers specified in subdivisions (i) and (ii) of this subparagraph (3), measure not less than 1⅞ inches in diameter as measured by a rigid ring: *Provided,* That not more than 10 percent, by count, of the nectarines in any container may fail to meet such diameter requirement.

(4) During the period May 22, 1974, through July 6, 1974, no handler shall handle any package or container of June Belle, June Grand, May Grand, Red June, Spring Grand, Sunbright, or Sunrise variety nectarines unless:

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

(ii) Such nectarines, when packed in a standard basket, are of a size not smaller than a size that will pack a 4 x 4 standard pack; or

(iii) Such nectarines, when packed in any container other than the containers specified in subdivisions (i) and (ii) of this subparagraph (4), measure not less than 2 inches in diameter as measured by a rigid ring: *Provided,* That not more than 10 percent, by count, of the nectarines in any container may fail to meet such diameter requirement.

(5) During the period May 22, 1974, through July 6, 1974, no handler shall handle any package or container of Early Sun Grand, Grandandy, Independence, Moon Grand, Star Grand I, Star Grand II, Sun Flame, Summer Grand, Sun Grand, or Rose variety nectarines unless:

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

(ii) Such nectarines, when packed in any container other than in a No. 22D standard lug box, measure not less than 2⅛ inches in diameter as measured by a rigid ring: *Provided,* That not more than 10 percent, by count, of the nectarines in any container may fail to meet such diameter requirement.

(6) During the period May 22, 1974, through July 6, 1974, no handler shall handle any package or container of Autumn Grand, Clinton-Strawberry, Fantasia, Flame Kist, Flavor Top, Gold King, Granderli, Grand Prize, Harry Grand, Hi-Red, Late Le Grand, Le Grand, Niagara Grand, Red Grand, Regal Grand, Richard's Grand, Royal Grand, September Grand, or Sun Free variety nectarines unless:

(i) Such nectarines, when packed in a No. 22D standard lug box, are of a size

that will pack, in accordance with the requirement of a standard pack, not more than 88 nectarines in the lug box; or

(ii) Such nectarines, when packed in any container other than in a No. 22D standard lug box, measure not less than 2¼ inches in diameter as measured by a rigid ring: *Provided*, That not more than 10 percent, by count, of the nectarines in any container may fail to meet such diameter requirement.

(7) Nectarine Regulation 4 (38 FR 12811, 15727) is hereby terminated as of the effective date hereof.

(8) When used herein, "diameter," "U.S. No. 1," and "standard pack" shall have the same meaning as set forth in the United States Standards for Grades of Nectarines (§§ 51.3145–51.3160 of this title); "standard basket" shall mean the standard basket set forth in section 43592 of the Agricultural Code of California; "No. 22D standard lug box" shall have the same meaning as set forth in section 43601 of the Agricultural Code of California; and all other terms shall have the same meaning as when used in the 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.74-11554 Filed 5-20-74;8:45 am]

PART 953—IRISH POTATOES GROWN IN THE SOUTHEASTERN STATES

Limitation of Handling

This regulation requires potatoes grown in designated counties of Virginia and North Carolina to meet minimum quality and size requirements. This should promote orderly marketing of such potatoes by keeping less desirable qualities and sizes from being shipped to consumers.

Notice of rulemaking with respect to a proposed handling regulation, to be effective under Marketing Agreement No. 104 and Marketing Order No. 953, both as amended (7 CFR Part 953), regulating the handling of potatoes grown in the production area, was published in the April 23, 1974, FEDERAL REGISTER (39 FR 14350). This program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.). The notice afforded interested persons through May 6, 1974, to file written data, views or arguments pertaining to that proposal. None was filed.

The notice was based upon recommendations of the Southeastern Potato Committee, established pursuant to said marketing agreement and order. The recommendations are consistent with the marketing policy the committee unanimously adopted and reflect its appraisal of the crop and prospective market conditions.

Shipments of potatoes from the production area are expected to begin about June 5. The grade and size requirements provided herein are the same as those which have been issued during past seasons. They are necessary to prevent potatoes of poor quality or undesirable size from being distributed to fresh market outlets. The specific requirements, hereinafter set forth, will benefit consumers and producers by standardizing and improving the quality of the potatoes shipped from the production area.

Exceptions are provided to certain of these requirements to recognize special situations in which such requirements would be inappropriate or unreasonable.

Shipments may be made to certain special purpose outlets without regard to the grade, size, maturity and inspection requirements, provided that safeguards are met to prevent such potatoes from reaching unauthorized outlets. Shipments for use as livestock feed are so exempted because requirements for this outlet differ greatly from those for fresh market. Since no purpose would be served by regulating potatoes used for charity purposes, such shipments are also exempt. Exemption of potatoes for most processing uses is mandatory under the legislative authority for this part and therefore shipments to processing outlets are unregulated.

After consideration of all relevant matters, including the proposal set forth in the aforesaid notice, it is hereby found and determined that the handling regulation, as hereinafter set forth, will tend to effectuate the declared policy of the act by setting the minimum standards of quality and maturity and the grading and inspection requirements which the Secretary has found should be maintained for orderly marketing.

It is hereby further found that good cause exists for not postponing the effective date of this section until 30 days after its publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) shipments of potatoes grown in the production area will begin on or about the effective date specified herein, (2) to maximize benefits to producers, this regulation should apply to as many shipments as possible during the marketing season, and (3) compliance with this regulation, which is similiar to that in effect during previous marketing seasons, wil not require any special preparation on the part of persons subject thereto which cannot be completed by June 5, 1974.

The regulation is as follows:

§ 953.314 Handling regulation.

During the period June 5 through July 31, 1974, no person shall ship any lot of potatoes produced in the production area unless such potatoes meet the requirements of paragraphs (a) and (b) of this section or unless such potatoes are handled in accordance with paragraphs (c) and (d) of this section.

(a) *Minimum grade and size requirements.* All varieties U.S. No. 2, or better grade, 1½ inches minimum diameter.

(b) *Inspection.* Each first handler shall, prior to making each shipment of potatoes, cause each shipment to be inspected by an authorized representative of the Federal-State Inspection Service. No handler shall ship any potatoes for which inspection is required unless an appropriate inspection certificate has been issued with respect thereto by the Federal-State Inspection Service and the certificate is valid at the time of shipment.

(c) *Special purpose shipments.* The grade, size, and inspection requirements set forth in paragraphs (a) and (b) of this section shall not be applicable to shipments of potatoes for canning, freezing, "other processing" as hereinafter defined, livestock feed or charity: *Provided*, That the handler thereof complies with the safeguard requirements of paragraph (d) of this section: *Further provided*, That shipments of potatoes for canning, freezing, and "other processing" shall be exempt from inspection requirements specified in § 953.50 and from assessment requirements specified in § 953.34.

(d) *Safeguards.* Each handler making shipments of potatoes for canning, freezing, "other processing," livestock feed, or charity in accordance with paragraph (c) of this section shall:

(1) Notify the committee of his intent to ship potatoes pursuant to paragraph (c) of this section by applying on forms furnished by the committee for a Certificate of Privilege applicable to such special purpose shipments;

(2) Obtain an approved Certificate of Privilege;

(3) Prepare on forms furnished by the committee a special purpose shipment report for each such individual shipment; and

(4) Forward copies of such special purpose shipment report to the committee office and to the receiver with instructions to the receiver that he sign and return a copy to the committee's office. Failure of the handler or receiver to report such shipments by promptly signing and returning the applicable special purpose shipment report to the committee office shall be cause for suspension of such handler's Certificate of Privilege applicable to such special purpose shipments.

(e) *Minimum quantity exemption.* Each handler may ship up to, but not to exceed, 5 hundredweight of potatoes any day without regard to the inspection and assessment requirements of this part, but this exception shall not apply to any portion of a shipment that exceeds 5 hundredweight of potatoes.

(f) *Definitions.* The term "U.S. No. 2" shall have the same meaning as when used in the U.S. Standards for Grades of Potatoes (§§ 51.1540–51.1566 of this title), including the tolerances set forth therein. The term "other processing" has the same meaning as the term appearing in the act as amended February 15, 1972 (Pub. L. 92–233), and includes, but is not restricted to, potatoes for dehydration, chips, shoestrings, starch, and flour. It

includes only that preparation of potatoes for market which involves the application of heat or cold to such an extent that the natural form or stability of the commodity undergoes a substantial change. The act of peeling, cooling, slicing, or dicing, or the application of material to prevent oxidation does not constitute "other processing." All other terms used in this section shall have the same meaning as when used in Marketing Agreement No. 104 and this part, both as amended.

(g) *Applicability to imports.* Pursuant to section 8e of the act and § 980.1 "Import regulations" (7 CFR 980.1), Irish potatoes of the round white type imported during the effective period of this section shall meet the grade, size, quality, and maturity requirements specified in paragraph (a) of this section.

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

Dated May 10, 1974, to become effective June 5, 1974.

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

[FR Doc.74–11556 Filed 5–20–74;8:45 am]

CHAPTER XIV—COMMODITY CREDIT CORPORATION, DEPARTMENT OF AGRICULTURE

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

PART 1427—COTTON

Subpart—1974 Crop Supplement to Cotton Loan Program Regulations

The Cotton Loan Program regulations issued by Commodity Credit Corporation and containing the regulations of a general nature with respect to loan operations for cotton are supplemented as shown below for the 1974 crop of cotton. Section 1427.101 contains the schedule of base loan rates for upland cotton. Such rates are based on the preliminary national loan rate applicable to Middling one-inch upland cotton (micronaire 3.5 through 4.9) net weight, at average location in the U.S. which was announced by press release on August 27, 1973, adjusted to Strict Low Middling 1 1/16 inch cotton as the base quality for computing loans.

Sections 1427.102–105 contain the schedules of premiums and discounts for grade and staple length of upland cotton, micronaire differentials for upland and extra long staple cotton, and base loan rates for eligible qualities of extra long staple cotton. Those schedules were announced by press releases on February 20, 1974.

The material previously appearing in §§ 1427.100 through 1427.105 remains in full force and effect as to previous crops of cotton.

Generally, the quality differentials for upland and extra long staple cotton are developed in April each year and issued in early May. However, in view of market activity and widespread interest, such differentials were developed and announced earlier this year. Since the base loan rates contained herein are based on the previously announced preliminary national loan rate for upland cotton, such rates are considered preliminary until determined by public notice to be final.

In consideration of the various factors involved, it is found and determined that compliance with the notice of proposed rulemaking procedure is impracticable and contrary to the public interest. Therefore, this supplement is being issued without following such proposed rulemaking procedure and shall be effective upon filing with the Office of Federal Register. The revised supplement reads as follows:

Sec.
1427.100 Purpose.
1427.101 Schedule of base loan rates for eligible 1974-crop upland cotton by warehouse location.
1427.102 Schedule of premiums and discounts for grade and staple length of eligible 1974-crop upland cotton.
1427.103 Schedule of micronaire differentials for 1974-crop upland cotton.
1427.104 Schedule of loan rates for eligible qualities of 1974-crop extra long staple cotton by warehouse location.
1427.105 Schedule of micronaire differentials for 1974-crop extra long staple cotton.

AUTHORITY: Secs. 4, 5, 62 Stat. 1070, as amended; secs. 101, 103, 401, 63 Stat. 1051, as amended; (15 U.S.C. 714 b and c); (7 U.S.C. 1441, 1444, 1421)

§ 1427.100 Purpose.

This subpart is for the purpose of announcing that loans will be available on upland and extra long staple cotton of the 1974 crop under the terms and conditions stated in the Cotton Loan Program regulations issued by Commodity Credit Corporation and contained in this Part 1427. This subpart also contains schedules to be used in determining loan rates on 1974-crop cotton.

§ 1427.101 Schedule of base loan rates for eligible 1974-crop upland cotton by warehouse location.

ALABAMA

[In cents per pound, net weight]

City	County	Basis strict low middling white 1 1/16 "4134" loan rate
Akron	Hale	27.45
Albertville	Marshall	27.55
Aliceville	Pickens	27.45
Arab	Marshall	27.55
Atmore	Escambia	27.45
Attalla	Etowah	27.70
Belle Mina	Limestone	27.55
Berry	Fayette	27.55
Birmingham	Jefferson	27.55
Boligee	Greene	27.45
Brent	Bibb	27.55
Camden	Wilcox	27.45
Centreville	Bibb	27.55
Clayton	Barbour	27.55
Cullman	Cullman	27.55
Decatur	Morgan	27.55
Demopolis	Marengo	27.45
Dutton	Jackson	27.55
Eclectic	Elmore	27.55
Elkmont	Limestone	27.55
Eufaula	Barbour	27.55
Eutaw	Greene	27.45
Evergreen	Conecuh	27.45
Fayette	Fayette	27.55
Frisco City	Monroe	27.45
Gadsden	Etowah	27.70
Georgiana	Butler	27.55
Geraldine	De Kalb	27.55
Goodway	Monroe	27.45
Greenbrier	Limestone	27.55
Greensboro	Hale	27.45
Haleyville	Winston	27.55
Hamilton	Marion	27.45
Hartford	Geneva	27.55
Hartselle	Morgan	27.55
Havana Junction	Hale	27.45
Headland	Henry	27.55
Huntsville	Madison	27.55
Hurtsboro	Russell	27.70
Jasper	Walker	27.55
Lafayette	Chambers	27.70
Livingston	Sumter	27.45
McCullough	Escambia	27.45
Madison	Madison	27.55
Marion	Perry	27.55
Mobile	Mobile	27.45
Montgomery	Montgomery	27.55
Moundville	Hale	27.45
Newbern	Hale	27.45
New Hope	Madison	27.55
Newville	Henry	27.55
Northport	Tuscaloosa	27.45
Oneonta	Blount	27.55
Opelika	Lee	27.70
Opp	Covington	27.55
Panola	Sumter	27.45
Red Bay	Franklin	27.45
Rogersville	Lauderdale	27.45
Russellville	Franklin	27.45
Samantha	Tuscaloosa	27.45
Samson	Geneva	27.55
Scottsboro	Jackson	27.55
Section	Jackson	27.55
Selma	Dallas	27.55
Stevenson	Jackson	27.55
Sulligent	Lamar	27.45
Sweet Water	Marengo	27.45
Sylacauga	Talladega	27.70
Talladega	Talladega	27.70
Tallassee	Elmore	27.55
Tuscumbia	Colbert	27.45
Tuskegee	Macon	27.55
Union Springs	Bullock	27.55
Uniontown	Perry	27.55
Wetumpka	Elmore	27.55

ARIZONA

Eloy	Pinal	26.20
Phoenix	Maricopa	26.20
Picacho	Pinal	26.20
Safford	Graham	26.60
Yuma	Yuma	26.20

ARKANSAS

Batesville	Independence	27.25
Blytheville	Mississippi	27.35
Bradley	Lafayette	27.15
Brinkley	Monroe	27.35
Camden	Quachita	27.15
Clarendon	Monroe	27.35
Cotton Plant	Woodruff	27.35
Dardanelle	Yell	27.25
Dell	Mississippi	27.35
Dumas	Desha	27.25
Earle	Crittenden	27.35
England	Lonoke	27.25
Eudora	Chicot	27.25
Evadale	Missis-ippi	27.35
Forrest City	St. Francis	27.35
Fort Smith	Sebastian	27.15
Helena	Phillips	27.35
Hope	Hempstead	27.15
Hughes	St. Francis	27.35
Jonesboro	Craighead	27.35
Leachville	Mississippi	27.35
Lepanto	Poinsett	27.35
Little Rock	Pulaski	27.25
Lonoke	Lonoke	27.25
McCrory	Woodruff	27.35
McGehee	Desha	27.25
Marianna	Lee	27.35
Marked Tree	Poinsett	27.35

ARKANSAS—Continued

City	County	Basis strict low middling white 1 1/16 "4134" loan rate
Marvell	Phillips	27.35
Newport	Jackson	27.25
North Little Rock	Pulaski	27.25
Osceola	Mississippi	27.35
Pine Bluff	Jefferson	27.25
Portland	Ashley	27.25
Searcy	White	27.25
Sparkman	Dallas	27.15
Trumann	Poinsett	27.35
Waldo	Columbia	27.15
Walnut Ridge	Lawrence	27.25
West Memphis	Crittenden	27.35
Wynne	Cross	27.35

CALIFORNIA

Bakersfield	Kern	26.20
Brawley	Imperial	26.20
Calico	Kern	26.20
El Centro	Imperial	26.20
Fresno	Fresno	26.20
Imperial	Imperial	26.20
Kerman	Fresno	26.20
Los Angeles	Los Angeles	26.20
Pinedale	Fresno	26.20
Tulare	Tulare	26.20

FLORIDA

Jay	Santa Rosa	27.55

GEORGIA

Adairsville	Bartow	27.90
Alamo	Wheeler	27.70
Albany	Dougherty	27.70
Allentown	Wilkinson	27.90
Arabi	Crisp	27.70
Arlington	Calhoun	27.55
Athens	Clarke	28.05
Atlanta	Fulton	27.90
Augusta	Richmond	28.05
Barlow	Jefferson	27.90
Blakely	Early	27.55
Bronwood	Terrell	27.70
Buena Vista	Marion	27.90
Butler	Taylor	27.90
Byromville	Dooly	27.70
Cadwell	Laurens	27.90
Camilla	Mitchell	27.55
Carrollton	Carroll	27.90
Cedartown	Polk	27.90
Chauncey	Dodge	27.90
Chester	Dodge	27.90
Cochran	Bleckley	27.90
Colquitt	Miller	27.55
Columbus	Muscogee	27.90
Comer	Madison	28.05
Concord	Pike	27.90
Cordele	Crisp	27.70
Coverdale	Turner	27.70
Cuthbert	Randolph	27.55
Davisboro	Washington	27.90
Dawson	Terrell	27.70
DeSoto	Sumter	27.70
Dexter	Laurens	27.90
Doerun	Colquitt	27.55
Donalsonville	Seminole	27.55
Douglas	Coffee	27.70
Dublin	Laurens	27.90
Dudley	Laurens	27.90
Eastman	Dodge	27.90
East Point	Fulton	27.90
Edison	Calhoun	27.55
Elko	Houston	27.90
Ellaville	Schley	27.90
Fitzgerald	Ben Hill	27.70
Fort Gaines	Clay	27.55
Funston	Colquitt	27.55
Gay	Meriwether	27.90
Glennville	Tattnall	27.70
Greenville	Meriwether	27.90
Haralson	Coweta	27.90
Hawkinsville	Pulaski	27.90
Hollonville	Pike	27.90
Ideal	Macon	27.90
Jeffersonville	Twiggs	27.90
Jesup	Wayne	27.70
Kingston	Bartow	27.90
Leslie	Sumter	27.70

GEORGIA—Continued

City	County	Basis strict low middling white 1 1/16 "4134" loan rate
Louisville	Jefferson	27.90
Lumpkin	Stewart	27.70
Luthersville	Meriwether	27.90
Lyons	Toombs	27.70
McDonough	Henry	27.90
Madison	Morgan	27.90
Mansfield	Newton	27.90
Marshallville	Macon	27.90
Meigs	Thomas	27.55
Metter	Candler	27.90
Midville	Burke	27.90
Millen	Jenkins	27.90
Monroe	Walton	27.90
Montezuma	Macon	27.90
Moultrie	Colquitt	27.55
Norman Park	Colquitt	27.55
Ocilla	Irwin	27.70
Oglethorpe	Macon	27.90
Omega	Tift	27.70
Parrott	Terrell	27.70
Pinehurst	Dooly	27.70
Pinelog	Bartow	27.90
Pine Mountain	Harris	27.90
Pitts	Wilcox	27.70
Plains	Sumter	27.70
Portal	Bulloch	27.90
Quitman	Brooks	27.55
Rebecca	Turner	27.70
Rentz	Laurens	27.90
Reynolds	Taylor	27.90
Rochelle	Wilcox	27.70
Rome	Floyd	27.90
Rutledge	Morgan	27.90
Sandersville	Washington	27.90
Sasser	Terrell	27.70
Senoia	Coweta	27.90
Shellman	Randolph	27.55
Social Circle	Walton	27.90
Soperton	Treutlen	27.90
Statesboro	Bulloch	27.90
Swainsboro	Emanuel	27.90
Sycamore	Turner	27.70
Sylvania	Screven	27.90
Sylvester	Worth	27.70
Tennille	Washington	27.90
Trion	Chattooga	27.90
Twin City	Emanuel	27.90
Unadilla	Dooly	27.70
Vienna	Dooly	27.70
Wadley	Jefferson	27.90
Warrenton	Warren	28.05
Warwick	Worth	27.70
Watkinsville	Oconee	28.05
Waynesboro	Burke	27.90
Winder	Barrow	28.05
Wrightsville	Johnson	27.90
Yatesville	Upson	27.90
Youth	Walton	27.90

LOUISIANA

Alexandria	Rapides	27.15
Bernice	Union	27.15
Cheneyville	Rapides	27.15
Coushatta	Red River	27.15
Delhi	Richland	27.25
Ferriday	Concordia	27.25
Franklinton	Washington	27.35
Haynesville	Claiborne	27.15
Lake Providence	East Carroll	27.25
Mansfield	De Soto	27.15
Mer Rouge	Morehouse	27.25
Monroe	Ouachita	27.25
Natchitoches	Natchitoches	27.15
New Orleans	Orleans	27.35
Oak Grove	West Carroll	27.25
Opelousas	St. Landry	27.15
Plain Dealing	Bossier	27.15
Rayville	Richland	27.25
Shreveport	Caddo	27.15
Tallulah	Madison	27.25
Winnsboro	Franklin	27.25

MISSISSIPPI

Aberdeen	Monroe	27.40
Batesville	Panola	27.40
Belzoni	Humphreys	27.35
Bonneville	Prentiss	27.40
Brookhaven	Lincoln	27.35
Canton	Madison	27.40
Carthage	Leake	27.40
Clarksdale	Coahoma	27.35
Cleveland	Bolivar	27.35

MISSISSIPPI—Continued

City	County	Basis strict low middling white 1 1/16 "4134" loan rate
Columbia	Marion	27.35
Columbus	Lowndes	27.40
Como	Panola	27.40
Corinth	Alcorn	27.40
Drew	Sunflower	27.35
Flora	Madison	27.35
Greenville	Washington	27.35
Greenwood	Leflore	27.35
Grenada	Grenada	27.45
Gulfport	Harrison	27.30
Hattiesburg	Forrest	27.35
Hollandale	Washington	27.35
Holly Springs	Marshall	27.40
Houston	Chickasaw	27.40
Indianola	Sunflower	27.35
Inverness	Sunflower	27.35
Itta Bena	Leflore	27.35
Jackson	Hinds	27.35
Kosciusko	Attala	27.40
Leland	Washington	27.35
Macon	Noxubee	27.40
Magee	Simpson	27.35
Magnolia	Pike	27.35
Marks	Quitman	27.35
New Albany	Union	27.40
Okolona	Chickasaw	27.40
Oxford	Lafayette	27.40
Philadelphia	Neshoba	27.40
Pontotoc	Pontotoc	27.40
Prentiss	Jefferson Davis	27.35
Quitman	Clarke	27.35
Ripley	Tippah	27.40
Rolling Fork	Sharkey	27.35
Rosedale	Bolivar	27.35
Ruleville	Sunflower	27.35
Shaw	Bolivar	27.35
Shelby	do	27.35
Shuqualak	Noxubee	27.40
Sledge	Quitman	27.35
Summit	Pike	27.35
Tunica	Tunica	27.35
Tupelo	Lee	27.40
Tutwiler	Tallahatchie	27.35
Tylertown	Walthall	27.35
Union	Newton	27.40
Vicksburg	Warren	27.35
West Point	Clay	27.40
Yazoo City	Yazoo	27.35

MISSOURI

Arbyrd	Dunklin	27.35
Caruthersville	Pemiscot	27.35
Charleston	Mississippi	27.35
Gideon	New Madrid	27.35
Hayti	Pemiscot	27.35
Kennett	Dunklin	27.35
Lilbourn	New Madrid	27.35
Malden	Dunklin	27.35
Portageville	New Madrid	27.35
Sikeston	Scott	27.35

NEW MEXICO

Artesia	Eddy	26.85
Carlsbad	do	26.85
Deming	Luna	26.75
Las Cruces	Dona Ana	26.85
Lovington	Lea	26.95
Roswell	Chaves	26.85

NORTH CAROLINA

Battleboro	Nash	28.10
Butner	Granville	28.10
Candor	Montgomery	28.20
Charlotte	Mecklenburg	28.20
Cherryville	Gaston	28.20
Clinton	Sampson	28.10
Conway	Northampton	28.10
Dunn	Harnett	28.10
Edenton	Chowan	28.10
Enfield	Halifax	28.10
Fayetteville	Cumberland	28.10
Gastonia	Gaston	28.20
Gibson	Scotland	28.10
Goldsboro	Wayne	28.10
Henderson	Vance	28.10
Jackson	Northampton	28.10
Laurinburg	Scotland	28.10

NORTH CAROLINA—Continued

City	County	Basis strict low middling white 1 1/16 "4134" loan rate
Lewiston	Bertie	28.10
Lincolnton	Lincoln	28.20
Lumberton	Robeson	28.10
Mooresville	Iredell	28.20
Morven	Anson	28.20
Murfreesboro	Hertford	28.10
Nashville	Nash	28.10
Newton	Catawba	28.20
Parkton	Robeson	28.10
Pembroke	do	28.10
Rafford	Hoke	28.10
Raleigh	Wake	28.10
Rich Square	Northampton	28.10
Roanoke Rapids	Halifax	28.10
Rowland	Robeson	28.10
Saint Pauls	do	28.10
Salisbury	Rowan	28.20
Scotland Neck	Halifax	28.10
Seaboard	Northampton	28.10
Selma	Johnston	28.10
Shelby	Cleveland	28.20
Smithfield	Johnston	28.10
Tarboro	Edgecombe	28.10
Wagram	Scotland	28.10
Wake Forest	Wake	28.10
Washington	Beaufort	28.10
Weldon	Halifax	28.10
Williamston	Martin	28.10
Wilson	Wilson	28.10
Woodland	Northampton	28.10

OKLAHOMA

Altus	Jackson	27.05
Anadarko	Caddo	27.05
Chickasha	Grady	27.05
Frederick	Tillman	27.05
Hobart	Kiowa	27.05
Mangum	Greer	27.05
Mountain View	Kiowa	27.05
Oklahoma City	Oklahoma	27.05

SOUTH CAROLINA

Allendale	Allendale	28.10
Anderson	Anderson	28.20
Bamberg	Bamberg	28.10
Barnwell	Barnwell	28.10
Bennettsville	Marlboro	28.10
Bishopville	Lee	28.10
Bowman	Orangeburg	28.10
Branchville	do	28.10
Brunson	Hampton	28.10
Calhoun Falls	Abbeville	28.20
Cameron	Calhoun	28.10
Charleston	Charleston	28.10
Cheraw	Chesterfield	28.20
Chester	Chester	28.20
Chesterfield	Chesterfield	28.20
Clio	Marlboro	28.10
Columbia	Richland	28.20
Dalzell	Sumter	28.10
Darlington	Darlington	28.10
Denmark	Bamberg	28.10
Dillon	Dillon	28.10
Edgefield	Edgefield	28.20
Elloree	Orangeburg	28.10
Estill	Hampton	28.10
Fountain Inn	Greenville	28.20
Gaffney	Cherokee	28.20
Garnett	Hampton	28.10
Greenville	Greenville	28.20
Greenwood	Greenwood	28.20
Hartsville	Darlington	28.10
Heath Springs	Lancaster	28.20

SOUTH CAROLINA—Continued

City	County	Basis strict low middling white 1 1/16 "4134" loan rate
Jefferson	Chesterfield	28.20
Kingstree	Williamsburg	28.10
Lake City	Florence	28.10
Lamar	Darlington	28.10
McColl	Marlboro	28.10
Manning	Clarendon	28.10
Marion	Marion	28.10
Mountville	Laurens	28.20
Mullins	Marion	28.10
Newberry	Newberry	28.20
Norway	Orangeburg	28.10
Olanta	Florence	28.10
Orangeburg	Orangeburg	28.10
Pendleton	Anderson	28.20
Pinewood	Sumter	28.10
Prosperity	Newberry	28.20
Ridgeway	Fairfield	28.20
Rock Hill	York	28.20
Saluda	Saluda	28.20
Spartanburg	Spartanburg	28.20
St. Matthews	Calhoun	28.10
Summerton	Clarendon	28.10
Sumter	Sumter	28.10
Swansea	Lexington	28.20
Timmonsville	Florence	28.10
Union	Union	28.20
Wagener	Aiken	28.20
Williston	Barnwell	28.10

TENNESSEE

Brownsville	Haywood	27.40
Covington	Tipton	27.40
Dyersburg	Dyer	27.40
Five Points	Lawrence	27.45
Henderson	Chester	27.40
Jackson	Madison	27.40
Lawrenceburg	Lawrence	27.45
Memphis	Shelby	27.40
Milan	Gibson	27.40
Ripley	Lauderdale	27.40
Tiptonville	Lake	27.40

TEXAS

Abernathy	Hale	26.95
Abilene	Taylor	27.05
Ballinger	Runnels	27.05
Bay City	Matagorda	27.05
Big Spring	Howard	26.95
Bovina	Parmer	26.95
Brady	McCulloch	27.05
Brenham	Washington	27.05
Brownfield	Terry	26.95
Brownsville	Cameron	26.95
Brownwood	Brown	27.05
Bryan	Brazos	27.05
Burton	Washington	27.05
Cameron	Milam	27.05
Childress	Childress	27.05
Cleburne	Johnson	27.05
Colorado City	Mitchell	27.05
Commerce	Hunt	27.15
Corpus Christi	Nueces	27.05
Corsicana	Navarro	27.05
Crosbyton	Crosby	26.95
Dallas	Dallas	27.05
Dimmitt	Castro	26.95
Elgin	Bastrop	27.05
Enloe	Delta	27.15
Ennis	Ellis	27.05
Fabens	El Paso	26.85
Fauna	Harris	27.15
Floydada	Floyd	27.05
Fort Stockton	Pecos	26.95

TEXAS—Continued

City	County	Basis strict low middling white 1 1/16 "4134" loan rate
Gainesville	Cooke	27.15
Galveston	Galveston	27.15
Garland	Dallas	27.15
Greenville	Hunt	27.15
Hamlin	Jones	27.05
Harlingen	Cameron	26.95
Hart	Castro	26.95
Haskell	Haskell	27.05
Hearne	Robertson	27.05
Hillsboro	Hill	27.05
Honey Grove	Fannin	27.15
Houston	Harris	27.15
Hubbard	Hill	27.05
Kaufman	Kaufman	27.15
Kenedy	Karnes	27.05
Knox City	Knox	27.05
La Grange	Fayette	27.05
Lamesa	Dawson	26.95
Levelland	Hockley	26.95
Littlefield	Lamb	26.95
Lockhart	Caldwell	27.05
Lockney	Floyd	26.95
Lubbock	Lubbock	26.95
McKinney	Collin	27.15
Marlin	Falls	27.05
Memphis	Hall	27.05
Mexia	Limestone	27.05
Morton	Cochran	26.95
Muleshoe	Bailey	26.95
Munday	Knox	27.05
Navasota	Grimes	27.05
Needville	Fort Bend	27.15
Oconnell	Lynn	26.95
Paducah	Cottle	27.05
Paris	Lamar	27.15
Pecos	Reeves	26.95
Plainview	Hale	26.95
Pyote	Ward	26.95
Quanah	Hardeman	27.05
Quitaque	Briscoe	26.95
Ralls	Crosby	26.95
Raymondville	Willacy	26.95
Roaring Springs	Motley	27.05
Rochester	Haskell	27.05
Rosebud	Falls	27.05
Rosenberg	Fort Bend	27.15
Rotan	Fisher	27.05
Rule	Haskell	27.05
San Angelo	Tom Green	27.05
Seagraves	Gaines	26.95
Seymour	Baylor	27.05
Shamrock	Wheeler	27.05
Slaton	Lubbock	26.95
Snyder	Scurry	27.05
Stamford	Jones	27.05
Stanton	Martin	26.95
Sudan	Lamb	26.95
Sweetwater	Nolan	27.05
Tahoka	Lynn	26.95
Taylor	Williamson	27.05
Temple	Bell	27.05
Terrell	Kaufman	27.15
Texarkana	Bowie	27.15
Tulia	Swisher	26.95
Turkey	Hall	26.95
Vernon	Wilbarger	27.05
Waco	McLennan	27.05
Waxahachie	Ellis	27.05
Wellington	Collingsworth	27.05
Wichita Falls	Wichita	27.05
Winters	Runnels	27.05

VIRGINIA

Brodnax	Brunswick	28.10

§ 1427.102 Schedule of premiums and discounts for grade and staple length of eligible 1974-crop upland cotton.

GRADE	Code [1]	Staple (inches)												
		13/16	7/8	29/32	15/16	31/32	1	1 1/32	1 1/16	1 3/32	1 1/8	1 5/32	1 3/16	1 7/32	1 1/4 and longer
		(24)	(28)	(29)	(30)	(31)	(32)	(33)	(34)	(35)	(36)	(37)	(38)	(39)	(40)
		Pts.	Pts.	Pts.	Pts.	Pts.	Pts.	Pts.	Pts.	Pts.	Pts.	Pts.	Pts.	Pts.	Pts.
WHITE															
GM and better	(01-11)	−520	−480	−425	−360	−270	−135	+80	+220	+255	+300	+365	+455	+630	+775
SM	(21)	−525	−485	−430	−370	−275	−140	+75	+215	+250	+295	+355	+440	+615	+765
MID Plus	(30)	−540	−505	−450	−385	−295	−160	+50	+190	+230	+270	+325	+405	+575	+725
MID	(31)	−555	−520	−465	−400	−310	−180	+30	+170	+210	+250	+300	+375	+530	+660
SLM Plus	(40)	−615	−575	−530	−460	−395	−280	−80	+70	+100	+130	+170	+250	+385	+510
SLM	(41)	−650	−610	−555	−500	−425	−335	−145	Base	+30	+70	+105	+175	+305	+425
LM Plus	(50)	−715	−680	−630	−575	−500	−415	−275	−170	−145	−125	−110	−85	−60	−10
LM	(51)	−745	−710	−670	−610	−545	−465	−340	−240	−215	−195	−185	−170	−145	−120
SGO Plus	(60)	−850	−825	−790	−735	−675	−600	−535	−485	−475	−470	−470	−470	−470	−470
SGD	(61)	−895	−870	−830	−790	−730	−660	−600	−555	−550	−545	−545	−545	−545	−545
GO Plus	(70)	−1,005	−970	−935	−895	−845	−785	−720	−690	−680	−680	−680	−680	−680	−680
GO	(71)	−1,050	−1,010	−980	−935	−890	−830	−770	−745	−740	−735	−735	−735	−735	−735
LIGHT SPOTTED															
GM	(12)	−565	−520	−470	−415	−335	−230	−30	+90	+125	+145	+195	+270	+435	+595
SM	(22)	−575	−530	−480	−420	−345	−240	−45	+75	+110	+135	+175	+250	+415	+570
MID	(32)	−620	−585	−540	−485	−410	−320	−140	−15	+15	+50	+95	+165	+285	+385
SLM	(42)	−720	−680	−625	−580	−515	−440	−330	−235	−220	−195	−185	−165	−155	−120
LM	(52)	−840	−810	−770	−720	−670	−610	−550	−510	−505	−500	−500	−500	−500	−500
SPOTTED															
GM	(13)	−705	−655	−620	−565	−510	−450	−355	−305	−295	−280	−270	−260	−235	−210
SM	(23)	−715	−660	−625	−570	−520	−465	−365	−320	−310	−290	−280	−270	−250	−230
MID	(33)	−770	−720	−680	−635	−580	−530	−450	−405	−400	−390	−385	−385	−385	−385
SLM	(43)	−870	−825	−785	−735	−695	−655	−600	−570	−565	−565	−565	−565	−565	−565
LM	(53)	−985	−940	−900	−865	−825	−780	−730	−715	−710	−705	−705	−705	−705	−705
TINGED															
GM	(14)	−910	−855	−825	−785	−765	−740	−720	−710	−705	−705	−705	−705	−705	−705
SM	(24)	−920	−870	−835	−795	−780	−750	−730	−720	−715	−715	−715	−715	−715	−715
MID	(34)	−975	−925	−890	−855	−830	−805	−785	−775	−775	−775	−775	−775	−775	−775
SLM	(44)	−1,060	−1,010	−975	−930	−915	−885	−870	−865	−865	−865	−865	−865	−865	−865
LM	(54)	−1,165	−1,120	−1,090	−1,050	−1,035	−1,005	−990	−985	−985	−985	−985	−985	−985	−985
YELLOW STAINED															
GM	(15)	−1,090	−1,035	−1,005	−975	−955	−925	−915	−905	−905	−905	−905	−905	−905	−905
SM	(25)	−1,095	−1,040	−1,020	−985	−965	−935	−925	−915	−915	−915	−915	−915	−915	−915
MID	(35)	−1,150	−1,105	−1,080	−1,045	−1,020	−990	−980	−975	−975	−975	−975	−975	−975	−975
LIGHT GRAY															
GM	(16)	−595	−555	−510	−450	−365	−255	−75	+50	+85	+120	+165	+225	+370	+490
SM	(26)	−640	−600	−555	−500	−425	−330	−160	−35	−5	+40	+85	+135	+265	+380
MID	(36)	−730	−690	−660	−600	−530	−455	−340	−240	−225	−195	−185	−165	−140	−110
SLM	(46)	−885	−855	−820	−770	−710	−655	−585	−545	−530	−520	−520	−520	−520	−520
GRAY															
GM	(17)	−695	−655	−610	−560	−485	−400	−275	−180	−160	−125	−90	−35	+40	+110
SM	(27)	−755	−715	−675	−620	−555	−480	−380	−295	−280	−255	−240	−225	−210	−175
MID	(37)	−905	−870	−835	−780	−730	−675	−600	−560	−555	−545	−545	−545	−545	−545
SLM	(47)	−1,050	−1,000	−975	−925	−875	−825	−780	−745	−740	−735	−735	−735	−735	−735

Grade Symbols: CM—Good Middling; SM—Strict Middling; MID—Middling; SLM—Strict Low Middling; LM—Low Middling; SGO—Strict Good Ordinary; GO—Good Ordinary.

[1] Grade and staple codes. Staple below 13/16 is coded 24 and is not eligible for loan. Any grade code starting with an 8 is "below grade" and is not eligible for loan. Grade code 99 is mixed-packed and is not eligible for loan.

§ 1427.103 Schedule of micronaire differentials for 1974-crop upland cotton.

Micronaire reading:	Points per pound (discount)
5.3 and above	125
5.0 through 5.2	50
3.5 through 4.9	0
3.3 through 3.4	70
3.0 through 3.2	190
2.7 through 2.9	325
2.6 and less	500

§ 1427.104 Schedule of loan rates for eligible qualities of 1974-crop extra long staple cotton by warehouse location.

[In cents per pound, net weight]

Code grade	Staple length (inches) (micronaire 3.5 and above)					
	1 3/8 (44)		1 7/16 (46)		1 1/2 and longer (48)	
	Cotton stored in approved warehouses in—		Cotton stored in approved warehouses in—		Cotton stored in approved warehouses in—	
	Arizona and California	New Mexico, Texas, and other States	Arizona and California	Nex Mexico, Texas, and other States	Arizona and California	New Mexico, Texas, and other States
1	51.05	51.55	51.20	51.70	51.30	51.80
2	50.95	51.45	51.15	51.65	51.20	51.70
3	50.80	51.30	51.00	51.50	51.05	51.55
4	50.55	51.05	50.70	51.20	50.80	51.30
5	49.35	49.85	49.50	50.00	49.55	50.05
6	41.20	41.70	41.30	41.80	41.35	41.85
7	33.40	33.90	33.45	33.95	33.50	34.00
8	31.85	32.35	31.90	32.40	31.95	32.45
9	31.05	31.55	31.10	31.60	31.15	31.65

§ 1427.105 Schedule of micronaire differentials for 1974-crop extra long staple cotton.

Micronaire reading:	Points per pound (discount)
3.5 and above	0
3.3 through 3.4	20
3.0 through 3.2	120
2.7 through 2.9	320

Effective date. This subpart shall become effective May 20, 1974.

Signed at Washington, D.C. on May 10, 1974.

GLENN A. WEIR,
Acting Executive Vice President, Commodity Credit Corporation.

[FR Doc.74-11383 Filed 5-20-74;8:45 am]

Title 16—Commercial Practices

CHAPTER I—FEDERAL TRADE COMMISSION

SUBCHAPTER D—TRADE REGULATION RULES

PART 432—POWER OUTPUT CLAIMS FOR AMPLIFIERS UTILIZED IN HOME ENTERTAINMENT PRODUCTS

Correction

In FR Doc. 74-10118 appearing at page 15387 in the issue of Friday, May 3, 1974, make the following changes:

1. In the first column on page 15388, the first Note should be designated "Note 1".

2. On page 15389, insert the three lines appearing under footnote [14] directly after the fourth line in the first column.

3. In the second column on page 15393, "age home", which appears under footnote [93] should be transposed to appear under the last line of this column.

Title 21—Food and Drug

CHAPTER II—DRUG ENFORCEMENT ADMINISTRATION, DEPARTMENT OF JUSTICE

ETORPHINE HYDROCHLORIDE AND DIPRENORPHINE

On March 29, 1974, the Drug Enforcement Administration published a Notice of Proposed Rulemaking in the FEDERAL REGISTER (39 FR 11535) regarding control procedures for etorphine hydrochloride and diprenorphine. All interested parties were afforded an opportunity to submit their objections, comments or requests for a hearing.

In response to said Notice, the Administration received comments from the Division of Wildlife, Colorado Springs, Colorado and Yellowstone National Park, Wyoming, suggesting that the distribution of these controlled substances should not be limited to licensed veterinarians. As stated in the March 29, 1974 Notice, the Drug Enforcement Administration will forward these comments to the Food and Drug Administration indicating its willingness to permit other qualified persons to use etorphine hydrochloride and diprenorphine if the Food and Drug Administration deems it proper and changes the labeling of the substances.

Therefore, under the authority vested in the Attorney General by section 301, 307, 308, 501(b) of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 821, 827, 828 and 871(b)), and delegated to the Administrator of the Drug Enforcement Administration by § 0.100 of Title 21 of the Code of Federal Regulations, the Administrator orders that:

PART 1301—REGISTRATION OF MANUFACTURERS, DISTRIBUTORS, AND DISPENSERS OF CONTROLLED SUBSTANCES

1. Section 1301.74 of Title 21 of the Code of Federal Regulations be amended by adding a new paragraph (g) to read as follows:

§ 1301.74 Other security controls for nonpractitioners.

(g) Before the initial distribution of etorphine hydrochloride and/or diprenorphine to any person, the registrant must verify that the person is authorized to handle the substances(s) by contacting the Drug Enforcement Administration.

* * * * *

2. Section 1301.75 of Title 21 of the Code of Federal Regulations be amended by adding a new paragraph (d) to read as follows:

§ 1301.75 Physical security controls for practitioners.

(d) Etorphine hydrochloride and diprenorphine shall be stored in a safe or steel cabinet equivalent to a U.S. Government Class V security container.

* * * * *

PART 1304—RECORDS AND REPORTS OF REGISTRANTS

3. Section 1304.38 of Title 21 of the Code of Federal Regulations be amended by adding a new paragraph (d) to read as follows:

§ 1304.38 Reports from the manufacturers of bulk materials or dosage units.

* * * * *

(d) Registrants manufacturing etorphine hydrochloride or diprenorphine shall, on a weekly basis, forward a copy of the order forms received for these substances to the Administration.

* * * * *

PART 1305—ORDER FORMS

4. Section 1305.06(b) of Title 21 of the Code of Federal Regulations be amended by adding a new phrase to read as follows:

§ 1305.06 Procedure for executing order forms.

* * * * *

(b) Only one item shall be entered on each numbered line. There are five lines on each order form. If one order form is not sufficient to include all items in an order, additional forms shall be used. Order forms for etorphine hydrochloride and diprenorphine shall contain only these substances. The total number of items ordered shall be noted on that form in the space provided.

* * * * *

5. Part 1305 of Title 21 of the Code of Federal Regulations be amended by adding a new § 1305.16 to read as follows:

§ 1305.16 Special procedure for filling certain order forms.

(a) The purchaser of etorphine hydrochloride or diprenorphine shall submit copy 1 and 2 of the order form to the supplier and retain copy 3 in his own files.

(b) The supplier, if he determines that the purchaser is a veterinarian engaged in zoo and exotic animal practice, wildlife management programs and/or research and authorized by the Administrator to handle these substances shall fill the order in accordance with the procedures set forth in § 1305.09 except that: (1) Order forms for etorphine hydrochloride and diprenorphine shall only contain these substances in reasonable quantities and (2) the substances shall only be shipped to the purchaser at the location printed by the Administration upon the order form under secure conditions using substantial packaging material with no markings on the outside which would indicate the content.

6. Section 1305.13 be amended by adding a new paragraph (d) to read as follows:

§ 1305.13 Preservation of order forms.

* * * * *

(d) The supplier of etorphine hydrochloride and diprenorphine shall maintain order forms for these substances separately from all other order forms and records required to be maintained by the registrant.

Effective date. In order to protect the public welfare by ensuring that etorphine hydrochloride and diprenorphine are manufactured, distributed, stored, and used in a proper manner, the foregoing provisions shall be effective on May 21, 1974.

Dated: May 16, 1974.

ANDREW C. TARTAGLINO,
Acting Administrator,
Drug Enforcement Administration.

[FR Doc.74-11631 Filed 5-20-74;8:45 am]

Title 31—Money and Finance: Treasury

SUBTITLE B—REGULATIONS RELATING TO MONEY AND FINANCE

PART 300—DISTINCTIVE PAPER FOR UNITED STATES CURRENCY AND OTHER SECURITIES

Transfer of Provisions

Regulations formerly appearing in Part 300, Chapter II, Subtitle B, of Title 31 of the Code of Federal Regulations are transferred to Chapter VI of Subtitle B and redesignated as Part 601 of that chapter. Accordingly Part 300 of Subtitle B is hereby vacated.

This redesignation shall become effective on May 21, 1974.

Dated: May 15, 1974.

[SEAL] DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

[FR Doc.74-11641 Filed 5-20-74;8:45 am]

CHAPTER VI—BUREAU OF ENGRAVING AND PRINTING, DEPARTMENT OF THE TREASURY

PART 601—DISTINCTIVE PAPER FOR UNITED STATES CURRENCY AND OTHER SECURITIES

Transfer of Provisions

CROSS REFERENCE: For a document transferring provisions from Part 300, Chapter II, Subtitle B of Title 31, Code of Federal Regulations to this chapter, see FR Doc. 74-11641, *supra*.

Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

SUBCHAPTER C—AIR PROGRAMS

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Approval of Variance for State of Massachusetts

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

By letter dated February 15, 1974, the Massachusetts Department of Public Health (the Department), after proper notice and public hearing, submitted for the Administrator's approval a temporary revision to regulations 5.1.2 and 5.4.1 of the State Implementation Plan for the Southeastern Massachusetts Air Pollution Control District, with certain conditions, that would allow the New England Power Company (the "Company") to use coal with a maximum sulfur content of 2.5 percent and a maximum ash content of 15 percent in unit #3 at the Company's Brayton Point Generating Station in Somerset, Massachusetts from May 4, 1974 to December 31, 1974.

The Brayton Point plant is located in the Metropolitan Providence Interstate air quality control region (AQCR), which is rated Priority 1 for the control of sulfur oxides and particulate matter. The applicable sulfur oxide regulation (regulation 5.1.2) was approved by EPA as a part of the Massachusetts implementation plan for attaining and maintaining primary and secondary air quality standards for sulfur oxides in that AQCR. As such it limits the use of fossil fuels to a maximum sulfur content of .55 pounds per million Btu heat release potential. This equates to approximately a .7 percent sulfur content in coal. The Ash Content in Fuels regulation (regulation 5.4.1) was also approved for the purpose of achieving primary and secondary particulate standards in the same AQCR. It requires the use of fuel with an ash content not in excess of 9 percent by dry weight.

The Administrator has carefully evaluated the variance as submitted by Massachusetts and has determined that subject to the following conditions it may be approved:

1. During the period of this variance the Company shall:

(a) Use coal with the lowest available sulfur and ash contents, but in no event with a sulfur content in excess of a maximum of 1.5 percent and ash content in excess of 15 percent by dry weight, except that the Company need not use coal with a sulfur or ash content lower than that required by the Department's regulations 5.1.2 and 5.4.1, respectively.

(b) Report to the Department and the Regional Administrator of the Environmental Protection Agency, Region I, (the "RA") each thirty days, beginning thirty days after approval of this revision, on the quantity and quality of coal presently being used and its efforts to obtain a higher quality coal. Such report should include, at a minimum, the following information:

(i) Maximum percent sulfur and method of analysis; and

(ii) Maximum percent ash and method of analysis; and

(iii) Heating value of fuel; and

(iv) Quantity consumed weekly with an indication of the average sulfur and ash content.

2. Although the Company may use coal with an ash content up to and including 15 percent by dry weight, the company must meet the mass emission limitation for particulates in regulation 2.5.1. To insure that this limitation is met, within 30 days after achieving rated capacity, but not later than 90 days after initial start-up of Unit #3, a performance test for particulate emissions shall be conducted and a written report of the test results furnished to the Department and the RA. Such test shall be conducted in accordance with the performance test requirements of the Standards of Performance for New Stationary Sources, set forth at 40 CFR Parts 60.8, 60.9, 60.46, except that the time limits specified herein shall apply.

3. *Ambient Air Monitoring.* (a) Prior to July 1, 1974, the Company shall install a comprehensive ambient air quality m a comprehensive ambient air quality monitoring system which will monitor total suspended particulate matter and sulfur oxide concentrations in areas surrounding the plant. The number of sites, locations, operating procedures, and equipment are to be approved by the Department and the RA. Data from the monitoring program shall be supplied to the Department and the RA in a manner, format. and frequency as specified by them.

(b) To obtain valid and representative data, a comprehensive quality assurance program approved by the Department and the RA will be developed and implemented by July 1, 1974. This will include but not be limited to operation, maintenance, calibration and quality control plans and procedures.

(c) If the Regional Administrator determines at any time that primary national ambient air quality standards for sulfur dioxides or particulate matter are not being maintained in the vicinity of the Brayton Point Plant, he may direct the New England Power Company to

burn coal of an appropriate lesser sulfur or ash content, but not less than .55 pounds sulfur per million Btu heat release potential or 9% ash content, under specified conditions as he determines necessary to assure maintenance of the primary national ambient air quality standards. Such conditions may include adverse meteorological conditions or emissions from other sources.

4. *Plan for an SO_x removal system for Unit 3.* Except as provided in condition 5(b), relating to the Administrator's approval of a long term low sulfur coal supply contract, prior to the dates shown below the Company shall:

(a) June 1, 1974—Submit to the RA (i) a legally binding contract executed with a flue gas desulfurization manufacturing firm for design of a sulfur oxide (SO_x) removal system for Unit Number Three, together with the operation and maintenance procedures associated with such system, that will enable such unit to comply with Regulations 4 and 5 of the Department, or (ii) an alternative method of designing such a system with a detailed description of the steps to be taken and the qualifications of the individuals who will prepare the design;

(b) August 15, 1974—Submit to the RA a detailed explanation of the proposed SO_x removal system, including at a minimum, the following information:

(i) Expected design efficiency for SO_x removal;

(ii) Description of the processes selected to remove sulfur oxides, including preliminary drawings, plans and specifications and an estimate of the land area necessary for full application to unit 3;

(iii) Description of the method selected to dispose of by-products from the proposed SO_x removal system, including an estimate of the amount of any land area required and the proposed location(s) of such land area; and

(iv) Environmental evaluation and analysis of the environmental impact of the burning of coal in unit 3 considering all available alternatives which can be utilized to comply with all applicable regulations of the Department, including specifically the selected SO_x removal system, which shall be equivalent, to the greatest extent practicable, to the evaluation and analysis required under section 102(2)(c) of the National Environmental Policy Act, and the Massachusetts Environmental Policy Act.

(c) November 1, 1974—Submit to the RA final plans and specifications for the installation, operation and maintenance of said SO_x removal system, together with a proposed schedule for installation of the system.

5. *Report on the availability of low sulfur coal.* (a) Prior to October 1, 1974, the Company shall submit to the RA a written report on the availability of coal conforming to the requirements of Regulation 5 to meet the total requirements of unit #3 for a five year period, including the names of sources and distributors actually committed to supply the Company or from whom the Company reasonably can expect to obtain coal, location of the mines, a statement as to whether or not the mines are presently operating, the quality of coal by sulfur and ash content expected to be obtained from each mine, the estimated quantity of coal in each mine and method and time of delivery, and copies of any contractual commitments for the purchase of such fuel.

(b) The Company may submit to the RA a long term low sulfur fuel contract that provides for a minimum five year supply of coal with an adequate quantity and quality to meet all applicable emission limitations. Upon the RA's approval of this contract the Company will be exempt from further compliance with condition number five.

6. Except as provided in condition 3(c) of this variance, failure to comply with any of the above conditions will render the variance void, and the company will be subject immediately to all regulations in the Massachusetts implementation plan to which the variance is applicable.

All conditions imposed by the Massachusetts Department of Public Health and submitted as a part of this variance are approved, except where inconsistent with the conditions imposed above.

The variance with the added conditions, and the time period involved, satisfy all requirements of 51.1E and 40 CFR 52.1131 for the following reasons: There has been an adequate demonstration that the conditions added will prevent any interference with the expeditious attainment and maintenance of primary standards for particulates and sulfur oxides during the period of the variance. The Agency therefore evaluated the variance to insure that any delay in compliance with emission limitations in the approved implementation plan would be reasonable in view of relevant circumstances. The Administrator concludes that the delay is in fact reasonable in view of the following circumstances: (1) The Company was initially encouraged by the Federal Energy Office directly, and by this Agency indirectly, to convert unit #3 to the use of coal for a period sufficient in time to free a significant quantity of low sulfur oil for other priority uses throughout the anticipated duration of this year's fuel shortage. (2) In reliance upon this encouragement the Company proceeded to convert unit #3 to provide capacity for the use of coal; it also stockpiled a large quantity of coal; and it committed itself irrevocably in a variety of other respects to the use of coal in unit #3 for the generation of electricity for the period of time involved. (3) The variance will permit the Company to honor fully its present commitments and obligations. (4) The conditions imposed will prevent any adverse impact on human health. (5) Moreover, the conditions will insure that the Company embarks immediately upon a program to achieve permanent compliance with all applicable regulations within the earliest reasonable time.

The State's submittal is available for public inspection during normal business hours at the following addresses: Department of Public Health, Bureau of Air Quality Control, 600 Washington Street, Room 320, Boston, Massachusetts 02111; and EPA Region I Office of Public Affairs, Room 2203 John F. Kennedy Federal Building, Boston, Massachusetts 02203. In addition, EPA's evaluation of the State's submittal is available during normal business hours at the EPA address listed above.

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

1. Relying upon earlier encouragement by the Federal Energy Office, the Company had planned to begin using coal at unit #3 on May 4th. The necessary investment and power supply commitments already incurred make it extremely important that the Company know immediately the fuel restrictions which are applicable to its so that it can resume operation and generation of electricity for New England.

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

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

Dated: May 15, 1974.

JOHN QUARLES,
Acting Administrator.

Part 52 of 40 CFR Ch. I, is amended as follows:

Subpart W—Massachusetts

1. In Section 52,1125, paragraph (b) is amended by adding the following entry to the table:

§ 52.1125 **Compliance schedules.**

* * * * *

(b) * * *

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
* *	*	*	*		*
Brayton Point Electric[1] Generation Station.	Somerset	5.1.2, 5.4.1	Feb. 12, 1974	May 4, 1974	Dec. 31, 1974

[1] Subject to conditions as appear at 39 FR 17839 May 21, 1974.

[FR Doc.74-11591 Filed 5-20-74;8:45 am]

SUBCHAPTER N—EFFLUENT GUIDELINES AND STANDARDS

PART 409—SUGAR PROCESSING POINT SOURCE CATEGORY

Beet Sugar Processing Category; Correction

In FR Doc. 74-2155 appearing on pages 4034 through 4038 in the issue of January 31, 1974, make the following changes:

1. On page 4034, column 3, second paragraph, the word "plantsite" on the third line is amended to read "plant site".

2. On page 4036, column 1, first paragraph, the sentence beginning on the fourth line is amended to read as follows:

These plants are larger than 2090 kkg (2300 tons) per day of beets sliced and thus are not exempt from the zero discharge requirement.

3. On page 4036, column 1, fifth paragraph, the number 2040 appearing on line 21 of the paragraph is amended to be 2090.

4. On page 4036, column 1, fifth paragraph, the word "beet" appearing on line 22 of the paragraph is amended to read "beets".

5. On page 4036, the paragraph under "(c) Economic impact" in the third column is deleted and the following is substituted in lieu thereof: "Analysis of the revised guidelines indicates a substantial reduction in the potential economic impact as projected for the guidelines as originally proposed. For 1977 the economic analysis has identified from one to two potential closures representing approximately 1.0 to 3.0 percent of industry capacity and 50 to 100 full-time employees. Under the 1983 requirements, there are potentially one to two additional closures representing 2.0 to 3.5 percent of industry capacity and an additional 50 to 100 full-time employees. No price increases are expected as a result of the revised guidelines, and there should be no noticeable impact on industry growth or the balance of payments."

6. In § 409.13(a), at page 4037, the word "discharged" appearing on line 11 is amended to read "discharge".

Dated: May 13, 1974.

JOHN QUARLES,
Acting Administrator.

[FR Doc.74-11590 Filed 5-20-74;8:45 am]

PART 417—SOAP AND DETERGENT MANUFACTURING POINT SOURCE CATEGORY

Miscellaneous Amendments; Corrections

In FR Doc. 74-8077 appearing on pages 13370 through 13393 in the issue of April 12, 1974, make the following changes:

1. On page 13370, column 3, the third paragraph is amended to read as follows: "In view of the foregoing considerations, the pretreatment standards for new sources have been revised to eliminate the requirement for pretreatment (except as required by 40 CFR 128.131) in all subcategories other than spray dried detergents, liquid detergents, drum dried and dry blending detergents manufacture in which a COD restriction is specified."

2. In the English units portion of the table in § 417.32, at page 13376, the effluent limitation for average of daily values for 30 consecutive days for BOD_5 now reads "0.02"; the figure should read "0.01."

3. In § 417.106, at page 13382 the words "a source within the soap manufacturing by batch kettle subcategory," are deleted and the words "a source within the air-SO3 sulfation and sulfonation subcategory," are substituted in lieu thereof.

4. In the English units portion of the table in § 417.162(a), at page 13389, the effluent limitation maximum for any 1 day for COD now reads ".90"; the figure should read "1.80".

Dated: May 13, 1974.

JOHN QUARLES,
Acting Administrator.

[FR Doc.74-11589 Filed 5-20-74;8:45 am]

PART 424—FERROALLOY MANUFACTURING POINT SOURCE CATEGORY

Subpart A—Open Electric Furnaces With Wet Air Pollution Control Devices Subcategory; Corrections

In FR Doc. 74-3717 appearing at page 6806 in the issue of February 22, 1974, make the following changes:

§ 424.22 [Amended]

1. In § 424.22(b), at page 6810, the paragraph immediately below the table is deleted and the following is substituted in lieu thereof:

Provided, however, That for nonelectric furnace smelting processes, the units of effluent limitations set forth in this section shall be read as "kg/kkg of product" rather than "kg/Mwh," and the limitations (except for pH) shall be 3.3 times those listed in the table in this section (or, for English units, "lb/ton of product" rather than "lb/Mwh," and the limitations (except for pH) shall be three times those listed in the table).

§ 424.23 [Amended]

2. In § 424.23, at page 6811, the paragraph immediately below the table is deleted and the following is substituted in lieu thereof:

Provided, however, That for nonelectric furnace smelting processes, the units of effluent limitations set forth in this section shall be read as "kg/kkg of product" rather than "kg/Mwh," and the limitations (except for pH) shall be 3.3 times those listed in the table in this section (or, for English units, "lb/ton of product" rather than "lb/Mwh," and the limitations (except for pH) shall be three times those listed in the table).

§ 424.25 [Amended]

3. In § 424.25, at page 6811, the paragraph immediately below the table is deleted and the following is substituted in lieu thereof:

Provided, however, That for nonelectric furnace smelting processes, the units of effluent limitations set forth in this section shall be read as "kg/kkg of product" rather than "kg/Mwh," and the limitations (except for pH) shall be 3.3 times those listed in the table in this section (or, for English units, "lb/ton of product" rather than "lb/Mwh," and the limitations (except for pH) shall be three times those listed in the table).

Dated: May 13, 1974.

JOHN QUARLES,
Acting Administrator.

[FR Doc. 74-11588 Filed 5-20-74;8:45 am]

Title 41—Public Contracts and Property Management

CHAPTER 5A—FEDERAL SUPPLY SERVICE, GENERAL SERVICES ADMINISTRATION

PART 5A-1—GENERAL

Reporting Instructions

This change to the General Services Administration Procurement Regulations (GSPR) transfers various reporting instructions applicable to supply contracts from GSPR 5-1 to GSPR 5A-1.

The table of contents for Part 5A-1 is amended to delete § 5A-1.5079 through 5079-4 and to add the following new entries:

Sec.

5A-1.5001	Report on procurement by civilian executive agencies.
5A-1.5004	Synopses of proposed procurements.
5A-1.5005	Synopses of contract awards.
5A-1.5009	Report of identical bids.
5A-1.5010	Notice of award of contracts subject to the Walsh-Healey Public Contracts Act.

Subpart 5A-1.50—Reports

1. Sections 5A-1.5001, 5A-1.5004, 5A-1.5005, 5A-1.5009, and 5A-1.5010 are added as follows:

§ 5A-1.5001 **Report on procurement by civilian executive agencies.**

(a) *Submission.* (1) This section provides instructions which implement the reporting requirements prescribed by § 1-16.804 (GSA Reports Control Symbol GS-28-OA).

(2) Reports on procurement shall be prepared quarterly in accordance with instructions on the reverse of the report form and shall include cumulative fiscal year data by the contracting activities subject to GSPR 5A having reportable procurements.

(3) Reports from Central Office procuring activities shall be submitted through normal channels in an original and one copy to reach the Central Office, Central Control Division (BCC), Office of Finance, Office of Administration, within 30 calendar days after the close of the report period.

(4) Reports from regional procuring activities shall be forwarded to the Regional Director of Administration who shall prepare a summary report for each service or staff office based on the individual reports received. The summary report, together with the component regional reports, shall be submitted to the

Central Office in accordance with (a)(3), above.

(b) *Form.* This report shall be prepared on Standard Form 37, Report on Procurement by Civilian Executive Agencies, illustrated at § 1–16.901–37. Where Standard Form 37 refers to "Reporting Agency" the instructions shall apply to each office in the Central Office and regional office having reportable procurements.

§ 5A–1.5004 Synopses of proposed procurements.

Reports of proposed procurements shall be submitted to the Department of Commerce in accordance with FPR 1–1.1003 and § 5A–1.1003.

§ 5A–1.5005 Synopses of contract awards.

Reports of contract awards shall be submitted to the Department of Commerce in accordance with FPR 1–1.1004 and § 5A–1.1004

§ 5A–1.5009 Report of identical bids.

Reports of identical bids shall be submitted to the Attorney General in accordance with FPR 1–1.1603.

§ 5A–1.5010 Notice of award of contracts subject to the Walsh-Healey Public Contracts Act.

Notice of award of contracts subject to the Walsh-Healey Public Contracts Act shall be submitted to the Department of Labor, Wage and Hour and Public Contracts Divisions, Washington, DC 20212 on Standard Form 99, Notice of Award of Contract (see FPR 1–12.604).

2. Section 5A–1.5083–1 is revised as follows:

§ 5A–1.5083–1 Submission.

Each Central Office and regional procuring activity, executing national and/or regional term contracts for stock items, shall report those items which have, as of June 30 each year, unordered balances of guaranteed minimum quantities. Reports prepared for national term contracts shall be submitted to the Procurement Assistance Branch (FPCC), so as to be received no later than July 13 of each year, for transmittal to the Central Office, Central Control Division (BCC), Office of Finance, Office of Administration by July 20 of each year. Reports prepared for regional term contracts shall be submitted to the regional Finance Office, no later than July 15 of each year.

3. Section 5A–1.5083–4 is revised as follows:

§ 5A–1.5083–4 Instructions.

(a) The required data shall be obtained from such records as are available in the Central Office and/or regional procuring activities, including any cumulative tabulations from GSA Form 1227, Contractor's Report of Orders Received and Shipments Made.

(b) Instructions for preparation of the report are on the face of the form.

(c) A negative report shall be submitted by each Central Office and regional procuring activity which has no unordered balance to report.

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

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

Dated: May 8, 1974.

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

[FR Doc.74–11595 Filed 5–20–74;8:45 am]

Title 45—Public Welfare

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

PART 183—FINANCIAL ASSISTANCE FOR ENVIRONMENTAL EDUCATION PROJECTS

Notice of proposed rulemaking was published in the FEDERAL REGISTER on January 30, 1974 (39 FR 3892), setting forth regulations governing the administration of the Environmental Education Act (Pub. L. 91–516, 20 U.S.C. 1531–1536). This program provides financial assistance for research, demonstration, and pilot projects designed to educate the public on problems of environmental quality and ecological balance. Pursuant to section 503 of the Education Amendments of 1972 (Pub. L. 92–318), a public hearing was held on February 20, 1974, in Washington, D.C. on the proposed regulations. In addition, written comments were received and considered.

1. *Summary of comments.* One commenter suggested that a greater percentage of funds be allocated to formal education agencies and institutions and that funds be awarded to projects identified by States as having priority. Formal education organizations and activities are included in the funding priorities listed in the guidelines. The responsibilities and criteria for determining awards described in the regulations are consistent with the requirements of the authorizing legislation and the general review procedures available under the State and Regional Clearinghouse system of OMB Circular A–95. Accordingly, no change was made in these regulations and guidelines.

2. Assistance provided under this program is subject to the provisions in the governing legislation, as well as the provisions in this part. Assistance under this program is also subject to the applicable provisions of Subchapter A of this Chapter (45 CFR Part 100a, published at 38 FR 30654; 30662, November 6, 1973).

After making necessary changes to correct minor technical and grammatical errors, Part 183 of Title 45 of the Code of Federal Regulations is amended to read as set forth below.

Effective Date. Pursuant to Section 503 of the Education Amendments of 1972 (P.L. 92–318), these regulations become effective June 20, 1974.

(Catalog of Federal Domestic Assistance Program No. 13.522, Environmental Education Act)

Dated: April 29, 1974.

JOHN OTTINA,
U.S. Commissioner
of Education.

Approved: May 13, 1974.

FRANK CARLUCCI,
Acting Secretary of Health,
Education, and Welfare.

Subpart A—Description of Programs

Subpart B—General Projects

Subpart C—Minigrant (Workshop) Projects

Subpart D—Standards for Awards

Subpart E—General Terms and Conditions

AUTHORITY: Public Law 91–516, 84 Stat. 1312–1315 (20 U.S.C. 1531–1536).

Subpart A—Description of Program

§ 183.1 Scope and purpose.

(a) The Environmental Education Act (Public Law 91–516; 20 U.S.C. 1531–1536) authorizes a program of grants and contracts to support research, demonstration, and pilot projects designed to educate the public on the problems of environmental quality and ecological balance. Such projects shall support the development of educational processes dealing with man's relationship with his natural and man-made surroundings, and include the relation of population, pollution, resource allocation and depletion, conservation, transportation, technology, and urban and rural planning to the total human environment. These processes would be designed to help the learner both to perceive and understand the concepts of "environment" and environmental principles and problems and to be able to identify and evaluate alternative solutions to environmental problems. Emphasis shall be placed on the development of skills and insights needed to understand the structure, requirements, and impact within and among various environmental entities, systems and subsystems.

(b) In accordance with this purpose, financial assistance will be provided for projects involving participants in inquiries into both the specific and general environmental implications of human activities and their short and long range effect on societal resources and

general public policy. Areas of participant inquiry should encompass or fall within one or more of the following:

(1) The import of the application of scientific and technological findings (e.g., the impact of "inventions" on social and environmental quality and resources).

(2) Human settlements—urban, suburban, and rural (e.g., impact of urban, suburban, and rural balance on ecology of an area and the human condition).

(3) Food production; energy production; population dynamics; transportation; planning—urban, suburban, and rural (e.g., implication of selected interrelated human life support activities).

(4) Air; water—fresh, estuarine, marine; land use; and other resource utilization, allocation, depletion, and conservation; and environmental pollution (e.g., use, depletion, and destruction of life support resources).

Thus the environmental education process is multifaceted, multidisciplinary, and issue or problem-oriented. Otherwise worthwhile but specialized and narrowly defined educational approaches, such as traditional learning approaches to such areas as conservation and resource use, environmental science, nature study, outdoor education, or sex education, which normally tend to exclude consideration of mutually reinforcing social, physical, cultural, and policy implications of these concerns do not adequately meet the scope and purposes of the act. While an environmental education project supported under this part could draw upon some of the ideas and materials of these traditional subject areas, it could do so only in synthesis with ideas and materials from a number of other subject areas, including social sciences, technology, arts and humanities as appropriate and needed for the area of inquiry.

(20 U.S.C. 1532(a)(2))

§ 183.2 Definitions.

As used in this part:

"Act" means the Environmental Education Act (Public Law 91–516; 20 U.S.C. 1531–1536);

"Formal education sectors" means State or local educational agencies or institutions and accredited nonprofit educational institutions;

"Citizen's group or volunteer organization," as referred to in § 183.21 means a nonprofit organization, association, foundation, or society which has been organized and active for at least 1 year;

(20 U.S.C. 1534(c))

"Nonformal education sectors" means public or nonprofit private agencies or organizations which contribute, directly or indirectly, to the education of citizens, such as libraries, museums, community centers, organized citizens' groups, etc.;

"Nonprofit organization or agency" means an organization or institution owned or operated by one or more nonprofit corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

(20 U.S.C. 1531)

§ 183.3 Categories of assistance.

Applications for financial assistance may be submitted for one of two basic project categories denominated as "General Projects" and "Minigrant (Workshop) Projects." These two basic project categories are distinguished as to purpose and type of activity.

(a) *General projects.* Under this category financial assistance may be awarded for: (1) Projects designed to assist the development of effective environmental education practices and materials suitable for use by formal and/or nonformal education sectors, and (2) projects designed to assist utilization of effective environmental education practices and materials.

(20 U.S.C. 1532)

(b) *Minigrant (workshop) projects.* Under this category, grants in amounts not to exceed $10,000 may be made for the conduct of workshops, seminars, symposiums, and conferences (especially for adults and community groups other than the group funded). The projects must be designed to assist communities in acquiring an understanding of the causes, effects, issues and options surrounding a local environmental problem.

(20 U.S.C. 1534)

§ 183.4 Applications.

(a) Applications shall contain, in the case of minigrant (workshop) project applications, documentary evidence that the applicant organization or group has been organized and active for 1 or more years prior to the submission of the application.

(20 U.S.C. 1532(b)(3)(A)(i))

(b) In addition, applications for assistance under this part must: (1) Provide that the activities for which assistance is sought will be administered by, or set forth the method by which the applicant proposes to supervise the administration of these activities;

(2) Set forth such policies and procedures that assure that the applicant will adequately evaluate activities to be carried out under the application; and

(20 U.S.C. 1532(b)(3)(A)(iii); 1534)

(3) Provide assurance that the applicant will comply with the requirements of the act, the regulations in this part, and general terms and conditions as have been made generally applicable to Office of Education grants.

(20 U.S.C. 1532(b), 1534)

§ 183.5 Level of support.

(a) Except with respect to general projects for evaluation, dissemination (including national demonstration projects), curriculum development, and minigrant (workshop) projects which are eligible for 100 percent funding, the Federal dollar contribution to any project will not exceed the following ceilings:

(1) 80 percent of the project cost for the first year; and

(2) an amount for second and third year funding, not in excess of 60 and 40 percent respectively of the first year project cost.

(b) Within the ceilings set out under paragraph (a) of this section the amount to be awarded for the conduct of a project will be an amount determined by the Commissioner, on the basis of the following factors:

(1) The cost of the project in relation to the total cost of all similar projects;

(2) The availability of funds in the light of the number of approvable projects;

(3) The need for reasonable distribution of funds among the various categories of projects; and

(4) The ability of the applicant to obtain funds from sources other than pursuant to this part.

(c) Funds awarded may be expended only to the extent consistent with the assurance given under § 183.41 and in accordance with Subpart G of Part 100a of this chapter (cost principles).

(20 U.S.C. 1532(b)(4))

Subpart B—General Projects

§ 183.10 General projects.

(a) Awards for general projects, as authorized by section 3 of the act, will be made by the Commissioner for research, demonstration or pilot project activities, including but not limited to such activities as:

(1) The development of curricula (including interdisciplinary curricula) in the preservation and enhancement of environmental quality and ecological balance;

(2) Dissemination of 'nformation relating to such curricula and to environmental education generally;

(3) In the case of grants to State and local educational agencies, for the support of environmental education programs at the elementary and secondary education levels;

(4) Preservice and inservice training programs and projects (including fellowship programs, institutes, workshops, symposia, and seminars) for educational personnel to prepare them to teach in subject matter areas associated with environmental quality and ecology, and for public service personnel, Government employees, and business, labor and industrial leaders and employees;

(5) Planning of outdoor ecological study centers;

(6) Community education programs on environmental quality, including special programs for adults;

(7) Preparation and distribution of materials suitable for use by the mass media in dealing with the environment and ecology; and

(8) Demonstration, testing, and evaluation of activities, whether or not assisted under this section.

(b) In carrying out the purposes of section 3 of the act, the Commissioner may from time to time establish priorities among activities to be funded in any given year.

(20 U.S.C. 1532(b)(2))

§ 183.11 Applicants.

(a) Applicants for general project awards may be institutions of higher education, State or local educational

agencies, and other public and nonprofit private agencies, organizations and institutions including libraries and museums.

(b) The Commissioner reserves the right to make contracts to either profit-making or nonprofit agencies, organizations, or institutions to carry out the purposes of this subpart. Proposals for such contracts will be entertained by the Commissioner on invitation only and in accordance with such specifications as are developed by him.

(20 U.S.C. 1532(b)(1))

Subpart C—Minigrant (Workshop) Projects

§ 183.20 Minigrant (workshop) projects.

The Commissioner is authorized to make grants of $10,000 or less for projects intended to assist communities in acquiring an understanding of the causes, effects, issues and options surrounding a local environmental problem. Such grants will be available for community workshops, conferences, symposia, or seminars on a community/local environmental problem.

(20 U.S.C. 1534)

§ 183.21 Applicants.

(a) An applicant for a minigrant (workshop) project may be any public or nonprofit private organization. However, preference will be given to local citizens groups and volunteer organizations working in the environmental field.

(20 U.S.C. 1534(a) and House Report 91-1362, p. 9)

(b) An applicant group or organization must have been organized and active for at least 1 year before making application for a grant.

(20 U.S.C. 1534(c))

Subpart D—Standards for Awards

§ 183.30 Review of applications.

An application for either a general project or a minigrant (workshop) project under Subpart B or Subpart C of this part will be reviewed twice. The first basis for review will be for the technical eligibility of the application. The second will be a competitive evaluation of the merit of the proposed project.

(20 U.S.C. 1532(b), 1534)

§ 183.31 Requirement for technical eligibility.

An application for an award under either Subpart B or Subpart C of this part will be initially considered by the Commissioner if the following conditions are met:

(a) The proposed project activity falls within the scope and meets the purposes described in § 183.1;

(b) The applicant qualified as an eligible applicant under § 183.11 or § 183.21;

(c) In the case of applications by local school systems, the applicant indicates that the State education agency has received a copy of the proposal for review and comments; and

(20 U.S.C. 1532(b)(3)(B))

(d) The application, whether or not submitted with respect to a project funded in a previous year, complies with the provisions in § 183.4.

(20 U.S.C. 1532(b)(c))

§ 183.32 Criteria for awards.

Applications which have met the requirements listed in § 183.31 will be further evaluated by the Commissioner in addition to the criteria set forth in § 100a.26(b) of this chapter on the extent to which they meet the following criteria as reflected by the particular factors indicated under each criterion, as appropriate.

(a) The project is well designed:

(1) The objective, approach (methodology), and primary content areas/materials to be used or developed by the project are justified in light of target group characteristics and information needs:

(2) The project will utilize appropriate multidisciplinary or interdisciplinary content and approaches;

(3) It involves students or representatives of the target group in planning and conducting the project to assure its relevancy and effectiveness (e.g., potential users of materials, participants in personnel development or community education projects were among the initial project planning group and a mechanism for their continual input has been developed);

(4) It facilitates student/participant involvement with local environmental problems and issues outside the formal education structure and will suggest effective methods for dealing with environmental problems;

(5) It will encourage and assist participants in identifying alternative solutions to environmental problems rather than accepting predetermined solutions;

(6) It focuses on the process of learning as well as specific knowledge content (e.g., a guided process but to a great extent determined by the learner, his past experiences, competencies and interests, and by the objective of the activity);

(7) In the case of materials development projects, provision has been made, and is documented in the proposal, for field testing the material developed;

(8) In the case of personnel development projects, procedures for selecting trainees reflect preproject assessment of group needs and provision has been made for followup assistance to participants.

(b) The project will use innovative techniques and materials;

(c) The environmental education content is sound:

(1) The content of the material to be used or developed by the project will be technically accurate and valid for environmental education purposes (see § 183.1);

(2) The project is concerned with long term as well as immediate environmental improvement.

(d) The project makes use of volunteers (professionals, students and others) when such assistance is available and would enhance the project.

(e) The problems to be addressed by the project are significant educationally and environmentally—that is, the project will address problems and resources which are relevant to the lives and experiences of the participants and will encourage exploration of community environmental problems and use of community resources for the purpose of achieving individual as well as group understanding.

(f) The potential multiplier effect of the project is significant:

(1) The project or its outgrowths can be perpetuated without Federal funding;

(2) In the case of community projects, groups and individuals who are not members of the sponsoring organization are also participating in and supporting the project;

(3) Maximum use will be made of relevant resources of the community to be served including a showing that efforts have been made to contribute resources over and beyond those legally required for Federal funding.

(g) The project promises to be nationally as well as locally significant:

(1) The project will make a substantial contribution toward meeting the national need for environmental education content development and utilization;

(2) The project will help participants recognize the immediate and long-term environmental and educational impact of personal and occupational decisions and policies (e.g., local, national, and international implications);

(3) The applicant will be able and plans to incorporate successful aspects of the project in existing programs and with the resources normally available to it.

(20 U.S.C. 1532(b)(3)(A) and 1532(c)(2)(C))

§ 183.33 Geographic distribution.

In determining awards, the Commissioner will also consider appropriate geographical distribution of approved programs and projects throughout the nation.

(20 U.S.C. 1532(c)(2)(B))

Subpart E—General Terms and Conditions

§ 183.40 General provisions.

Assistance provided under this part is subject to applicable provisions contained in Subchapter A of this chapter (relating to fiscal, administrative, property management, and other matters).

(20 U.S.C. 1531)

§ 183.41 Supplementation of effort.

(a) Any application for general project funds under this part shall be accompanied by an assurance that Federal funds made available under the application will supplement, and to the extent practicable, increase the amount of funds from non-Federal sources that would, in the absence of such Federal funds be

made available for activities under the act and this part, and in no case supplant such funds.

(20 U.S.C. 1532(b)(3)(A)(iv))

(b) In determining whether the assurance under paragraph (a) of this section is adequate, the Commissioner may request additional data from the applicant as he deems appropriate.

(20 U.S.C. 1532(b)(3)(A))

§ 183.42 Reports.

The grant recipient shall submit an annual report and such other reports, in such form and containing such information as the Commissioner requires.

(20 U.S.C. 1532(b)(3)(A)(vi); 20 U.S.C. 1534(c))

GUIDELINES

ENVIRONMENTAL EDUCATION ACT

[Public Law 91-516]

Financial Assistance for Pilot and Demonstration Projects to Educate the Public on Problems of Environmental Quality and Ecological Balance

Part 1—Introduction

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Part 1—Introduction

SECTION 1.1 *Scope of guidelines.* (a) The guidelines contained in this document are recommendations and suggestions for meeting the legal requirements which apply to Federal assistance under the Environmental Education Act, P.L. 91-516. The legal requirements include the Act itself (20 U.S.C. 1531-1536) and the regulations (45 CFR 183). The guidelines are not to be construed as requirements. However, where the guidelines set forth a permissible means of meeting a legal requirement, the guidelines may be relied on.

(20 U.S.C. 1531 et seq.; 113 Cong. Rec. 5936 (daily ed. May 23, 1967); United States *v* Jefferson County Board of Education, 372 F 2nd 836, 857 (5th Cir., 1966))

(b) Where a guideline is issued in connection with or affecting a provision in the regulations, the pertinent regulation will be cited after the citation of legal authority for the guideline, in the parentheses following the guidelines. For example, if the legal authority for the guideline is section 2 of the Act (20 U.S.C. 1531), and the guideline affects § 183.1 of the regulations (45 CFR 183.1), the following citation will be placed on the line immediately following the guideline (20 U.S.C. 1531; 45 CFR 183.1). If no particular section of the regulations is affected, no citation to the Code of Federal Regulations (CFR) will be made.

(20 U.S.C. 1232(a))

SEC. 1.2 *History and scope of program.* (a) The Environmental Education Act, enacted in 1970, established an Office of Environmental Education within the Office of Education that was directed to encourage and support the development of educational resources required to meet the environmental education needs of all age groups and all sectors of the country.

(b) The Office of Environmental Education (hereafter in these Guidelines called simply either OEE or the Office) began its work by supporting a wide spectrum of activities to test the full range of environmental education needs and resources around the country.

(c) The initial experimentation and investigation enabled OEE to acquire a wide knowledge of the strengths, weaknesses, gaps, and characteristics of environmental education activities throughout the United States. As a consequence, the Office has been able to refine its overall concept of environmental education. This revision is reflected in the types of environmental education projects that the Office has designated for priority funding.

(20 U.S.C. 1531)

SEC. 1.3 *Purpose of guidelines.* (a) The Guidelines set forth funding priorities (Part 4). The Guidelines also provide an introduction to OEE's concept of environmental education (Part 2) and to its role in the universe of environmental education (Part 3).

(b) The Guidelines are intended as a useful tool for all citizens of every educational level who are interested in utilizing the knowledge, resources, and financial aid of OEE to develop environmental education projects in their communities. Environmental education is an activity where citizens throughout society must both teach and learn if the goal of an environmentally educated public is to be realized.

(20 U.S.C. 1531)

Part 2—Environmental Education

SEC. 2.1 *Background.* Environmental education is a relatively new activity still undergoing important developments in its practical application and theoretical foundations. The interaction of the practical and the theoretical has evolved into two working definitions of environmental education that, taken together, reflect the consensus established among many educators, ecologists, environmentalists, and other citizens concerning the basic aspects of environmental education.

(20 U.S.C. 1532(a)(2))

SEC. 2.2 *Working definition: process and theory*—(a) *Multidisciplinary.* (1) Environmental education is the process that fosters greater understanding of society's environmental problems and also the processes of environmental problem-solving and decision-making. This is accomplished by teaching the ecological relationships and principles that underlie these problems and showing the nature of the possible alternative approaches and solutions.

That is, the process of environmental education helps the learner perceive and understand environmental principles and problems, and enables him to identify and evaluate the possible alternative solutions to these problems and assess their benefits and risks. It involves the development of skills and insights needed to understand the structure, requirements, and impact of interactions within and among various environmental entities, subsystems, and systems.

(2) The definition above reveals that environmental education is not a single discipline, but rather is interdisciplinary and multidisciplinary. This characteristic is essential, for in order to accomplish its unique goals, environmental education must utilize at least four broad areas: the total environment and its problems; ecological principles, relationships, and concepts; the entire educational system (both formal and nonformal sectors); and most of the traditional disciplines, from chemistry, physics, and biology to sociology, economics, psychology, and the arts. Each environmental education activity partakes of particular aspects of these areas, fusing them in a manner that makes a greater comprehension and understanding of contemporary environmental issues and problems possible by bringing about deeper awareness of relevant interrelationships and, where appropriate, the nature of possible alternatives to existing environmental situations.

(3) Environmental education deals with problems that we need to understand but that we cannot fully understand through the approach of any single traditional discipline. Environmental education activities thus require considerable intellectual rigor and discipline to utilize the methodologies of traditional approaches: such activities need to impart many of the kinds of intellectual skills that would be needed for the mastery of traditional disciplines. Environmental education activities are also unusual in that they demand as well that the tools of the various disciplines be used in a highly integrative manner.

(4) This working definition also makes clear that environmental education is not only a resource for society in its efforts to solve or deal with contemporary and future environmental problems but also a contribution to greater environmental understanding. Environmental education activities do not promote a particular viewpoint or solution, but rather bring about special awareness, perspectives, and skills. These enable the learner to see that particular issue at hand as a phenomenon related to other phenomena and help him understand the nature of possible approaches to the issue.

(20 U.S.C. 1531(b))

(b) *Problem-solving education.* (1) Environmental education activities should teach, in addition, one or both of the following processes of problem-solving: the intellectual problem-solving that must be learned as a part of the general intellectual discipline required to master relevant methodologies and information and to synthesize them as they are brought to bear on particular environmental issues, and the practical problem-solving that deals with actual environmental, social, and economic factors that must be considered and weighed if rational solutions to environmental problems are being sought. In environmental education activities, problem-solving is emphasized as a process, taught in such a way that it is transferable to other environmental problems and helpful in gaining insight into a variety of environmental phenomena. Environmental education activities, for instance, could help citizens understand cost-benefit analyses and benefit-risk assessments of alternative approaches to an environmental dilemma; thus imparting the ability to find, evaluate, and weigh various solutions, not simply to reply on a particular approach or solution.

(2) In cases where a community environmental problem or issue might be the taking-off point for an environmental education activity, the goal of the activity would be to place the issue in the larger context of environmental relationships and to focus on the process of problem-solving as a transferable

learning experience and as a way to utilize the knowledge and techniques available in the traditional disciplines. In this way, citizens would acquire an information and concept base with which to evaluate alternative solutions to any environmental or pollution problems in light of its environmental, social, and economic costs and benefits.

(3) Environmental education is not intended to be tied to specific local problems. Citizen education to bring about greater understanding of immediate problems or to enable citizens to understand a specific problem should lead to additional ways to impart and acquire the kinds of information, perspectives, and techniques that are essential in developing the environmental awareness and skills that our society needs. These ways may involve an emphasis on learner-directed and discovery-guided inquiry, or innovative and integrative learning outside the classroom approach. They may also operate through more traditional approaches, such as lectures, classroom activities, and other non-experience oriented educational methods if the learner is to attain some of the essential skills, concepts, and facts he needs.

(20 U.S.C. 1531 (b))

SEC. 2.3 *Working definition: content and purposes.* (1) One of the most important concepts in environmental education is the definition of "environment." Clearly environment can no longer be assumed to imply only endangered species and walks in the wilderness; it includes these but is something far more encompassing.

(2) Because the environment itself is so vast and complex, environmental education is much more comprehensive than specialized approaches to environmental subjects, such as traditionally defined approaches to conservation and resource use education, environmental science, nature study, and outdoor education. These approaches normally do not give consideration to mutually reinforcing social, physical, cultural, political, economic, technological, and ethical implications of their areas of focus. It is generally agreed, however, that environmental education projects would undoubtedly draw upon some of the ideas and materials of these traditional subjects and emphases, but would do so in synthesis with ideas and materials from many other areas, such as the social sciences, the applied and theoretical natural sciences, the arts, and other areas of the humanities, all as appropriate and needed for the particular topic of inquiry.

(20 U.S.C. 1531(a))

(b) *Areas of inquiry appropriate to environmental education.* General areas of the natural and man-built environment that would be considered by OEE as suitable areas of inquiry for projects eligible for funds under the Environmental Education Act include: the import of the application of scientific and technological findings; human settlements—urban, suburban, and rural; food production; energy production; population dynamics; transportation; planning—urban, suburban, and rural; air; water—aquatic, estuarine, marine; land use and other resource utilization, allocation, depletion, and conservation; and environmental pollution.

Of course, while an environmental education activity would usually have its focus in only one of these areas, it would include aspects of more than one, and often several, of the areas in an integrative fashion. The areas themselves are separately defined for the sake of convenience only; in reality, they are all interconnected. It is this interwoven quality and the balances and relationships among areas that environmental education deals with.

(1) *Example: population dynamics.* A project addressing, within the area of population dynamics, the causes and consequences of population change would need to examine several interrelationships, including the mutual impacts of population increase or decrease and such areas as rural-urban shifts (human settlements), resource use and allocation, economic and social patterns, and environmental pollution.

(2) *Example: transportation.* If some aspect of transportation is chosen as an area for an environmental education activity, the following kinds of questions would have to be examined, as appropriate to the activity: what are the impacts of present transportation modes on environmental pollution, land use planning, resource allocation, contributions to perceptions of crowding and actual crowding? Are there alternatives to existing transportation technologies and what are their drawbacks and benefits? What are the implications of implementing one or more alternative means of transportation on a local, regional, or national level? What economic and other trade offs would be involved? What types of planning would be needed? Does the examination of the alternatives and of the types of planning impart information, stimulate awareness, and provide opportunities for problem-solving rather than promote a particular view, bias, or misleading simplified version of the situation?

(3) *Example: conservation.* (i) If some aspect of conservation is chosen as an area for an environmental education activity, the following represent the kinds of interrelationships and questions that would need examination. What are the impacts of technological development (science and technology) on the use and allocation of natural resources? What might be the mutual impacts of alternative natural resource use and allocation practices and human settlements, population change, and the economic characteristics of a community or society? What are the relative benefits and risks among these alternatives?

(ii) One of the chief goals of environmental education is to help us learn how to proceed as a society toward a condition of "productive harmony" with our environment, where destructive change is minimized and healthy change can proceed.

(iii) Through environmental education, we can learn how to explore the implications of our activities and the choices we have, and can establish a pattern of feedback to help us constantly reassess our activities. This would be the process of "continuous social diagnosis" that was emphasized in the approved recommendations of the United Nations Conference on the Human Environment in Stockholm in June 1972. It was stated that such continuous social diagnosis should "facilitate the development of social and cultural indicators for the environment in order to establish a common methodology for assessing environmental developments." Such a process can give us the knowledge to change course where necessary, minimize undesirable effects, and maintain a dynamic, productive, and health relationship with our environment.

(20 U.S.C. 1532(a)(2); 45 CFR 183.1)

PART 3—ROLE OF THE OFFICE OF ENVIRONMENTAL EDUCATION

SEC. 3.1 *Overview.* At present, there is agreement concerning what environmental education should achieve and the most promising approaches for obtaining the desired goals. This knowledge has been acquired as the public, private and public institutions, and the Office of Environmental Education have explored the scope, purposes, and general concepts and characteristics of environmental education and worked with a variety of environmental education programs. It is clear, however, that, as the national experience increases and changes, current concepts, definitions, and priorities will be revised accordingly.

The role of the Office of Environmental Education is to provide a coherent framework of leadership and support for this complex and massive educational effort. The current plan for accomplishing long-term environmental education goals is based on the premise that, in addition to the development of new environmental education resources, full utilization of existing resources must be facilitated. The plan entails assistance, technical assistance, evaluation, and dissemination.

(20 U.S.C. 1532(a)(1))

SEC. 3.2 *Financial assistance* (a) *Grant support.* One function of OEE is to administer the program of grants authorized by the Environmental Education Act.

These funds are given to support a variety of environmental education projects that meet the requirements and criteria set by the Office and by the National Advisory Council on Environmental Education and that are judged to have significant value to the public. When individual citizens, community groups, and public and private institutions are developing their own local, regional and national programs, there should be available to them a variety of tested, relevant, and useable models that they can use or adapt to provide structure, process, and substance to various key aspects of their particular program. These models would include curriculum, source material, and methods for training educational and noneducational personnel. Therefore, the Office supports pilot and demonstration projects which promise to be successful in meeting the local need for which they were developed, but that are also applicable to program development needs in other locations and nationally.

(b) *Attract support from other sources.* Environmental Education Act funds are intended to attract longer-term and more substantial assistance to local project sites. This support would include financial assistance as well as other forms of aid to be obtained from all sources, both private and governmental, local, regional, and national. It is hoped that contributions from such sources will assure that adequate resources for development are available even though Environmental Education Act funds are limited, and will encourage the continued development and implementation of programs. A variety of projects, both those that were successful in Environmental Education Act grant competitions and those that were not, have reported success in acquiring private foundation, State, or local funds.

(20 U.S.C. 1532(b)(3)(A)(iv))

SEC. 3.3 *Technical assistance.* The technical assistance program of OEE is concerned primarily with helping persons, institutions, and communities involved in environmental education activities to identify and make use of resources and expertise available to them locally or from other sources. Generally this aspect of OEE's program does not include direct funding to local projects. Rather, the services of technical assistance teams or individuals located throughout the country will be provided upon request, subject to environmental education priority needs.

(20 U.S.C. 1533)

SEC. 3.4 *Dissemination and evaluation.* High priority is being given to the continual assessment of environmental education needs and resources, evaluation of these resources, and establishment of effective means for

pooling ideas, experiences, and resources throughout the country. These activities will be sponsored by the Office of Education and therefore are not being given priority in the annual grant competition.

(20 U.S.C. 1532(b)(2))

Part 4—Funding Priorities for Fiscal Year 1974

SEC. 4.1 *General projects.*—(a) *Objectives.* General projects should be designed to assist the development of effective environmental education practices and materials suitable for use by formal and/or nonformal education sectors.

Financial assistance may also be awarded for projects designed to assist the utilization of effective environmental education processes, practices, and materials.

"Formal education sectors" means all public and nonprofit private accredited educational agencies, institutions, and organizations; "nonformal education sectors" means public or nonprofit private agencies or organization that contribute, directly or indirectly, toward the education of citizens, such as libraries, museums, community centers, organized citizens' groups, and similar organizations.

(20 U.S.C. 1532(b)(2))

(b) *Priority areas for funding.*—(1) *Resource material development projects.* Resource material development projects foster the development of supplementary, guide, or curriculum materials, primarily for one or more grades, at the junior and senior high school level (grades 7–12) and for nonformal/community education.

The projects should focus on the material resource needs of specific schools or organizations while at the same time developing these materials in such a way that they can be used by a large number of schools and organizations around the country.

(2) *Personnel development projects.* Personnel development projects are designed primarily for educational personnel associated with grades 7 through 12 and for personnel in other fields whose decisions and activities have an impact on environmental problems and environmental education opportunities in schools, communities, and elsewhere.

The purpose of personnel development projects should be to provide participants with skills and techniques in communicating environmental principles and concepts to others and in utilizing these concepts within the framework of their jobs.

(3) *Community education projects.* Community education projects are designed to test or demonstrate promising methods of providing broad sectors of a community with an understanding of environmental principles, concepts, and problems.

Such projects should focus on the local environment and local environmental problems as they relate to local needs, public policies, and laws.

(4) *Elementary and secondary education projects.* Elementary and secondary education projects are sponsored primarily by local school districts and are designed to assist the introduction of environmental education concepts into the existing curriculum of the school district.

Such project will deal with community environmental problems and will be conducted and in many cases designed by students.

(20 U.S.C. 1532(b)(2))

(c) *Non-priority areas.* Grant assistance may be considered for nonpriority environmental education general projects if funding is available and if such projects show unusual potential in advancing the art of environmental education. Nonpriority general project activities include information dissemination relating to environmental education curricula; preservice training programs; planning of outdoor ecological study centers; preparation of environmental education materials for use by the mass media; and evaluation of environmental education activities.

(20 U.S.C. 1532(b)(2))

SEC. 4.2 *Minigrant workshops.* (a) Examples of minigrant workshops may include:

(1) Workshops for community residents on the positive and negative environmental, economic, and social effects of a proposed industrial air pollution ban;

(2) Symposia on the—past, present, and future—impacts of community population distribution and change on the physical, economic, and social environment of the community;

(3) Seminars on the environmental implications of alternative urban renewal or land use plans; or

(4) Conferences on community energy needs, current use patterns, and alternatives.

(20 U.S.C. 1534(a); 45 CFR 183.20)

(b) The specific objective of any such project might be that of assisting citizen participation in the determination of local policies and practices which impact on the environment, or it might address the resolution of a specific issue. Activities might include such things as: a survey of target group knowledge of and attitude toward the issue to be addressed, followed by the conduct of town or neighborhood meetings for discussion sessions with representatives of various interests involved and with technical and environmental impact experts: a community symposium to translate in lay terms and disseminate the impact of new local, State, regional or Federal laws or standards on local environmental resources and needs.

(20 U.S.C. 1534(a); 45 CFR 183.20)

[FR Doc.74–11645 Filed 5–20–74;8:45 am]

Title 49—Transportation

SUBTITLE A—OFFICE OF THE SECRETARY OF TRANSPORTATION

[OST Docket No. 1, Amdt. 1–93]

PART 1—ORGANIZATION AND DELEGATION OF POWERS AND DUTIES

Delegation of Functions

The purpose of this amendment is to delegate to the Commandant of the Coast Guard all functions vested in the Secretary by the Intervention on the High Seas Act (February 5, 1974, Pub. L. 93–248, 88 Stat. 8), implementing the International Convention Relating to Intervention on the High Seas in Cases of Oil Pollution Casualties, 1969, except the authority in section 13(a) to nominate individuals to the list of experts provided for in article III of the convention.

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

In consideration of the foregoing, paragraph (o) of § 1.46 of Part 1 of Title 49, Code of Federal Regulations, is amended by adding at the end thereof a new subparagraph (7), to read as follows:

§ 1.46 Delegations to Commandant of the Coast Guard.

* * * * *

(o) Carry out the functions vested in the Secretary by the following statutes:

* * * * *

(7) Intervention on the High Seas Act (Pub. L. 93–248) except section 13(a).

* * * * *

Effective date. This amendment is effective May 21, 1974.

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

Issued in Washington, D.C., on May 10, 1974.

CLAUDE S. BRINEGAR,
Secretary of Transportation.

[FR Doc.74–11613 Filed 5–20–74;8:45 am]

CHAPTER I—DEPARTMENT OF TRANSPORTATION

SUBCHAPTER A—HAZARDOUS MATERIALS REGULATIONS BOARD

[Docket No. HM–106; Amdt. Nos. 172–26, 173–81, 174–22, 178–33, 179–13]

PART 173—SHIPPERS

Shipment of Hazardous Materials

Correction

In FR Doc. 74–11220 appearing at page 17313 in the issue of May 15, 1974, in the last line of §§ 173.70(d) and 173.71(d) the word "EXPLOSIVES" should read "EXPLOSIVE."

Title 5—Administrative Personnel

CHAPTER I—CIVIL SERVICE COMMISSION

PART 213—EXCEPTED SERVICE

Department of Defense

Section 213.3106 is amended to show that positions that are concerned with advising, administering, supervising, or performing work in the collection, processing, analysis, production, evaluation, interpretation, dissemination, and estimation of intelligence information, including scientific and technical positions in the intelligence function; and positions involved in the planning, programming and management of intelligence resources are excepted under Schedule A. This authority does not apply to positions assigned to Cryptologic and Communications Intelligence Activities/Functions.

Effective May 21, 1974, § 213.3106(d)(1) is amended as set out below:

§ 213.3106 Department of Defense.

* * * * *

(d) *General.* (1) Positions concerned with advising, administering, supervising or performing work in the collection, processing, analysis, production, evaluation, interpretation, dissemination, and estimation of intelligence information, including scientific and technical positions in the intelligence function; and positions involved in the planning, programming, and management of intelligence resources when, in the opinion of the Commission, it is impracticable to

examine. This authority does not apply to positions assigned to Cryptologic and Communications Intelligence Activities /Functions.

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

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.74–11579 Filed 5–20–74;8:45 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Airworthiness Docket No. 74–WE–23–AD, Amdt. 39–1852]

PART 39—AIRWORTHINESS DIRECTIVES

AiResearch TFE731–2–2B and –1C Engines

Pursuant to the authority delegated to me by the Administrator (31 FR 13697), an airworthiness directive was adopted May 1, 1974, and made effective immediately by telegram dated May 1, 1974, to all known United States operators or owners of aircraft incorporating AiResearch Model TFE731–2–2B and –1C engines. The airworthiness directive requires the removal of engines incorporating power section P/N 3072102–1, Series 1 through 13, not modified by incorporation of Change 20, within specified time limits. Installation of the modification was required prior to return to service, as well as implementation of an operational procedure prior to further flight. The telegraphic AD was required because of thermal distortion compressor rubs and low-cycle fatigue failures of low pressure compressor (LPC) stator anti-rotation pins.

Since it was found that immediate corrective action was required, notice and public procedure thereon was impracticable and contrary to the public interest and good cause existed for making the airworthiness directive effective immediately to all known operators or owners of aircraft, certificated in all categories, incorporating AiResearch TFE–731–2–2B and –1C engines. These conditions still exist and the airworthiness directive is hereby published in the FEDERAL REGISTER as an amendment to § 39.13 of Part 39 of the Federal Aviation Regulations to make it effective as to all persons:

AIRESEARCH MANUFACTURING COMPANY OF ARIZONA. Applies to AiResearch Model TFE731–2–2B and –1C Engines Installed in Aircraft, Certificated in All Categories.

(A) Within twenty (20) additional cycles in service or fifty total cycles in service, whichever occurs earlier, after the receipt of this telegram, and prior to further flight in the event that more than fifty (50) cycles have been accumulated in service prior to receipt of this telegram, remove the AiResearch Model TFE731–2–2B and –1C engines incorporating power section P/N 3072102–1, Series 1 through 13, not modified by incorporation of change number 20 from service. Engines may be returned to service after the incorporation of change number 20. For the purposes of this AD an operational cycle is defined as follows:

A cycle is considered as any engine operation sequence involving engine start, at least one acceleration to a thrust level of 80 percent low pressure rotor speed or above and shutdown.

(B) Prior to further engine operation, after receipt of this telegram, for all engines incorporating power section P/N 3072102–1, Series 1 through 13, not modified by incorporation of change number 20, install a placard in plain view of the flight crew stating the following information:

"Rotate fan by hand prior to each ground start to check for compressor rubbing. If the fan does not rotate after applying a light force, do not start the engine until the fan rotates freely. A light drag upon application of a light force to the fan is not symptomatic of a compressor rub condition which would be hazardous. A continuous light draw is usually due to a seal rubbing which is not a cause for concern. Should a restart of the engine be planned within one hour after shutdown, rotate the fan approximately one-fourth of a revolution, 10 minutes after shutdown, to minimize the extent of any rotor/case bowing. If the rub has not cleared within two hours after shutdown, determine the cause and correct the condition before a start is attempted."

The placard and procedure may be discontinued upon completion of the modification described in (a) above.

(C) If adequate records of the number of cycles on the engine do not exist, the engines shall be removed from service prior to further flight.

(D) Aircraft may be flown to a base for performance of maintenance required by this AD per FAR's 21.197 and 21.199.

This amendment becomes effective May 23, 1974, for all persons except those to whom it was made effective immediately by telegram dated May 1, 1974.

Issued in Los Angeles, Calif., on May 10, 1974.

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

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

[FR Doc.74–11568 Filed 5–20–74;8:45 am]

[Docket No. 74–SO–51, Amdt. 39–1851]

PART 39—AIRWORTHINESS DIRECTIVES

Grumman Model G–1159 Airplanes

It has been found that if the pitch trim motor in the Grumman G–1159 airplanes is operating in one direction, and as a result of pilot application or a failure a signal is applied in the opposite direction, the trim rate will increase in the initial direction rather than slow down or stall. This could cause the aircraft to deviate from the desired flight path at an unexpected rate or increase unwanted stick forces. Since this condition is likely to exist in other airplanes of the same type design, an airworthiness directive is being issued to require modification of the trim system wiring in the junction box on the Grumman G–1159 airplanes.

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

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

GRUMMAN AMERICAN AVIATION CORPORATION. Applies to Grumman G–1159 Airplanes Certificated in all Categories

Compliance required within the next 100 hours' time in service after the effective date of this AD, unless already accomplished.

To prevent operation of the pitch trim at a greater rate when an additional signal in the opposite direction is selected, modify the Automatic Flight Control System junction box in accordance with Grumman American Aviation Corporation, Aircraft Service Change 143, or an equivalent modification approved by the Chief, Engineering and Manufacturing Branch, FAA Southern Region.

This amendment becomes effective May 30, 1974.

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

Issued in Atlanta, Ga. May 10, 1974.

DUANE W. FREER,
Acting Director, Southern Region.

[FR Doc.74–11569 Filed 5–20–74;8:45 am]

[Docket No. 74–SO–53, Amdt. 39–1849]

PART 39—AIRWORTHINESS DIRECTIVES

Grumman G–1159 Airplanes

There is a design condition in the fire extinguishing electrical circuitry in the Grumman G–1159 aircraft that could result in the fire extinguisher system not being readily available to fight an engine fire. Since this condition is likely to exist or develop in other aircraft of the same design, an airworthiness directive is being issued to require replacement of two switches in the fire extinguisher system on Grumman 1159 aircraft.

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

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

GRUMMAN AMERICAN AVIATION CORPORATION. Applies to Grumman G–1159, Serial Numbers 1 Through 110 and 775 Except 91 and 95, Certified in all Categories

Compliance required within the next 100 hours time in service after the effective date of this AD, unless already accomplished.

To provide dual electrical fire extinguisher squib circuits, accomplish the following or an equivalent rework approved by the Chief, Engineering and Manufacturing Branch, Southern Region.

Remove the left and right fire extinguisher switches MS24523-21 and install MS24524-21 switches in their place.

Wire switches in accordance with Grumman Gulfstream II Aircraft Service Change 121.

Replace pilot's circuit breaker panel nameplate 1159AV2042 with nameplate 1159SB-20082-11.

This rework is outlined in detail in the Grumman Gulfstream II Aircraft Service Change 121.

This amendment is effective May 24, 1974.

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

Issued in East Point, Ga., on May 10, 1974.

DUANE W. FREER,
Acting Director,
Southern Region.

[FR Doc.74-11570 Filed 5-20-74;8:45 am]

[Docket No. 74-NE-14, Amdt. 39-1847]

PART 39—AIRWORTHINESS DIRECTIVES

Pratt & Whitney Aircraft Engines

Amendment 39-1337 (36 FR 22225), AD 71-24-5, lowered the life limits of certain specified compressor rotor discs listed in the Pratt and Whitney Service Bulletin No. 3421 and required their removal from service prior to reaching these lowered life limits. After issuing Amendment 39-1337, the agency determined that there were additional discs not listed in the above incorporated service bulletin which should be subject to the revised lower life limits. Therefore, the AD is being amended to include these additional discs, which are listed in Revision No. 3, dated December 10, 1973, to the Pratt & Whitney Service Bulletin No. 3421. The original compliance time for those discs which were already subject to the AD is being retained in this amendment to the AD. In addition, this amendment updates the language of the AD to reflect the reorganization of the agency's regional offices by deleting obsolete language referring to the FAA Eastern Region and inserting in its place reference to the New England Region.

Since a situation exists that requires immediate adoption of this amendment, it is found that notice and public procedure hereon are not practical and there is good cause for making this amendment effective in less than thirty days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (14 CFR 11.89), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment No. 39-1337 (36 FR 22225), AD 71-24-5, is amended as follows:

1. The applicability paragraph is amended by adding the phrase "as amended by Revision No. 3, dated December 10, 1973" at the end of the paragraph.

2. The paragraph beginning with the words "To preclude compressor rotor disc failures" is deleted in its entirety and the following paragraph is inserted in lieu thereof:

(a) To preclude compressor rotor disc failure as the result of reduced life from traces of lead—

(1) For those discs listed in Pratt & Whitney Aircraft turbojet Engine Service Bulletin No. 3421, dated August 4, 1971, remove from service the listed discs prior to reaching the revised life limit or within the next 30 cycles in service after November 26, 1971, whichever comes later.

(2) For those discs not listed in the above Service Bulletin but listed in Revision No. 3, dated December 10, 1973, remove from service the listed discs prior to reaching the revised life limit or within the next 30 cycles in service after the effective date of this amendment, whichever comes later.

3. The paragraph commencing with the words "The manufacturer's Service Bulletin identified and described in this directive" is amended by deleting the words "FAA, Eastern Region, Federal Building, J. F. Kennedy International Airport, Jamaica, New York" and inserting the words "FAA, New England Region, 12 New England Executive Park, Burlington, Massachusetts" in lieu thereof.

4. The phrase "Eastern Region" is deleted wherever it appears in the AD and the phrase "New England Region" is substituted in lieu thereof.

This amendment becomes effective May 31, 1974.

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

Issued in Burlington, Mass., on May 10, 1974.

FERRIS J. HOWLAND,
Director, New England Region.

[FR Doc.74-11571 Filed 5-20-74;8:45 am]

[Airspace Docket No. 74-NW-04]

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

Alteration of Transition Area

On March 25, 1974, a notice of proposed rulemaking (NPRM) was published in the FEDERAL REGISTER (39 FR 11097) stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the description of the Portland, Oregon, Transition Area.

Interested persons were given thirty days in which to submit written comments. No objections to the proposed amendment were received.

Subsequent to the issuance of the NPRM a typographical error was found. The east boundary of the airspace extending upward from 7500' MSL was stated as "* * * longitude 120°00'00" W * * *.", the description should read "* * * longitude 122°00'00" W * * *." Since the area was depicted correctly in the NPRM, this change is editorial in nature and imposes no additional burden on any person; notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective 0901 G.m.t., July 18, 1974, as hereinafter set forth.

In § 71.181 (39 FR 440) the description of the Portland, Oregon, transition area is amended as follows:

Delete the last sentence of the description beginning, "That airspace south of Portland extending upward from 10,000 feet MSL * * *", and substitute the following:

That airspace south of Portland extending upward from 7500 feet MSL bounded on the north by the 60-mile circle centered on Portland International Airport, on the northeast by the southwest edge of V-165, on the east by longitude 122°00'00"W., on the south by the north edge of V-536, on the west by longitude 122°23'00" W.; that airspace southeast of Portland extending upward from 10,000 feet MSL bounded on the northeast by the southwest edge of V-165, on the south by the north edge of V-536, and on the west by longitude 122°00'00"W.

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

Issued in Seattle, Wash., on May 13, 1974.

C. B. WALK, Jr.
Director, Northwest Region.

[FR Doc.74-11572 Filed 5-20-74;8:45 am]

[Airspace Docket No. 74-NW-05]

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

Alteration of Transition Area

On March 25, 1974, a Notice of proposed rulemaking was published in the FEDERAL REGISTER (39 FR 11097) stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the description of the Eugene, Oregon, Transition Area.

Interested persons were given thirty days in which to submit written comments. No objections to the proposed amendment were received.

In consideration of the foregoing, the proposed amendment is hereby adopted without change.

Effective date. This amendment shall be effective 0901 G.m.t. July 18, 1974.

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

Issued in Seattle, Wash., on May 13, 1974.

C. B. WALK, Jr.,
Director, Northwest Region.

In § 71.181 (39 FR 440) the description of the Eugene, Oregon Transition Area is amended to read as follows:

EUGENE, OREGON

That airspace extending upward from 700 feet above the surface within a 21-mile radius of the Eugene VORTAC; that airspace extending upward from 1200 feet above the surface northeast of Eugene, bounded on the north by V-536, on the southeast by V-121N (proposed), on the southwest by the arc of the 21-mile radius circle, on the northwest by V-23E; that airspace east of Eugene bounded on the north by V-121 (proposed), on the east by latitude 122°30'00" W. on the southwest by V-452 and on the west by the arc of the 21-mile radius circle.

[FR Doc.74-11573 Filed 5-20-74;8:45 am]

[Airspace Docket No. 73-EA-112]

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

Alteration of Control Zone

On page 6122 of the FEDERAL REGISTER for February 19, 1974, the Federal Aviation Administration published a proposed rule which would alter the DuBois, Pa., control zone (39 FR 376).

Interested parties were given 30 days after publication in which to submit written data or views. No objections to the proposed regulation have been received.

In view of the foregoing, the proposed regulation is hereby adopted, effective 0901 G.m.t. July 18, 1974.

(Sec. 307(a), Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in Jamaica, N.Y., on May 2, 1974.

ROBERT H. STANTON,
Director, Eastern Region.

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations by deleting the description of the Du Bois, Pa. control zone and by substituting the following in lieu thereof:

Within a 5-mile radius of the center, 41°-10'42" N., 78°53'50" W., of Du Bois-Jefferson County Airport, Du Bois, Pa.; within 3 miles each side of the Du Bois-Jefferson County Airport ILS localizer northeast course, extending from the 5-mile radius zone to 8.5 miles northeast of the OM; and within 2.5 miles each side of the Clarion, Pa. VORTAC 066° radial, extending from the 5-mile radius zone to 23 miles east of the Clarion, Pa. VORTAC.

[FR Doc.74-11574 Filed 5-20-74;8:45 am]

[Airspace Docket No. 74-EA-1]

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

Alteration of Control Zone

On page 7803 of the FEDERAL REGISTER for February 28, 1974, the Federal Aviation Administration published a proposed rule so as to alter the Clarksburg, W. Va., Control Zone (39 FR 368).

Interested parties were given 30 days after publication in which to submit written data or views. No objections to the proposed regulation have been received.

The subject amendment is essential to the continued air service within controlled airspace. Therefore, with the imminent need to change scheduled air services, good cause exists for making the amendment effective in less than 30 days.

In view of the foregoing, the proposed regulation is hereby adopted, effective on May 21, 1974.

(Sec. 307(a), Federal Aviation Act of 1958, (72 Stat. 749; 49 U.S.C. 1348); sec. 6(c), Department of Transportation Act, (49 U.S.C. 1655(c)))

Issued in Jamaica, N.Y., on May 2, 1974.

ROBERT H. STANTON,
Director, Eastern Region.

1. Amend § 71.171 of Part 71, Federal Aviation Regulations so as to alter the description of the Clarksburg, W. Va. control zone by deleting the last sentence and by substituting in lieu thereof the following:

This control zone is effective during the specific days and times established in advance by a Notice to Airmen. The effective days and times will thereafter be published continuously in the Airman's Information Manual.

[FR Doc.74-11575 Filed 5-20-74;8:45 am]

[Airspace Docket No. 74-WA-2]

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

PART 75—ESTABLISHMENT OF JET ROUTES AND AREA HIGH ROUTES

Alterations to Jet Routes and VOR Federal Airways

On January 29, 1974, a notice of proposed rulemaking (NPRM) was published in the FEDERAL REGISTER (39 FR 3687) stating that the Federal Aviation Administration (FAA) was considering amendments to Parts 71 and 75 of the Federal Aviation Regulations that would realign several jet routes in the Alaska area and extend a VOR Federal Airway from Sisters Island, Alaska, to the new VOR/DME facility located at Whitehorse, Yukon Territory, Canada.

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

One of the proposed amendments was to extent V-307 from Sisters Island, Alaska, to Whitehorse, Yukon Territory, Canada. To solve a route ambiguity problem, the FAA has decided to change the numbered identifier of this proposed airway from V-307 to V-428, and also to change the numbered identifier of the airway between Biorka Island, Alaska, and Sisters Island from V-307 to V-428. The route ambiguity problem results from multiple junctions that exist between V-307 and V-317 which cross each other twice between Annette Island, Alaska, and Sisters Island, Alaska, thereby creating occasional doubt as to where transition will be made from one route to the other. This route ambiguity can be partially resolved by redesignating this portion of V-307 to V-428. Additionally, FAA Flight Inspection has determined that the signal strength from the Sisters Island VORTAC will not support an airway between Sisters Island and Whitehorse. However, it is possible to maintain low altitude minimums by utilizing the Haines, Alaska, RBN which is located approximately one half mile south of the original recommended airway alignment thereby creating only a slight bend in the airway. Action is taken herein to add these changes to the airway descriptions in this docket.

In consideration of the foregoing, Parts 71 and 75 of the Federal Aviation Regulations are amended, effective 0901 G.m.t., July 18, 1974, as hereinafter set forth.

Section 75.100 (39 FR 699) is amended as follows:

1. J-515 is revised to read:

JET ROUTE No. 515

From Fargo, N. Dak., via Pembina, N. Dak.; to INT Pembina 356° radial and the United States/Canadian border. From Whitehorse, Yukon Territory, Canada, via Northway, Alaska; Fairbanks, Alaska; Bettles, Alaska; to Barrow, Alaska. The airspace within Canada is excluded.

2. J-536 is revised to read:

JET ROUTE No. 536

From Sisters Island, Alaska; to Whitehorse, Yukon Territory, Canada. The airspace within Canada is excluded.

3. J-160 is revised to read:

JET ROUTE No. 160

From Fairbanks, Alaska, via INT Fairbanks 016° and Fort Yukon, Alaska, 229° radials; Fort Yukon; to Komakuk, Yukon Territory, Canada, NDB. The airspace within Canada is excluded.

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

1. V-307 is revised to read:

V-307

From Sandspit, British Columbia, Canada, via Annette Island, Alaska; 42 miles 12 AGL, 99 miles 55 MSL, 31 miles 12 AGL, to Biorka Island, Alaska. The airspace within Canada is excluded.

2. By adding:

V-428

From Biorka Island, Alaska, via Sisters Island, Alaska; Haines, Alaska, RBN; to Whitehorse, Yukon Territory, Canada. The airspace within Canada is excluded.

(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 15, 1974.

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

[FR Doc.74-11576 Filed 5-20-74;8:45 am]

proposed rules

DEPARTMENT OF THE INTERIOR

National Park Service

[36 CFR Part 7]

LAKE MEREDITH RECREATION AREA, TEXAS

Off Road Use

Notice is hereby given that pursuant to the authority contained in section 3 of the Act of August 25, 1916 (39 Stat. 535, as amended; 16 U.S.C. 3), the Act of August 31, 1964 (78 Stat. 744; 43 U.S.C. 600d), 245 DM1 (34 FR 13879), as amended, National Park Service Order No. 77 (38 FR 7478) as amended, Southwest Region Order No. 5 (37 FR 7722), it is proposed to amend § 7.57 to Title 36 of the Code of Federal Regulations as set forth below.

The purpose of this amendment is to change the name shown in the Code of Federal Regulations for this area from Sanford Recreation Area to Lake Meredith Recreation Area and to establish areas for use by off-road vehicles. The determination in regard to off-road vehicle use is based on the requirements of sections 3 and 4 of Executive Order 11644 and of § 4.19(b) of the regulations.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Further, with regard to the designation of areas for the use of off-road vehicles, below, the Department will adhere to the 30-day period for comment established by § 4.19(b) of this chapter, as amended in the FEDERAL REGISTER of April 1, 1974 (39 FR 11882). Accordingly, interested persons may submit written comments, suggestions or objections with respect to the proposed amendment to the Superintendent, Lake Meredith Recreation Area, P.O. Box 325, Sanford, Texas 79078, on or before June 20, 1974.

The title for § 7.57 now reading Sanford Recreation Area is revised to read Lake Meredith Recreation Area and paragraph (a) now designated as "Reserved" is revised to read as follows:

§ 7.57 Lake Meredith Recreation Area.

(a) The operation of motor vehicles within the Lake Meredith Recreation Area is prohibited outside of established public roads, parking areas, except within the cutbanks of Blue Creek, comprising about 275 acres, and except below the 3,000 ft. contour on the following described lands, being known as the Rosita Area on the Canadian River flood plain:

Beginning at property corner 191 at coordinates 536,112.90N and 1,894,857.49E thence in a straight line S05°14'47" E, 3349.09 ft., to property corner 192, thence in a straight line N85°03'12" E, 6999.38 ft., to property corner 193, thence in a straight line N58°29'53"E, 3737.77 ft., to property corner 194, thence in a straight line N51°20'25"E, 1457.45 ft., to property corner 195, thence in a straight line S74°40'44"E, 4064.61 ft., to property corner 196, thence in a straight line N79°59'22"E, 3118.40 ft., to property corner 197A, thence in a northeasterly direction to property corner 200, thence in a straight line N56°24'11"E, 1073.57 ft., to property corner 201, thence in a straight line S80°04'22"E, 2684.69 ft., to property corner 202, thence in a straight line N69°21'31"E, 2974.09 ft., to property corner 203, thence in a straight line S37°59'16"E, 1538.83 ft., to property corner 204, thence in a straight line N28°36'59"E, 744.10 ft., to property corner 205, thence in a straight line N00°19'04"E, 1136.41 ft., to property corner 206, thence in a westerly direction to property corner 181, thence in a straight line S89°51'52"W, 1434.80 ft., to property corner 182, thence in a straight line N75°53'25"W, 4267.11 ft., to property corner 183, thence in a straight line S76°16'20"W, 3835.45 ft., to property corner 184, thence in a westerly direction to property corner 189, thence in a straight line S71°35'59"W, 2901.46 ft., to property corner 190, thence in a straight line S78°24'18"W, 6506.70 ft., to the point of beginning as shown on Bureau of Reclamation drawing number 662-525-1431 dated July 9, 1965, such Rosita Area comprising about 1,500 acres.

Nothing contained in this § 7.57(a) shall be deemed to restrict the use of motor vehicles outside of public roads and parking areas for official or emergency purposes, as required in the discretion of the Superintendent.

(1) The Superintendent may establish limits on the number of vehicles permitted in the above designated areas when such limitations are necessary in the interest of public safety or for coordination of other visitor uses, or for conservation of the natural resources of the area.

* * * * *

WILLIAM E. DYER,
Superintendent, Lake Meredith Recreation Area.

[FR Doc.74-11563 Filed 5-20-74;8:45 am]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 923]

SWEET CHERRIES GROWN IN DESIGNATED COUNTIES IN WASHINGTON

Proposed Handling Limitations

Notice is hereby given that the Department is considering a proposal, as hereinafter set forth, that would limit the handling of sweet cherries by establishing a regulation as recommended by the Washington Cherry Marketing Committee. The committee functions pursuant to the marketing agreement and Order No. 923 (7 CFR Part 923) which regulate the handling of sweet cherries grown in designated counties in Washington. This program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

This notice invites written comments relative to the proposed seasonal regulation on the grade, size, and containers used in the handling of such cherries. The proposal reflects the committee's appraisal of the 1974 crop and current and prospective market conditions. Shipments of Washington sweet cherries are currently regulated by Cherry Regulation 12 (38 FR 17182) through June 30, 1974. The proposed regulation contains the same requirements and would be effective from July 1, 1974, through June 30, 1975.

The proposed grade and size requirements are designed to prevent the handling of cherries grading lower than the grade specified and smaller than the size specified, so as to provide consumers with good quality fruit, consistent with the overall quality of the crop, while improving returns to the producers pursuant to the declared policy of the act. The proposed requirements for containers and packaging of cherries in faced packs and any packs of 20 pounds, net weight, or larger are designed to prevent deceptive packaging practices, promote buyer confidence, and maintain the integrity of the Washington sweet cherry industry. Individual shipments not exceeding 100 pounds of cherries sold for home use and not for resale, subject to the prescribed safeguards, are excepted from these requirements because the quantity of cherries so handled is relatively inconsequential when compared with the total quantity handled, and it would be administrative impracticable to regulate the handling of such shipments due to the proximity of their source and destination.

All persons who desire to submit written data, views, or arguments in connection with the proposal should file the same, in quadruplicate, with the Hearing Clerk, Room 112A, U.S. Department of Agriculture, Washington, D.C. 20250, not later than June 10, 1974. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

The proposal is as follows:

§ 923.313 Cherry Regulation 13.

(a) *Order.* During the period July 1, 1974, through June 30, 1975, no handler shall, except as provided in paragraph (b) of this section, handle any lot of cherries unless such cherries meet each of the following applicable requirements:

(1) *Minimum grade.* U.S. No. 1: *Provided,* That the following tolerances, by count of the cherries in the lot, shall apply in lieu of the tolerances for defects provided in the United States Standards for Grades of Sweet Cherries: a total of 10 percent for defects; including in this amount not more than 5 percent, by count, of the cherries in the lot, for serious damage, and including in this latter amount not more than 1 percent by count of the cherries in the lot, for cherries affected by decay: *Provided further,* That the contents of individual packages in the lot are not limited as to the percentage of defects but the total of the defects of the entire lot shall be within the tolerances specified.

(2) *Minimum size.* At least 95 percent by count, of the cherries in the lot shall measure not less than 48/64 inch in diameter.

(3) *Faced packs and any packs of 20 pounds, net weight, or larger.* At least 90 percent, by count, of the cherries in the lot shall measure not less than 54/64 inch in diameter.

(4) *Containers.* The net weight of the cherries in any container having a capacity greater than that of a container with inside dimensions of 15⅛ by 10½ by 4 inches shall be not less than 20 pounds; and no container of cherries shall contain less than 12 pounds, net weight, of cherries.

(b) *Exceptions.* Notwithstanding any other provision of this section, any individual shipment of cherries which meets each of the following requirements may be handled without regard to the provisions of paragraph (a) of this section, and of §§ 923.41 and 923.55:

(1) The shipment consists of cherries sold for home use and not for resale;

(2) The shipment does not, in the aggregate, exceed 100 pounds, net weight, of cherries; and

(3) Each container is stamped or marked with the words "not for resale" in letters at least one-half inch in height.

(c) *Definitions.* Terms used in the marketing agreement and order shall, when used herein, have the same meaning as given to the respective term in said marketing agreement and order; "U.S. No. 1" and "diameter" shall have the same meaning as when used in the United States Standards for Grades of Sweet Cherries (§§ 51.2646–51.2660 of this title); and "faced pack" means that the cherries in the top layer in any container are so placed that the stem ends are pointing downward toward the bottom of the container.

Dated: May 15, 1974.

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

[FR Doc.74–11555 Filed 5–20–74;8:45 am]

Forest Service

[36 CFR Part 211]

ADMINISTRATIVE APPEALS

Proposal To Combine Procedures

The Department of Agriculture proposes to combine certain of its administrative appeals procedures in the Office of the Secretary. The Appeal Regulation (36 CFR Part 211) would be superseded after pending cases thereunder had been finally decided. The appeals presently in Class One before the Board of Forest Appeals would fall within the jurisdiction of the Department's Board of Contract Appeals in accordance with new regulations in 7 CFR Part 24 as described in a notice of proposed rulemaking published concurrently with this notice of proposed rule making. The appeals presently in Class Two and Three under the Appeal Regulation (36 CFR 211.20) would be handled under new administrative review procedures set forth below.

The proposed administrative review procedure would simplify and expedite review of administrative actions and decisions by Forest Officers in those areas primarily committed to agency discretion. Parties aggrieved by such actions or decisions will only be required to seek a maximum of two levels of review to reach a final administrative determination. Formalized hearings and pleadings will not be required and time will be greatly reduced in reaching final decisions. Disputed legal rights involving issues of breach of written agreements having the legal effect of contracts will be handled through a more formalized process before a Board of Contract Appeals.

Prior to issuance of the proposed regulations, any data, views or recommendations pertaining thereto which are submitted in writing to the Hearing Clerk, 14th and Independence SW., United States Department of Agriculture, Washington, D.C. 20250, will be given consideration. To be certain of consideration, such submissions should be postmarked not later than June 30, 1974.

All written submissions made pursuant to this notice will be made available for public inspection at such times and places and in a manner convenient to the public business (7 CFR 1.27(b)).

It is proposed to add to Subpart A of Part 211, Title 36, a new § 211.2 to read as follows:

§ 211.2 Review of decisions of Forest Officers other than those subject to appeal to the Board of Contract Appeals of the Department.

(a) Any person aggrieved by any administrative action or written decision of an officer of the Forest Service, other than an action or decision appealable to the Board of Contract Appeals of the Department of Agriculture under 7 CFR Part 24, may file with such officer a written request for reconsideration thereof or written request for administrative review, except where the relief sought is reformation of a contract, monetary damages, or where the decision involves personnel matters, or where the jurisdiction of another government agency, the Comptroller General or a court supersedes that of the Department of Agriculture.

(b) Such action or decision shall be final unless request for reconsideration or administrative review under paragraph (a) of this section is filed within 45 days of such administrative action or receipt of notice of such decision whichever is later. The request shall identify the action or decision involved and, unless accompanied by a showing of an acceptable reason for allowing a longer time for preparation, shall state in detail the reasons why the action or decision is believed in error and the nature of the relief requested. Additional time for filing the supporting statement may be granted by the Forest Officer.

(c) Upon receipt of a request for administrative review and supporting statement, the Forest Officer shall prepare his own statement reviewing the matter and presenting the facts and considerations upon which his administrative action or decision was based. The two statements, together with all papers comprising the record in the matter, shall then be transmitted to the reviewing officer.

(d) The reviewing officer will be the immediate superior within the Forest Service of the officer whose action or decision is being reviewed except that the first level of review shall not be below that of Forest Supervisor and original actions or decisions of the Chief of the Forest Service may be reviewed by the Secretary at his discretion. There shall be no more than two levels of review under this section. The reviewing officer shall review the record submitted with the request for review and send his written decision to the aggrieved party or parties and the subordinate officer within 30 days of receipt of the request and record, provided however, that more than 30 days for review and decision is permissible where additional information must be obtained to complete the record upon which the decision is to be made. The aggrieved party may, within 15 days after filing his request for review, file a request with the Forest Officer whose action or decision is to be reviewed or the reviewing Forest Officer, requesting an opportunity to present his views orally. Such Forest Officer shall arrange

for an informal oral presentation before him or his designee. In any such case, the Forest Officer shall include in the written record a summary of the oral hearing and any documentary evidence received at the hearing.

(e) Decisions at the second level of review shall constitute a final administrative determination of the Department of Agriculture.

Effective date. These provisions shall take effect on July 1, 1974.

Signed at Washington, D.C., on May 16, 1974.

EARL L. BUTZ,
Secretary.

[FR Doc.74-11678 Filed 5-20-74;8:45 am]

Office of the Secretary

[7 CFR Part 24]

ADMINISTRATIVE APPEALS

Proposal To Combine Procedures

The Department of Agriculture proposes to combine certain of its administrative appeals procedures in the Office of the Secretary. The jurisdiction of the existing Board of Contract Appeals of the Department (7 CFR 2400.1 to 2400.-13) would be enlarged to include appeals after one level of review by Forest Service officers below the Regional Forester and direct appeal from Regional Forester and Chief, Forest Service, decisions in cases involving disputes under written instruments having the legal effect of contracts. Such appeals are generally the same as presently in Class One before the existing Board of Forest Appeals of the Department (36 CFR 211.20 to 211.37).

The enlarged jurisdiction of the new Board of Contract Appeals, the composition of the Board and new rules of procedure including accelerated handling in cases involving $25,000 or less would be set forth in a new Part 24 of Title 7 of the Code of Federal Regulations.

Cases pending before the existing Boards would be carried to final disposition under existing procedures applicable to each Board except the parties may agree with consent of the new Board to have a pending case within the prescribed jurisdiction of the new Board handled under the new procedures.

Prior to issuance of the proposed regulations, any data, views or recommendations pertaining thereto which are submitted in writing to the Hearing Clerk, 14th and Independence SW., United States Department of Agriculture, Washington, D.C. 20250, will be given consideration. To be certain of consideration, such submissions should be postmarked not later than June 20, 1974.

All written submissions made pursuant to this notice will be made available for public inspection at such times and places and in a manner convenient to the public business (7 CFR 1.27(b)).

The proposed regulation would read as follows:

PART 24—BOARD OF CONTRACT APPEALS, DEPARTMENT OF AGRICULTURE

Subpart A—Organization and Functions

Subpart B—Rules of Procedure

AUTHORITY: (5 U.S.C. 301); (40 U.S.C. 486(c)); sec. 4, 62 Stat. 1070, as amended (15 U.S.C. 714b); 30 Stat. 35, as amended (16 U.S.C. 551); 50 Stat. 525, as amended (7 U.S.C. 1011(f)); secs. 9, 10, 62 Stat. 1072, 1073 (15 U.S.C. 714g, 714h).

Subpart A—Organizations and Functions

§ 24.1 General.

This Subpart prescribes the organization and functions of the Board of Contract Appeals, United States Department of Agriculture (referred to as the "Board"). The provisions of 5 U.S.C. 551–559 (Administrative Procedure Act, 80 Stat. 378, as amended) are not applicable to proceedings before the Board except for the requirements under 5 U.S.C. 552 (81 Stat. 54) respecting public information, agency rules, opinions, orders and records.

§ 24.2 Composition of Board.

The Board shall be composed of not less than three nor more than five members appointed by the Secretary of Agriculture, one of whom shall be designated Chairman and one of whom shall be designated Vice-Chairman. A majority of such members shall be qualified attorneys admitted to practice law in any State or the District of Columbia. A vacancy on the Board shall not impair the powers or affect the duties of the Board. The Vice-Chairman shall act for the Chairman upon request or when the Chairman is absent or unable to act. In any case where a panel of three members is required to decide such case, and one or more of such panel members initially designated is absent or unable to act, the Chairman may designate another member or members to serve on the panel to decide such case. In any case where a single member is required to decide a case under accelerated procedures and such member is absent or unable to act, the Chairman may designate another member to decide such case.

§ 24.3 Presiding Officer.

The Chairman shall act as Presiding Officer or designate a member of the Board to so act in each proceeding. The Presiding Officer shall have power to:

(a) Rule upon motions and requests;

(b) Adjourn the hearing from time to time and change the time and place of hearing;

(c) Administer oaths and affirmations and take affidavits;

(d) Receive evidence;

(e) Order the taking of depositions;

(f) Admit or exclude evidence;

(g) Hear oral argument on facts or law;

(h) Consolidate appeals filed by two or more appellants; and

(i) Do all acts and take all measures necessary for the maintenance of order at the hearing and the efficient conduct of the proceeding.

The Presiding Officer shall be the sole member in cases designated for accelerated procedure under the rules of procedure of the Board. In all other cases, three members shall be the panel and a decision of a majority of the panel shall constitute the decision of the Board. The Chairman is hereby delegated authority to request subpoenas pursuant to 5 U.S.C. 304.

§ 24.4 Jurisdiction.

(a) *Decisions of contracting officers of the Department of Agriculture and Commodity Credit Corporation.* The Board shall have jurisdiction of appeals taken from decisions of contracting officers of agencies of the Department of Agriculture and Commodity Credit Corporation within the scope of the Disputes Article of contracts.

(b) *Claims by or against Commodity Credit Corporation.* The Board shall have jurisdiction to consider and determine, upon specific referral by the President or a Vice-President of Commodity Credit Corporation, an appeal by any person on a contract claim by or against Commodity Credit Corporation not pending in the Department of Justice or in litigation and involving doubtful or disputed questions of fact or law where claimant has

been unable to effect settlement or adjustment satisfactory to him under other established policies and procedures.

(c) *Contract Work Hours Standards Act.* The Board shall have jurisdiction of appeals taken from decisions of contracting officers of the Department of Agriculture under the Contract Work Hours Standards Act (Pub. L. 87–581, August 13, 1962, 76 Stat. 357; 40 U.S.C. 327–332).

(d) *Debarment.* The Board shall have jurisdiction to hear and determine the issue of debarment and the period thereof, if any, on an appeal by a person debarred (1) by an authorized official of the Commodity Credit Corporation under 7 CFR 1407.6(d), or (2) by an authorized official of the Department of Agriculture under 41 CFR 4–1.604–1(b).

(e) *Appeals from decisions of contracting officers of the Forest Service.* The Board shall have jurisdiction of appeals from decisions of contracting officers of the Forest Service, Department of Agriculture, in which the issue under appeal relates to a breach of the terms or provisions of a contract, except that appeals subject to Board jurisdiction under § 24.4 (a) or (d) shall be excluded from jurisdiction under this paragraph and except that appeals from decisions of contracting officers of the Forest Service determined to be subject to administrative review under 36 CFR 211.2 shall be excluded from jurisdiction under this paragraph. The Board shall issue a ruling on the issue of jurisdiction or lack thereof under this paragraph. Either party may appeal such ruling to the Secretary within 30 days from the date of receipt of the Board's ruling. The decision of the Secretary on appeal of such ruling shall be final as to the issue of jurisdiction. No appeal under this paragraph shall lie where the relief sought is reformation of contract, monetary damages or amendment of contract to extend the term of the contract.

§ 24.5 Time for filing notice of appeal.

A notice of appeal shall be filed within the time prescribed in the contract or applicable regulation of the Department, provided, that in case of appeal under § 24.4(e), the notice of appeal shall be filed within 30 days from the date of receipt of the decision of the contracting officer of the Forest Service. The time for filing a notice of appeal shall not be extended by the Board.

§ 24.6 Board location and address.

The Board of Contract Appeals is located in Washington, D.C. All correspondence and all documents to be filed with the Board should be addressed to the Board of Contract Appeals, care of the Hearing Clerk, 14th & Independence SW., United States Department of Agriculture, Washington, D.C. 20250.

§ 24.7 Public information.

The records of the Board are open to the public for inspection and copying at the office of the Board. Decisions and rulings of the Board shall be published from time to time and copies made available to the public upon request at cost of duplication except that the Board shall, in its discretion, have authority to make copies of decisions and rulings available at no charge in appropriate circumstances. Hearings before the Board shall be open to the public.

§ 24.8 Transfer of pending appeals under 7 CFR Part 2400 and 36 CFR Part 211.

Appeals filed prior to the effective date of this Part with the Board of Contract Appeals pursuant to 7 CFR 2400.1 to 2400.13 shall be carried to final disposition thereunder, and appeals filed prior to the effective date of this Part with the Board of Forest Appeals pursuant to 36 CFR 211.20 to 211.37 shall be carried to final disposition thereunder, except that where the Board established under this Subpart determines that a pending appeal is within its jurisdiction, the Board upon agreement of the parties may direct and order that further proceedings in such pending appeal shall be governed by this part.

§ 24.9 Rules of Procedure.

The Chairman of the Board shall prescribe its Rules of Procedure and publish such rules in Subpart B of this part and may prescribe and so publish amendments thereto from time to time. The Rules of Procedure and any amendments thereto shall be consistent with this Subpart.

§ 24.10 Definitions.

(a) "Board" means the Board of Contract Appeals established under this Subpart.

(b) "Chief" means the Chief, Forests Service, United States Department of Agriculture.

(c) "Contract" means any agreement entered into by the Department or its agencies or authorized officials with any person, including timber sale contracts, grazing permits, special use permits, cooperative agreements and other written instruments having the legal effect of contracts between the Forest Service and a person.

(d) "Contracting officer" means any person who is designated as a contracting officer. For purposes of appeals under § 24.4(e), "contracting officer of the Forest Service" means (1) a Forest Supervisor who makes a decision arising out of a contract on appeal from a decision of a subordinate Forest officer, (2) a Regional Forester who makes a decision arising out of a contract on appeal from a decision of a subordinate Forest Supervisor or who makes a decision under a contract as the initial decision maker, or (3) the Chief who makes a decision under a contract as the initial decision maker.

(e) "Department" means the United States Department of Agriculture.

(f) "Forest Supervisor" means a Forest Supervisor having responsibility for a National Forest of the Forest Service and any officer or employee of the Forest Service to whom authority has heretofore or may hereafter be delegated to act in his stead.

(g) "Government attorney" means the attorney of the Department designated to handle a particular appeal on behalf of the contracting officer.

(h) "Hearing Clerk" means the Hearing Clerk, 14th and Independence SW., United States Department of Agriculture, Washington, D.C. 20250.

(i) "Person" means any individual, partnership, public or private corporation, association, agency or other legal entity.

(j) "Presiding officer" means the member of the Board designated to preside at proceedings in a particular appeal.

(k) "Regional Forester" means a Regional Forester having responsibility for a Region of the Forest Service and where applicable a Forest and Range Experiment Station Director, Wood Products Laboratory Director, Director of the Institute of Tropical Forestry, Area Director, and any officer or employee of the Forest Service to whom authority has heretofore or may hereafter be delegated to act in their stead.

§§ 24.11–20 [Reserved]

Effective date. The provisions of this Subpart shall take effect on July 1, 1974.

Signed at Washington, D.C., on May 16, 1974.

EARL L. BUTZ,
Secretary.

Subpart B—Rules of Procedure

§ 24.21 Rules of Procedure of Board of Contract Appeals established under Subpart A.

The rules of procedure of the Board of Contract Appeals, Department of Agriculture, established under Subpart A are hereby prescribed as follows:

Rule 1. Appeals, how taken. A notice of appeal shall be in writing in an original with two copies filed with the Board, care of the Hearing Clerk. Such notice of appeal shall be mailed or otherwise filed within the time specified in the contract or allowed by applicable provision of law or regulation. A notice of appeal under § 24.4(e) shall be filed not later than 30 days from the date of receipt of the decision being appealed.

Rule 2. Notice of appeal, contents. A notice of appeal shall indicate that an appeal is thereby intended, the agency or field office of the Department involved, the decision from which the appeal is taken, the date of receipt of the decision involved and, where applicable, the contract number. The notice of appeal shall be signed by the appellant or his authorized representative or attorney. The complaint referred to in Rule 8 may be filed together with the notice of appeal or the notice of appeal may also be designated by the appellant as the complaint if it otherwise fulfills the requirements of a complaint.

Rule 3. Time limitations. Whenever the final date for performance of any act under this Part falls on a Saturday, Sunday or national holiday, the time for performance shall be extended to the next working day. If mailing is required, it shall be considered timely if the mailing is postmarked by midnight of such next working day. Where the action required to be taken is within a prescribed number of days after receipt of a notice, the date of receipt shall be excluded in computing such period of time. The Board may extend any time limitation prescribed

under its Rules of Procedure on good cause shown except for the time prescribed for filing any notice of appeal or appeal on the question of jurisdiction under § 24.4(e).

Rule 4. Appeal file. The contracting officer after request from the Board shall not later than the time prescribed by the Board prepare and file with the Board 3 copies of all documents pertinent to the appeal as an appeal file including as applicable but not necessarily limited to:

(a) The decision and findings of fact from which appeal is taken;

(b) The contract, including specifications and pertinent amendments, plans and drawings;

(c) All correspondence between the parties pertinent to the appeal, including the letter or letters of claim in response to which decision was issued;

(d) Transcripts of any testimony taken during the course of proceedings, and affidavits or statements of any witnesses on the matter in dispute made prior to the filing of the notice of appeal with the Board;

(e) Any additional information considered pertinent.

Rule 5. Board action upon receipt of appeal file. The Board upon receipt of the appeal file from the contracting officer shall send a copy thereof to appellant and to the Government attorney. The appellant may supplement the appeal file by filing with the Board 3 copies of any additional documents not contained in the appeal file which appellant believes are also pertinent to the appeal. Such filing shall be made with the Board within the time prescribed by the Board. Upon receipt of any such additional documents from appellant, the Board shall send copies thereof to the contracting officer and the Government attorney.

Rule 6. Status of appeal file. The appeal file as supplemented by the appellant shall be a part of the record before the Board except that where a party files objection to inclusion of one or more specific documents prior to closing of the record, the Board will rule on admissibility of such documents.

Rule 7. Dismissal for lack of jurisdiction. A motion to dismiss for lack of jurisdiction may be filed with the Board by a party at any time. The Board may also raise the question of jurisdiction at any time on its own motion. Hearing on the issue of jurisdiction shall be afforded the parties either prior to hearing on the merits or at the hearing on the merits as prescribed by the presiding officer.

Rule 8. Complaint. Appellant shall file a complaint in an original and 2 copies with the Board not later than 30 days from the date of receipt of notice of docketing from the Board. Upon a showing of good cause by appellant the time for such filing may be extended by the presiding officer. The complaint shall contain simple, concise statements of error in the decision, dollar amounts, where applicable, and reference to contract provisions.

Rule 9. Answer. The Government attorney shall file an Answer in an original and 2 copies with the Board not later than 30 days from the date of receipt of the complaint from the Board. Upon a showing of good cause by the Government attorney the time for such filing may be extended by the presiding officer. The Answer shall contain simple, concise statements of defenses and may include counter-claims. The Board shall send a copy of the Answer to appellant.

Rule 10. Additional pleadings and motions. The presiding officer, in his discretion, may permit such additional pleadings and motions to be filed as may be desirable in the interests of defining the issues and affording the parties full opportunity to prepare their cases.

Rule 11. Pre-hearing briefs and oral argument. The presiding officer, in his discretion, may require or allow the filing of pre-hearing briefs in such manner as he may prescribe and may also require or allow oral argument prior to any evidentiary hearing on the merits.

Rule 12. Pre-hearing conference. The presiding officer, in his discretion, may require a pre-hearing conference to consider:

(a) The simplification or clarification of the issues;

(b) The possibility of obtaining stipulations, admissions, agreements on documents, understandings on matters already of record, or similar agreements which will avoid unnecessary proof;

(c) The limitation of the number of expert witnesses, or avoidance of similar cumulative evidence, if the case is to be heard;

(d) The possibility of agreement disposing of all or any of the issues in dispute;

(e) Such other matters as may aid in the disposition of the appeal.

The results of the conference shall be reduced to writing by the presiding officer and this writing shall constitute part of the record.

Rule 13. Discovery procedures. (a) *Discovery methods.* Parties may obtain discovery by one or more of the following methods:

(1) *Depositions.* Depositions upon oral examination before any officer authorized to administer oaths at the place of examination for use as evidence or for purposes of discovery. Each party shall bear its own expenses associated with the taking of any deposition.

(2) Written interrogatories.

(3) Inspection and copying of documents.

(4) Admission of facts.

(b) *Time, place and manner.* The parties may agree on the time, place and manner of discovery under this Rule, or failing such agreement, the time, place and manner of discovery shall be governed by order of the presiding officer.

Rule 14. Objections to discovery sought under Rule 13. The presiding officer upon motion by either party objecting to all or part of the discovery sought under Rule 13 shall prescribe such limitations thereon as he deems necessary and appropriate.

Rule 15. Sanctions. The presiding officer in any instance of failure or refusal of a party to comply with discovery orders issued under Rule 14 without excuse or explanation satisfactory to the presiding officer may (a) decide the fact or issue relating to the material requested to be produced, or the subject matter to be produced, or the subject matter of the probable testimony, in accordance with the claims of the other party or in accordance with other available evidence, (b) dismiss the appeal if the appellant is the disobedient party, or (c) make such other ruling as he determines just and proper.

Rule 16. Subpoena power. The Chairman has authority by delegation from the Secretary to request the appropriate United States Attorney to apply to the appropriate United States District Court for the issuance of subpoenas pursuant to 5 U.S.C. 304.

Rule 17. Evidence. (a) *Depositions.* No testimony taken by deposition shall be considered as part of the evidence in the hearing of an appeal unless and until such testimony is offered and received in evidence at such hearing. It will not ordinarily be received in evidence if the deponent is present and can testify personally at the hearing. In such instances, however, the deposition may be used to contradict or impeach the testimony of the witness given at the hearing. In cases submitted on the record, the presiding officer may in his discretion receive depositions as evidence in supplementation of that record.

(b) *Weight.* The weight to be attached to any evidence of record shall rest within the sound discretion of the presiding officer.

(c) *Relevance.* The presiding officer shall receive only evidence which is germane to the issues involved and shall exclude, insofar as practicable, evidence which is immaterial, irrelevant or unduly repetitious or which is not of the sort upon which responsible persons are accustomed to rely.

(d) *Additional evidence.* The presiding officer, at any stage of a proceeding may request a party to submit additional evidence on any matter relevant to the appeal.

(e) *Substitution of copies.* The presiding officer may grant leave to substitute copies of documents offered in evidence in lieu of the originals during or after a hearing.

(f) *Official notice.* Official notice will be taken of such matters as are judicially noticed by the courts of the United States and of any other matter of technical, scientific, or commercial fact of established character: Provided, That the parties shall be given adequate notice of matters so noticed and shall be given adequate opportunity to show that such facts are erroneously noticed.

Rule 18. Notice of hearings. The Board shall give notice of the time and place set for hearing which shall be scheduled as may best serve the interests of the parties and the Board. Such notice shall be sent to the parties in writing 30 days in advance of the date for such hearing unless the parties waive notice.

Rule 19. Hearings. A hearing before the Board shall be a matter of right which shall be afforded to appellant unless he waives such right. The Government attorney may request a hearing in any case and a hearing shall be afforded even though appellant has waived the right to a hearing. The presiding officer may require a hearing in any case.

In cases where the parties agree and request that the appeal be decided on the written record and the presiding officer does not require a hearing, the case shall not go to hearing but shall be decided on the written record.

Rule 20. Absence of a party at a hearing. The absence of appellant at a scheduled hearing may result in dismissal of the appeal for failure to prosecute if such absence is unexplained or not excused. The presiding officer where a party is absent may continue the case, or may, in his discretion, receive evidence from the other party and rule that the absent party has waived a hearing.

Rule 21. Conduct of hearings. (a) *General.* Hearings shall be conducted by the presiding officer in such a way as to afford the parties a full and complete review of the decision on appeal and to obtain a clear and orderly record. Hearings shall be conducted as informally as possible and shall be open to the public. Testimony shall be reported verbatim. Testimony of witnesses shall be upon oath or affirmation and subject to cross-examination and questions from the presiding officer and Board members.

(b) *Burden of proof and order of proceeding.* The burden of proof rests on the appellant asserting the claim or error in the decision except that the burden of proof in case of counter-claims rests on the party asserting them. Unless otherwise permitted by the presiding officer, the appellant shall proceed first at the hearing followed by the presentation of the Government attorney and any rebuttal case permitted by the presiding officer.

(c) *Objections.* If a party objects to the admission or rejection of any evidence or to a limitation of the scope of any examination or cross-examination, he shall state briefly the grounds of such objection and the presiding officer shall rule thereon or reserve ruling.

(d) *Records and documents.* Upon proof of authenticity, papers, books, records or documents shall be admissible in evidence without the production of the person who made or prepared the same except that the person who prepared documents specially for use at the hearing should be available to explain such documents.

(e) *Exhibits.* All documents offered in evidence at a hearing shall be marked for identification by number or letter as prescribed by the presiding officer. Except where the presiding officer finds that the furnishing of copies is impracticable, a copy of each proposed exhibit shall be made available to the other party when offer is made.

(f) *Offer of proof.* Whenever evidence is excluded from the record the offering party may make an offer of proof briefly stating the evidence proposed to be received into evidence.

(g) *Affidavits.* The presiding officer may receive affidavits in evidence if the evidence is otherwise admissible.

Rule 22. Transcript. Transcripts of the proceedings shall be made available by the Board to the Government attorney. Transcripts of the proceedings may be ordered at the hearing by appellant at actual cost of duplication (Pub. L. 92-463, October 6, 1972, 86 Stat. 770, 5 U.S.C. App. I). Transcripts of the proceedings shall also be available to any person at actual cost of duplication.

Rule 23. Post-hearing briefs. The presiding officer shall prescribe the manner of filing any post-hearing briefs.

Rule 24. Representation of parties at hearings. Appellant may appear before the Board in person or be represented by an authorized representative or attorney subject to the limitations prescribed in 7 CFR 1.26 regarding representation before the Department. The Government shall be represented by the Government attorney.

Rule 25. Settlement. The parties may agree to settlement of all or part of the issues at any stage of the proceedings before issuance of a decision of the Board.

Rule 26. Closing the record. The presiding officer shall close the record (1) after all pleadings, written argument, and documentary evidence have been received in a case submitted on the written record or (2) after any post-hearing briefing has been concluded in a case involving a hearing. The presiding officer upon proper request and showing of good cause may reopen the record prior to issuance of a decision of the Board.

Rule 27. Accelerated procedure. (a) *Election.* Appellant may elect at the time of filing the notice of appeal or the complaint to have the appeal handled under this Rule 27. The Board may proceed under this Rule 27 upon a finding that the appeal falls within the limitations prescribed in paragraph (b) of this Rule 27 and that the Government attorney does not object to handling under the accelerated procedure.

(b) *Dollar amount limitation.* In order to be handled under this Rule 27, the Board shall determine that $25,000 or less is involved in the claim of the appellant together with the amount involved in any counter-claim filed by the Government attorney. If no dollar amount of claim or counter-claim is involved, the Board shall determine whether the appeal can be properly disposed of under this Rule 27 and shall issue an appropriate ruling granting or denying the request of appellant.

(c) *Elimination of procedures.* In any appeal handled under these accelerated procedures, the presiding officer shall require the filing of a complaint, answer and appeal file but may dispense with briefs, discovery and additional pleadings.

(d) *Presiding officer as decision maker.* The presiding officer in any appeal handled under these accelerated procedures on the basis of the written record where no hearing is held, or on the basis of the entire record after hearing where a hearing is held, shall issue a short written decision as soon as practicable after closing of the record and such decision shall be the final decision of the Board.

Rule 28. Decisions of Board. The Board shall issue written decisions containing Findings of Fact and Conclusions and send copies to the parties by certified mail or if delivered directly with a notification of the date of delivery.

Rule 29. Reconsideration. The Board shall consider any request for reconsideration of a decision filed by either party not later than 30 days from the date of receipt of such decision by the party making the request. The Board may deny such request or may permit such additional proceedings as it deems necessary.

Rule 30. Failure to prosecute an appeal. Whenever a record discloses the failure of the appellant to file documents required by these rules, respond to notices or correspondence from the Board, or to comply with orders of the Board, or if the record otherwise indicates an intention not to continue the prosecution of an appeal filed, the Board may issue an order requiring appellant to show cause within 30 days why the appeal should not be dismissed for lack of prosecution. If the appellant shall fail to show such cause, the appeal may be dismissed with prejudice.

Rule 31. Ex parte Communications. No member of the Board or of the Board's staff shall entertain, nor shall any person directly or indirectly involved in an appeal submit to the Board or the Board's staff, off the record any evidence, explanation, analysis, or advice, whether written or oral, regarding any matter at issue in an appeal. This provision does not apply to consultation among Board members nor to ex parte communications concerning the Board's administrative functions or procedures.

Effective date. The provisions of this part shall take effect on July 1, 1974.

Signed at Washington, D.C., on May 16, 1974.

JOHN H. SHOUSE,
Acting Chairman,
Board of Contract Appeals.

PAUL H. RAPP,
Alternate Chairman,
Board of Forest Appeals.

[FR Doc.74-11679 Filed 5-20-74;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

[45 CFR Part 131]

GRANTS FOR COLLEGE LIBRARY RESOURCES

Notice of Proposed Rule Making

In accordance with section 503 of the Education Amendments of 1972 (Pub. L. 92-318) and pursuant to the authority contained in sections 201-208 of the Higher Education Act of 1965, as amended, 20 U.S.C. 1021-1028, the Commissioner of Education, with the approval of the Secretary of Health, Education, and Welfare, proposes to amend Title 45, Part 131 of the Code of Federal Regulations to read as set forth below.

At present, there will be no guidelines under this program. The revised regulations contain all mandatory requirements for the program. Should guidelines be issued in the future they will be limited to material in the nature of suggestions and recommendations for program management and operation and will be published in the FEDERAL REGISTER 30 days prior to their effective date.

1. *Program Purpose.* The Higher Education Act of 1965, as amended, authorizes the Commissioner to make grants to assist and encourage the acquisition of library resources to institutions of higher education, to combinations of such institutions, to new institutions of higher education, and other public and private nonprofit library institutions whose primary function is to provide library and information services to institutions of higher education on a formal, cooperative basis.

2. *Section 503 Procedures and Effect.* Section 503 of the Education Amendments of 1972 requires the Commissioner to study all rules, regulations, guidelines, or other published interpretations or orders issued by him or by the Secretary after June 30, 1965, in connection with, or affecting, the administration of Office of Education programs; to report to the Committee on Labor and Public Welfare of the Senate and the Committee on Education and Labor of the House of Representatives concerning such study; and to publish in the FEDERAL REGISTER such rules, regulations, guidelines, interpretations, and orders, with an opportunity for public hearing on the matters so published. The regulations proposed below reflect the results of this study as it pertains to the college library resources program under Title II, Part A, of the Higher Education Act of 1965, as amended. Upon publication of revised Part 131 in final form—after comments and hearing—all preceding rules, regulations, guidelines, interpretations, and orders issued in connection with or affecting Part 131 will be superseded effective thirty days after such publication.

3. *Effect of Office of Education General Provisions Regulations.* The proposed regulations differ from the current regulations in that provisions have been deleted relating to general fiscal and administrative matters which are now covered in the overall Office of Education general provisions regulations, published in the FEDERAL REGISTER as a final regulation on November 6, 1973 (38 FR 30654) in connection with the same study under section 503 of the Education Amendments of 1972 of which this publication is a part. Reference is made in particular to the provisions of proposed Part 100a of Title 45, Code of Federal Regulations, containing general provisions for discretionary programs, which would be applicable to the college library resources program under Title II, Part A, of the Higher Education Act of 1965, as amended.

4. *Changes in the Proposed Regulations.* The major substantive changes since the publication of the previous

regulations in the FEDERAL REGISTER (June 4, 1969, 34 FR 8916, as amended at 35 FR 18875, December 11, 1970), brought about through the Education Amendments of 1972, are the mandatory requirement for basic grants, the widening of eligibility under the college library resources program to include other public and private nonprofit library institutions in addition to institutions of higher education, and changes in the maintenance of effort requirements.

In fiscal years 1971 and 1972 the program was conducted under regulations which required institutions applying for basic grants to meet eligibility standards for supplemental grants. The Education Amendments of 1972 amended section 202 of the Act so as to mandate that an institution meeting the criterion for basic grants would be eligible therefore, without further showing. The proposed regulations reflect this change.

The Education Amendments of 1972 also eliminated for basic and supplemental grants the choice of base years for maintenance of effort by eliminating the alternative use of "the two-year period ending June 30, 1965." The requirement, that the amount raised by the applicant to "match" the grant be an amount in addition to the amount expended for maintenance of effort, was eliminated. Authority to waive the maintenance of effort requirement, under regulations, in special and unusual circumstances, was added in section 202 of the Act. The program for fiscal year 1973 was operated in accordance with the legislative mandate in the Education Amendments of 1972.

The Advisory Council on College Library Resources mandated by section 205 of the Act (20 U.S.C. 1025) was discontinued under the authority of section 448(b) of the General Education Provisions Act, 20 U.S.C. 1233g(b).

The proposed regulations would reflect the changes made by the Education Amendments of 1972.

Minor technical changes were made to delete matters covered by the general provisions and to update references to organizational units.

5. *Citations of Legal Authority.* As required by section 431(a) of the General Education Provisions Act (20 U.S.C. 1232(a)) and section 503 of the Education Amendments of 1972, a citation of statutory or other legal authority for each section of the regulations has been placed in parentheses on the line following the text of the section.

On occasion a citation appears at the end of a subdivision of the section. In that case the citation is to all that appears in that section above the citation and after the preceding citation. When the citation appears only at the end of the section, it applies to the entire section.

6. *Opportunity for Public Hearing.* Pursuant to section 503(c) of the Education Amendments of 1972, the Commissioner will provide interested parties an opportunity for a public hearing on these regulations; as follows:

A hearing will take place at the U.S. Office of Education in the auditorium of Regional Office Building Three (ROB-3) located at 7th and D Streets, SW., Washington, D.C. 20202, beginning at 10 a.m. on June 17, 1974.

Interested parties may also submit written comments and recommendations prior to the date of the hearing to Room 2079-G, 400 Maryland Avenue, SW., Washington, D.C. 20202, ATTENTION: Chairman, Office of Education Task Force on Section 503. All relevant material received prior to the date of the hearing will be considered. Comments and suggestions submitted in writing will be available for review in the above office between the hours of 9:00 a.m. and 4:30 p.m., Monday through Friday of each week.

Parties interested in attending the hearing should notify the Chairman, Task Force on Section 503, Office of Education, at the above address and are urged to submit a written copy of their comments with such notification. Each party planning to make oral comments at the hearing is urged to limit his presentation to a maximum of fifteen minutes.

(Catalog of Federal Domestic Assistance No. 13.406, College Library Resources)

Dated: April 11, 1974.

JOHN OTTINA,
U.S. Commissioner of Education.

Approved: May 6, 1974.

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

PART 131—COLLEGE LIBRARY RESOURCES PROGRAM

Subpart A—General

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Appendix A—Point Scores for Review of Applications for Supplemental Grants.
Appendix B—Point Scores for Review of Applications for Special Purpose Grants.

AUTHORITY: Sec. 202-204 of Pub. L. 89-329, 79 Stat. 1224-1226, as amended (20 U.S.C. 1021-1028), unless otherwise noted.

Subpart A—General

§ 131.1 Applicability.

The regulations in the part apply to grants made by the Commissioner to assist and encourage improvements in library resources for institutions of higher education pursuant to his authority under Title II-A of the Higher Education Act of 1965, as amended.

(20 U.S.C. 1021-1028)

§ 131.2 Definitions.

As used in this part:

"Act" means Title II-A of the Higher Education Act of 1965, Public Law 89-329, 79 Stat. 1219, as amended.

(20 U.S.C. 1021-1028)

"Acquisition of books and other materials to be used for library purposes" means the purchase, lease-purchase, or straight lease of such books and other materials. It includes the necessary costs of ordering, processing, and cataloging such books and other materials and delivery of them to the initial place at which they are to be available for use: *Provided*, That such costs should ordinarily exceed neither the average of $2.75 per volume or item acquired nor 20 percent of the total grant awarded.

"Basic grant" means a grant made pursuant to section 202 of the Act.

"Branch" means a campus of an institution of higher education located in a community in the United States different from that of the parent institution, not within a reasonable commuting distance from the main campus, and which has college level programs for which library facilities, services, and materials are necessary.

"Combination of institutions" means a group of institutions of higher education that have entered into a cooperative arrangement for the purposes of carrying out a common objective on their behalf or a public or private nonprofit agency, organization, or institution designated or created by a group of institutions of higher education for the purpose of carrying out a common objective for the benefit of said institution.

(20 U.S.C. 1022)

"Full-time equivalent of the number of part-time students" is determined by dividing the total number of credit hours of part-time students by the student-hour load required by the institution for full-time student standing.

"Full-time student" means a student who is carrying a sufficient number of credit hours or their equivalent (including research or special studies) to secure the degree or certificate toward which he is working in no more than the number of semesters or terms normally taken therefor at the institution in which he is enrolled.

(20 U.S.C. 1023(a))

"Institution of higher education" means an educational institution in any State which meets all of the following criteria:

(a) It admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate.

(b) It is legally authorized within such State to provide a program of education beyond secondary education.

(c) It provides at least one of the following types of programs:

(1) An educational program for which it awards a bachelor's degree;

(2) A program of not less than 2 years which is acceptable for full credit toward a bachelor's degree;

(3) A program of not less than 1 year of training to prepare students for gainful employment in a recognized occupation.

(d) It is a public or other nonprofit institution.

(e) It is either accredited by an organization named in a published list of the Commissioner as a nationally recognized accrediting agency or association or meets at least one of the following requirements:

(1) The Commissioner has determined that there is satisfactory assurance, considering the resources available to the institution, the period of time, if any, during which it has operated, the effort it is making to meet accreditation standards, that the institution will meet the accreditation standards of such an agency or organization within a reasonable period of time and that the institution will be deemed to be within this paragraph (e) if the Commissioner determines that there is satisfactory assurance that, upon acquisition of the library resources with respect to which assistance under this part is sought, to be acquired within a reasonable time, the institution will meet the accreditation standards of such agency or association.

(2) It is an institution whose credits are accepted, or transferred, by not less than three institutions which are so accredited, for credit on the same basis as if transferred from an institution so accredited.

(20 U.S.C. 1026, 1141(a))

"Joint-use library facilities" means those library facilities, services, or materials provided by and for the use of a combination of institutions of higher education.

(20 U.S.C. 1022)

"Law library materials" means books, periodicals, documents, magnetic tapes, phonograph records, audio-visual materials, cataloging materials, and other printed and published materials which are suitable for inclusion in the law library resources of institutions of higher education and other eligible library institutions and which (with the exception of periodicals and newspapers) with reasonable care and use may be expected to last for more than one year. Such term also includes necessary binding for such printed and published materials, but shall not include equipment and supplies.

"Library materials" means books, periodicals, documents, magnetic tapes, phonograph records, audio-visual materials, cataloging materials, and other printed and published materials which are suitable for inclusion in the library resources of institutions of higher education and other eligible library institutions and which (with the exception of periodicals and newspapers) with reasonable care and use may be expected to last for more than one year. Such terms also include necessary first binding of such printed and published materials, but shall not include equipment or supplies.

(20 U.S.C. 1021(c))

"Library purposes," as applied to expenditures, means expenditures for the maintenance and operation of libraries, such as salaries, wages, supplies, materials, and equipment. Such term does not include expenditures for construction, acquisition, expansion or improvement of buildings, initial equipment therefor, site acquisition, or other capital expenditures.

"New institution of higher education" means an educational institution in any State which demonstrates to the Commissioner that it has undertaken procedures preparatory to the enrollment of students in the fiscal year following the fiscal year for which a grant is requested and that, upon enrollment of such students, it will be an institution of higher education as defined in this section.

(20 U.S.C. 1022)

"Public and private nonprofit library institutions" means a library agency which is not part of an institution of higher education and whose primary function is to provide library and information services to institutions of higher education on a formal cooperative basis. A library agency shall be deemed to meet this requirement if it demonstrates that it provides over 50 percent of its library and information services to students, faculty, and independent researchers of institutions of higher education (excluding from that percentage the general public and students at the elementary and secondary level) on the basis of a formal written agreement with one or more institutions of higher education to make available library and information services on a cooperative basis.

(20 U.S.C. 1021, 1022)

"School or department of divinity" means an institution of higher education or a department or branch of such an institution whose program is specifically for the education of students to prepare them to become ministers of religion, to enter upon some other religious vocation, or to prepare them to teach theological subjects.

(20 U.S.C. 1141(1), 1027)

"Special purpose grant" means a grant made pursuant to section 204 of the Act.

"Supplemental grant" means a grant made pursuant to section 203 of the Act.

"Total institutional expenditures" means expenditures for the maintenance and operation of institutions of higher education, including those for administration, instruction, research, extension and public services, library operation, and physical plant maintenance. Such term shall not include expenditures for construction, acquisition, expansion, or improvement of buildings, initial equipment therefor, site acquisition, or other capital expenditures.

"Volume" means any printed, typewritten, handwritten, mimeographed, or processed work contained in one binding or portfolio, hardbound or paperbound, which has been classified, cataloged, or otherwise prepared for library use, including bound periodical volumes and nonperiodical Government documents.

(20 U.S.C. 1021–1028)

§ 131.3 Program purposes.

Funds appropriated under the Act shall be used by the Commissioner to make grants to eligible applicants to assist them in the acquisition of books and other materials to be used for library purposes. Such grants shall be made in the following manner:

(a) From the amount available for grants under this part, a basic grant shall be made to each eligible applicant which makes application;

(b) Not more than 25 percent of the amounts available for grants under this part for any fiscal year may be used for special purpose grants for either:

(1) Meeting a special need for additional library resources which will make a substantial contribution to the quality of an institution's educational resources (hereinafter referred to as Type A);

(2) Making special national or regional needs in the library and information sciences (hereinafter referred to as Type B);

(3) Establishing and strengthening joint-use library facilities (hereinafter referred to as Type C); and

(4) Assisting other public and private library institutions which provide library and information services to institutions of higher education on a formal, cooperative basis (hereinafter referred to as Type D).

(c) The remainder of such appropriation not used for basic or special purpose grants may be used for supplemental grants.

(20 U.S.C. 1024)

§ 131.4 Ineligible purposes.

No grants may be made under this part for library materials to be used—

(a) For sectarian institution or religious worship;

(b) Primarily in connection with any part of a program of a school or department of divinity; or

(c) Primarily in connection with any medical library or related scientific communication instrumentality which is eligible for assistance under the Medical

Library Assistance Act of 1965 (Pub. L. 89-291).

(20 U.S.C. 1027, 42 U.S.C. 280b et seq.)

§ 131.5 Cross reference to general provisions regulations.

Assistance provided under this part is subject to applicable provisions contained in Subchapter A of this chapter (relating to fiscal, administrative, property management, and other matters).

(20 U.S.C. 1021–1028)

Subpart B—Basic Grants

§ 131.10 Eligible applicants.

The following are eligible to apply for a basic grant:

(a) An institution of higher education on its own behalf;

(b) An institution of higher education on behalf of a branch;

(c) A combination of institutions of higher education;

(d) A new institution of higher education (as defined in § 131.2) which shall be eligible for only one basic grant as a new institution of higher education; and

(e) Public and private nonprofit library institutions.

(20 U.S.C. 1022)

§ 131.11 Application for a basic grant.

Each application for a basic grant shall contain information sufficient to enable the Commissioner to determine—

(a) The eligibility of the applicant pursuant to § 131.10;

(b) That the applicant will expend during the fiscal year for which the grant is requested (from funds other than funds received under this part) for all library purposes an amount not less than the average annual amount it expended for such purposes during the two fiscal years preceding the fiscal year for which assistance is being sought; and

(c) The applicant will expend during the fiscal year for which the grant is requested (from funds other than funds received under this part) for library materials an amount not less than the average annual amount it expended for such materials during the two fiscal years preceding the fiscal year for which assistance is being sought.

(20 U.S.C. 1022)

§ 131.12 Amount of grant.

The amount of a basic grant shall, for any fiscal year, be equal to the amount expended by the applicant for library resources during that year from funds other than funds received under this part, except that no basic grant shall exceed $5,000 for each eligible applicant. In the case of an application from a combination of institutions, the amount of the basic grant may not exceed $5,000 for each member institution or branch on whose behalf the application is filed.

(20 U.S.C. 1022)

§ 131.13 Waiver.

(a) If the Commissioner determines that there are special and unusual circumstances which prevent the applicant from making the assurances required by § 131.11 (b) and (c), he may waive such requirements for such assurances.

(b) Such waiver will be granted under the following circumstances and to the following extent:

(1) A recently established institution or branch, after making unusually high expenditures for library materials and total library purposes in its initial five years of operation to establish a basic program of library service, may reduce expenditures to a level adequate to maintain normal standards of operation.

(2) A well-established institution, after undergoing sudden substantial increases in enrollment or in program activity requiring an unusually high level of expenditures for library materials and for total library purposes for a temporary period of time, may decrease such expenditures to a level adequate to maintain normal standards of operation.

(3) A well-established institution after making an unusual "one-time" expenditure for library materials to acquire a special collection, may decrease such expenditure to a level to maintain normal standards of operation. If the "one-time" expenditure also resulted in a substantial increase in expenditure for all library purposes, it may also decrease expenditures for such purposes to a level adequate to maintain normal standards of operation.

(4) An institution which is unable to maintain a normal level of expenditures because of theft, vandalism, fire, flood, earthquake, or other catastrophic occurrence, may temporarily reduce the level of expenditures for library materials and total library purposes.

(5) When an institution has made unusually high expenditures for library materials or total library purposes to replace losses from theft, vandalism, fire, flood, earthquake, or other catastrophic occurrence in order to return to prior standards of library service, it may reduce such expenditures to a level adequate to maintain normal standards of operation.

(c) The Commissioner may also grant a waiver to the extent appropriate, based on the applicant's ability to provide other evidence of special and unusual circumstances that the requirements for such assurances cannot be met for reasons other than those specified in paragraph (b) of this section.

(20 U.S.C. 1022)

Subpart C—Supplemental Grants

§ 131.20 Eligible applicants.

The following are eligible to apply for a supplemental grant:

(a) An institution of higher education;

(b) A branch of an institution of higher education;

(c) A combination of institutions of higher education;

Provided, That in the fiscal year for which the grant is requested that the applicant institution or branch, either individually or as a member of a combination, has also applied for and is eligible to receive a basic grant in excess of $1,500 for or on behalf of such institution or branch.

(20 U.S.C. 1023(a); H.R. Report No. 1178, 89th Cong., 1st Sess. (to accompany H.R. 9567) at p. 60 (1965))

§ 131.21 Application for a supplemental grant.

Each application for a supplemental grant shall contain information sufficient to enable the Commissioner to determine—

(a) The eligibility of the applicant pursuant to § 131.5;

(b) That the applicant will expend during the fiscal year for which the grant is requested (from funds other than funds received under this part) for all library purposes an amount not less than the average annual amount it expended for such purposes during the two fiscal years preceding the fiscal year for which assistance is being sought;

(c) That the applicant will expend during the fiscal year for which the grant is requested (from funds other than funds received under this part) for library materials an amount not less than the average annual amount it expended for such resources during the two fiscal years preceding the fiscal year for which assistance is being sought;

(d) The size and quality of the library resources of the application in relation to—

(1) Its present enrollment and expected increase in its enrollment;

(2) Any special circumstances which are impeding or will impede the proper development of its library resources;

(3) How a supplemental grant would be used to improve the size or quality of its library resources.

(e) The relative priority of the application in light of the criteria established by the Commissioner and set forth in § 131.22.

(20 U.S.C. 1023)

§ 131.22 Criteria for review of application for a supplemental grant.

The following criteria shall be applied by the Commissioner in approving applications for supplemental grants, in accordance with the point scores set forth in Appendix A to this part:

(a) Degree of deficiency in the number of volumes of the applicant's library in relation to recent and expected increase in such enrollment and the type of institution or branch applying for a grant;

(b) Participation in other Federal programs aiding disadvantaged students;

(c) Number of economically disadvantaged students enrolled;

(d) Recency of the establishment of the library collection; and

(e) Efforts made to improve resources through membership in a library consortium or other efforts through participation in joint-use library facilities.

(20 U.S.C. 1023; H.R. Rept. No. 621, 89th Cong., 1st Sess. at p. 11 (1965); and Senate Rept. No. 673, 89th Cong., 1st Sess. at p. 24 (1965))

§ 131.23 Amount of grant.

(a) *Supplemental grant.* The amount of a supplemental grant may not exceed $20 for each full-time student (including the full-time equivalent of the number of part-time students) enrolled in the applicant institution or branch except that, where an application is made both by a parent institution and a branch thereof, the number of students enrolled in the branch may not be considered in computing the amount of the grant for the applicant parent institution. In the case of an application for a combination of institutions of higher education, the amount of the supplemental grant may not exceed $20 for each full-time student (including the full-time equivalent of the number of part-time students) enrolled in each eligible member institution: *Provided, however,* Where a member institution has also applied for and received in the same fiscal year a supplemental grant on its own behalf, the number of students so enrolled may not be counted in computing the amount of the grant for the combination.

(20 U.S.C. 1023(a))

§ 131.24 Waiver.

The Commissioner may waive the assurances required by § 131.21 (b), (c) under the same circumstances and to the same extent as set forth in § 131.13(b).

(20 U.S.C. 1023)

Subpart D—Special Purpose Grants

§ 131.30 Eligible Applicants.

The following are eligible to apply for a special purpose grant:

(a) Types A and B—

(1) An institution of higher education;

(2) A branch of an institution of higher education;

(b) Type C—

(1) A combination of institutions of higher education;

(c) Type D—

(1) Public and private nonprofit library institutions.

(20 U.S.C. 1024(a)(2))

§ 131.31 Application for a special purpose grant.

Each application for a special purpose grant shall contain information sufficient to enable the Commissioner to determine—

(a) The eligibility of the applicant pursuant to § 131.30;

(b) Whether the purpose for which the grant is requested is one of the four purposes set forth in § 131.3;

(c) That the applicant will expend during the fiscal year for which the grant is requested (from funds other than funds received under this part) for all library purposes an amount not less than the average annual amount it expended for such library purposes during the fiscal years 1964 and 1965 or during the two fiscal years preceding the fiscal year for which the grant is requested, whichever is the lesser;

(d) That the application (or applicants jointly in the case of a combination of institutions) will expend, during the fiscal year for which the grant is requested (from funds other than funds received under this part) for the same purpose as such grant, an amount from such other sources equal to not less than 33⅓ percent of such grants;

(e) The relative priority of the application in light of the criteria, applicable to grants Type A, Type B, Type C, or Type D, as appropriate, which the Commissioner has established and set forth in § 131.32.

(20 U.S.C. 1024)

§ 131.32 Criteria for review of a special purpose grant.

The following criteria will be applied by the Commissioner (using the point scores in Appendix B of this part) in approving applications for special purpose grants:

(a) *Type A grant.* (1) Location in a community characterized by significant social and economic deprivation;

(2) Location in a designated Model Cities area;

(3) Degree of concentration of graduate students from minority groups (American Indian, Negro, Oriental, Spanish-Surnamed American and other);

(4) Potential for strengthening and upgrading existing library materials to support the training of leaders to serve the disadvantaged and black communities described; and

(5) Degree to which grant and matching funds will meet the special needs described.

(b) *Type B grant.* (1) Degree of concentration of graduate students from minority groups (American Indian, Negro, Oriental, Spanish-Surnamed American and other) in professional schools;

(2) Availability of special collections to support the research and training of graduate students who expect to work in areas affecting the economically disadvantaged of the community;

(3) Availability of printed catalog or other guides to collection and number of academic institutions receiving and utilizing the above catalogs and guides; and

(4) Degree to which the program of acquisition will contribute to the criteria described in subparagraphs (2) and (3) of this paragraph (b).

(c) *Type C grant.* (1) Degree to which members of combinations are supportive of research and training activities which prepare persons to work in areas affecting the disadvantaged, including those supported by other Federal programs;

(2) Number of institutions applying as members of the combination submitting application;

(3) Availability and adequacy of catalog or other guides to collection and existence of computerized system or other center in operation;

(4) Employment of full-time director by the combination with adequate supporting staff, equipment, and facilities;

(5) Adequate evidence that combination will be able to continue without the support of Federal funds; and

(6) Degree to which grant and matching funds will meet the special needs described.

(d) *Type D grant.* (1) Number and type of institutions of higher education with which applicant has a formal, cooperative agreement to provide library and information services;

(2) Availability of a published catalog of or other guide to the available collection;

(3) Existence of a comprehensive collection which meets the special needs of institutions of higher education;

(4) Adequacy of staff, equipment, and facilities; and

(5) Potential for strengthening and upgrading existing library materials to support the training of leaders to serve the disadvantaged.

(20 U.S.C. 1024)

§ 132.33 Amount of grant.

The amount of the special purpose grant will be determined by the Commissioner on the basis of the special needs demonstrated by the applicant and the funds available for special purpose grants.

(20 U.S.C. 1024)

APPENDIX A

COLLEGE LIBRARY RESOURCES PROGRAM

Point Scores for Review of Applications for Supplemental Grants.

SEC. 1. *System of points scores.* In applying the criteria set forth in § 131.22 of the regulations for this program (45 CFR Part 131), the Commissioner shall employ a system of scoring in the review of supplemental grant applications as set forth below.

SEC. 2. *Points.* A maximum of 60 points may be scored in relation to the criteria as follows:

(a) Degree of deficiency in the number of volumes of the applicant's library in relation to the recent and expected increase in student enrollment and the type of institution or branch applying for a grant. (12 points)

(b) Participation in other Federal programs aiding disadvantaged students. (10 points)

(c) Number of economically disadvantaged students enrolled. (30 points)

(d) Recency of the establishment of the library collection. (3 points)

(e) Efforts made to improve resources through membership in a library consortium or other efforts through participation in joint-use library facilities. (5 points)

Maximum score (60 points).

SEC. 3. *Detailed explanation of scoring.* Each of the criteria, (a)–(e) in Sec. 2 above, is scored as follows:

(a) *Degree of deficiency in the number of volumes in the applicant's library in relation to the recent and expected increase in student enrollment and the type of institution or branch applying for a grant.* When for the year of application the number of volumes held by the library falls below the minimum for its types of institution (as set forth below under "Minimum for Institutions") to the following degree:

Deficiency percentage:	*Maximum points*
90 or more	12
80 to 89	11
70 to 79	10
60 to 69	9
50 to 59	8
40 to 49	7
30 to 39	6
20 to 29	5
10 to 19	4
Under 10	3
None	0

Maximum score, 12.

The minimum for institutions shall be:

"One year institutions" enrolling up to 50,000 full-time students: 10,000 volumes, increased by 2,500 volumes for each additional 250 full-time students enrolled.

"Two year colleges" enrolling up to 1,000 full-time students: 20,000 volumes, increased by 5,000 volumes for each additional 500 full-time students enrolled.

"Four and five year colleges" granting bachelor's and master's degrees enrolling up to 600 full-time students: 50,000 volumes, increased by 10,000 for each additional 200 full-time students enrolled to a maximum of 300,000 volumes.

"Universities" granting Ph.D. degrees 500,000 volumes maximum.

(b) *Participation in other Federal programs aiding disadvantaged students.* (1) If the institution participates in, or is assisting a developing institution or a consortium of such institutions, under a HEA Title III Grant, (3 points) or

(2) If the institution participates in or is assisting a developing institution or a consortium of such institutions, under a HEA Title III Grant, WITH A LIBRARY COMPONENT. (5 points)

(3) Participation in the special services for disadvantaged students program, Title IV of the Higher Education Act.

(i) If the institution received a grant of less than $50,000 under Title IV (HEA). (1 point)

(ii) If the institution received a grant of $50,000 to $100,000 under Title IV (HEA). (2 points)

(iii) If the institution received a grant of $100,000 to $150,000 under title IV (HEA). (3 points)

(iv) If the institution received a grant of $150,000 to $200,000 under Title IV (HEA). (4 points)

(v) If the institution received a grant of over $200,000 under Title IV (HEA). (5 points)

Maximum score—(10 points).

(c) *Number of economically disadvantaged students enrolled.* (1) Percentage of student population whose family income is under $6,000 per annum.

	Score per criterion
0 to 20	1
21 to 40	2
41 to 60	3
61 to 80	4
81 to 100	5

(2) Number of students whose family income is under $6,000 per annum.

1 to 100	1
101 to 250	2
251 to 500	3
501 to 750	4
751 and over	5

(3) C(1)____ × C(2)____ = ____
Score Score (Total)

(4) Number of minority group students enrolled in the institution—such as American Indian, Negro, Oriental, Spanish-Surnamed American, Disadvantaged Appalachians or other specified groups.

	Score per criterion
500 or more	5
400 to 499	4
300 to 399	3
200 to 299	2
100 to 199	1
99 or below	0
Maximum score	30

The number of students supported under the Federal College Work-Study Program may be used in lieu of the income factor in this criterion.

(d) *Recency of the establishment of the library collection.* The institution's library collection and services were first made available to the applicant's body during the year of application or the two academic years immediately preceding the year of application.

(1) If first made available in the year of application—3 points.

(2) If first made available in the year preceding the year of application—2 points.

(3) If first made available in the second year preceding the year of application—1 point.

Maximum score—3 points.

(e) *Efforts made to improve resources through membership in a library consortium or other efforts through participation in joint-use library facilities.* An institution of higher education is a member of library consortium, including participation in programs supported by Title III of the Library Services and Construction Act. (5 points)

Maximum score. (5 points)

(20 U.S.C. 1023)

APPENDIX B

LIBRARY RESOURCES PROGRAM

Point Scores for Review of Applications for Special Purpose Grants.

In addition to the criteria set forth in § 100a.26(b) of the Office of Education General Provisions Regulations (45 CFR 100a.26(b)) and in applying the criteria set forth in § 131.32 of the regulations for this program (45 CFR Part 131), the Commissioner shall employ the following system of scoring in the review of the special purpose grant applications:

	Points
Type A Grant:	
(1) Location in a community characterized by significant social and economic deprivation	5
(2) Location in a designated Model Cities Area	5
(3) Degree of concentration of graduate students from minority groups (American Indian, Negro, Oriental, Spanish-Surnamed American and other)	5
(4) Potential for strengthening and upgrading existing library materials to support the training of leaders to serve the disadvantaged and black communities described	10
(5) Degree to which grant and matching funds will meet the special needs described	5
Type B Grant:	
(1) Degree of concentration of graduate students from minority groups (American Indian, Negro, Oriental, Spanish-Surnamed American and other) in professional schools	5
(2) Availability of special collections to support the research and training of graduate students who expect to work in areas affecting the economically disadvantaged of the community	10
(3) Availability of printed catalog or other guides to collection and number of academic institutions receiving and utilizing the above catalogs and guides	5
(4) Degree to which the program of acquisition will contribute to goals described in (2) and (3) above	5
Type C Grant:	
(1) Degree to which members of combinations are supportive of research and training activities which prepare persons to work in areas affecting the disadvantaged, including those supported by other Federal programs	5
(2) Number of institutions applying as members of the combination submitting application	5
(3) Availability and adequacy of catalog or other guides to collection and existence of computerized system or other center in operation	5
(4) Employment of full-time director by the combination with adequate supporting staff, equipment, and facilities	5
(5) Adequate evidence that combination will be able to continue without the support of Federal funds	5
(6) Degree to which grant and matching funds will meet the special needs described	5
Type D Grant:	
(1) Number and type of institutions of higher education with which applicant has a formal, cooperative agreement to provide library and information services	5
(2) Availability of a published catalog or other guide to the available collection	5
(3) Existence of a comprehensive collection which meets the special needs of institutions of higher education	10
(4) Adequacy of staff, equipment, and facilities	5
(5) Potential for strengthening and upgrading existing library materials to support the training of leaders to serve the disadvantaged	5

[FR Doc.74-11644 Filed 5-20-74;8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 39]

[Docket No. 12660]

DOWTY ROTOL PROPELLERS

Proposed Airworthiness Directives

Amendment 39–1803 (39 FR 10426), AD 74–7–3, requires the replacement of sets of rollers after each report of significant propeller induced vibration in flight, repetitive replacement of sets of rollers, inspections for broken rollers and proper preload in bearing assemblies, and the replacement of propeller blades and blade retaining bolts, if necessary, until through hardened sets of rollers are installed on Dowty Rotol type (c) R 209/4–40–4.5/2 propellers. After issuing Amendment 39–1803, the FAA has determined that the reason for the issuance of Amendment 39–1803 (reports of cracks in full width case hardened rollers in the bottom (C.F.) race that could result in eventual propeller failure) is also applicable to Dowty Rotol type (c) R 245/4–40–4.5/13 and (c) R 259/4–40–4.5/17 propellers. In addition, the FAA has determined that if ten or more rollers are found to be broken or if the preload is found to be less than .0035 inches during the inspection required by paragraph (c) of Amendment 39–1803, it is necessary that the propeller bearing assembly be dealt with in the same manner as paragraph (c) presently requires with respect to the propeller blade and blade retaining bolt. Therefore, the FAA is considering amending Amendment 39–1803 to make it applicable to Dowty Rotol type (c) R 245/4–40–4.5/13 and (c) R 259/4–40–4.5/17 propellers and to require that if ten or more rollers are found to be broken or if the preload is found to be less than .0035 inches, during the inspection specified in paragraph (c) of Amendment 39–1803, the propeller bearing assembly must be removed from service before further flight and marked in a manner that will prevent its further use. In addition, it is also proposed that several clarifying revisions be made to Amendment 39–1803.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket number and be submitted in duplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket, AGC–24, 800 Independence Avenue SW., Washington, D.C. 20591. All communications received on or before June 20, 1974, will be considered by the Administrator before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments in the Rules Docket for examination by interested persons.

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

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39–1803 (39 FR 10426), AD 74–7–3, as follows:

1. By amending the applicability statement and the introductory language of the AD to read as follows:

> DOWTY ROTOL. Applies to Dowty Rotol type (c) R 209/4–40–4.5/2, (c) R 245/4–40–4.5/13, and (c) R 259/4–40–4.5/17 Propellers Installed on, but not Necessarily Limited to, Nihon Model YS–11 and YS–11A Series Airplanes and Convair Models 600[240D], 640[340D], and 640[440D] Series Airplanes Equipped With Rolls-Royce Dart Model 542 Series Engines
>
> Compliance is required as indicated.
>
> To prevent possible propeller failure resulting from cracking of full width case hardened rollers in the bottom (C.F.) race of the propeller blade bearings, accomplish the following:

2. By amending the introductory language of paragraph (b) of the AD, the first sentence of paragraph (c) of the AD, and paragraph (d) of the AD by inserting between the date, "December 20, 1972," and the phrase "or an FAA-approved equivalent", the following phrase:

> For type (c) R 209/40–4.5/2 propellers; Dowty Rotol Service Bulletin No. 61–542–9, dated June 21, 1973, for type (c) R 245/4–40–4.5/13 and (c) R 259/4–40–4.5/17 propellers;

3. By amending the second sentence of paragraph (c) of the AD to read as follows:

> (c) * * * If ten or more rollers are found to be broken or if the preload is found to be less than .0035 inches, before further flight, remove the associated propeller blade, blade retaining bolt, and bearing assembly from service, mark them in a manner that will prevent their further use, and replace them with serviceable parts of the same part number or FAA-approved equivalents.

Issued in Washington, D.C., on May 14, 1974.

C. R. MELUGIN, JR.,
Acting Director,
Flight Standards Service.

[FR Doc.74–11578 Filed 5–20–74;8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 74–EA–35]

CONTROL ZONE

Proposed Alteration

The Federal Aviation Administration is considering amending § 71.171 of Part 71 of the Federal Aviation Regulations so as to alter the Chantilly, Va. control zone (39 FR 366).

The present control zone designation contains a reference to the Herndon VORTAC which must be deleted. The proposed alteration will also provide controlled airspace, in accordance with present agency criteria for designation of controlled airspace, for aircraft executing the instrument approach procedures to Dulles International Airport.

Interested parties may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attn: Chief, Air Traffic Division, Department of Transportation, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y. 11430. All communications received on or before June 20, 1974, will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements may be made for informal conferences with Federal Aviation Administration officials by contacting the Chief, Airspace and Procedures Branch, Eastern Region.

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

The official docket will be available for examination by interested parties at the Office of Regional Counsel, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, New York.

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

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations by deleting the description of the Chantilly, Va. control zone and by substituting the following in lieu thereof:

> Within a 5.5-mile radius of the center, 38°56'40" N., 77°27'24" W. of Dulles International Airport; within a 6-mile radius of the center of the airport, extending clockwise from a 063° bearing to a 160° bearing from the airport; within 2.5 miles each side of the Dulles International Airport runway 1R ILS localizer course, extending from the 5.5-mile radius zone to 0.5 miles north of the OM; within 2 miles each side of the extended centerline of Dulles International Airport runway 30, extending from the west end of runway 30 to 5.5 miles west and within 3.5 miles each side of the Dulles International Airport runway 19R ILS localizer course, extending from the 5.5-mile radius zone to 10 miles north of the OM.

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

Issued in Jamaica, N.Y., on May 7, 1974.

JAMES BISPO,
Deputy Director,
Eastern Region.

[FR Doc.74–11577 Filed 5–20–74;8:45 am]

Federal Highway Administration

[49 CFR Part 393]

[Docket No. MC–58; Notice No. 74–8]

REQUIRING NON-SLIP SURFACES AND HANDHOLDS FOR DRIVERS OF COMMERCIAL MOTOR VEHICLES

Advance Notice of Proposed Rule Making

The Director of the Bureau of Motor Carrier Safety is considering rulemaking to require commercial motor vehicles operated in interstate or foreign commerce to have non-slip surfaces and handholds at locations where drivers must climb upon the vehicles in order to perform duties related to the operation of the equipment.

The purpose of the rulemaking is to reduce the number of accidental injuries to drivers who slip and fall while performing such tasks as connecting air and electrical lines between truck tractors and semitrailers, entering or leaving cabs, and walking or climbing upon trailers, semitrailers, and cargo for the purpose of loading, unloading, and inspecting cargo.

There is evidence that slip-and-fall accidents involving drivers who climb upon the motor vehicles pose a substantial problem in the motor carrier industry. Information received from the Transportation Safety Institute of Ontario indicates that for 1971, 37 percent of the lost-time personal-injury accidents during operation of commercial motor vehicles in that Province were slips or falls from vehicles. Information supplied to the Department of Transportation by several motor carriers showed that, for one carrier of motor vehicles, slips and falls accounted for more than 20 percent of all injuries sustained by drivers. The three principal categories of driver slip-and-fall accidents which were identified during a review of that information were: (1) Accidents occurring while the driver was entering or leaving the cab; (2) accidents occurring during tractor coupling and uncoupling operations; and (3) accidents occurring while the driver was loading or unloading cargo or checking its condition.

Aware of the substantial number of lost-time accidents of this type, several manufacturers and motor carriers have taken action on their own initiative to prevent or reduce the severity of these accidents. Many carriers have installed skid-resistant surface material, having a high coefficient of friction, on fuel tank steps, on the tops of the fuel tanks themselves, and as covering on frame rails. An increasing number of carriers is now specifying electrical and air connections which the driver can reach while he is standing on the ground. As a rule, the connections are located on the left side of the vehicle, but they can be used interchangeably with the centrally-located connections of older tractors, trailers, and semitrailers.

In an effort to alleviate the dangers and discomfort of driver entry into, and egress from, cabs which are located at a considerable height, several motor carriers have installed two handholds on the outside of the cab at the place where the driver must climb, thereby creating a "ladder" for his use. In addition, steps with highly skid-resistant surfaces have been provided, so that the driver can climb directly into the cab instead of using his arms to swing his weight into the cab, as most present designs require. Carriers have also installed a grab rail on the rear of the outside of the tractor, so that the driver will have a handhold when he is performing coupling and uncoupling operations.

The question now before the Director is whether devices of this type and other similar improvements should be made mandatory on equipment operated in interstate or foreign commerce. A particularly troublesome problem is slips and falls from walkways and footholds designed or intended to be used by drivers and others during loading, unloading, and inspection of cargo. The problem seems most severe in the case of trailers and semitrailers used to haul automobiles and tank vehicles used in the solid bulk and liquid bulk hauling industries. The largest percentage of driver slip-and-fall accidents seems to occur in these categories of operations.

The Director invites comments from interested persons on the need, from the standpoint of safety, for adoption of new regulations that would protect drivers by diminishing the chance of injury during coupling and uncoupling of vehicles, entry into and egress from cabs, and loading, unloading, and inspection of cargo. The Director especially invites motor carriers to submit additional information and accident statistics relating to their experience with drivers slipping and falling from commercial motor vehicles. Examples of grab rail and skid-free surface designs which have proven to be either adequate or inadequate, from a safety point of view, are also requested. The Bureau is contemplating requiring more skid-free surfaces and large walkways that are equipped with safety devices. In addition, rules pertaining to ladders and other methods of access to cabs and cargo will be considered as subjects for rulemaking: improved ladders that have larger steps and handholds, as well as skid-free surfaces, seem to be a promising way of reducing slip-and-fall accidents. The Bureau is also giving special consideration to regulations that will require the locations of air and electrical connections to be situated so that they can be operated by drivers while they are standing at the left side of the vehicle with both feet on the ground. Uniformity of the location of places where air and electrical connections are made would, it would seem, contribute to safety while drivers are coupling and uncoupling combination vehicles. The Bureau solicits comments on the most effective type of rules to promote safety of operation, vehicle uniformity, and interchangeability of equipment.

Comments on other pertinent matters are also invited and will be given careful consideration.

Comments should be submitted in three copies to the Director, Bureau of Motor Carrier Safety, Washington, D.C. 20590. All comments received before the close of business on September 9, 1974, will be considered before further action is taken on the proposal. Comments will be available for examination by the public in the Docket Room of the Bureau of Motor Carrier Safety, Room 4136, 400 Seventh Street, SW., Washington, D.C., both before and after the closing date for comments.

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

Issued on May 12, 1974.

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

[FR Doc.74–11623 Filed 5–20–74;8:45 am]

[49 CFR Part 395]

[Docket No. MC–59; Notice No. 74–9]

DRIVERS DECLARED "OUT OF SERVICE"

Notice of Proposed Rulemaking

The Director of the Bureau of Motor Carrier Safety is considering a revision of § 395.13 of the Federal Motor Carrier Safety Regulations. Section 395.13 provides for declaring "out of service" a driver of a commercial motor vehicle in interstate or foreign commerce who, at the time of examination, may not lawfully drive any more without exceeding the hours-of-service limitations in the Regulations.

As amended in November 1973 (38 FR 31428), § 395.13 authorizes special agents of the Federal Highway Administration to declare drivers "out of service" by completing Form MCS–65. The section prohibits a driver who has been declared "out of service" from further driving and prohibits a motor carrier from requiring or permitting the driver to drive any further, until the driver can lawfully do so in conformity with the hours-of-service rules in § 395.3, § 395.10, or § 395.11.

The revision under consideration would restate the existing rules. In addition, it would explicitly provide for service of a copy of the driver-out-of-service form (now Form MCS–89) on the motor carrier by tender of a copy of the form to the driver. That is what is now done in practice. The present driver-out-of-service form instructs the motor carrier to complete a section of the form and send the completed document to the appropriate Regional Motor Carrier Safety Office. At present, however, the Regulations do not specify a time limit within which the carrier must send in the completed form. The Director proposes to set a time-limit of 15 days within which that must be done. The

proposed 15-day deadline is consistent with the existing requirement in § 396.5 of the regulations, which provides for completion and disposition of Form MCS–63, the form used to declare a vehicle "out of service".

The Bureau is tentatively of the view that the proposed 15-day time limit should not impose a real burden on any motor carrier. Prompt receipt of completed forms would assist the Bureau to carry out its mission of increasing highway safety.

In consideration of the foregoing, the Director of the Bureau of Motor Carrier Safety proposes to revise § 395.13 of the Federal Motor Carrier Safety Regulations (Subchapter B of Chapter III in title 49, CFR) to read as follows:

§ 395.13 Drivers declared "Out of Service".

(a) *Authority to declare drivers "Out of Service".* Every special agent of the Federal Highway Administration (as defined in Appendix B to this subchapter) is authorized to declare a driver out of service and to notify the driver and motor carrier of that declaration, if he finds at the time and place of examination that the driver has driven or been on duty immediately prior to the examination longer than the maximum period permitted by §§ 395.3, 395.10, or 395.11 of this subchapter.

(b) *Action taken when a driver is declared "Out of Service".* When he declares a driver out of service, the special agent shall—

(1) Record his finding that the driver has exceeded the hours-of-service rules on Form MCS–89, "Notice of Driver Declared 'Out of Service' ", and serve the finding on the driver and motor carrier by tendering a copy of the completed Form MCS–89 to the driver; and

(2) Place a copy of Form MCS–88, "Out of Service Driver", on the motor vehicle.

(c) *Duties of the motor carrier.* (1) A motor carrier must not require or permit a driver who has been declared out of service to drive or operate a motor vehicle until that driver may lawfully do so under the rules in §§ 395.3, 395.10, or 395.11 of this subchapter.

(2) A motor carrier must complete the "Motor Carrier's Report of Compliance with Notice" section of a copy of Form MCS–89 that has been served upon him and send the copy of the Form MCS–89, so completed, to the Director, Regional Motor Carrier Safety Office, Federal Highway Administration, at the address specified upon the Form within 15 days following the date of the examination.

(d) *Duties of the driver.* A driver who has been declared out of service must not drive or operate a motor vehicle until he may lawfully do so under the rules in §§ 395.3, 395.10, or 395.11 of this subchapter.

Interested persons are invited to submit written data, views, or arguments pertaining to the proposed revision. All comments submitted should refer to the docket number and notice number that appear at the top of this document. Comments should be submitted in three copies to the Director, Bureau of Motor Carrier Safety, Washington, D.C. 20590. All comments received before the close of business on July 15, 1974 will be considered before further action is taken on the proposal. All comments received will be available for examination in the Docket Room of the Bureau of Motor Carrier Safety, Room 4136, 400 Seventh Street SW., Washington, D.C. 20590, both before and after the closing date for comments.

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

Issued on May 13, 1974.

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

[FR Doc.74–11622 Filed 5–20–74;8:45 am]

National Highway Traffic Safety Administration

[49 CFR Parts 571, 575]

[Docket No. 74–23;Notice No. 1]

FEDERAL MOTOR VEHICLE SAFETY STANDARDS; CONSUMER INFORMATION

Temperature for Tire Tests

This notice proposes amendment of Standard No. 119, *New pneumatic tires for vehicles other than passenger cars,* 49 CFR 571.119, Standard No. 109, *New pneumatic tires (passenger cars),* 49 CFR 571.109, and § 575.104, *Uniform tire quality grading,* 49 CFR Part 575, to establish an upper-limit temperature of 105° F. for the high speed and endurance tests.

In Standard 119 and § 575.104, the present test temperature of 100° F. is similar to that of Standard 109, *New pneumatic tires,* except that the latter was established several years ago with a ±5° tolerance. The National Highway Traffic Safety Administration (NHTSA) has concluded that physical tolerances confuse the requirements and complicate the enforcement of minimum performance standards. In Standard 109, for example, the 10° tolerance range could be understood as permitting manufacturers to test near 95° F. and the NHTSA to test near 105° F., thus producing results which would be difficult to compare meaningfully.

By comparison, the Standard 119 and § 575.104 requirement that the tire be tested at any temperature up to 100° F., taken together with the explanation of usage in 49 CFR 571.4, means clearly that the NHTSA would test and the tire must conform, at any temperature from 90° to 100°. Normally, therefore, the manufacturer must test at sufficiently adverse temperatures to satisfy himself that in the exercise of due care his tires will pass NHTSA testing at any temperatures up to 100° F.

The NHTSA is of the opinion that tires should be capable of meeting the requirements of the applicable standards at any temperatures up to 105° F. This is the range originally intended to be included in Standard 109, although as noted the language of that standard is ambiguous in its effect. This proposal is intended to establish a firm, upper-limit temperature condition of 105° F. in both standards and in the Quality Grading regulation.

It is therefore proposed that the following amendments be made in Parts 571 and 575 of Title 49, Code of Federal Regulations.

A. In Standard No. 109, 49 CFR 571.109:

1. A new S4.2.2.8 would be added to read:

S4.2.2.8 *Temperature conditions.* The tire must be capable of meeting the requirements of S5.4 and S5.5 when conditioned at any ambient temperature up to 105°F. for 3 hours before the test is conducted, and with an ambient temperature maintained at any level up to 105°F. during all phases of testing.

2. S5.4.1.2 would be amended to read:

S5.4.1.2 Condition the tire assembly in accordance with S4.2.2.8.

3. S5.4.2.2. would be deleted and reserved.

4. In S5.5.3, the expression "100±5°F." would be changed to "105°F."

B. In Standard No. 119, 49 CFR 571.119:

1. The temperature of "100°F." appearing twice in the first sentence of S7.1.2 would be changed to "105°F."

2. In S7.4(c), the temperature "100°F." would be changed to "105°F."

C. In § 575.104, 49 CFR Part 575:

1. Paragraph (e)(2) would be revised by the addition of the following language at the end of the present paragraph: "and at any ambient temperature up to 105°F. for 3 hours before the test is conducted, and with an ambient temperature maintained at any level up to 105°F. during all phases of testing."

2. In paragraphs (h)(2), (h)(5), and (h)(8), the temperature of "100°F." would be replaced by the temperature of "105°F."

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 5221, 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 5, 1974.

Proposed effective date: 6 months following publication of the final rule.

(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 49 CFR 501.8.)

Issued on May 15, 1974.

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

[FR Doc.74-11565 Filed 5-17-74;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 413]

ELECTROPLATING POINT SOURCE CATEGORY

Hearing on Proposed Pretreatment Standards

On March 28, 1974, the Environmental Protection Agency published a notice of proposed rulemaking, establishing pretreatment standards under section 307 (b) of the Federal Water Pollution Control Act, 33 U.S.C. 1251, for incompatible pollutants introduced into publicly owned treatment works by existing sources within the copper, nickel, chromium and zinc segments of the electroplating category. (39 FR 11510)

During the period provided for public comment on the proposed regulation, a request for a public hearing was submitted on behalf of the National Association of Metal Finishers. The Agency, in response to this request, has scheduled a public hearing for Monday, June 10, 1974. The hearing will begin at 9:15 a.m. and will be held in Room 3805, Waterside Mall, 401 M Street, SW., Washington, D.C.

The hearing will be open to the public. Any persons wishing to present oral evidence at the hearing should inform the Agency in writing by June 3, 1974, of the general subject of their testimony and the approximate time necessary for the presentation.

ROBERT V. ZENER,
Acting Assistant Administrator for Enforcement and General Counsel (EG-329).

MAY 6, 1974.

[FR Doc.74-11586 Filed 5-20-74;8:45 am]

[40 CFR Part 417]

SOAP AND DETERGENT MANUFACTURING POINT SOURCE CATEGORY

Application of Effluent Limitations Guidelines for Existing Sources to Pretreatment Standards for Incompatible Pollutants; Extension of Time for Comment

On April 12, 1974, the Environmental Protection Agency published a notice of proposed rulemaking establishing the applicability of effluent limitations guidelines promulgated under sections 301 and 304(b) of the Federal Water Pollution Control Act, 33 U.S.C. 1251 et seq. (the Act), to pretreatment standards for existing sources under section 307(b) of the Act. The due date for comments provided in the notice was May 13, 1974. (39 FR 13394).

Subsequently, EPA has received requests that the period for submission of public comments on the proposed regulation be extended. EPA recognizes that over 95 percent of the plants in this industry category discharge to publicly owned treatment works and hence will be affected by the proposed regulation and that the notice of proposed rulemaking incorporated distinctions based on production of products with specific pollution characteristics not previously directly employed in the development of the effluent limitations guidelines themselves. Accordingly, in order to facilitate informed and useful public participation in the formulation of pretreatment standards for the soap and detergent industry category, the time for submission of comments is hereby extended to and including June 12, 1974.

Dated: May 15, 1974.

JAMES L. AGEE,
Acting Assistant Administrator for Water and Hazardous Materials.

[FR Doc.74-11585 Filed 5-20-74;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 61]

[Docket No. 19947]

LEASED CHANNEL RATES FOR INTERNATIONAL SERVICES

Order Extending Time for Comments

1. By Notice of Inquiry and notice of proposed rulemaking in the above-captioned matter released March 6, 1974, FCC 74-198, ____ F.C.C. 2d ____ (39 FR 9464), we instituted an investigation into the appropriate ratemaking approach for international leased channel service. That Notice directed the parties to submit, no later than May 14, 1974, written comments with respect to the designated issues.

2. We have received motions for extension of the time in which to file the required comments from Western Union International, Inc. (WUI) and ITT World Communications Inc. (ITT). WUI requests extension of time until June 14, 1974. ITT requests an extention until May 29, 1974. The motions state that the extension is needed to permit preparation of the required comments and was necessitated by the absence of key corporate personnel. The motions have not been opposed.

3. The above motions have shown good cause for an extension of the filing period. However, we believe that the need for a thirty-day extension, as requested by WUI, has not been shown and that such an extension would unduly delay the proceeding. After reviewing the matter, it appears that an extension of three weeks is an appropriate period.

4. *Accordingly, it is ordered,* Pursuant to § 0.303(c) of the Commission's rules and regulations, that the time for parties to submit their comments in this proceeding is extended until June 3, 1974. The date for reply comments is also extended until July 3, 1974.

5. *It is further ordered,* That to the extent provided for herein the above-referenced motions are granted and otherwise denied in all respects.

Adopted: May 14, 1974.

Released: May 15, 1974.

[SEAL] WALTER R. HINCHMAN,
Chief, Common Carrier Bureau.

[FR Doc.74-11548 Filed 5-20-74;8:45 am]

[47 CFR Part 73]

[Docket No. 19987]

FM BROADCAST STATIONS

Order Extending Time for Filing Comments and Reply Comments

In the matter of amendment of Subpart B (FM Broadcast Stations) of Part 73 in certain respects, Docket No. 19987.

1. On March 28, 1974, the Commission adopted a notice of proposed rulemaking in the above-entitled proceeding. Publication was given in the FEDERAL REGISTER on April 10, 1974, 39 FR 13007. Comment and reply comment dates are presently May 14 and May 23, 1974, respectively.

2. On May 13, 1974, the Association of Public Radio Stations (Public Radio) filed a request for extension of time in which to file comments to and including May 28, 1974. Public Radio states that the U.S.-Mexico FM Agreement has far-reaching implications on the allocation of frequencies in the noncommercial FM band throughout the United States. It notes that a petition was circulated widely throughout the country to noncommercial stations and those stations have not as yet had time to reply in sufficent numbers. It adds that the Agreement affects portions of a petition for rule making initiated by the Corporation for Public Broadcasting which is pending before the Commission. Public Radio states that the additional time will be used to work out in detail the relationship between the Agreement and the Corporation for Public Broadcasting petition and hopefully come to a position of strong support based on relevant data.

3. We are of the view that the public interest would be served by extending the time in this proceeding. *Accordingly, it is ordered,* That the dates for filing comments and reply comments are extended to and including May 28 and June 11, 1974, respectively.

4. This action is taken pursuant to authority found in sections 4(i), 5(d)(1) and 303(r) of the Communications Act

of 1934, as amended, and § 0.281 of the Commission's rules.

Adopted: May 14, 1974.

Released: May 15, 1974.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WALLACE E. JOHNSON,
Chief, Broadcast Bureau.

[FR Doc.74-11549 Filed 5-20-74;8:45 am]

[47 CFR Part 73]

[Docket No. 20049]

FM BROADCAST STATIONS IN MARSHFIELD, MASS.

Proposed Table of Assignments and Order to Show Cause

In the matter of amendment of § 73.202 (b), *Table of assignments*, FM Broadcast Stations (Marshfield, Massachusetts), Docket No. 20049, RM-2158.

1. The Commission, by the Chief, Broadcast Bureau, has before it for consideration a petition for rule making filed by Marshfield Broadcasting Company ("Marshfield"), an opposition filed by Wasque Corporation ("Wasque") and supplemental filings by Marshfield.[1]

2. Although matters were more complicated when Marshfield first filed, they have become less so since then. Originally, Marshfield urged that Channel 240A be assigned to Marshfield, Massachusetts, to provide a first aural facility, and to accomplish this, proposed removing that channel from Falmouth, Massachusetts. Since a 307(b) comparative hearing for use of Channel 240A was underway between applicants proposing Falmouth and Tisbury, Massachusetts, Marshfield proposed a substitute channel for use in each community. Subsequently, the Tisbury applicant (Wasque) prevailed and the Marshfield petition was amended to propose a substitute channel only for Tisbury (Channel 224A) but not one for Falmouth. As a result Falmouth would lose its Class A channel but retain its Class B channel.[2]

3. The community of Marshfield, located 32 miles south of Boston, has a 1970 Census population of 15,223, more than double the 1960 figure. Marshfield asserts that the community is still growing at a fast pace and in need of a first local outlet. The channel proposed is intended to fill this need and simultaneously make for a more efficient system of area assignments. We have been assured that this channel, if used at a site at least 1.5 miles from Marshfield, and the substitute proposed for Tisbury, would meet all applicable requirements and also that for the areas of preclusion, substitute channels are available or the precluded communities are smaller and presumably less in need of an assignment than Marshfield. Wasque's pleading, filed before it prevailed in hearing, with partly directed to the original proposal to make a substitution at Falmouth as well as Tisbury. This point is no longer at issue. However, other points made by Wasque still are at issue. Thus, Wasque sought to cast doubt on Marshfield's need for a station by contending that ample service exists in the area and by asserting that Marshfield has made no showing of special need. Wasque also indicated that it wished to maintain its present channel for promotional reasons and opposed a delay in the inauguration of its operation pending the outcome of a rule making proceeding. Finally, Wasque insisted that the costs of changing channel should be assessed against Marshfield.

4. From available information, Marshfield and environs are fast growing, and we believe that a prima facie case has been made for the first assignment there. Wasque's comments about outside service, even if accurate, are not dispositive of the need for local service. Nor, under the circumstances here, does the preclusionary impact necessarily impose an obstacle, although parties interested in any affected community may indeed seek to have the issue addressed further. Finally, as to a change in the Tisbury channel, several points need to be made. Wasque's preference for a particular channel cannot be permitted to obscure the need to base our decision on public interest grounds. While Wasque should not be forced to await the outcome of this proceeding, it is at liberty to take this proceeding into account if it desires. The cost of a change in channels, if required, is to be absorbed by the benefitting party. Since the construction permit was granted three months ago and this proceeding may take a number of months more, it is not possible to condition that permit or otherwise act to avoid cost by delaying effectuation of that grant, unless of course, Wasque prefers to avoid a subsequent changeover. Comments on this point as well as other aspects of the proposal before us are invited.

5. In view of the foregoing, and pursuant to authority found in sections 4(i), 303(g) and (r), and 307(b) of the Communications Act of 1934, as amended, it is proposed to amend § 73.202(b) of the Commission's rules and regulations, the FM Table of Assignments, as follows:

City	Channel No.	
	Present	Proposed
Marshfield, Mass.		240A
Falmouth, Mass.	240A, 270	270
Tisbury, Mass.		224A

6. *Showings required.* Comments are invited upon the proposals referred to above. Petitioner should affirm its intention to apply for the channel if assigned and to promptly build on it if the application is granted. Failure of the petitioner to do so may result in denial of its proposal.

7. *Cut-off procedure.* The following procedures will govern:

(a) Counterproposals advanced in this proceeding itself will be considered if advanced in initial comments, so that parties may comment on them in reply comments. They will not be considered if advanced in reply comments.

(b) With respect to petitions for rule making which conflict with the proposals in this Notice, they will be considered as comments in this proceeding, and Public Notice to that effect will be given, as long as they are filed before the date for filing initial comments herein. If filed later than that, they will not be considered in connection with the decision herein.

8. *It is ordered.* That, pursuant to section 316 of the Communications Act of 1934, as amended, and with the understanding that it will receive reasonable reimbursement of expenses incurred in changing the channel on which it has a permit, the following permittee shall show cause why the permit of the station should not be modified to specify operation on the new channel as proposed herein instead of the present channel:

Station	Location	Permittee
WVOI	Tisbury, Mass.	Wasque Corp.

Pursuant to § 1.87(b) of the Commission's rules, the permittee of Station WVOI may, not later than July 1, 1974, request that a hearing be held on the proposed modifications. Pursuant to § 1.87(f), if the right to request a hearing is waived, the aforementioned party may, not later than July 22, 1974, file written statements showing with particularity why its permit should not be modified or not so modified as proposed in the Order to Show Cause. In this case, the Commission may call on the party to furnish additional information, designate the matter for hearing, or issue without further proceedings an order modifying the permit as proposed in the order to show cause. If the right to request a hearing is waived and no written statement is filed by the above-mentioned date, the party will be deemed to consent to the modification as proposed in the Order to Show Cause and a final order will be issued by the Commission.

9. Pursuant to applicable procedures set out in § 1.415 of the Commission's rules and regulations, interested parties may file comments on or before July 1, 1974, and reply comments on or before July 22, 1974. All submissions by parties to this proceeding or persons acting on behalf of such parties, shall be made in written comments, reply comments, or other appropriate pleadings.

10. In accordance with the provisions of § 1.419 of the Commission's rules and

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[1] Marshfield asks for leave to respond to Wasque's response to the extent that Wasque's response was said to have gone beyond responding to Marshfield's comments. Wasque has not objected and in our view the public interest would be served by having all relevant information before us. Accordingly, leave will be granted.

[2] While we could explore a replacement channel for Falmouth, no current interest has been expressed. In addition, the channel mentioned by Marshfield is a Class A and as such would perpetuate the intermixture of Falmouth channels. Since the need for such a step at this time is anything but clear, we shall not now propose a substitution at Falmouth. Commenting parties are free to raise the issue in their filings if they would wish to use a replacement channel there.

regulations, an original and 14 copies of all comments, reply comments, pleadings, briefs, or other documents shall be furnished the Commission. All filings made in this proceeding will be available for examination by interested parties during regular business hours in the Commission's Public Reference Room at its Headquarters, 1919 M Street, NW., Washington, D.C.

11. The Secretary of the Commission will send a copy of this notice of proposed rule making by Certified Mail, return receipt requested, to Wasque Corporation, as the party to whom Show Cause Order was directed.

Adopted: May 9, 1974.

Released: May 14, 1974.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WALLACE E. *Johnson*,
Chief, Broadcast Bureau.

[FR Doc.74-11550 Filed 5-20-74;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR Parts 240, 249]

[Release No. 34-10766]

BROKER-DEALER REGISTRATION

Notice of Proposal To Adopt and To Amend Rule and Related Form

The Securities and Exchange Commission (the "Commission") has under consideration a proposal to adopt Rule 15b5-1 (17 CFR 240.15b5-1) under the Securities Exchange Act of 1934 (the "Act"). The proposed rule would provide that Commission revocation[1] or cancellation[2] of the registration of a broker or dealer pursuant to section 15 (b) of the Act shall be effective for purposes of section 3(a)(2) of the Securities Investor Protection Act of 1970 ("SIPC Act") (15 U.S.C. 78ccc(a)(2)) one year after the date of the order of revocation or cancellation or, in the event such order is stayed, one year after the termination of the stay, but shall be effective for all other purposes upon the effective date of such order.

[1] Section 15(b)(5) of the Act provides, among other things, that the Commission shall, after appropriate notice and opportunity for hearing, by order, revoke the registration of any broker or dealer if it finds that such sanction is in the public interest and that acts or circumstances specified in the section have occurred or exist with reference to or have been committed by such broker or dealer, whether prior to or subsequent to becoming such a broker or dealer or by any person associated with such broker or dealer, whether prior or subsequent to becoming so associated.

[2] Section 15(b)(6) of the Act provides, among other things, that "if the Commission finds that any registered broker or dealer, or any broker or dealer for whom an application for registration is pending, is no longer in existence or has ceased to do business as a broker or dealer, the Commission shall by order cancel the registration or application of such broker or dealer."

The Commission also has under consideration a proposal to amend Rule 15b6-1 and related Form BDW under the Act. Rule 15b6-1 (17 CFR 240.15b6-1) deals with withdrawal of a broker's or dealer's registration and provides that a notice to withdraw shall, in general, become effective on the 60th day after filing unless the Commission institutes or has instituted a proceeding prior to such date to censure, suspend or revoke such broker or dealer or to impose terms and conditions on the withdrawal. Such notice to withdraw is filed on Form BDW. The proposed amendment to Rule 15b6-1 would provide an additional period of one year after the broker's or dealer's withdrawal from registration has become effective during which the broker or dealer would continue in a registered status solely for purposes of section 3(a)(2) of the SIPC Act but could not operate as a broker or dealer.

PURPOSE OF PROPOSED RULE 15b5-1 AND AMENDMENT TO RULE 15b6-1

Section 3(a) of the SIPC Act establishes as members of the Securities Investor Protection Corporation ("SIPC") all persons registered as brokers or dealers under section 15(b) of the Act and all members of a national securities exchange with certain exceptions not here relevant. Section 5 of the SIPC Act provides that SIPC may initiate a court proceeding to protect customers of "members" of SIPC. The Commission deems it advisable to provide a formal period during which registration for purposes of the SIPC Act would be maintained after the broker or dealer has withdrawn or has been canceled or revoked, although for other purposes the entity would cease to be a broker or dealer.

Commission action. The Securities and Exchange Commission, acting pursuant to the provisions of sections 15(b) and 23(a) of the Securities Exchange Act of 1934, and finding it to be in the public interest, hereby proposes to adopt § 240.15b5-1 and to amend § 240.15b6-1 and related Form BDW (17 CFR 249.501a) as set forth below.

§ 240.15b5-1. Extension of registration for purposes of section 3(a)(2) of the Securities Investor Protection Act of 1970 after cancellation or revocation.

(a) Commission revocation or cancellation of the registration of a broker or dealer pursuant to section 15(b) of the Act shall be effective for purposes of section 3(a)(2) of the Securities Investor Protection Act of 1970 (15 U.S.C. 78ccc (a)(2)) one year after the date of the order of revocation or cancellation or, in the event such order is stayed, one year after the termination of the stay, but shall be effective for all other purposes upon the effective date of such order.

§ 240.15b6-1. Withdrawal from registration.

(a) Notice of withdrawal from registration as a broker or dealer pursuant to section 15(b) shall be filed on Form BDW (§ 249.501a of this chapter) in accordance with the instructions contained therein.

(b) Except as hereinafter provided, a notice to withdraw from registration filed by a broker or dealer pursuant to section 15(b) shall become effective for all matters other than the broker's or dealer's registration status for purposes of section 3(a)(2) of the Securities Investor Protection Act of 1970 ("SIPC Act") (15 U.S.C. 78ccc(a)(2)) on the 60th day after the filing thereof with the Commission or within such shorter period of time as the Commission may determine and shall become effective for purposes of section 3(a)(2) of the SIPC Act fourteen months after the filing thereof with the Commission or within such shorter period of time as the Commission may determine. If a notice to withdraw from registration is filed with the Commission at any time subsequent to the date of the issuance of a Commission order instituting proceedings pursuant to section 15(b) of the Act to censure, suspend, or revoke the registration of such broker or dealer, or if prior to the effective date of the notice of withdrawal for purposes other than the SIPC Act the Commission institutes such a proceeding or a proceeding to impose terms or conditions upon such withdrawal, the notice of withdrawal shall not become effective except at such time and upon such terms and conditions including terms and conditions relating to the effective date of the notice of withdrawal for purposes of the SIPC Act as the Commission deems necessary or appropriate in the public interest or for the protection of investors.

(c) Every notice of withdrawal filed pursuant to this section shall constitute a "report" within the meaning of sections 15(b) and 17(a) and other applicable provisions of the Act.

FORM BDW

Instruction 1 of the General Instructions of the back of Form BDW would be amended to conform to the language contained in proposed Rule 15b6-1 (17 CFR 240, 15b6-1).

(Secs. 15(b), 23(a), 48 Stat. 895, 901, secs. 3, 8, 49 Stat 1377, 1379, secs. 6, 10, 78 Stat. 570-4, 580; (15 U.S.C. 78o(b), 78w))

All interested persons are invited to submit their views in writing on this proposal to adopt Rule 15b5-1 and to amend Rule 15b6-1 and related Form BDW to George A. Fitzsimmons, Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549 by June 21, 1974. All such communications shall bear the file No. S7-521 and will be available for public inspection.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

May 1, 1974.

[FR Doc.74-11639 Filed 5-20-74;8:45 am]

INTERSTATE COMMERCE COMMISSION

[49 CFR Part 1249]

[No. 35129 (Sub-No. 3)]

ANNUAL FINANCIAL REPORTS OF CLASS I, CLASS II, AND CLASS III COMMON AND CONTRACT MOTOR CARRIERS OF PROPERTY

Proposed Revision

At a session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D.C., on the 21st day of March 1974.

This proceeding is being instituted on our own motion to revise and replace certain schedules and instructions in Motor Carriers of Property annual financial report (AFR) form filed with the Commission.

For classes I and II proposed schedules involving significant revisions as to content, form or clarity, and a list of all proposed revisions are summarized in Appendix A.[1] The proposed schedules for class III are presented in Appendix B.[1]

EVENTS LEADING TO THIS PROCEEDING

In March 1973 the Commission issued a report and order in No. 32155 (Sub-No. 2), Uniform System of Accounts for Class I and Class II Common and Contract Motor Carriers of Property (49 CFR Part 1207), covering revision of the system of accounts. Then on October 12, 1973, the Commission approved a set of separate operating accounts for household goods carriers in 32155 (Sub-No. 3), Classification of Revenue and Expense Accounts for Class I and Class II Common and Contract Motor Carriers of Property for Household Goods Operations (49 CFR Part 1207).

These proceedings resulted in providing a new accounting system for motor carriers of property, including a separate classification of operating revenue and expense accounts for household goods carriers. Accordingly, the AFR's must also be revised to reflect the data to be collected through the system.

Certain reporting changes presented in this notice for class I and class II motor carriers of property were suggested by the American Trucking Association (ATA) in their petition No. 32155 (Sub-No. 2); other reporting changes were designed by the Commission to meet the requirements of the new system of accounts.

The class III motor carriers of property AFR is also being revised to implement the above changes. Although the number of reported accounts would increase, the proposed class III AFR would be more in line with those being proposed for class I and class II carriers. This should ease any future transition for class III carriers into class II. The additional expense account reporting will not be a significant burden since most of the information is now required by tax authorities for Federal income tax purposes and payroll tax reports.

In addition to the above changes we are considering revision of the reporting requirements for affiliated relationships, changes in financial position, pension funds, Federal income tax, and compensation. Similar changes have been made recently to the rail carrier AFR, Form R1 (see report and order under docket No. 35344, Annual Reports of Class I Railroad Companies, served August 3, 1972). In keeping with the Commission's policy of uniformity and adequate disclosure we propose to make similar revisions to each of the other systems and report forms in the future.

Many of the proposed changes do not require additional disclosure. The major changes are described in the following paragraphs. The discussion is confined to class I schedules. The same revisions apply to class II unless stated otherwise. Changes in the class III AFR are discussed in items 9 and 10 under the heading "Report Revisions Caused by New Uniform System of Accounts". Copies of the proposed schedules affected by these major changes are provided in Appendix A and B.

AFR CHANGES REQUIRED BY NEW UNIFORM SYSTEM OF ACCOUNTS

1. Schedule 4000A, Expenses by Equipment Type, is a new requirement. This schedule requires the carrier to disclose those expenses outlined in Instruction 32 of the new uniform system of accounts by type of equipment and is applicable to class I and II carriers of general commodities (cost study carriers as defined in Instruction 27 of the system). The desirability and feasibility of analyzing cost by type of equipment was discussed by the Commission in No. 34013, Rules to Govern Assembling and Presenting Cost Evidence, wherein the Commission expressed support for revision of the uniform system of accounts which would improve cost analysis. Collecting expenses by equipment type was given as an example of improving cost data. In No. 32155 (Sub-No. 2) Instruction 32 was adopted requiring the carrier to maintain records on expenses by equipment type.

2. Schedule 20, Classification of Motor Carriers of Property, would be revised to show the local cartage revenue by commodity classification. The intercity information, currently shown in Schedule 9004, Commodities Transported in Intercity Service, would be included in Schedule 20.

3. Schedule 1220, Revenue Equipment Owned, would be revised by eliminating reporting of units by axle and adding a column to obtain number of units operating on LP gas.

4. For class I only, Schedule 2330C, Capital Lease Obligations, would be set up to provide separate reporting of capitalized lease obligations.

5. Schedule 4000, Operating Expenses, has been revised to report the operating expenses in matrix format. Schedule 4000HG, Operating Expenses, Household Goods Carriers, has been added for collecting operating expenses in the matrix format provided for carriers required to use the new household goods operating accounts (Instruction 28B carriers).

6. Schedule 3000HG, Operating Revenues, Household Goods Carriers, would be added to gather data on household goods revenue (Instruction 28B carriers).

7. All proposed revisions to the class I AFR are described in Appendix A, "List of Revisions". The same revisions apply to class II where similar schedules exist.

8. For class III annual reports the Statement of Financial Position (Balance Sheet) would be revised to disclose more detailed description of receivables, property, and payables.

9. For class III annual reports the Results of Operations (Income Statement) would be revised to require reporting of more detail on operating expenses.

AFR CHANGES PROPOSED FOR PURPOSES OF UNIFORMITY AND DISCLOSURE

1. Items 13 through 15 would be replaced by Schedule 13A, Companies Controlled by Respondent; Schedule 13B, Companies Indirectly Controlled by Respondent; Schedule 13C, Companies Under Common Control with Respondent; and Schedule 13D, Companies Controlling Respondent. Instructions would be revised to specify principal business activity, form of control, extent of control, and names of other parties in the relationship.

2. Add new Schedule 103, Statement of Changes in Financial Position. This statement, which requires the carrier to disclose his sources and applications of funds, has been in use for some time and just recently received general acceptance as a major financial statement. The Rail Form R1 has had this statement since 1972.

3. Explanatory note on pension funds from Schedule 101, Comparative Balance Sheet Statement—Liability Side, would be moved to Schedule 104, Notes to Financial Statements, and the instructions revised to disclose actuarial valuation and pension fund differences; funding arrangement, if any; affiliate relationship in the pension plan, if any; and investments in respondent's or affiliate's own securities.

4. Schedule 8800, Income Taxes on Ordinary Income, would be replaced by Schedule 8700A, Reconciliation of Reported Net Income with Taxable Income for Federal Income Taxes; Schedule 8700B, Computation of Federal Income Taxes; and Schedule 8700C, Consolidated Federal Income Tax Information. The instructions would require the disclosure of information concerning consolidated income tax, reconciliation of net income with taxable income, and computation of Federal income tax. The effective date of these schedules would be delayed until the outcome of Assn. of American Railroads v. United States, Civil Action No. 540-73 (D.D.C.), is reached.

5. Schedule 9002A, Compensation of Officers, Directors, Etc., would be changed

[1] To be filed as part of the original document.

to Schedule 9002C, Compensation of Officers, Directors, Etc., and the instructions revised to disclose (1) salary at the annual rate, including changes, and (2) compensation from affiliates (this has previously been reported in Schedule 9009).

6. Schedule 9009A and 9009B, Contracts and Agreements—Affiliated Companies, would be replaced with Schedules 9009A, Transactions Between Respondent and Companies or Persons Affiliated with Respondent for Services Received or Provided, Schedule 9009B, Other Transactions Between Respondent and Companies or Persons Affiliated with Respondent, Schedule 9009C, Transactions Between Noncarrier Subsidiaries of Respondent and Other Affiliated Companies or Persons for Services Received or Provided, and Schedule 9009D, Other Transactions Between Noncarrier Subsidiaries of Respondent and Other Affiliated Companies or Persons. The instructions would require reporting transactions between affiliates totaling $10,000 or more.

The above revisions would be made effective January 1, 1974, to coincide with the effective date of the new system of accounts adopted by this Commission in No. 32155 (Sub-No. 2) as noted above, except for schedules 8700A, 8700B, and 8700C which must be deferred pending the outcome of Assn. of American Railroads v. United States, Civil Action No. 540–73 (D.D.C.).

Upon consideration of the above-described matters and good cause appearing therefor:

It is ordered, That a proceeding be, and it is hereby, instituted under the authority of section 220 of the Interstate Commerce Act and pursuant to section 553 of the Administrative Procedure Act with a view of adopting the proposed regulations set forth in the appendix to this notice, and for the purpose of taking such other and further action as the facts and circumstances may justify and require.

It is further ordered, That all motor carriers of property subject to the Interstate Commerce Act be, and they are hereby, made respondents in this proceeding.

It is further ordered, That no oral hearing be scheduled for the receiving of testimony in this proceeding unless a need therefore should later appear, but that respondents or any other interested parties may participate in the proceeding by submitting for consideration written statements of fact, views and arguments on the subjects mentioned above, or any other subjects pertaining to this proceeding.

It is further ordered, That any interested person wishing to submit statement of facts, views, or arguments shall file 6 copies of such representations with the Secretary, Interstate Commerce Commission, Washington, D.C. 20423, on or before June 15, 1974.

It is further ordered, That written material or suggestions submitted will be available for public inspection at the offices of the Interstate Commerce Commission, 12th and Constitution Avenue NW., Washington, D.C., during regular business hours.

And it is further ordered, That statutory notice of the institution of this proceeding be given to all respondents and to the general public by mailing a copy of this order to the Governor of every State and to the Public Utilities Commissions or Boards of each State having jurisdiction over transportation, by posting a copy of this order in the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., for public inspection, and by delivering a copy thereof to the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER as notice to all interested persons.

This decision is not a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969.

By the Commission, Division 2.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74–11649 Filed 5–20–74;8:45 am]

notices

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

DEPARTMENT OF THE TREASURY

United States Customs Service

CUSTOMS BONDS

Proposed Incorporation of Immigration and Naturalization Service Form Into the Vessel, Vehicle, or Aircraft Bonds, Customs Forms

Notice is hereby given that pursuant to the authority of R.S. 251, as amended (19 U.S.C. 66), sections 623, 624, 46 Stat. 759, as amended (19 U.S.C. 1623, 1624), and section 103 of the Immigration and Nationality Act (8 U.S.C. 1103), it is proposed to incorporate the provisions of the Bond for Payment of Sums and Fines Imposed under Immigration and Nationality Act (Term or Single Entry), Immigration and Naturalization Service Form I–310, into the Vessel, Vehicle, or Aircraft Bond (Single Entry), Customs Form 7567, and the Vessel, Vehicle, or Aircraft Bond (Term), Customs Form 7569. It is also proposed to amend condition 4 of the Vessel, Vehicle, or Aircraft Bonds to provide that when merchandise subject to duty is removed from the place of unlading prior to obtaining a proper permit for removal, the importing carrier is liable for liquidated damages in an amount equal to the total of the duties, taxes, charges, and exactions accruing on the merchandise so removed.

Presently, before the entry and clearance of a vessel or aircraft, a carrier customarily files two separate bonds. One of the bonds, either the Vessel, Vehicle, or Aircraft Bond (Single Entry), Customs Form 7567, or the Vessel, Vehicle, or Aircraft Bond (Term), Customs Form 7569, is required by Customs in order to insure the carrier's performance of certain obligations, and to insure the payment of certain charges and other monetary liabilities (including penalties), under the provisions of the Tariff Act of 1930, as amended. The other bond, the Bond for Payment of Sums and Fines Imposed under Immigration and Nationality Act (Term and Single Entry), Immigration and Naturalization Service Form I–310, is required by the Immigration and Naturalization Service to insure the payment of certain fines and civil penalties which might be incurred by the carrier under the provisions of the Immigration and Nationality Act. Inasmuch as both of the bonds are submitted by carriers in connection with the entry of vessels and aircraft, and inasmuch as both bonds call for the payment to the district director of Customs of charges, penalties, or other liabilities, incurred, it is proposed to eliminate Immigration and Naturalization Service Form I–310 by incorporating its provisions into the Vessel, Vehicle, or Aircraft Bonds, Customs Forms 7567 and 7569. Combining the two bonds in this manner will reduce the number of documents filed by carriers in connection with the entry and clearance of vessels and aircraft.

Condition 4 of the present Vessel, Vehicle, or Aircraft Bonds makes the importing carrier liable for the payment of all duties, taxes, charges, and exactions accruing on the merchandise removed from the place of unlading prior to obtaining a proper permit for removal. The proposed amendment to condition 4 of the bonds makes the importing carrier liable for liquidated damages in an amount equal to the total duties, taxes, charges, and exactions accruing on the merchandise removed. This liability will not be relieved by the subsequent payment by the actual importer of the duties, taxes, and other fees assessed with respect to the merchandise. Converting the importing carrier's liability into one for liquidated damages is intended to encourage stricter adherence to the provisions of section 448(a), Tariff Act of 1930, as amended (19 U.S.C. 1448(a)), which require that the merchandise be held at the place of unlading until a permit for removal has been issued. Compliance with this requirement is necessary for the enforcement of Customs cargo security program, especially the Cargo Loss Reporting System, which benefits both Customs and the public by allowing any discrepancy between the manifested and entered quantities of merchandise to be quickly determined.

Accordingly, it is proposed to amend the Vessel, Vehicle, or Aircraft Bond (Single Entry), Customs Form 7567, and the Vessel, Vehicle, or Aircraft Bond (Term), Customs Form 7569, to read as follows:

DEPARTMENT OF THE TREASURY

UNITED STATES CUSTOMS SERVICE

No. --------

Vessel, Vehicle, or Aircraft Bond (Single Entry)

(To lade or unlade at night or on Sunday or a holiday, to land equipment for repairs, etc., to discharge on lighters or outside docks, to pay legal charges, penalties, etc., to land cargo in other districts or foreign ports, to secure the payment of overtime, and to produce documents.)

Know all men by these presents that*

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of ----------, as principal,

*If the principal or surety is a corporation, the name of the State in which incorporated also shall be shown.

and* ----------, of ----------, as sureties, are held and firmly bound into the UNITED STATES OF AMERICA in the sum of ---------- dollars ($------), for the payment of which we bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents.

Witness our hands and seals this ------ day of ------, 19--.

Whereas, the said ---------- is the owner, master, commanding officer, operator, purser, person in charge or command, agent, charterer, or consignee of the ---------- (Vessel, vehicle, or aircraft) ---------- of the ---------- (Line), from ----------, which has arrived or is expected to arrive at the port of ----------, on ----------, 19--, to report, enter, and clear, and to discharge and take on cargo and passengers pursuant to the provisions of the Tariff Act of 1930, as amended, the Immigration and Nationality Act, as amended, the regulations issued pursuant to either of said acts, and other acts and regulations relating to the entry and clearance of vessels, vehicles, and aircraft;

Whereas, the above-bounden principal has requested the assignment of Customs officers or employees, and Immigration and Naturalization Service officers or employees to overtime duty at night or on Sunday or a holiday pursuant to the provisions of the Tariff Act of 1930, as amended, the Act of February 13, 1911, as amended, the Act of March 2, 1931, as amended, the Immigration and Nationality Act, as amended, or any other act or acts, and regulations relating thereto, in effect at the time of such duty, on behalf of vessels, vehicles, or aircraft;

Whereas, in the case of a vessel or aircraft bringing aliens into the United States, the owner, master, commanding officer, purser, person in charge or command, agent, charterer, or consignee thereof may incur liability for fines or civil penalties, including passage money refund, imposed by the Attorney General pursuant to the provisions of sections 231, 233, 237, 239, 243, 251, 253, 254, 255, 256, 271, 272, and/or 273 of the Immigration and Nationality Act, as amended, in connection with its operations; and

Whereas, under the said Immigration and Nationality Act no vessel or aircraft shall be granted clearance (or released from custody) pending the determination by the Attorney General of the question of such liability or while such fines or civil penalties remain unpaid: *Provided*, That clearance (or release from custody) may be granted prior to the determination of such question upon the deposit of an amount sufficient to cover such fines, or of a bond with sufficient surety to secure the payment thereof;

Now, therefore, the condition of this obligation is such that—

(1) If the above-bounden principal shall pay to the district director of Customs of said port promptly on demand such penalties as may be incurred by the vessel, vehicle, or aircraft, together with the sums chargeable under law and regulations for such services as may be performed for said vessel, vehicle, or aircraft by Customs or Immigration and Naturalization Service officers or employees,

and shall promptly pay any duties, charges, exactions, penalties, or other sums found legally due the United States from any master or other proper officer or owner of said vessel, vehicle, or aircraft, and any and all fines (or penalties) imposed by the Attorney General pursuant to the above-cited sections of the Immigration and Nationality Act, as amended, against the owner, master, commanding officer, purser, person in charge or command, agent, charterer, or consignee of the said vessel or aircraft;

(2) And if the above-bounden principal shall exonerate and hold harmless the United States and its officers from or on account of any risk, loss, or expense of any kind or description which might occur or be occasioned by reason of the granting of any special license or permit to discharge or take on cargo, equipment, baggage, ballast, fuel, or other articles at night or on Sunday or a holiday, as well as from any loss or damage resulting from fraud or negligence on the part of any officer, agent, or other person employed by the above-bounden principal, by reason of the granting of any special license or permit;

(3) And if fuel supplies, sea stores, vessel supplies, crew purchases, ships' stores, and equipment shall not be unladen from the vessel or aircraft of the above-bounden principal, or removed from the place of unlading, except under Customs supervision, and if any such merchandise so unladen and permitted to be removed from the place of unlading without entry therefor having been made is returned into Customs custody and reladen, under Customs supervision, on the vessel or aircraft from which unladen, or in the event of failure to comply with the foregoing provisions the above-bounden principal shall pay the duties, taxes, charges, and exactions accruing on the merchandise with respect to which there has been a default (it being understood and agreed that the amount to be collected shall be based upon the quantity and value of such merchandise as determined by the district director of Customs, and that the decision of the district director as to the status of such merchandise, whether free or dutiable, together with the rate and amount of duties, taxes, charges, and exactions, also shall be binding on all parties to this obligation);

(4) And if pursuant to proper permit by the district director of Customs the above-bounden principal shall land, place or store any merchandise or baggage (hereinafter called merchandise) on lighters, piers, landing places, or spaces adjoining thereto, or such other places within the limits of the port permitted by the district director on special request made by the principal hereon, and shall retain such merchandise at such places until a permit for the removal thereof is granted, and, in the event that any such merchandise shall be removed therefrom before proper permits have been issued, shall pay as liquidated damages an amount equal to all duties, taxes, charges, and exactions accruing on any part of the merchandise so removed; or, in the event the merchandise so removed is free of duty, shall pay as liquidated damages an amount equal to the value of such merchandise, the damages on any one shipment not to exceed $500 (it being understood and agreed that the amount to be collected in either case shall be based upon the quantity and value of such merchandise as determined by the district director of Customs, and that the decision of the district director as to the status of such merchandise, whether free or dutiable, together with the rate and amount of duties, taxes, charges, and exactions also shall be binding on all parties of this obligation);

(5) And if all merchandise shown on the manifest of said vessel or aircraft to be destined for other United States Customs ports or for foreign ports is landed at the destination stated and proof thereof is furnished the said district director in the form and within the time required by law and regulations, or any lawful extension thereof, or if in the event such proof cannot be produced because of casualty or other cause, evidence satisfactory to the district director is furnished showing that the merchandise destined for foreign ports has not been landed in the United States or if so landed that entry thereof has been first made, or in the case of merchandise destined for other United States Customs ports, if evidence is furnished showing that for unavoidable causes the merchandise has been landed at a port other than that stated in the manifest and there properly entered, or that such merchandise has been lost or destroyed in transit, or in default of the foregoing if the obligors shall pay all duties, taxes, charges, and exactions which may be found legally due thereon; or in the event the merchandise is free of duty, if said obligors shall pay as liquidated damages an amount equal to the value of such merchandise as may be determined by the district director as indicated in the preceding condition of this obligation, the damages not to exceed $500;

(6) And if the above-bounden principal shall deliver to the district director of Customs at the port(s) of exportation a complete outward manifest, in all cases where the law and regulations require such manifest to be filed, and all required shipper's export declarations in the form prescribed by law and regulations not later than the fifteenth business day after departure when the merchandise is exported to Canada by rail, not later than the seventh business day after departure for shipments aboard a United States-flag carrier between the United States and Puerto Rico, or from the United States or Puerto Rico to the United States Possessions, and not later than the fourth business day after clearance, or departure when clearance is not required, of any other carrier; and for failure to file any manifest required by law or regulations and all required export declarations within the period of four days, seven days or fifteen days allowed therefor, shall pay to the district director of Customs a penalty of fifty dollars ($50) for each day's delinquency beyond the four-day, seven-day, or fifteen-day period, and if the required manifest and all required shipper's export declarations are not filed within three days following the applicable period, then for each succeeding day of delinquency shall pay to the district director of Customs a penalty of one hundred dollars ($100); and if all other documents required by law and regulations to be delivered to the district director of Customs are delivered to the said district director in the form and manner and within the time required by law and regulations, and any lawful extension thereof;

Then this obligation shall be void; otherwise to remain in full force and effect.

Signed, sealed, and delivered in the presence of—

---------- (Name)	---------- (Address)		
---------- (Name)	---------- (Address)	---------- (Principal)	[SEAL]
---------- (Name)	---------- (Address)		
---------- (Name)	---------- (Address)	---------- (Surety)	[SEAL]
---------- (Name)	---------- (Address)		
---------- (Name)	---------- (Address)	---------- (Surety)	[SEAL]

CERTIFICATE AS TO CORPORATE PRINCIPAL

I, ----------, certify that I am the[1] ---------- of the corporation named as principal in the within bond; that ----------, who signed the said bond on behalf of the principal, was then ---------- of said corporation; that I know his signature, and his signature thereto is genuine; and that said bond was duly signed, sealed, and attested for and in behalf of said corporation by authority of its governing body.

---------- (Corporate Seal)

(To be used when no power of attorney has been filed with the district director of Customs.)

DEPARTMENT OF THE TREASURY

UNITED STATES CUSTOMS SERVICE

No. ------

Vessel, Vehicle, or Aircraft Bond (Term)

(To lade or unlade at night or on Sunday or a holiday, to land equipment for repairs etc., to discharge on lighters or outside docks, to pay legal charges, penalties, etc., to land cargo in other districts or foreign ports, to secure the payment of overtime, and to produce documents.)

[1] May be executed by the secretary, assistant secretary, or other officer of the corporation.

Know all men by these presents that* ---------- ---------- of ----------, as principal, and* ----------, of ----------, and ----------, of ----------, as sureties, are held and firmly bound into the United States of America in the sum of ---------- dollars ($------), for the payment of which we bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents.

Witness our hands and seals this ------ day of ------, 19--.

Whereas, the said ---------- is the owner, master, commanding officer, operator, purser, person in charge or command, agent, charterer, or consignee of certain vessels, vehicles, or aircraft of the ----------, which (Line) are expected to arrive during the period of one year from ------, 19--, to and including ------, 19--, to report, enter, and clear, and

*If the principal or surety is a corporation, the name of the State in which incorporated also shall be shown.

to discharge and take on cargo and passengers pursuant to the provisions of the Tariff Act of 1930, as amended, the Immigration and Nationality Act, as amended, the regulations issued pursuant to either of said acts, and other acts and regulations relating to the entry and clearance of vessels, vehicles, and aircraft;

Whereas, the above-bounden principal has requested or will request the assignment of Customs officers or employees, and Immigration and Naturalization Service officers or employees to overtime duty at night or on Sunday or a holiday pursuant to the provisions of the Tariff Act of 1930, as amended, the Act of February 13, 1911, as amended, the Act of March 2, 1931, as amended, the Immigration and Nationality Act, as amended, or any other act, or acts, and regulations relating thereto, in effect at the time of such duty, on behalf of vessels, vehicles, or aircraft;

Whereas, in the case of a vessel or aircraft bringing aliens into the United States, the owner, master, commanding officer, purser, person in charge or command, agent, charterer, or consignee thereof may incur liability for fines or civil penalties, including passage money refund, imposed by the Attorney General pursuant to the provisions of sections 231, 233, 237, 239, 243, 251, 253, 254, 255, 256, 271, 272 and/or 273 of the Immigration and Nationality Act as amended, in connection with its operations; and

Whereas, under the said Immigration and Nationality Act no vessel or aircraft shall be granted clearance (or released from custody) pending the determination by the Attorney General of the question of such liability or while such fines or civil penalties remain unpaid, *Provided*, That clearance (or release from custody) may be granted prior to the determination of such question upon the deposit of an amount sufficient to cover such fines, or of a bond with sufficient surety to secure the payment thereof;

Now, Therefore, the condition of this obligation is such that—

(1) If the above-bounden principal shall pay to the district director of Customs promptly on demand such penalties as may be incurred by the vessels, vehicles, or aircraft, together with the sums chargeable under law and regulations for such services as may be performed for said vessels, vehicles, or aircraft by Customs or Immigration and Naturalization Service officers or employees, and shall promptly pay any duties, charges, exactions, penalties, or other sums found legally due the United States from any master or other proper officers or owner of said vessels, vehicles, or aircraft and any and all fines (or penalties) imposed by the Attorney General pursuant to the above-cited sections of the Immigration and Nationality Act, as amended, against the owner, master, commanding officer, purser, person in charge or command, agent, charterer, or consignee of the said vessels or aircraft;

(2) And if the above-bounden principal shall exonerate and hold harmless the United States and its officers from or on account of any risk, loss, or expense of any kind or description which might occur or be occasioned by reason of the granting of any special license or permit to discharge or take on cargo, equipment, baggage, ballast, fuel, or other articles at night or on Sunday or a holiday, as well as from any loss or damage resulting from fraud and negligence on the part of any officer, agent, or other person employed by the above-bounden principal, by reason of the granting of any special license or permit;

(3) And if all fuel supplies, sea stores, vessel supplies, crew purchases, ships' stores, and equipment shall not be unladen from the vessels or aircraft of the above-bounden principal nor removed from the place of unlading except under Customs supervision, and if any such merchandise so unladen and permitted to be removed from the place of unlading without entry therefor having been made is returned into Customs custody and reladen, under Customs supervision, on the vessels or aircraft from which unladen, or in the event of failure to comply with the foregoing provisions, the above-bounden principal shall pay the duties, taxes, charges, and exactions accruing on the merchandise with respect to which there has been a default (it being understood and agreed that the amount to be collected shall be based upon the quantity and value of such merchandise as determined by the district director of Customs, and that the decision of the district director as to the status of such merchandise, whether free or dutiable, together with the rate and amount of duties, taxes, charges, and exactions, also shall be binding on all parties to this obligation);

(4) And if pursuant to proper permit by the district director of Customs the above-bounden principal shall land, place or store any merchandise or baggage (hereinafter called merchandise) on lighters, piers, landing places, or spaces adjoining thereto, or such other places within the limits of the port permitted by the district director on special request made by the principal hereon, and shall retain such merchandise at such places until a permit for the removal thereof is granted, and, in the event that any such merchandise shall be removed therefrom before proper permits have been issued, shall pay as liquidated damages an amount equal to all duties, taxes, charges, and exactions accruing on any part of the merchandise so removed; or, in the event the merchandise so removed is free of duty, shall pay as liquidated damages an amount equal to the value of such merchandise, the damages on any one shipment not to exceed $500 (it being understood and agreed that the amount to be collected in either case shall be based upon the quantity and value of such merchandise as determined by the district director of Customs, and that the decision of the district director as to the status of such merchandise, whether free or dutiable, together with the rate and amount of duties, taxes, charges, and exactions also shall be binding on all parties to this obligation);

(5) And if all merchandise shown on the manifest of any of said vessels or aircraft to be destined for other United States Customs ports or for foreign ports is landed at the destination stated and proof thereof is furnished the said district director in the form and within the time required by law and regulations, or any lawful extension thereof, or, if in the event such proof cannot be produced because of casualty or other cause, evidence satisfactory to the district director is furnished showing that the merchandise destined for foreign ports has not been landed in the United States, or if so landed that entry thereof has been first made, or in the case of merchandise destined for other United States Customs ports, if evidence is furnished showing that for unavoidable causes the merchandise has been landed at a port other than that stated in the manifest and there properly entered, or that such merchandise has been lost or destroyed in transit, or in default of the foregoing if the obligors shall pay all duties, taxes, charges, and exactions which may be found legally due thereon; or in the event the merchandise is free of duty, if said obligors shall pay as liquidated damages an amount equal to the value of such merchandise as may be determined by the district director as indicated in the preceding condition of this obligation, the damages not to exceed $500;

(6) And if the above-bounden principal shall deliver to the district director of Customs at the port(s) of exportation a complete outward manifest, in all cases where the law and regulations require such manifest to be filed, and all required shipper's export declarations in the form prescribed by law and regulations not later than the fifteenth business day after departure when the merchandise is exported to Canada by rail, not later than the seventh business day after departure for shipments aboard a United States-flag carrier between the United States and Puerto Rico, or from the United States or Puerto Rico to the United States Possessions, and not later than the fourth business day after clearance, or departure when clearance is not required, of any other carrier; and for failure to file any manifest required by law or regulations and all required export declarations within the period of four days, seven days or fifteen days allowed therefor, shall pay to the district director of Customs a penalty of fifty dollars ($50) for each day's delinquency beyond the four-day, seven-day or fifteen-day period, and if the required manifest and all required shipper's export declarations are not filed within three days following the applicable period, then for each succeeding day of delinquency shall pay to the district director of Customs a penalty of one hundred dollars ($100); and if all other documents required by law and regulations to be delivered to the district director of Customs are delivered to the said district director in the form and manner and within the time required by law and regulations, or any lawful extension thereof;

Then this obligation shall be void; otherwise to remain in full force and effect.

In the event the above-bounden surety has not appointed an agent for the service of process, in accordance with section 7, title 6, United States Code, in the judicial district where an entry is made, or a charge incurred, the above-bounden surety consents to service of process upon the Clerk of the United States District Court wherein any suit is brought upon this bond by the United States of America, with like effect as upon an agent appointed by the surety. Such Clerk shall provide notice of service of process to the surety at

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(mailing address requested by the surety)

Signed, sealed, and delivered in the presence of—

(Name)	(Address)	
(Name)	(Address)	[SEAL] (Principal)
(Name)	(Address)	
(Name)	(Address)	[SEAL] (Surety)
(Name)	(Address)	
(Name)	(Address)	[SEAL] (Surety)

CERTIFICATE AS TO CORPORATE PRINCIPAL

I, _____, certify that I am the [1] _____ of the corporation named as principal in the within bond; that _____, who signed the said bond on behalf of the principal, was then _____ of said corporation; that I know his signature and his signature thereto is genuine; and that said bond was duly signed, sealed, and attested for and in behalf of said corporation by authority of its governing body.

_____[Corporate Seal]

(To be used when no power of attorney has been filed with the district director of Customs.)

[1] May be executed by the secretary, assistant secretary, or other officer of the corporation.

Prior to the adoption of this amendment, consideration will be given to any relevant data, views, or arguments which are submitted in writing to the Commissioner of Customs, Attention: Regulations Division, Washington, D.C. 20229, and received not later than June 20, 1974.

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

[SEAL] VERNON D. ACREE,
Commissioner of Customs.

Approved:

JAMES F. GREENE,
Acting Commissioner of Immigration and Naturalization Service.

[FR Doc.74-11642 Filed 5-20-74;8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

POINT LAY, ALASKA

Eligibility of Native Village

This decision is published in exercise of authority delegated by the Secretary of the Interior to the Director, Juneau Area Office, Bureau of Indian Affairs by Subpart 2651.2(a) (6), (8), (9), and (10) of Subchapter B of Chapter II of Title 43 of the Code of Federal Regulations published on Page 14223 of the May 30, 1973, issue of the FEDERAL REGISTER.

The Alaska Native Claims Settlement Act of December 18, 1971 (Pub. L. 92-203, 92nd Congress; 85 Stat. 688-716), provides for the settlement of certain land claims of Alaska Natives and for other purposes.

Accordingly, the Director, Juneau Area Office, Bureau of Indian Affairs, pursuant to the authority delegated him pursuant to the regulations in 43 CFR Part 2650, authorizing him to make final decisions on behalf of the Secretary of the Interior on the eligibility of Native Villages for benefits under the Alaska Native Claims Settlement Act, subject to appeal to the Ad Hoc Board, published on December 12, 1973, his Final Decision determining the eligibility of the Native Village of Point Lay, said decision appearing in 38 FR 34210.

On January 9, 1974, the State of Alaska filed a Notice of Appeal from the Final Decision of the Director on the eligibility of the Native Village of Point Lay. Thereafter, on March 22, 1974, the State of Alaska filed a Motion to Dismiss its appeal from the Final Decision of the Director on the eligibility of the Native Village of Point Lay.

The Ad Hoc Board, finding no reason for justifying the denial of Motion of the State of Alaska to Dismiss its Appeal from the Final Decision of the Director on the eligibility of the Native Village of Point Lay, on April 8, 1974, issued a Final Order Dismissing the Appeal of the State of Alaska and Certifying Village.

In accordance with the Ad Hoc Board's Final Order Dismissing the Appeal of the State of Alaska and Certifying Village, which requested the Director, Juneau Area Office, Bureau of Indian Affairs, to certify the Native Village of Point Lay as eligible for benefits under the Alaska Native Claims Settlement Act, the Director, Juneau Area Office, Bureau of Indian Affairs, certifies the Native Village of Point Lay eligible for benefits under the Alaska Native Claims Settlement Act, said decision not being further appealable, and also issues to the Native Village of Point Lay a Certification of Eligibility.

CLARENCE ANTIOQUIA,
Acting Director.

MAY 10, 1974.

[FR Doc.74-11632 Filed 5-20-74;8:45 am]

Bureau of Land Management

WYOMING

Competitive Lease Offer of Oil Shale Lands

MAY 15, 1974.

Notice is hereby given that on June 11, 1974, Wyoming TRACT W-b, as hereafter described in paragraph 1, will be offered for oil shale lease by sealed bids to the qualified bidder submitting the highest amount per acre as bonus for the privilege of leasing the lands in accordance with the provisions of the Mineral Leasing Act of February 25, 1920 (41 Stat. 437), as amended (30 U.S.C. 181-263), and the general Notice of Sale of Oil Shale Leases published in the FEDERAL REGISTER of November 30, 1973.

1. TRACT W-b:

T. 13 N., R. 99 W., 6th P.M.,
SEC. 1, S½, S½N½, lots 1, 3, and 4;
SEC. 2, all;
SEC. 3, all;
SEC. 4, lot 1, SE¼NE¼;
SEC. 10, E½, E½NW¼;
SEC. 11, all;
SEC. 12, all.
T. 14 N., R. 99 W., 6th P.M.,
Sec. 33, E½E½;
Sec. 34, all;
Sec. 35, all.

The area described aggregates 5,083.24 acres.

2. *Lease terms.* The lease will be issued on a form the full text of which is published as Appendix "A" to the general Notice of Sale published in the FEDERAL REGISTER on November 30, 1973. The lease will be issued for a period of 20 years and so long thereafter as production is had in commercial quantities, subject to readjustment of terms at the end of each 20-year period. The lessee will be required to pay royalty on production in the amount and manner prescribed in section 7 of the lease, and to maintain a bond as provided in section 9. The terms of the lease as published in the FEDERAL REGISTER are solely for leases issued under the prototype oil shale leasing program and will not necessarily be included in any oil shale leases not issued pursuant to that program.

3. *Minimum royalty.* Section (7) (e) (1) of the lease form requires the payment of a minimum royalty for the sixth and each succeeding year which shall for this tract be based upon the following production rate and oil shale grade:

Tract	Shale grade, gallons per ton	Production rate (thousands of tons per year)	
		6th year	15th year
Tract W-b	20	214	2,140

4. *Bidding procedures.* The lease will be offered competitively through sealed bidding. A lease will be issued only to the qualified bidder submitting the highest amount per acre as a bonus for the privilege of leasing the lands. No specific form of bid is required but all bids must identify the lease sale and must show the total amount bid, the amount bid per acre, and the amount submitted with the bid. Oil and Gas Bid Form No. 3120-17 may be adapted for this purpose. No telephonic or telegraphic bids will be accepted, and no oil payment, overriding royalty, logarithmic, or sliding scale bid will be considered. Bids shall not be modified after they have been submitted. Bids must be for the full tract described in this Notice of Sale. Bids must be submitted in sealed envelopes plainly marked "Sealed Bid for Oil Shale Lease. Not to be opened before 10 a.m., local time on June 11, 1974." Bids may be mailed or delivered in person until 10 a.m., local time, June 11, 1974, to the State Director, Wyoming State Office, Bureau of Land Management, 2120 Capitol Avenue, Cheyenne, Wyoming 82001. Bids received after that time will be returned unopened. Bidders are warned against violation of section 1860 in Title 18 U.S.C. prohibiting unlawful combination or intimidation of bidders.

5. *Payment of bonus and advance rental.* All bids must be accompanied by a certified check, cashier's check, bank draft, money order, or cash for one-fifth of the bonus bid payable to the Bureau of Land Management, which amount shall be returned to the bidder after the lease sale should he be an unsuccessful bidder. If the bidder, after being notified that his bid has been accepted and that he will be awarded a lease, fails to comply with the applicable regulations or the

terms of this notice, or if he fails to execute the lease within 15 days after receiving the lease form, his deposit will be forfeited.

Each bid must also be accompanied by a certified check, cashier's check, bank draft, money order, or cash for the first year's annual rental of $2,542.00. This amount shall be returned to all unsuccessful bidders after the lease sale.

6. *Evidence of qualifications.* Each bid must be accompanied by a statement over the bidder's signature or that of his authorized agent with respect to his qualifications. The statement shall contain the following information:

(a) If the bidder is an individual, a statement as to whether native born or naturalized; if an association, it must submit a certified copy of the articles of association and a statement by its members as to their citizenship. If the bidder is a corporation, it must submit statements showing: (i) The State in which it is incorporated; (ii) that it is authorized to hold leases for oil shale deposits, and the names of the officers authorized to act in such matters in behalf of the corporation; (iii) the percentage of the corporate voting stock and of all the stock owned by aliens or those having addresses outside the United States; and (iv) the name, address, and citizenship of any stockholder owning or controlling 20 percent or more of the corporate stock of any class. If more than 10 percent of the stock is owned or controlled by or in behalf of aliens, or persons who have addresses outside the United States, the corporation must give their names and addresses, the amount and class of stock held by each, and to the extent known to the corporation or which reasonably can be ascertained by it, the facts as to the citizenship of each. The bid of a corporation also shall be accompanied by a copy either of the minutes of the meeting of the board of directors or of the by-laws indicating that the person signing the bid has authority to do so, or, in lieu of such a copy, a certificate by the Secretary of the corporation to that effect, over the corporate seal, or appropriate reference to the record of the Bureau of Land Management in connection with which such articles and authority have been furnished previously; and

(b) The certification required by 41 CFR 60–1.7(b) and Executive Order No. 11375, on Form 1140–8 (November 1973) and Form 1140–7 (December 1971).

7. *Bid opening.* The bids will be opened at 10 a.m., local time, June 11, 1974, in Court Room 2, Joseph C. O'Mahoney Federal Center, 2120 Capitol Avenue, Cheyenne, Wyoming 82001. The opening of bids is for the purpose of publicly announcing and recording bids received and no bids will be accepted or rejected at that time. If the Department is prohibited for any reason from opening any bid before midnight, local time, June 11, 1974, that bid will be returned unopened to the bidder as soon thereafter as possible.

8. *Acceptance or rejection of bids.* No bid for this tract will be accepted and no lease for this tract will be awarded to any bidder unless the bidder has complied with all requirements of this Notice, his bid is the highest for the offered tract, and the amount of the bonus bid has been determined to be adequate by the United States. The Government reserves the right to reject any or all bids. Any cash, checks, drafts, or money orders submitted with the bid may be deposited in an unearned escrow account in the Treasury during the period the bids are being considered. Such a deposit does not constitute and shall not be construed as acceptance of any bids on behalf of the United States.

9. *Preliminary Development Plan.* Within forty-eight hours after being informed that his bid has been accepted and that a lease will be issued to him, the successful bidder must transmit a preliminary development plan, in duplicate, to the Officer conducting the lease sale. This plan will be made public upon issuance of the lease, and, therefore, confidential information relative to the lessee's operations should not be included in the submission. Confidential information should be submitted in the same manner, but under separate cover. The submission or acceptance of these plans will not be binding on the lessee or lessor and will not authorize any action by the lessee, but the plan is required for the lessor's guidance in establishing initial supervision of the lessee's activities. The preliminary development plan should include the method of development, the proposed location of on and off-site facilities, the schedule for development, and monitoring programs to determine environmental criteria.

10. *Further information.* Information concerning this oil shale lease sale may be obtained from the Chief, Division of Upland Minerals, Bureau of Land Management, Room 4647, Interior Building, 18th & C Streets NW., Washington, D.C. 20240; and the State Director, Wyoming State Office, Bureau of Land Management, 2120 Capitol Avenue, Cheyenne, Wyoming 82001.

CURT BERKLUND,
Director, Bureau of Land Management.

[FR Doc.74–11640 Filed 5–20–74;8:45 am]

Office of the Secretary

[INT DES 74–57]

LEGISLATIVE PROPOSAL FOR BOUNDARY CHANGE; GEORGE WASHINGTON BIRTHPLACE NATIONAL MONUMENT, VIRGINIA

Availability of Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Department of the Interior has prepared a draft environmental statement for a proposed boundary change for George Washington Birthplace National Monument, Virginia.

The draft statement considers expansion of the monument through the acquisition of approximately 722 acres of privately owned and 390 acres of State-owned land.

Written comments on the environmental statement are invited and will be accepted on or before July 5, 1974. Comments should be addressed to the Mid-Atlantic Regional Office or the Superintendent, George Washington Birthplace National Monument at the addresses given below.

Copies of the draft environmental statement are available from or for inspection at the following locations:

Mid-Atlantic Regional Office
National Park Service
143 South Third Street
Philadelphia, Pennsylvania 19106

Virginia Office
National Park Service
P.O. Box 10008
Richmond, Virginia 23240

Superintendent
George Washington Birthplace National Monument
Washington's Birthplace
Virginia 22705

Dated: May 17, 1974.

ROYSTON C. HUGHES,
Assistant Secretary of the Interior.

[FR Doc.11723 Filed 5–20–74;8:45 am]

[INT DES 74–56]

PROPOSED MASTER PLAN; HOME OF FRANKLIN DELANO ROOSEVELT NATIONAL HISTORIC SITE, HYDE PARK, NEW YORK

Availability of Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act, the Department of the Interior has prepared a draft environmental statement on the proposed master plan for the Home of Franklin Delano Roosevelt National Historic Site. The statement examines the effects of the actions proposed in the master plan for the protection, development, and management of the area.

Written comments on the environmental statement are invited and will be received by the Superintendent at the address listed below on or before July 5, 1979.

Copies of the draft environmental statement are available from or for inspection at the following locations:

Mid-Atlantic Regional Office
National Park Service
143 South Third Street
Philadelphia, Pennsylvania 19106

Superintendent
Home of Franklin Delano Roosevelt National Historic Site
Hyde Park, New York 12538

North Atlantic Regional Office
National Park Service
150 Causeway Street
Boston, Massachusetts 02114

Dated: May 14, 1974.

ROYSTON C. HUGHES,
Assistant Secretary of the Interior.

[FR Doc.74–11721 Filed 5–20–74;8:45 am]

[INT FES 74-23]

DEEPWATER PORTS

Availability of Final Environmental Statement

Pursuant to section 102(2)(c) of the National Environmental Policy Act of 1969, Pub. L. 91-190, the Department of the Interior has prepared a final environmental statement for deepwater ports.

The statement was developed for proposed legislation to authorize the Secretary of the Interior to license the construction and operation of deepwater port facilities located on the Outer Continental Shelf.

Copies of the final statement are available for inspection at the following locations:

Office of Communications, Room 7222, Department of the Interior, Washington, D.C. 20240, telephone (202) 343-2171;

Office of Public Affairs, Bureau of Land Management, Room 5625, Department of the Interior, Washington, D.C. 20240, telephone (202) 343-5717.

Single copies may be obtained by writing the Office of Public Affairs, Bureau of Land Management, Room 5625, Department of the Interior, Washington, D.C. 20240.

Dated: May 17, 1974.

ROYSTON C. HUGHES,
Assistant Secretary of the Interior.

[FR Doc.74-11722 Filed 5-20-74;8:45 am]

DEPARTMENT OF AGRICULTURE

Farmers Home Administration

[Notice of Designation Number A044]

COLORADO

Designation of Emergency Areas

The Secretary of Agriculture has found that a general need for agricultural credit exists in the following counties in Colorado:

Baca Las Animas

The Secretary has found that this need exists as a result of a natural disaster consisting of snowstorms October 31, 1972, through April 7, 1973, in Baca County, and snowstorms March 23, 1973, through April 7, 1973, in Las Animas County.

Therefore, the Secretary has designated these areas as eligible for Emergency loans, pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended by Pub. L. 93-237, and the provisions of 7 CFR 1832.3(b) including the recommendation of Governor John D. Vanderhoof that such designation be made.

Applications for Emergency loans must be received by this Department prior to June 30, 1974, for both physical losses and production losses, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans. The urgency of the need for loans in the designated areas makes it impracticable and contrary to the public interest to give advance notice of proposed rule making and invite public participation.

Done at Washington, D.C., this 14th day of May 1974.

FRANK B. ELLIOTT,
Administrator, Farmers Home Administration.

[FR Doc.74-11557 Filed 5-20-74;8:45 am]

[Notice of Designation Number AO45]

MISSOURI

Designation of Emergency Areas

The Secretary of Agriculture has found that a general need for agricultural credit exists in the following counties in Missouri:

Linn Grundy

The Secretary has found that this need exists as a result of a natural disaster consisting of excessive rainfall January 1, 1973, to April 20, 1973, and a snowstorm April 9, 1973, in Grundy County, and excessive rainfall September 1972 to April 19, 1973, and a snowstorm April 9, 1973, in Linn County.

Therefore, the Secretary has designated these areas as eligible for Emergency loans, pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended by Pub. L. 93-237, and the provisions of 7 CFR 1832.3(b) including the recommendation of Governor Christopher S. Bond that such designation be made.

Applications for Emergency loans must be received by this Department not later than June 30, 1974, for physical losses and production losses, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans. The urgency of the need for loans in the designated areas makes it impracticable and contrary to the public interest to give advance notice of proposed rulemaking and invite public participation.

Done at Washington, D.C., this 14th day of May 1974.

FRANK B. ELLIOTT,
Administrator, Farmers Home Administration.

[FR Doc.74-11558 Filed 5-20-74;8:45 am]

[Notice of Designation Number A043]

SOUTH CAROLINA

Designation of Emergency Areas

The Secretary of Agriculture has found that a general need for agricultural credit exists in the following county in South Carolina:

Dorchester

The Secretary has found that this need exists as a result of a natural disaster consisting of a snowstorm February 9-11, 1973.

Therefore, the Secretary has designated this area as eligible for Emergency loans, pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended by Pub. L. 93-237, and the provisions of 7 CFR 1832.3(b) including the recommendation of Governor John C. West that such designation be made.

Applications for Emergency loans must be received by this Department prior to June 30, 1974, for both physical losses and for production losses, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans.

The urgency of the need for loans in the designated area makes it impracticable and contrary to the public interest to give advance notice of proposed rulemaking and invite public participation.

Done at Washington, D.C., this 14th day of May 1974.

FRANK B. ELLIOTT,
Administrator, Farmers Home Administration.

[FR Doc.74-11559 Filed 5-20-74;8:45 am]

Soil Conservation Service

LEE-PHILLIPS WATERSHED PROJECT, ARKANSAS

Availability of Final Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Soil Conservation Service, U.S. Department of Agriculture, has prepared a final environmental statement for the Lee-Phillips Watershed Project, Lee and Phillips Counties, Arkansas, USDA-SCS-EIS-WS-(ADM)-74-14-(F)-AR.

The environmental statement concerns a plan for watershed protection, flood prevention, and agricultural water management. The planned works of improvement include the accelerated application of conservation land treatment, supplemented by constructing new channels and enlarging previously man modified channels to provide flood protection and agricultural drainage. Approximately 78.3 miles of channel work is planned.

The final environmental statement was transmitted to CEQ on April 26, 1974.

A limited supply is available at the following locations to fill single copy requests:

Soil Conservation Service, USDA, South Agriculture Building, Room 5227, 14th and Independence Avenue, SW., Washington, D.C. 20250

Soil Conservation Service, USDA, Room 5029, Federal Building, 700 West Capitol, Little Rock, Arkansas 72203

Dated: May 7, 1974.

(Catalog of Federal Domestic Assistance Program No. 10.940, National Archives Reference Services)

WILLIAM B. DAVEY,
Deputy Administrator for Water Resources, Soil Conservation Service.

[FR Doc.74-11611 Filed 5-20-74;8:45 am]

SOUTH BRANCH-PARK RIVER WATERSHED PROJECT, SECTION 5, CONNECTICUT

Negative Declaration

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, and Part 1500.6e of the Council on Environmental Quality Guidelines issued on August 1, 1973, the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental statement is not being prepared for section 5, South Branch-Park River Watershed project, Hartford County, Connecticut.

The environmental assessment of this Federal action indicates that the project will not create significant adverse local, regional or national impacts on the environment and that no significant controversy is associated with the project. As a result of these findings the State Conservationist, Soil Conservation Service (responsible Federal official) has determined that the preparation and review of an environmental statement is not needed for this project.

The project concerns a plan for watershed protection and flood prevention. The planned work involves modification of about one-half mile of channel within the city limits of Hartford, Connecticut to alleviate flooding in residential areas.

The environmental assessment file is available for inspection during regular working hours at the following location:

Soil Conservation Service, USDA, Mansfield Professional Park, Storrs, Connecticut 06268

Notice of Negative Declaration, South Branch-Park River Watershed, Connecticut

No administrative action or implementation of the proposal will be taken until June 15, 1974.

Dated: May 7, 1974.

(Catalog of Federal Domestic Assistance Program No. 10.904, National Archives Reference Services)

WILLIAM B. DAVEY,
Deputy Administrator for Water Resources.

[FR Doc. 74-11610 Filed 5-20-74;8:45 am]

WATERSHED PLANNING

Authorization

This provides notice of authorization dated May 9, 1974 to concerned state conservationists of the Soil Conservation Service to provide planning assistance to specified local organizations for the indicated watersheds. The state conservationist may now proceed with investigations and surveys as necessary to develop watershed work plans under authority of the Watershed Protection and Flood Prevention Act (Pub. L. 83-566), as amended. Environmental assessments will be made in accordance with the requirements of the National Environmental Policy Act (Pub. L. 91-190), concurrently with the preparation of the watershed work plans.

Persons interested in any of these projects may contact the local organizations or the concerned state conservationist as indicated below:

Arkansas:
Big Creek Watershed, 87,630 acres; Columbia County.
Sponsors—Columbia County Conservation District and City of Magnolia.
State Conservationist—Mr. M. J. Spears, Soil Conservation Service, Federal Building, Room 5029, 700 West Capitol Street, P.O. Box 2323, Little Rock, Arkansas 72203.

Florida:
Pahokee Drainage District Watershed; 14,500 acres; Palm Beach County.
Sponsors—Pahokee Drainage District and Palm Beach-Broward Soil and Water Conservation District.
Pelican Lake Sub-Drainage District Watershed; 7,000 acres; Palm Beach County.
Sponsors—Pelican Lake Sub-Drainage District and Palm Beach-Broward Soil and Water Conservation District.
State Conservationist—Mr. William E. Austin, Soil Conservation Service, Federal Building, P.O. Box 1208, Gainesville, Florida 32601.

Oregon:
Oak Grove Watershed; 20,000 acres; Hood River County.
Sponsors—Hood River Irrigation District and Hood River Soil and Water Conservation District.
State Conservationist—J. W. Mitchell, Soil Conservation Service, Washington Building, 1218 S.W. Washington Street, Portland, Oregon 97205.

Dated: May 9, 1974.

(Catalog of Federal Domestic Assistance Program No. 10,904, National Archives Reference Services)

KENNETH E. GRANT,
Administrator, Soil Conservation Service.

[FR Doc.74-11612 Filed 5-20-74;8:45 am]

DEPARTMENT OF COMMERCE

Domestic and International Business Administration

MEDICAL COLLEGE OF GEORGIA

Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket number: 74-00183-33-19095. Applicant: Medical College of Georgia, 1459 Gwinnett Street, Augusta, Georgia 30902. ARTICLE: Scanning Microdensitometer. Manufacturer: Vickers Ltd., United Kingdom. Intended use of article: The article is intended to be used in the investigation of the involvement of cycling—noncycling cell transitions in a variety of disease processes, especially aging. Specimens from normal, untreated, and treated diseased skin from human donors of different ages are collected and epidermal chalone samples prepared and measured by an *in vitro* bioassay in which the number of cycling and noncycling cells are determined. A portion of the specimen is also histologically prepared, cytochemically stained and the cell cycle distribution pattern cytophotometrically determined. Specifically, this article will be used to measure the following parameters on an individual cell basis:

Feulgen—DNA Content
Methyl Green Basophilia
Silver Grain Counts
Chromatin Heterogeneity

The article will also be used by predoctoral, post doctoral and resident medical students in a number of research projects. In addition, a formal course on analytical microscopy which will include eythophotometry and autoradiology will be offered to provide a basic understanding of the microspectrophotometer and its application to biomedical research.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article provides optical density measurements at all wavelengths in the visible spectrum between 400 and 700 nanometers by employing a built-in prism monochromator and a high sensitivity photomultiplier system. The Department of Health, Education, and Welfare (HEW) advised in its memorandum dated February 15, 1974 that the capabilities described above are pertinent to the purposes for which the article is intended to be used. HEW also advised that it knows of no domestic instrument of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

A. H. STUART,
Director, Special Import Programs Division.

[FR Doc.74-11625 Filed 5-20-74;8:45 am]

SOUTHERN ILLINOIS U.

Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket number: 73-00514—65-46070. Applicant: Southern Illinois University, Center for Electron Microscopy, Carbondale, Ill. 62901. Article: Scanning electron microscope, model mark IIA. Manufacturer: Cambridge Scientific Instruments, Ltd., United Kingdom. Intended use of article: The article is intended to be used on a University wide basis for faculty and graduate research and teaching. Research specimens in the physical sciences will include fracture studies of alloys and composites, precision location of heterojunctions in solid state devices, nucleation and crystal growth studies, examination of bonding interfaces, and metal cutting surfaces and fatigue studies. Research specimens to be studied in the natural sciences include bacterial spores, protozoa pollens seeds, leaves and microscopic morphology of fossils. The article will be used for teaching a course which involves transmission and scanning electron microscopy as well as ancillary equipment and their application to biological and metallurgical research.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, was being manufactured in the United States at the time the article was ordered (December 30, 1970).

Reasons: The specimen stage of the foreign article provides the capability of 90 degree tilt. The most closely comparable domestic instrument, the AMR 900, manufactured by the Advanced Metals Research Corporation did not provide a specimen stage capable of tilt to 90 degrees at the time the article was ordered. The National Bureau of Standards (NBS) advised in its memorandum dated March 26, 1974 that the capability of the specimen stage to tilt 90 degrees is pertinent to the applicant's intended taxonomic studies of biological materials. NBS also advised that it knows of no other scanning electron microscope of domestic manufacture capable of satisfying the pertinent capability at the time of order. Accordingly, we find that the Model AMR 900 is not of equivalent scientific value to the foreign articles for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which was being manufactured in the United States at the time the article was ordered.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

A. H. STUART,
Director, Special Import Programs Division.

[FR Doc.74-11626 Filed 5-20-74;8:45 am]

Domestic and International Business

UNIVERSITY OF CHICAGO

Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket number: 73-00376-33-46070. Applicant: The University of Chicago, The Enrico Fermi Institute, 5630 South Ellis Avenue, Chicago, IL 60637. Article: Scanning electron microscope, Model HFS-2. Manufacturer: Hitachi Ltd., Japan. Intended use of article: The article is intended to be used for general research purposes in biology, geology, and solid state physics. The materials to be studied will be various biological cells, groups of cells and small organisms, viruses and rock samples, such as amorphous semi-conductors. Research Projects to be undertaken include the study of:

(1) Polysome organization,
(2) Myosin filament structure,
(3) Intercellular junctions in reaggregating embryonic cells, and
(4) Nerve-muscle junctions in culture.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, was being manufactured in the United States at the time the foreign article was ordered (December 11, 1972).

Reasons: The foreign article has a guaranteed resolution of 50 Angstroms. Domestic instruments manufactured by Advanced Metals Research Corporation (AMR) and ETEC Corporation (ETEC) provide a guaranteed resolution of 100 Angstroms. The Department of Health, Education, and Welfare (HEW) advised in its memorandum dated August 30, 1973 that the best available resolution is pertinent to the applicant's research use in studies of ribosomes in polysome clusters, myosin filaments, and intercellular junctions. HEW also advised that it knows of no domestic instrument which provided the pertinent characteristic at the time the foreign article was ordered.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which was being manufactured in the United States at the time the article was ordered.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

A. H. STUART,
Director, Special Import Programs Division.

[FR Doc.74-11628 Filed 5-20-74;8:45 am]

UNIVERSITY OF PORTLAND

Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket number: 74-00002-25-26000. Applicant: University of Portland, Multnomah School of Engineering, 5000 N. Willamette Blvd., Portland, Oregon 97203. Article: Type 854 Universal SCR Converter Units (AC-DC). Manufacturer: Robinson Electronic Instruments, United Kingdom. Intended use of article: The foreign article is intended to be used in teaching courses in DC transmission, Energy Conversion, and other electrical power courses. The article will also be used to demonstrate AC-DC and DC-AC electrical power conversion.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article provides the capability for demonstrating and simulating the alternating current (ac) to direct current (dc) and dc to ac conversion aspects of a dc power transmission system, including ac phase relationships, and connections. The National Bureau of Standards (NBS) advised in its memorandum dated April 24, 1974 that the capability described above is pertinent to the applicant's educational purposes. NBS also advised that it knows of no domestic instrument of equivalent scientific value to the foreign article for the applicant's intended use.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

A. H. STUART,
Director, Special Import Programs Division.

[FR Doc.74-11627 Filed 5-20-74;8:45 am]

WISTAR INSTITUTE

Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c)

of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq.).

A copy o fthe record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 74-00196-33-30950. Applicant: Wistar Institute, 36th Street at Spruce, Philadelphia, Pa. 19104. Article: High Vacuum Freeze Etch Unit, BAF 301. Manufacturer: Balzers Limited, Switzerland. Intended use of article: The article is intended to be used in the investigation of nuclear pores of different cell lines to determine whether or not the DNA initiation takes place at the site of the nuclear pores on the nuclear membrane. Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article, designed for performing the freeze etching technique, provides control of the temperature of the specimen table to ±0.1 degrees Centigrade (°C) in the −80 to −120°C work range and incorporates a microtome which provides the capability of multiple cuts per specimen. The Department of Health, Education, and Welfare (HEW) advised in its memorandum dated February 15, 1974 that the capabilities described above are pertinent to the applicant's purposes. HEW also advised that the most closely comparable domestic instrument, the Model DFE-3 manufactured by Denton Vacuum Incorporated, does not provide the pertinent capabilities, and that it knows of no other domestic instruments which provide the pertinent capabilities.

We, therefore, find that neither the Model DFE-3 nor other comparable domestic articles are of equivalent scientific value to the article for such purposes as this article is intended to be used. The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

A. H. STUART,
Director, Special Import Programs Division.

[FR Doc.74-11624 Filed 5-20-74;8:45 am]

National Bureau of Standards

COMMERCIAL STANDARD

Notice of Intent To Withdraw

In accordance with § 10.12 of the Department's "Procedures for the Development of Voluntary Product Standards" (15 CFR Part 10, as revised; 35 FR 8349 dated May 28, 1970), notice is hereby given of the intent to withdraw Commercial Standard CS 115-60, "Porcelain Enameled (Glass Lined) Tanks for Domestic Hot Water Service." It has been tentatively determined that this standard is no longer technically adequate and revision would serve no useful purpose due to the fact that the subject is adequately covered by a replacement document published by the General Services Administration titled Federal Specification W-H-196J, "Heater, Water, Electric and Gas Fired, Residential."

Any comments or objections concerning the intended withdrawal of this standard should be made in writing to the Office of Engineering Standards Services, National Bureau of Standards, Washington, D.C. 20234, on or before June 20, 1974. The effective date of withdrawal will be not less than 60 days after the final notice of withdrawal. Withdrawal action terminates the authority to refer to a published standard as a voluntary standard developed under the Department of Commerce procedures from the effective date of withdrawal.

Dated: May 15, 1974.

RICHARD W. ROBERTS,
Director.

[FR Doc.74-11560 Filed 5-20-74;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Health Resources Administration

REGIONAL MEDICAL PROGRAMS AD HOC REVIEW COMMITTEE

Notice of Meeting

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

Committee name	Date, time, place	Type of meeting and/or contact person
Regional Medical Programs Ad Hoc Review Committee.	May 22-24, 9:00 a.m., Parklawn Bldg., Conference Room G-H, 5600 Fishers Lane, Rockville, Md.	Open—May 22, 9:00-10:00 a.m. Closed—remainder of meeting. Contact Mrs. Judy Silsbee, Parklawn Bldg., Room 11A-18, 5600 Fishers Lane, Rockville, Md. Code 301-443-4385.

Purpose. The Committee will review applications for grants under Title IX and make recommendations to the National Advisory Council on Regional Medical Programs with respect to the approval and funding of such applications.

Agenda. The Committee will discuss administrative matters and conduct other related business, and this portion of the meeting shall be open to the public. The Committee will review grant applications, and this portion of the meeting shall be closed to the public, in accordance with the determination by the Administrator, Health Resources Administration, pursuant to Pub. L. 92-463, section 10(d).

Earlier notice of this meeting was not feasible due to the recent establishment of this Committee.

Agenda items are subject to change as priorities dictate.

A portion of the meeting is open to the public for observation and participation. Anyone wishing to participate should contact the above individual.

Dated: May 20, 1974.

KENNETH M. ENDICOTT,
Administrator, Health Resources Administration.

[FR Doc.74-11728 Filed 5-20-74;8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Federal Disaster Assistance Administration

[FDAA-434-DR; Docket No. NFD-197]

NORTH DAKOTA

Notice of Major Disaster and Related Determinations

Pursuant to the authority vested in the Secretary of Housing and Urban Development by the President under Executive Order 11749 of December 10, 1973; and delegated to me by the Secretary under Department of Housing and Urban Development Delegation of Authority, Docket No. D-73-238; and by virtue of the Act of December 31, 1970, entitled "Disaster Relief Act of 1970" (84 Stat. 1744), as amended by Pub. L. 92-209 (85 Stat. 742); notice is hereby given that on May 14, 1974, the President declared a major disaster as follows:

I have determined that the damage in certain areas of the State of North Dakota resulting from heavy rains, snowmelt runoff, and flooding, beginning about April 14, 1974, is of sufficient severity and magnitude to warrant a major disaster declaration under Pub. L. 91-606. I therefore declare that such a major disaster exists in the State of North Dakota. You are to determine the specific areas within the State eligible for Federal assistance under this declaration.

Notice is hereby given that pursuant to the authority vested in the Secretary of Housing and Urban Development under Executive Order 11749, and delegated to me by the Secretary under Department of Housing and Urban Development Delegation of Authority, Docket No. D-73-238, to administer the Disaster Relief Act of 1970 (Pub. L. 91-606, as amended), I hereby appoint Mr. Donald G. Eddy, HUD Region 8, to act as the Federal Coordinating Officer to perform the duties specified by Section 201 of that Act for this disaster.

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

The Counties of:

Bottineau	Renville
Cavalier	Rolette
McHenry	Towner
Pambina	Walsh
Pierce	Ward

This disaster has been designated as FDAA–434–DR.

Dated: May 14, 1974.

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

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

[FR Doc. 74–11566 Filed 5–20–74;8:45 am]

Office of Interstate Land Sales Registration

[Docket No. N–74–233]

MALVERN OF MADISON, ET AL.

Notice of Hearing

Notice is hereby given that:

1. Malvern of Madison, Inc., David B. Blandford, President, its officers and agents, hereinafter referred to as "Respondent," being subject to the provisions of the Interstate Land Sales Full Disclosure Act (Pub. L. 90–448) (15 U.S.C. 1701 et seq.), received a Notice of Proceedings and Opportunity for Hearing dated March 5, 1974, which was sent to the developer pursuant to 15 U.S.C. 1706(d) and 24 CFR 1710.45(b)(1) informing the developer of information obtained by the Office of Interstate Land Sales Registration showing that a change had occurred which affected material facts in the Developer's Statement of Record for Malvern of Madison, located in the County of Madison, the State of Virginia, and the failure of the Developer to amend the pertinent sections of the Statement of Record and Property Report.

2. The Respondent filed an answer March 25, 1974, in answer to the allegations of the Notice of Proceedings and Opportunity for a Hearing.

3. In said Answer the Respondent requested a hearing on the allegations contained in the Notice of Proceedings and Opportunity for a Hearing.

4. Therefore, pursuant to the provisions of 15 U.S.C. 1706(d) and 24 CFR 1720.160(b): *It is hereby ordered,* That a public hearing for the purpose of taking evidence on the questions set forth in the Notice of Proceedings and Opportunity for Hearing will be held before Administrative Law Judge James Broderick, in Room 7155, Department of HUD Building, 451 7th Street SW., Washington, D.C. on May 21, 1974, at 10:00 a.m.

5. The Respondent is hereby notified that failure to appear at the above scheduled hearing shall be deemed a default and the proceeding shall be determined against Respondent, the allegations of which shall be deemed to be true, and an order Suspending the Statement of Record, herein identified shall be issued pursuant to 24 CFR 1710.45(b)(1).

This notice shall be served upon the Respondent forthwith pursuant to 24 CFR 1720.440.

Dated: May 14, 1974.

By the Secretary.

GEORGE K. BERNSTEIN,
Interstate Land Sales Administrator.

[FR Doc.74–11567 Filed 5–20–74;8:45 am]

AD HOC ADVISORY GROUP ON PUERTO RICO

PUBLIC MEETING

The Ad Hoc Advisory Group on Puerto Rico will hold a public meeting from 10:00 a.m. to 4:00 p.m. as follows, unless the Co-Chairmen extend the time: Wednesday, June 12, 1974, Room S126, United States Capitol Building, Washington, D.C.

The purpose of the meeting will be to conduct the business of the Advisory Group, and to review and discuss the testimony received during the Advisory Group's public hearings.

PETER J. GALLAGHER,
Executive Director.

[FR Doc.74–11525 Filed 5–21–74;8:45 am]

ATOMIC ENERGY COMMISSION

[Docket No. 50–368]

ARKANSAS POWER AND LIGHT CO.

Amendment to Construction Permit

Notice is hereby given that the Atomic Energy Commission (the Commission) has issued Amendment No. 1 to Construction Permit No. CPPR–89 to Arkansas Power & Light Company (licensee) for Arkansas Nuclear One, Unit 2. This amendment corrects errors in the designated construction completion dates in the construction permit. The amendment, effective as of the date of issuance, fixes April 1, 1976 as the earliest date for completion of the facility and October 1, 1976 as the latest date for completion of the facility.

On October 24, 1973, the licensee filed a request for a correction and extension of the earliest and latest dates for completion of the facility by amendment of the construction permit. The licensee's application for a construction permit estimated the earliest date of completion of the facility as April 1, 1975, and the latest date of completion of the facility as September 1, 1975. However, testimony presented during the Public Hearing held on October 27, 1972 indicated revisions by the licensee, and estimated the earliest date for completion of the facility as April 1, 1976, and estimated the latest date for completion of the facility as October 1, 1976.

Accordingly, on the basis of the hearing testimony and to correct the error in the earliest and latest construction completion dates, the regulatory staff has determined that Condition 2.A of Construction Permit No. CPPR–89 should be amended to provide for the earliest completion date of the facility as April 1, 1976 and the latest date for completion of the facility as October 1, 1976.

Prior public notice of proposed issuance of this amendment is not required since the amendment does not present a significant hazards consideration.

The amendment is effective as of the date of issuance. The licensee's request for amendment, dated October 24, 1973, and a copy of Amendment No. 1 to Construction Permit No. CPPR–89 are available for public inspection at the Commission's Public Document Room at 1717 H Street, NW., Washington, D.C. 20545, and at the Arkansas Polytechnic College Library, Russellville, Arkansas 72801. Single copies of the amendment 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.

Dated at Bethesda, Maryland, this 14th day of May, 1974.

For the Atomic Energy Commission.

OLAN D. PARR,
Chief, Light Water Reactors Project Branch 1–3, Directorate of Licensing.

[FR Doc.74–11529 Filed 5–20–74;8:45 am]

[Docket No. PRM–170–2]

CINCINNATI GAS AND ELECTRIC CO., ET AL.

Filing of Petition

Notice is hereby given that Troy B. Conner, Jr., Esq. and Nicholas S. Reynolds, Esq., 1747 Pennsylvania Avenue, rule making dated May 2, 1974, have re- NW., Washington, D.C., by petition for quested the Commission to amend its regulation, fees for facilities and materials licenses under the Atomic Energy Act of 1954, as amended, 10 CFR Part 170. The petition for rule making was filed on behalf of the Cincinnati Gas and Electric Company, Columbus and Southern Ohio Electric Company, Dayton Power and Light Company, Duke Power Company, Gulf States Utilities Company, Mississippi Power and Light Company, Pacific Gas and Electric Company, Public Service Electric and Gas Company, San Diego Gas and Electric Company, South Carolina Electric and Gas Company, Southern California Edison Company, and Texas Utilities Generating Company.

The petitioners request that the Commission amend § 170.21 of 10 CFR Part 170 which contains the schedule of fees for production and utilization facilities. The amendments proposed by the petitioners would assess fees for Commission licensing services based upon the value of such services to each petitioner.

The petitioners state that in view of the recent Supreme Court decisions National Cable Television Assn. Inc. v. United States et al (39 L. Ed. 2d 370) and Federal Power Commission v. New England Power Co. et al (39 L. Ed. 2d 383) the current fee schedule in § 170.21 is illegal since it does not assess fees based upon the value to the recipient of the AEC licensing, health and safety, compliance, and inspection activities.

The petitioners submit that, based upon information currently available, a fair and equitable fee schedule should reflect that at least ninety-five percent of the regulatory costs of the Commission inure to the benefit of the public. The complete text of the schedule of fees proposed by the petitioners is attached to the petition.

The petitioners also request that 10 CFR Part 170 be amended to provide for a rebate or, in the alternative, a credit against future fees, to reimburse each

petitioner for fees previously paid which did not reflect the true value to each petitioner of the regulatory services received by the petitioner.

The Commission staff is reviewing the provisions of 10 CFR Part 170 in the light of the referenced Supreme Court decisions and the petitioners' request for rulemaking will be considered in the further conduct of that study.

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

All interested persons who desire to submit written comments or suggestions concerning the petition for rulemaking should send their comments to the Rules and Proceedings Branch, Office of Administration—Regulation, U.S. Atomic Energy Commission, Washington, D.C. 20545, on or before July 22, 1974.

Dated at Germantown, Md. this 14th day of May 1974.

For the Atomic Energy Commission.

PAUL C. BENDER,
Secretary of the Commission.

[FR Doc.74-11528 Filed 5-20-74;8:45 am]

[Docket Nos. STN 50-454, etc.]

COMMONWEALTH EDISON CO.

Order for Prehearing Conferences

In the matter of Commonwealth Edison Co., (Byron Station, Units 1 and 2, and Braidwood Station, Units 1 and 2); Docket Nos. STN 50-454, STN 50-455, STN 50-456, STN 50-457.

Take notice, that separate prehearing conferences will be held in this proceeding for the Byron and the Braidwood Stations.

1. With respect to the Braidwood Station, a prehearing conference will be held on June 7, 1974, at 10 a.m., local time, in the City Council Chamber, 150 West Jefferson Street, Joliet, Illinois 60431.

The primary purpose of this prehearing conference will be to advise the parties of the Board's observations regarding the regulatory staff's draft environmental statement.

2. The prehearing conference pertaining to the Byron Station will be held on June 18, 1974, at 10 a.m., local time, in Room 815 (County Board Room) Winnebago County Courthouse, 400 West State Street, Rockford, Illinois 61101.

This prehearing conference will deal primarily with:

(a) the status of the discovery process;
(b) the Board's observations concerning the Draft Environmental Statement for the proposed Byron Station, and
(c) the ground rules for the Evidentiary Hearing presently contemplated to commence on September 4, 1974.

In addition, the Board will also deal with any matters the parties wish to raise that may facilitate the Byron Station Evidentiary Hearing.

It is so ordered.

Issued at Bethesda, Maryland, this 15th day of May, 1974.

ATOMIC SAFETY AND LICENSING BOARD,
JEROME GARFINKEL,
Chairman.

[FR Doc.74-11531 Filed 5-20-74;8:45 am]

[Docket No. 50-263]

NORTHERN STATES POWER CO.

Changes to Technical Specifications of Provisional Operating License

The U.S. Atomic Energy Commission (the Commission) issued on February 11, 1974, and published in the FEDERAL REGISTER on February 13, 1974 (39 FR 5529), a notice of consideration of a proposed change in the Technical Specifications of Provisional Operating License No. DPR-22 issued to the Northern States Power Company to permit the use of fuel assemblies using a partial loading of 8 x 8 fuel (containing U-235 and including a fuel assembly containing segmented test rods) and to authorize changes in the limiting conditions for operations associated with fuel densification for the 8 x 8 and 7 x 7 fuels for the Monticello Nuclear Generating Plant Unit 1 (the facility).

The Minnesota Pollution Control Agency (MPCA) filed a "Request for Hearing and Petition to Intervene" dated March 15, 1974, under 10 CFR 2.714 of the Commission's rules of practice. Subsequently, on April 16, 1974, MPCA filed a "Withdrawal of Request for Hearing and Petition to Intervene" based upon the consolidation of these issues with the licensing proceeding involving the conversion of the provisional operating license of the Monticello facility to a full term license (see: Atomic Safety and Licensing Board's Memorandum and Order Ruling on Petition for Leave to Intervene dated April 30, 1974). Accordingly, the Commission has issued Change No. 14 to the Technical Specifications of Provisional Operating License No. DPR-22 to the Northern States Power Company (the licensee). This change, effective immediately, authorizes the items which were the subject of the February 11, 1974 notice, as referenced above.

The licensee is presently authorized to possess and operate the facility located in Wright County, Minnesota, at power levels up to 1670 MWt using a full core 7 x 7 fuel (containing U-235).

The Commission has found that the application for the above action dated November 19, 1973, as supplemented by filings dated December 14, 1973, January 15, 1974, February 8, 27 and 28, 1974, and April 1, 1974, complies with the requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations published in 10 CFR Chapter I. The Commission's Directorate of Licensing completed the major portion of its evaluation of the action and issued a Safety Evaluation on April 8, 1974, concluding that there is reasonable assurance that the health and safety of the public will not be endangered by the operation of the facility with the 8 x 8 fuel and the related changes to the Technical Specifications as authorized by Change No. 14, which is incorporated in License No. DPR-22 as Amendment No. 3 thereto.

Copies of (1) the Atomic Safety and Licensing Board's Memorandum and Order Ruling on Petition for Leave to Intervene dated April 30, 1974, (2) Amendment No. 3 with Change No. 14 to the Technical Specifications of Provisional Operating License No. DPR-22, (3) the Directorate of Licensing's Safety Evaluation dated April 8, 1974, (4) the Safety Evaluation by the Directorate of Licensing concurrently issued with Amendment No. 3 which considers abnormal core transients and the effects of fuel densification, (5) the Technical Report on the General Electric Company 8 x 8 assembly by the Directorate of Licensing dated February 5, 1974, and (6) the Report of the Advisory Committee on Reactor Safeguards dated February 12, 1974, on the subject of operation of boiling water reactors with 8 x 8 fuel bundles, are available for public inspection at the Commission's Public Document Room at 1717 H Street, NW., Washington, D.C., and at the Environmental Library of Minnesota at 1222 SE. 4th Street, Minneapolis, Minnesota 55414. Single copies of these items may be obtained upon request sent to the Deputy Director for Reactor Projects, Directorate of Licensing, U.S. Atomic Energy Commission, Washington, D.C. 20545.

Notice is being given that the Commission also has issued, as part of the above Amendment No. 3 to the license, revisions to the Technical Specifications for the facility which include changes in the specification provisions relating to (1) pressure relief, (2) control rod scram times, (3) standby gas treatment systems, and (4) reactor vessel temperature measurements.

The application, as supplemented, for these four changes complies with the standards and requirements of the Act and the Commission's rules and regulations. The Commission has found that these changes do not involve a significant hazards consideration and that the approval of these actions will not be inimical to the common defense and security or to the health and safety of the public. The Regulatory staff's review of these changes is reflected in a concurrently issued Safety Evaluation.

For further details with respect to these four items, see (1) the applications for amendment dated January 23, 1974 and March 1, 1974, as supplemented on March 8 and 19, and April 10 and 26, 1974, (2) Amendment No. 3 to License No. DPR-22, with any attachments, and (3) the Commission's concurrently issued Safety Evaluation. All of these items also are available for inspection at the two public document rooms previously stated herein. Copies of items (2) and (3) also

may be obtained upon request addressed to the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Deputy Director for Reactor Projects, Directorate of Licensing—Regulation.

Dated at Bethesda, Maryland, this 14th day of May 1974.

For the Atomic Energy Commission.

DENNIS L. ZIEMANN,
Chief, Operating Reactors Branch No. 2, Directorate of Licensing.

[FR Doc.74-11530 Filed 5-20-74;8:45 am]

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS

Notice of Meeting

MAY 17, 1974.

In accordance with the purposes of sections 29 and 182b. of the Atomic Energy Act (42 U.S.C. 2039, 2232b.), the Advisory Committee on Reactor Safeguards will hold a meeting on June 6–8, 1974, in Room 1046, 1717 H Street NW., Washington, D.C.

The following constitutes that portion of the Committee's agenda for the above meeting which will be open to the public:

THURSDAY, JUNE 6, 1974

9:30 a.m.–12:30 p.m. and 1:30 p.m.–2:30 p.m.—Millstone Nuclear Power Station Unit 2. The Committee will review the application for an operating license for this facility. This will include presentations by and discussions with representatives and consultants of the AEC Regulatory Staff and the Applicants.

(NOTE: These sessions will include closed portions, if required, to discuss proprietary information related to the design, fabrication, construction, or operation of the plant, its systems, or components. Closed portions will also be held, if required, to discuss security plans for this station and for Committee deliberative sessions.)

FRIDAY, JUNE 7, 1974

9:30 a.m.–10:30 a.m. Meeting with representatives of the AEC Regulatory Staff to hear presentations and discuss matters relating to reactor operating experience and current licensing activity, including the following:

Turkey Point Nuclear Generating Plant. Performance of cluster control rods.

10:30 a.m.–12:30 p.m. and 1:30 p.m.–3:30 p.m.—H. B. Robinson Unit 2. The Committee will consider a request for a power level increase for this unit. This will include presentations by and discussions with representatives and consultants of the AEC Regulatory Staff and the Carolina Power and Light Company.

(NOTE: These sessions will include closed portions, if required, to discuss proprietary information related to the design, fabrication, construction, or operation of the plant, its systems, or components. Closed portions will also be held, if required, to discuss security plans for this station and for Committee deliberative sessions.)

4:30 p.m.–5:15 p.m.—Presentation on Sneak Circuit Analysis. The Committee will hear a presentation by representatives of the Boeing Company on the application of sneak circuit analysis.

It should be noted that, in addition to the agenda items noted above, the Committee will hold other sessions not open to the public under the authority of section 10(d) of Pub. L. 92–463 (the Federal Advisory Committee Act), to consider the above applications and other matters. I have determined in accordance with subsection 10(d) of Pub. L. 92–463 that it is necessary to close such portions of the meeting to protect proprietary data as indicated above (5 U.S.C. 552(b)(4)), and to protect the free interchange of internal views and to avoid undue interference with agency or Committee operation (5 U.S.C. 552(b)(5)). Any factual material that may be discussed during the closed portions of the meeting will be inextricably intertwined with discussion of exempt material and no further separation is feasible. Practical considerations may dictate alterations in the above agenda or schedule.

The Chairman of the Committee is empowered to conduct the meeting in a manner that in his judgment will facilitate the orderly conduct of business, including provisions to carry over an incompleted open session from one day to the next.

With respect to public participation in the open portion of the meeting, the following requirements shall apply:

(a) Persons wishing to submit written statements regarding the agenda items may do so by mailing 25 copies thereof, postmarked no later than May 29, 1974, to the Executive Secretary, Advisory Committee on Reactor Safeguards, U.S. Atomic Energy Commission, Washington, D.C. 20545. Such written comments shall be based on documents related to the agenda items noted above, and related documents on file and available for public inspection at the Atomic Energy Commission's Public Document Room, 1717 H Street NW., Washington, D.C. 20545, and as follows:

Millstone Nuclear Power Station Unit 2, Waterford Public Library, Rope Ferry Road, Route 156, Waterford, Connecticut 06385.
H. B. Robinson Unit 2, Hartsville Memorial Library, Home and Fifth Avenues, Hartsville, South Carolina 29550.

(b) Those persons submitting a written statement in accordance with paragraph (a) above may request an opportunity to make oral statements concerning the written statement. Such requests shall accompany the written statement and shall set forth reasons justifying the need for such oral statement and its usefulness to the Committee. To the extent that the time available for the meeting permits, the Committee will receive oral statements during a period of no more than 30 minutes at an appropriate time, chosen by the Chairman of the Committee.

(c) Requests for the opportunity to make oral statements shall be ruled on by the Chairman of the Committee, who is empowered to apportion the time available among those selected by him to make oral statements.

(d) Information as to whether the meeting or portions of the meeting have been cancelled or rescheduled, and in regard to the Chairman's ruling on requests for the opportunity to present oral statements, and the time allotted, can be obtained by a prepaid telephone call on June 5, 1974, to the Office of the Executive Secretary of the Committee (telephone: 301–973–5651) between 8:30 a.m. and 5:15 p.m. daylight saving time.

(e) Questions may be propounded only by members of the Committee and its consultants.

(f) The use of still, movies, and television cameras, the physical installation and presence of which will not interfere with the course of the meeting, will be permitted both before and after the meeting and during any recess. The use of such equipment will not, however, be allowed while the meeting is in session.

(g) Persons desiring to attend portions of the meeting where proprietary information is being discussed may do so by providing to the Executive Secretary 7 days prior to the meeting, a copy of an executed agreement with the owner of the proprietary information to safeguard this material.

(h) A copy of the transcript of the open portions of the meeting will be available for inspection during the following workday at the Atomic Energy Commission's Public Document Room, 1717 H Street NW., Washington, D.C. On request, copies of the minutes of the meeting will be made available for inspection at the Atomic Energy Commission's Public Document Room, 1717 H Street NW., Washington, D.C. on or after August 7, 1974. Copies may be obtained upon payment of appropriate charges.

JOHN C. RYAN,
Advisory Committee Management Officer.

[FR Doc.74-11754 Filed 5-20-74;11:28 am]

ADVISORY COMMITTTEE ON REACTOR SAFEGUARDS; PROCEDURES SUBCOMMITTEE

Notice of Meeting

MAY 17, 1974.

In accordance with the requirements of sections 29 and 182 b. of the Atomic Energy Act (42 U.S.C. 2039, 2232 b.), the Advisory Committee on Reactor Safeguards' Procedures Subcommittee will meet in Washington, D.C. on June 5, 1974, to discuss various proposed changes in ACRS procedures and the Committee's deliberative process.

The Subcommittee will meet in Executive Session with members of the ACRS staff and a consultant.

I have determined, in accordance with subsection 10(d) of Pub. L. 92–463, that the above-noted meeting will involve the discussion of working papers which fall within exemption (5) of 5 U.S.C. 552(b); that the discussion will consist of exchanges of opinions, the discussion of which, if written, would fall within exemption (5) of 5 U.S.C. 552(b); and that any factual material that may be involved will be inextricably intertwined during these discussions and no separation of such factual material is feasible. It is essential to close such meetings to protect the free interchange of internal

views and to avoid undue interference with Subcommittee and agency operation.

JOHN C. RYAN,
Advisory Committee Management Officer.

[FR Doc.74-11755 Filed 5-20-74;11:28 am]

CIVIL AERONAUTICS BOARD

[Docket No. 23080-2; Order 74-5-82]

PRIORITY AND NONPRIORITY DOMESTIC SERVICE MAIL RATES—PHASE 2

Order To Show Cause

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 16th day of May 1974.

The multielement service mail rate formulas, which were designed to provide a uniform rate of pay for like services, are comprised of a line-haul rate and a terminal charge which varies by 3 classes of station—X, Y and Z. These 3 station classes are separated by originated traffic breakpoints which reflect the minimum traffic volume standards established by the Board for each letter designation.[1] The orders fixing the multielement service mail rate formulas provide for the periodic reclassification of stations without disturbing the rates or the rate structure, when the annual revenue tonnage originated at stations bring them within a different class.

The last station reclassification was effected in early 1971, based on originating tons for the year ended June 30, 1970. With the pendency of the omnibus Priority and Nonpriority Domestic Service Mail Rate Investigation, we viewed any further updating of station classification as unnecessary since stations would be appropriately reclassified in the final rate order issued in that proceeding subject to being retroactive to the beginning of the open-rate period.[2] Because of unexpected interruptions and complexities,[3] however, the mail rate investigation has now run over 3 years and is expected to continue for some considerable future period.[4] Further, by letter of March 22, 1974, the Postmaster General has requested the Board to resume periodic station reclassifications. In light of these considerations, and the substantial period of time which has elapsed since our last review, the Board believes that interim reviews and prospective station reclassifications are in order pending the outcome of the formal proceeding in this docket.

By order 74-1-89,[5] the Board established temporary multielement domestic service mail rates for sack and standard and daylight container mail, container minimum chargeable weights and pickup and delivery charges to be effective for the duration of the Phase 2 period of this investigation. These temporary rate formulas contain terminal charges for the X, Y and Z stations, and reflect the same origination-based traffic breakpoints which have been historically utilized for separating the 3 station classes and grouping individual stations into these classes. Effective July 1, 1970, however, originating tons of traffic were deleted from the carriers' regulatory reporting requirements, making on-line revenue tonnage unavailable thereafter for station classification purposes. As the first step in resuming the reclassification process, therefore, we are proposing to change the data base for classifying stations from originated to enplaned tons, the latter of which are readily accessable in the carriers' accounting reports.

Because the use of enplanements will provide a significantly higher classification base than originations, it is also necessary to effect a compensating adjustment in the minimum traffic volume standards which separate the 3 station classes. To make this adjustment, we determined and applied to these standards the ratio of enplanements to originations for the latest period for which both data are available in the carrier reports. Only passenger traffic was used to obtain the desired ratio since comparable data is unavailable for overall traffic (passengers, freight, mail, etc.). As reflected in Appendix 1, enplaned passengers were 108.4 percent of originated passengers in domestic scheduled operations for the year ended June 30, 1970. Applying this percentage to the aforementioned 25,000 and 5,000 originated ton traffic breakpoints results in, and we are proposing to amend our temporary rate order to so establish, the following revised standards for classifying stations: [6]

Class of station:	*Total revenue tons enplaned per year*
X	27,000 and over.
Y	5,400 to 26,999.
Z	5,399 or less.

Using the foregoing classification standards, the Board finds that the volume of enplaned revenue tonnage for the year ended March 31, 1973,[7] brings certain stations within the classifications set forth in Appendix 2. Additionally, we intend to follow a policy of reviewing station traffic enplanements every six months and issuing such reclassification orders as may be indicated by these reviews. Although the Postmaster General has suggested quarterly review periods, we believe a semi-annual review of the new classification data will be sufficient to keep pace with the movement of the various stations into different classes.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a) and 406 thereof, and the regulations promulgated in 14 CFR Part 302.

It is ordered, That:

All interested persons, and particularly Airlift International, Inc., Alaska Airlines, Inc., Allegheny Airlines, Inc., American Airlines, Inc., Braniff Airways, Inc., Continental Air Lines, Inc., Delta Air Lines, Inc., Eastern Air Lines, Inc., The Flying Tiger Line Inc., Frontier Airlines, Inc., Hughes Air Corp., National Airlines, Inc., North Central Airlines, Inc., Northwest Airlines, Inc., Ozark Air Lines, Inc., Pan American World Airways, Inc., Piedmont Aviation, Inc., Seaboard World Airlines, Inc., Southern Airways, Inc., Texas International Airlines, Inc., Trans World Airlines, Inc., United Air Lines, Inc., Western Air Lines, Inc., and the Postmaster General are directed to show cause why the Board should not adopt the foregoing findings and conclusions and, effective May 25, 1974:

(a) amend Orders E-25610, 70-4-9 and 74-1-89 respectively, to reflect the following station classification standards:

Class of station:	*Total revenue tons enplaned per year*
X	27,000 and over.
Y	5,400 to 26,999.
Z	5,399 or less.

(b) based on station traffic enplanements for the year ended March 31, 1973, establish the station classifications specified in Appendix 2 attached; [8] *Provided*, That any station not listed in Appendix 2 [8] shall be classified as a class Z station.[9]

2. Further procedures herein shall be in accordance with the rules of practice, 14 CFR Part 302, and if there is any objection to the station classifications or to the other findings and conclusions proposed herein, notice thereof shall be filed within 15 days, and, if notice is filed, written answer and supporting documents shall be filed within 30 days, after date of service of this order.

3. If notice of objection is not filed within 15 days, or if notice is filed and answer is not filed within 30 days, after service of this order, all persons shall be deemed to have waived the right to a hearing and all other procedural steps short of an order fixing the station classifications, and the Board may enter an order incorporating the findings and conclusions proposed herein and fixing the station classifications herein specified.

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[1] As set forth in Orders E-25610, August 28, 1967, and 70-4-9, April 2, 1970, respectively, these standards are as follows:

Class of station:	*Total revenue tons originated per year*
X	25,000 and over.
Y	5,000 to 24,999.
Z	4,999 or less.

[2] March 28, 1973, the first day of the Phase 2 period of the investigation. Final multielement service mail rates for the Phase 1 period were established in Order 73-11-91, November 20, 1973, and that rate period is now closed.

[3] Most particularly, the institution of the containerized mail program.

[4] The hearing is scheduled to begin November 12, 1974.

[5] January 16, 1974.

[6] We are also proposing to make parallel amendments to the classification standards set forth in Orders E-25610 and 70-4-9, since these standards are also based on originated tons.

[7] The most recent period for which data processing reflecting station traffic enplanements is available.

[8] Filed as part of the original document.

[9] In accordance with prior orders, the present review and reclassification, as well as any subsequent reviews and reclassifications effected pursuant to the revised classification standards reflected herein, shall be accomplished without affecting the rates for mail.

4. Notwithstanding the reclassification of stations as set forth above, this proceeding shall remain open pending the entry of an order fixing the final rates in Docket 23080–2.

5. This order shall be served upon the parties listed in paragraph 1 above.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board:

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.74–11646 Filed 5–20–74;8:45 am]

COMMISSION ON CIVIL RIGHTS

NORTH CAROLINA STATE ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights, that a planning meeting of the North Carolina State Advisory Committee (SAC) to this Commission will convene at 7:30 p.m. on May 23, 1974, at the Hilton Inn, 1707 Hillsboro Street, Raleigh, North Carolina 27605.

Persons wishing to attend this meeting should contact the Committee Chairman, or the Southern Regional Office of the Commission, Room 362, Citizens Trust Bank Building, 75 Piedmont Avenue NE., Atlanta, Georgia 30303.

The purpose of this meeting shall be to hold a final briefing session in preparation for a factfinding meeting on conditions in penal institutions in the State of North Carolina scheduled to be held May 24–25, 1974.

This meeting will be conducted pursuant to the Rules and Regulations of the Commission.

Dated at Washington, D.C., May 14, 1974.

ISAIAH T. CRESWELL, Jr.,
Advisory Committee Management Officer.

[FR Doc. 74–11580 Filed 5–20–74;8:45 am]

NORTH CAROLINA STATE ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a factfinding meeting of the North Carolina State Advisory Committee (SAC) to this Commission will convene at 9 a.m. on May 24, and reconvene at 9 a.m. on May 25, 1974, in Courtroom #2, Federal Building, Capitol Square and New Bern Avenue, Raleigh, North Carolina 27601.

Closed or executive SAC sessions may be held at such time and place as deemed necessary to discuss matters which may tend to defame, degrade, or incriminate individuals. Such sessions will not be open to the public.

The purpose of this meeting shall be to collect information concerning legal developments constituting a denial of the equal protection of the laws under the Constitution because of race, color, religion, sex, national origin, or in the administration of justice which affect persons residing in the State of North Carolina with special emphasis on the conditions in North Carolina penal institutions as they relate to the civil rights of inmates; to appraise denial of equal protection of the laws under the Constitution because of race, color, religion, sex, national origin, or in the administration of justice as these pertain to North Carolina penal institutions as they relate to the civil rights of inmates; and to disseminate information with respect to denials of the equal protection of the laws because of race, color, religion, sex, national origin, or in the administration of justice with respect to North Carolina penal institutions; and to related areas.

This meeting will be conducted pursuant to the Rules and Regulations of the Commission.

Dated at Washington, D.C., May 14, 1974.

ISAIAH T. CRESWELL, Jr.,
Advisory Committee Management Officer.

[FR Doc.74–11581 Filed 5–20–74;8:45 am]

COMMITTEE FOR PURCHASE OF PRODUCTS AND SERVICES OF THE BLIND AND OTHER SEVERELY HANDICAPPED

PROCUREMENT LIST 1974

Notice of Proposed Addition

Notice is hereby given pursuant to section 2(a)(2) of Pub. L. 92–28; 85 Stat. 79, of the proposed addition of the following service to Procurement List 1974, November 29, 1973 (38 FR 33038).

SERVICE

INDUSTRIAL CLASS 0782

Grounds Maintenance, Homestead Air Force Base, Florida.

Comments and views regarding this proposed addition may be filed with the Committee on or before June 20, 1974. Communications should be addressed to the Executive Director, Committee for Purchase of Products and Services of the Blind and Other Severely Handicapped, 2009 Fourteenth Street North, Suite 610, Arlington, Virginia 22201.

By the Committee.

E. R. ALLEY, Jr.,
Acting Executive Director.

[FR Doc.74–11634 Filed 5–20–74;8:45 am]

PROCUREMENT LIST 1974

Notice of Proposed Addition

Notice is hereby given pursuant to section 2(a)(2) of Pub. L. 92–28; 85 Stat. 79, of the proposed additions of the following services to Procurement List 1974, November 29, 1973 (38 FR 33038).

SERVICE

INDUSTRIAL CLASS 7374

Keypunch and Verification, U.S. Coast Guard, Washington, D.C.
Interstate Commerce Commission, Washington, D.C.

Comments and views regarding these proposed additions may be filed with the Committee on or before June 20, 1974. Communications should be addressed to the Executive Director, Committee for Purchase of Products and Services of the Blind and Other Severely Handicapped, 2009 Fourteenth Street North, Suite 610, Arlington, Virginia 22201.

By the Committee.

C. W. FLETCHER,
Executive Director.

[FR Doc.74–11636 Filed 5–20–74;8:45 am]

PROCUREMENT LIST 1974

Addition to Procurement List

Notice of proposed addition to Procurement List 1974, November 29, 1973 (38 FR 33038) was published in the FEDERAL REGISTER on April 5, 1974 (39 FR 12377).

Pursuant to the above notice the following service is added to Procurement List 1974.

SERVICE

INDUSTRIAL CLASS 7699

Typewriter Repair and Maintenance (JO), U.S. Customs, 6 World Trade Center, New York, N.Y., List of prices available from GSA, PMDS, Region 2.

By the Committee.

C. W. FLETCHER,
Executive Director.

[FR Doc.74–11635 Filed 5–20–74;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

AUTOMOBILI FERRUCCIO LAMBORGHINI

1976 Nitrogen Oxide Standard Suspension Request; Notice and Procedures for Disposition

Section 202(b)(5)(B) of the Clean Air Act, as amended, provides that at any time after January 1, 1973, any automobile manufacturer may file with the Administrator of the Environmental Protection Agency an application requesting the suspension for one year only of the effective date, with regard to that manufacturer, of the nitrogen oxides emission standard applicable to light duty vehicles manufactured beginning with the 1976 model year.

If the Administrator determines that such suspension should be granted, he must simultaneously with such determination prescribe by regulation an interim emission standard applicable to light duty vehicles manufactured during the 1976 model year.

On July 30, 1973, the Administrator granted to Chrysler Corporation, Ford Motor Company, and General Motors Corporation a one-year suspension of the effective date of the statutory 1976 light duty vehicle nitrogen oxides emission

standard. The Administrator simultaneously established an interim NO_x emission standard of 2.0 grams per mile applicable to each applicant's 1976 model year vehicles (see 38 FR 22474, August 21, 1973).

The Administrator's decision was based on findings required by section 202(b)(5)(D)(i), (ii), (iii), and (iv) of the Clean Air Act, as amended. EPA regards findings (i) (a suspension is essential to the public interest) and (iii) and (iv) (technology required to meet the standards is not generally available) as applicable to the automobile industry as a whole and hence, conclusive as to any applications for suspension of the 1976 NO_x statutory standard. The remaining finding, that the applicant has made all good faith efforts to meet the statutory standard (section 202(b)(5)(D)(ii)), will be made with respect to each applicant on the basis of an application, and after adequate time for public review and comment. A decision granting or denying any application will be made within 60 days after receipt thereof. Any manufacturer granted a suspension will be subject to the interim 2.0 grams per mile NO_x standard established by the July 30, 1973 decision.

On Friday, December 28, 1973, the Administrator announced 1976 NO_x standard, and delineated procedures for disposition of those applications and all other applications for suspension filed with the Administrator prior to January 4, 1974 (see 38 FR 35528). Then on February 1, 1974, (see 39 FR 4132) the Administrator granted suspension of the 1976 NO_x emission standard to sixteen (16) manufacturers. Subsequently, requests for suspension were granted to eight additional manufacturers on April 26, 1974 (see 39 FR 14752).

On April 26, 1974 an application for suspension of the 1976 NO_x standard was received from Automobili Ferruccio Lamborghini S.p.A. The procedures for disposition of this application and all other requests for suspension under section 202(b)(5)(B) of the Act, filed with the Administrator prior to June 15, 1974, will be those procedures set forth in the aforementioned December 28, 1973, FEDERAL REGISTER notice, which are as follows: (i) The applications will be made available for public review and comment; (ii) the Administrator will conduct a public hearing, if, on the basis of public comments received, he determines a useful purpose would be served thereby (such hearing will be announced by FEDERAL REGISTER notice); (iii) each application will be reviewed by EPA to determine whether the applicant made all good faith efforts; (iv) if any application is deemed deficient the applicant will be notified by EPA to supplement his suspension request and, if the applicant fails to satisfactorily revise the application, the applicant will be required to appear and testify at a public hearing; and (v) the Administrator will issue by FEDERAL REGISTER notice his decision to grant or deny the respective applications on or before the 60th day from the day of receipt of such applications.

Any interested person may participate in this procedure through the filing of written comments or information with the Director, Mobile Source Enforcement Division, Environmental Protection Agency, Room 3220, 401 M Street SW., Washington, D.C. 20460 on or before June 20, 1974.

Any person who provides written information for consideration may be required, upon 24 hours notice, to appear at a hearing, if held, to respond to questions by the hearing panel or by such other interested persons as the panel deems appropriate at any time prior to conclusion of the hearing.

Presentations by interested persons shall be addressed to whether the applicant has made all good faith efforts to meet the standard.

The applications and such portions of the applicants' supporting documentation as may properly be made public will be available for public inspection in the Freedom of Information Office, Environmental Protection Agency, Room 227, 401 M Street SW., Washington, D.C. 20460. Any person may obtain copies of public portions of the applications as provided for by 40 CFR Part 2.

Dated: May 15, 1974.

JOHN QUARLES,
Acting Administrator.

[FR Doc.74-11593 Filed 5-20-74;8:45 am]

INTERREGIONAL RESEARCH PROJECT NO. 4

Filing of Petition for Food Additive

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 4H5049) has been filed by Dr. C. C. Compton, Coordinator, Interregional Research Project No. 4, State Agricultural Experiment Station, Rutgers University, New Brunswick, NJ 08903, proposing establishment of a food additive tolerance (21 CFR Part 121) for residues of the fungicide and insecticide sodium arsenite (calculated as As_2O_3) in or on raisins at 0.225 part per million.

Dated: May 9, 1974.

JOHN B. RITCH, Jr.,
Director Registration Division.

[FR Doc.74-11592 Filed 5-20-74;8:45 am]

[OPP-50003]

PREDATOR CONTROL (COYOTES AND RED FOXES)

Notice of Issuance of Experimental Use Permit to Montana

Pursuant to section 5 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 983), the Montana Department of Livestock has applied to the Environmental Protection Agency (EPA) for an experimental use permit. This permit (No. 34192-EXP-1G) is being issued in accordance with 40 CFR Part 162.19 as promulgated in the FEDERAL REGISTER on January 31, 1974 (39 FR 3939) and allows the shipment and use of sodium cyanide in the sodium cyanide spring-loaded ejector mechanism (SCSLEM) for control of predation by coyotes and red foxes. The SCSLEM is to be used only in an experimental program approved by the EPA in 21 selected counties in the State of Montana, under the supervision and control of approved SCSLEM applicators as designated by the Montana Department of Livestock.

This program began on April 11, 1974, and will expire on October 15, 1975. However, it may be revoked at any time for violation of the terms thereof, or to avoid deleterious effects on the environment.

EPA invites interested persons to submit written comments with reference to this notice to the FEDERAL REGISTER Section, Technical Services Division (HM-569), Office of Pesticide Programs, Environmental Protection Agency, 401 M Street, SW., Room EB-1, Washington, D.C. 20460. Three copies of the comments must be submitted to facilitate the work of EPA and others interested in inspecting them; if the comments are not submitted in triplicate, they may not be reviewed in time to have significant impact on the subject. The comments must be received on or before June 20, 1974 and should bear the notation OPP-50003. All written comments filed pursuant to this notice will be available for public inspection in the office of the Federal Register Section from 8:30 a.m. to 4:00 p.m. Monday through Friday.

The application, the permit issued and the label and directions for use of sodium cyanide in the SCSLEM are available for public inspection at the Environmental Protection Agency, Room EB-37, East Tower, 401 M Street, SW., Washington, D.C.

PROGRAM FOR EXPERIMENTAL USE OF SODIUM CYANIDE SPRING-LOADED EJECTOR MECHANISM (SCSLEM) FOR PREDATOR CONTROL IN THE STATE OF MONTANA

I. PURPOSE

Sodium cyanide will be used in the spring-loader ejector mechanism (SCSLEM) in an experimental program. This experimental program is designed to measure the usefulness of this tool as a method of reducing domestic livestock losses due to predation by coyotes and red foxes. This program will also evaluate the effect of the method on nontarget species.

II. OBJECTIVES

A. Determine the effectiveness of the SCSLEM in preventing or reducing livestock losses when used in conjunction with trapping, denning, shooting, aerial hunting, and other methods.

B. Determine the most effective placement location of the SCSLEM for taking coyotes and red foxes.

C. Determine the influence of climatic conditions upon the effectiveness of the SCSLEM.

D. Determine the cost of controlling coyotes and red foxes by using the SCSLEM in comparison to alternative control methods, such as trapping, denning, shooting, aerial hunting, and other methods.

E. Determine the effects of the use of the SCSLEM in coyote and red fox control with regard to human safety.

F. Determine the economic benefits derived from the use of the SCSLEM to livestock producers.

G. Determine the selectivity of the SCSLEM when used to control coyotes and red foxes.

H. Determine the amount of coyote and red fox control that can be achieved through the use of the SCSLEM without causing "unreasonable adverse effects" on the environment.

I. Determine the effectiveness of the use of the SCSLEM in comparison to the control of coyotes and red foxes by trapping, denning, shooting, aerial hunting, and other methods.

J. Determine the impact of SCSLEM's on nontarget species.

III. CONTROL

A. *Program Coordinator.* The program will be directed by Kenneth Seyler, Environmental Coordinator, Department of Livestock, Brands-Enforcement Division.

B. *Field Supervisor.* The Biologist for the Department of Livestock, Brands-Enforcement Division, will supervise the field operation of the experimental program and be responsible for the distribution of the mechanisms and capsules, help applicators with special problems and assist in gathering and reporting data.

C. *Applicators.* Applicators of the SCSLEM's will be state trappers, county trappers or livestock association trappers under the supervision of the Montana Department of Livestock. These trappers will be licensed as approved SCSLEM applicators by the Montana Department of Agriculture upon successful completion of a training course conducted jointly by the Department of Livestock and the Department of Agriculture. The participation of the Bureau of Sport Fisheries and Wildlife of the U.S. Department of the Interior in the training program is encouraged and permitted to the extent authorized by that Agency's rules and regulations and interpretations of administrative orders.

IV. PROCEDURES FOR IMPLEMENTATION

A. *Training Program for Applicators.* The training program will include information necessary for the approved SCSLEM applicator to understand the nature of the chemical and the mechanism, the techniques of selection of placement sites, selection of SCSLEM baits or scents, actual setting of the mechanism, visitation periods, record keeping and reporting, legal responsibility, proper storage of the chemical capsule and mechanism when not in use, and method for disposal of used or inoperative capsules. Special emphasis will be given to environmental and human safety precautions to be observed when using the SCSLEM.

B. *Purchase of SCSLEM's.* SCSLEM's will be purchased by the Department of Livestock from the M–44 Safety Predator Control Company, 2501 W. Washington, Midland, Texas 79701. All expenses incurred in purchase and placement of the mechanisms and sodium cyanide capsules will be the responsibility of the Montana Department of Livestock.

C. *Distribution of SCSLEM's.* Each approved SCSLEM applicator will be issued SCSLEM's by the Department of Livestock to be used only within assigned experimental areas during the program. Additional SCSLEM's will be provided only after initial supplies are accounted for through proper reporting procedures. No explosive devices will be permitted.

The antidote, amyl nitrate capsules, must be available for distribution to the approved SCSLEM applicators. Each applicator must be advised of the antidote.

D. *Recordkeeping.* A record of each applicator who obtains the chemical capsules and/or mechanisms will be kept. These records will include:

1. Name of the approved SCSLEM applicator.

2. Location of ranch or farm headquarters, directions and mileage from nearest ranch/town.

3. The number of mechanisms and capsules purchased.

4. A signed agreement to comply with the terms of the reporting system and the conditions of the experimental program.

E. *Data reporting.* Each applicator must submit the following information to the Montana Department of Livestock at least once a month or when he purchases additional capsules and/or mechanisms, whichever comes first.

1. Name of ranch or farm owner where SCSLEM's are placed.

2. Type of ranch or farm operation (range, feeder, etc.).

3. Name of applicator of SCSLEM.

4. Number of SCSLEM'S in use each month and a map showing the layout of mechanisms in each area. The map should be of sufficient detail so that a person unfamiliar with the placement of the SCSLEM's will be able to locate them.

5. Number of SCSLEM's placed at each specific site.

6. Number of coyotes, red foxes and nontarget species taken at each SCSLEM location.

7. Number of discharged capsules at each SCSLEM location, noting the cause of each discharge. Number of capsules replaced at each SCSLEM location.

8. Number of livestock losses to coyotes and red foxes in 1973 (need only be included in first monthly report).

9. Description of any climatic effects upon the SCSLEMS.

10. Number and type of accidents involving humans, domestic animals and wildlife.

11. Number and type of livestock losses in experimental and control areas to:

a. Coyotes and red foxes.

b. Other known causes.

c. Unknown causes.

12. Other control measures used at the same time that SCSLEM's are in use and animals taken. Written permission must be granted by the landowner to allow representatives of the Montana Department of Livestock, the Montana Department of Agriculture, the Environmental Protection Agency, and the U.S. Bureau of Sport Fisheries and Wildlife to enter on their property for the purpose of inspecting and monitoring all aspects of the experimental program. Any person found to be using the materials improperly or falsifying required data will be denied further use of SCSLEM's, and may be subject to the civil and criminal penalties under the Federal Insecticide, Fungicide and Rodenticide Act. Failure to adhere to the provisions of this program could result in suspension of the program.

V. DATA SUMMARIZATION AND ANALYSIS

A. The Program Coordinator will be responsible for collecting SCSLEM data reports from approved applicators for summary and computation of data. Quarterly reports of these summaries shall be sent to the Hazardous Materials Control Division, EPA, Region 8, Denver, Colorado. The Montana Department of Livestock will collect requested data from control areas where the SCSLEM's are not used, for summarization and comparison with data from SCSLEM use areas. The Program Coordinator will also send this information to the Regional Office on a quarterly basis. The data from control areas will consist of livestock losses due to coyote and red fox predation, losses due to other or unknown causes, and coyote or red fox taken due to other control methods, such as trapping, snaring, shooting, denning, and other methods.

A precensus of livestock to be protected and an index of coyote and red fox populations will be determined in both the control areas and experimental areas. A postcensus of livestock populations and the index of coyote and red fox populations will be conducted in both areas at the completion of the program.

B. This program will begin about April 11, 1974 and end October 15, 1975. No mechanism or capsules may be distributed after October 15, 1975. All unused capsules must be returned to the Department of Livestock before November 1, 1975. Final data summaries and analyses must be submitted to the Registration Division, Office of Pesticide Programs, Environmental Protection Agency, 401 M Street, SW., Room E–347, Washington, D.C. 20460, by December 31, 1975.

C. Use of the SCSLEM will not be permitted where use of the mechanism will harm endangered or threatened species that may be attracted to the SCSLEM.

VI. EXPERIMENTAL PROGRAM

A. *Location of SCSLEM Sites.* This program will be conducted in areas of the Biotic Provinces listed below.

Big Dry Region. Carter, Custer, Garfield, Petroleum, Phillips, Powder River, and Rosebud.

Broad Valley Rockies Region. Beaverhead and Madison.

Rocky Mountain Foreland Region. Carbon, Fergus, Judith Basin, Musselshell, Stillwater, Sweet Grass, Teton, and Wheatland.

Two Rivers Region. Dawson and McCone.

Yellowstone Rockies Region. Gallatin and Meagher.

The designated counties in each Biotic Province were selected on the material basis of the occurrence of greatest predation losses of livestock. The areas selected also differ in climatic and geographic conditions.

1. Areas will be selected in each approved county where the SCSLEM will be used by the qualified applicators to control predation.

2. Estimated numbers of mechanisms and capsules that will be permitted in each Biotic Province by the Department of Livestock are as follows:

Big Dry Region. 1,750 Mechanisms and 17,500 Capsules.

Broad Valley Rockies Region. 500 Mechanisms and 5,000 Capsules.

Rocky Mountain Foreland Region. 2,000 Mechanisms and 20,000 Capsules.

Two Rivers Region. 500 Mechanisms and 5,000 Capsules.

Yellowstone Rockies Region. 500 and 5,000 Capsules.

Total for the Program. 5,250 Mechanisms and 52,500 Capsules.

3. Control areas have been selected in five of the counties which will be representative of areas where SCSLEM's are used.

No SCSLEM's will be used in control areas. Other methods of controlling will be permitted, such as trapping, denning, snaring, shooting, aerial hunting, and other methods. These control areas shall be at least 100 square miles in area, and shall be at least five miles from the nearest site where SCSLEM's are used.

Control areas shall be selected in the following five counties: Dawson, Gallatin, Madison, Rosebud, and Stillwater. These counties may be changed prior to initiation of the program if the change has been approved by the Environmental Protection Agency. This system of control areas will be reevaluated by the EPA and the Montana Department of Livestock before the spring of 1975.

B. *Work to be accomplished.* 1. Training of approved applicators.

2. Establishment of distribution points and methods for the distribution of the mechanism and antidote to approved applicators.

3. Collection of program data from approved applicators.

4. Establishment of activities needed for monitoring and surveillance of all aspects of the experimental program by the Montana Department of Livestock, the Environmental Protection Agency, and the U.S. Bureau of Sport Fisheries and Wildlife.

5. Establishment of a method to evaluate selectivity of the SCSLEM's.

6. Establishment of a method to evaluate the program on an ongoing basis in order to meet the program objectives.

7. Coordination of the program work and objectives in order to use the data already being collected and generated by predator control of the Department of Interior's Bureau of Sport Fisheries and Wildlife, the U.S. Department of Agriculture's W-123 Predator Control Research Committee, and the USDA Economic Research Service's study on the economic aspects of the livestock industry and predator control.

8. Establishment of a method for an economic analysis of coyote and red fox control with the SCSLEM's.

9. Establishment of methods to census the livestock and coyote and red fox populations in the SCSLEM use areas and the areas where no SCSLEM's are used.

10. Collection of monthly program data from SCSLEM use areas and control areas where no SCSLEM's are in use.

Dated: May 15, 1974.

JAMES L. AGEE,
Acting Assistant Administrator for Water and Hazardous Materials.

[FR Doc.74-11658 Filed 5-20-74;8:45 am]

[OPP-32000/61]

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 22, 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 22, 1974.

APPLICATIONS RECEIVED

EPA Reg. No. 2749-47. Aceto Chemical Co., Inc., 126-02 Northern Boulevard, Flushing, New York 11368. *MCPP-4K.* Active Ingredients: Potassium Salt of 2-(2-Methyl-4-Chlorophenoxy) Propionic Acid 48.3%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 2749-134. Aceto Chemical Co., Inc., 126-02 Northern Boulevard, Flushing, New York 11368. *Dimethogon 25% Wettable Powder Systemic Insecticide.* Active ingredients: D methoate (O,O-Dimethyl S-[N-Methylcarbamoylmethyl] Phosphorodithioate) 25%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 5590-RLL. Aerosol Techniques, Incorporated, Old Gate Lane, Milford, Connecticut 06460. *Spray Disinfectant and Air Deodorant.* Active Ingredients: Ethyl alcohol 44.25%; Essential oils 0.90%; n-Alkyl (50% C14, 40% C12, 10% C16) dimethyl benzyl ammonium chloride 0.33%; C-phenyl phenol 0.25%. Method of support: Application proceeds under 2(a) of interim policy.

EPA File Symbol 8590-ULE. Agway, Inc., Fertilizer-Chemical Division, Box 1333, Syracuse, New York 13201. *Agway Louse Powder.* Active Ingredients: O,O-Diethyl O-(3-chloro-4-methyl-2-oxo-(2H)-1 - benzopyran-7-yl) phosphorothioate 1%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 241-EGL. American Cyanamid Company, Agricultural Division, P.O. Box 400, Princeton, New Jersey 08540. *Protex Temefos 25% Dust Concentrate.* Active Ingredients: Temefos (*O,O'*-(thiodi-*p*-phenylene) *O,O,O' O'*-tetramethyl bisphosphorothioate) 26.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 12014-1. A&V, Inc., P.O. Box 211, Butler, Wisconsin 53007. *A&V-70 Algaecide.* Active Ingredients: Copper as elemental 7%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 3125-236. Chemagro Div. of Baychem Corp., P.O. Box 4913, Kansas City, Missouri 64120. *Nemacur 15% Granular Nematicide.* Active Ingredients: Ethyl 3-methyl-4-(methylthio)phenyl(1 - methylethyl)phosphoramidate 15%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 9093-G. E. L. Brown, Inc., 267 East Valley Blvd., Rialto, California 92376. *C-8 Commercial Bug Death Electronic Insect Killer.* Active Ingredients: Pyrethrins 0.9%; Technical Piperonyl Butoxide 9.0%; Petroleum Distillate 3.6%; Isopropyl alcohol Cosmetic Grade 6.5%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 1448-42. Buckman Laboratories, Inc., 1256 North McLean Boulevard, Memphis, Tennessee 38108. *Busan 77.* Active Ingredients: Poly[oxyethylene(dimethyliminio)ethylene - (dimethyliminio)ethylene dichloride] 60.0%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA Reg. No. 1448-46. Buckman Laboratories, Inc., 1256 North McLean Boulevard, Memphis, Tennessee 38108. *Busan 30.* Active Ingredients: 2-(thiocyanomethylthio)benzothiazole 30%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 343-EL. Castle Chemical Company, 301 Master Avenue, Savage, Minnesota 55378. *"Cover-Up" MH Seed Protectant.* Active ingredients: Maneb (Manganese ethylenebisdithiocarbamate) 50.0%; HCB (Hexachlorobenzene) 10.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 8799-RI. C-H Products Corporation, 267 East Valley Blvd., Rialto, California 92376. *C-H C-1 Commercial Automatic Aerosol Ins ticide.* Active Ingredients: Pyrthrins 0.9%; Technical Piperonyl Butoxide 9.0%; Petroleum Distillate 3.6%; Isopropyl Alcohol Cosmetic Grade 6.5%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 8799-RT. C-H Products Corporation, 267 East Valley Blvd., Rialto, California 92376. *C-H H-1 Home Spray Automatic Aerosol Insecticide.* Active Ingredients: Pyrethrins .50%; Technical Piperonyl Butoxide 5.00%; Petroleum Distillate 2.00%; Isopropyl Alcohol Cosmetic Grade 12.50%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 239-2211. Chevron Chemical Company—Ortho Division, 940 Hensley Street, Richmond, California 94804. *Ortho Difolatan 4 Flowable A Liquid Fungicide.* Active Ingredients: cis-N-[(1,1,2,2-tetrachloroethyl)thio]-4-cyclohexene - 1,2 - dicarboximide 39%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 464-LNE. The Dow Chemical Company, P.O. Box 1706, 9008 Building, Midland, Michigan 48640. *Dow Tordon K Salt Liquor For Formulation of Herbicides Only.* Active Ingredients: Picloram (4-amino-3,5,6-trichloropicolinic acid), Potassium Salt 34.7%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 1598-EGG. FCX, Inc., P.O. Box 2419, 121 East Davie Street, Raleigh, North Carolina 27602. *FCX 34.6% Nematicidal Soil Fumigant Granules.* Active Ingredients: 1,2-Dibromo-3-chloropropane 32.8%; Other halogenated C3 compounds 1.8%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 5905-87. Helena Chemical Co., Clark Tower, 5100 Poplar Ave., Suite 2900, Memphis, Tennessee 38137. *Helena Brand 2 LB. Chlorate Defoliant.* Active ingredients: Sodium Chlorate 20.00%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 5905-118. Helena Chemical Co., Clark Tower, 5100 Poplar Ave., Suite 2900, Memphis, Tennessee 38137. *Helena Brand 3 Lb. Chlorate Defoliant.* Active ingredients: Sodium Chlorate 27.50%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 407-GAI. Imperial Inc., P.O. Box 423, Shenandoah, Iowa 51601. *Imperial Grain Preserver No. 2.* Active Ingredients: Isobutyric acid 28.2%; Propionic acid 18.8%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA Reg. No. 15382-2. Kalo Laboratories, Inc., 10236 Bunker Ridge Road, Kansas City, Missouri 64137. *Double-Noctin Fungicide Plus Nitrogen Bacteria.* Active Ingredients: Captan 26.32%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 6284-EA. Kiefer-McNeil, Division of McNeil Corp., 999 Sweitzer Ave., Akron, Ohio 44311. *CPC Algae-Burn.* Active Ingredients: Trichloro - S - Triazinetrione 100%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 34160-R. Lighthouse for the Blind of Houston, 3530 W. Dallas, Houston, Texas 77019. *Pine Oil Disinfectant.* Active Ingredients: Pine Oil 80%; Soap 13%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 802-LEU. The Chas. H. Lilly Co., 109 S.E. Adler, Portland, Oregon 97214. *Superior Type Spray Oil "V".* Active Ingredients: Petroleum Oil 98%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 962-73. Los Angeles Chemical Company, 4545 Ardine Street, South Gate, California 90280. *LACCO Magic Sulphur.* Active Ingredients: Sulphur 98%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 72-LTE. Miller Chemical & Fertilizer Corporation, P.O. Box 333, Hanover, Pennsylvania 17331. *Miller Diazinon 4# E.C. Insecticide.* Active Ingredients: O,O-diethyl O-(2-isopropyl-6-methyl-4-pyrimidinyl) phosphorothioate 47.5%; Aromatic petroleum derivative solvent 26.2%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 72-LTR. Miller Chemical & Fertilizer Corporation, P.O. Box 333, Hanover, Pennsylvania 17331. *Miller Diazinon AG Insecticide.* Active Ingredients: O,O-diethyl o-(2-isopropyl-6-methyl-4-pyrimidinyl) phosphorothioate 48%; Xylene 36%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 2224-22. Mobil Chemical Company, P.O. Box 26683, Richmond, Virginia 23261. *Merphos Stabilized Technical.* Active Ingredients: Tributyl Phosphorotrithioite 96.0%; Related compounds 2.5%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 2139-109. Nor-Am Agricultural Products, Inc., 20 North Wacker Drive, Chicago, Illinois 60606. *Soyex 3EC Herbicide.* Active Ingredients: Fluorodifen 34.2%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 1258-840. Olin Corporation, Agricultural Division, P.O. Box 991, Little Rock, Arkansas 72203. *Zinc Omadine Powder Industrial Microbiostat.* Active Ingredients: Zinc 2-pyridinethiol 1-oxide 95%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 70-ROA. Rigo Company, 1200 Ft. Wayne Bank Bldg., Fort Wayne, Indiana 46802. *Rigo Rat Blues-D.* Active Ingredients: Diphacinone 2-diphenylacetyl—1,3-Indandione 0.005%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 70-ROI. Rigo Company, 1200 Ft. Wayne Bank Bldg., Fort Wayne, Indiana 46802. *Kill-Ko Rat Blues-D.* Active Ingredients: Diphacinone 2-diphenylacetyl—1,3-Indandione 0.005%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 70-ROT. Rigo Company, 1200 Ft. Wayne Bank Bldg., Fort Wayne, Indiana 46802. *Rigo Rat Blues-F.* Active ingredients: 3—(alpha - Acetonylfurfuryl)—4—Hydroxycoumarin 0.025%. Method of Support: Application proceeds under 2(c) interim policy.

EPA File Symbol 70-ROU. Rigo Company, 1200 Ft. Wayne Bank Bldg., Fort Wayne, Indiana 46802. *Kill-Ko Rat Blues-F.* Active Ingredients: 3—(alpha-Acetonylfurfuryl)-4—Hydroxycoumarin 0.025%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 11687-7. Transvaal, Inc., P.O. Box 691 Marshall Road, Jacksonville, Arkansas 72076. *Transvaal Brush-RHAP LV-4T Herbicide 2,4,5-T Low Volatile.* Active Ingredients: Isooctyl Ester of 2,4,5-Trichlorophenoxyacetic Acid 65.1%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 11687-27. Transvaal, Inc., P.O. Box 691 Marshall Road, Jacksonville, Arkansas 72076. *Transvaal Brush-RHAP LV-5T Herbicide 2,4,5-T Low Volatile.* Active Lngredients: Isooctyl Ester of 2,4,5-Trichlorophenoxyacetic Acid 88.1%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 11687-43. Transvaal, Inc., P.O. Box 691 Marshall Road, Jacksonville, Arkansas 72076. *Transvaal Brush-RHAP LV OXY-4T Herbicide.* Active Ingredients: Butoxyethyl Ester of 2,4,5-Trichlorophenoxyacetic Acid 62.5%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 11687-63. Transvaal, Inc., P.O. Box 691 Marshall Road, Jacksonville, Arkansas 72076. *Transvaal Brush-RHAP LV OXY-6T Herbicide.* Action Ingredients: Butoxyethyl Ester of 2,4,5-Trichlorophenoxyacetic Acid 82.8%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 499-RIN. Whitmire Research Laboratories, Inc., 3568 Tree Court Industrial Blvd., St. Louis, Missouri 63122. *Whitmire Prescription Treatment No. 1200 Aerosol Generator Synthetic Pyrethroid S.B.P. 1382 "Resmethrin".* Active Ingredients: (5-Benzyl-3-furly)methyl 2,2-dimethyl-3-(2-methlypropenyl) cyclopropanecarboxylate 1.000%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 1700-44. Winru Chemical & Sales Company, 923 State Line Avenue, Kansas City, Missouri 64101. *Winru Pyrenone Industrial Spray.* Active Ingredients: Technical Piperonyl Butoxide 3.00%; Pyrethrins 0.30%; Petroleum Distillate 96.70%. Method of Support: Application proceeds under 2(c) of interim policy.

REPUBLISHED ITEM

The following item represents a correction and/or change in the list of Applications Received previously published in the FEDERAL REGISTER of May 10, 1974 (39 FR 16921).

EPA File Symbol 12020-T. Stavely Chemicals Limited, Stavely Works, Chesterfield, Derbyshire S43 2PB, England. *Stavely Diuron 80.* Active Ingredients: Diuron (3-(3,4-dichlorophenyl)-1,1-dimethylurea 80%. Correction: Originally published as 03-(3,4-dichlorophenyl)-1,1-dimethylurea 80%.

Dated: May 14, 1974.

DOUGLAS D. CAMPT,
Acting Director,
Registration Division.

[FR Doc.74-11583 Filed 5-20-74;8:45 am]

[OPP—180010]

USE OF PREDACIDES TO PROTECT ENDANGERED ATTWATER'S PRAIRIE CHICKEN

Notice of Issuance of a Specific Exemption

The Environmental Protection Agency has granted a specific exemption to the Fish and Wildlife Service, Bureau of Sport Fisheries and Wildlife, United States Department of the Interior, to use strychnine alkaloid and suffocating

gas cartridges as emergency predatory skunk, raccoon, coyote, opossum and armadillo control to protect the endangered nesting Attwater's prairie checken on the Ottwater's Prairie Chicken National Wildlife Refuge in Colorado County, Texas, as provided in section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 995) and the regulations thereunder (40 CFR 166.1 et seq.).

Background. The Secretary of the Interior, after consultation with the Secretaries of Agricultural; Health, Education, and Welfare; and the Administrator of the Environmental Protection Agency, determined that an emergency situation, as defined in Executive Order 11643 of February 8, 1972, existed on the Attwater's Prairie Chicken National Wildlife Refuge, Colorado County, Texas. Specifically, the Order provides that the head of any agency may authorize the emergency use of chemical toxicants on Federal lands under his jurisdiction for the purpose of preserving one or more wildlife species thratened with extinction, or likely within the foreseeable future to become so threatened. Such authorization may only be made if in each specific case a written finding is made, following consultation with the Secretaries of the Interior; Agriculture; and Health, Education, and Welfare; and the Administrator of the Environmental Protection Agency, that an emergency exists that cannot be dealt with by means which do not involve the use of chemical toxicants.

The Attwater's prairie chicken is now found only in small and scattered populations in the gulf coastal prairie of Texas, chiefly in Refugio and Colorado Counties. There has been a downward trend in the population: a trend which has been accelerated by the poor breeding success of the past two years. The estimated population decreased from 2,200 in 1971 to 1,600 in 1973. The skunk, raccoon, coyote, opossum and armadillo prey on the Attwater's prairie chicken. While predation is a year-round problem, the problem is most evident during the nesting season. Two efforts employing approximately 900 man-hours, 7,000 miles of driving, 1,756 steel leg-hold trap nights, 63 live trap nights, and 142 hours of hunting and shooting were utilized to reduce populations of nest predators on the Attwater's Prairie Chicken National Wildlife Refuge and adjoining private lands. These efforts did not reduce the potential of severe predator damage occurring to prairie chicken nests on the Refuge and therefore did not accomplish the objective of protecting the endangered Attwater's prairie chicken.

Since this emergency appeared to prompt remedial action involving the use of nonregistered toxicants to control predatory animals that were destroying the nests of the endangered Attwater's prairie chicken, the Fish and Wildlife Service, Bureau of Sport Fisheries and Wildlife, U.S. Department of the Interior, made application to the Environmental Protection Agency on March 6, 1974, for a specific exemption from the requirements of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 973). Application was made in accordance with the provisions of § 166.3 of the regulations (40 CFR Part 166) governing exemption of Federal and State agencies for use of pesticides under emergency conditions. The regulations concerning exemptions were published in the FEDERAL REGISTER on December 3, 1973 (38 FR 33303).

Conclusion. The Environmental Protection Agency granted a specific exemption in accordance with the provisions of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 995), on March 20, 1974, with the following provisions:

1. A maximum of 725 individual strychnine alkaloid treated eggs and 500 suffocating gas cartridges be placed on lands within the Attwater's Prairie Chicken National Wildlife Refuge.
2. The program be carried out by Bureau of Sport Fisheries and Wildlife personnel only.
3. The program be terminated when it is determined by Bureau personnel that the nesting season is complete. At that time an effort will be made to recover those strychnine-treated eggs remaining intact.
4. An attempt be made to quantify the target and nontarget organisms taken by the control procedures.
5. Efficacy data for the use of the suffocating gas cartridges against the target species be developed and submitted to the EPA.
6. A report be submitted to the EPA at the conclusion of the program indicating the numbers of baits and cartridges used and retrieved, the effectiveness in reducing predation on the Attwater's prairie chicken, and any adverse incidents occurring.

Benefits to be obtained from this program are other than economic. An important part of the Applicant's role in management of the nation's fish and wildlife resources is the protection and enhancement of endangered species. The Attwater's prairie chicken needs immediate relief from nest-destroying predators to survive. It is not anticipated that this program will pose adverse effects on man and the environment.

Notice of this exemption is given pursuant to the provisions of section 18 the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 995) and the regulations thereunder (40 CFR 166.10).

Dated: May 15, 1974.

JAMES L. AGEE,
Acting Assistant Administrator for Water and Hazardous Materials.

[FR Doc.74-11657 Filed 5-20-74;8:45 am]

FEDERAL MARITIME COMMISSION

[Docket No. 74-17; Agreement No. 9955-1]

BILLABONG; WESTFAL-LARSEN & CO. ET AL.

Amendment of Order of Investigation and Hearing

Agreement No. 9955-1—A/S Billabong; Westfal-Larsen & Co. A/S; Fred. Olsen & Co.; and Star Shipping A/S.

This proceeding was instituted by order of investigation and hear served May 7, 1974, to determine the approvability under section 15 of the Shipping Act, 1916 of Agreement No. 9955-1. We ordered the proceeding expedited so that a decision may be rendered prior to November 12, 1974, the expiration date of the present order of approval of Agreement No. 9955.

In order to facilitate expedition of this proceeding we find it appropriate to waive certain provisions of the rules of practice which require leave of the Commission before early institution of the discovery process. Accordingly, the order of investigation in this proceeding is hereby amended to include the following ordering paragraph:

It Is Further Ordered, That the provision of 46 CFR 502.201(b) requiring leave of the Commission to take testimony by deposition if notice thereof is served within 20 days of commencement of the proceeding, the provision of 46 CFR 502.206(a) requiring leave of the Commission to serve interrogatories if notice thereof is served within 20 days of commencement of the proceeding, and the provision of 46 CFR 502.208(a) requiring leave of the Commission to serve a request for admissions if notice thereof is served within 10 days of commencement of the proceeding, are hereby waived.

By the Commission.

[SEAL] FRANCIS C. HURNEY,
Secretary.

[FR Doc.74-11621 Filed 5-20-74;8:45 am]

EUGENE T. GILLEN, INC. ET AL.

Independent Ocean Freight Forwarder License Applicants

Notice is hereby given that the following applicants have filed with the Federal Maritime Commission applications for licenses as independent ocean freight forwarders pursuant to section 44(a) of the Shipping Act, 1916, (75 Stat. 522 and 46 U.S.C. 841(b)).

Persons knowing of any reason why any of the following applicants should not receive a license are requested to communicate with the Director, Bureau of Certification and Licensing, Federal Maritime Commission, Washington, D.C. 20573.

Eugene T. Gillen, Inc.
16 Beaver Street
New York, New York 10004

OFFICERS

Eugene T. Gillen, President
Julie Horngrad, Secretary/Treasurer
Frederick J. Matalevich, Vice President

Jacob Shupak
Frankenfield Road
Ottsville, Pennsylvania 18942

Ayres Aeroplan, Inc.
P.O. Box 3090
Albany, Georgia 31706

OFFICERS

Fred P. Ayres, President
Robert L. Frank, Vice President
June Ayres, Treasurer/Vice President
Pauline Driggers, Secretary

Naim Kazar
One World Trade Center
New York, New York 10048

Marshall Feirman
98 Maria Drive
Hillsdale, New Jersey 07642

Ted L. Rausch Co. of Oregon
208 S. W. Stark Street
Portland, Oregon 97204

OFFICERS

David C. Buffam, Sr., President
Eugene E. Brosterhous, Vice President
Ted L. Rausch, Secretary/Treasurer

Bemo Shipping Company Incorporated
One World Trade Center, Suite 1767
New York, New York 10048

OFFICERS

Bernard L. Epstein, President
James B. Penson, President/Treasurer
Albert Sorrentino, Vice President/Secretary

Dated: May 15, 1974.

By the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.74-11618 Filed 5-20-74;8:45 am]

COMPAGNIE MARITIME BELGE, S.A., ET AL.

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, NW., Room 10126; or may inspect the agreement at the Field offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before June 10, 1974. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

Thos. E. Stakem, Esquire
Macleay, Lynch, Bernhard & Gregg
1625 K Street NW.
Washington, D.C. 20006

Agreement No. 9966-2 modifies an approved sailing agreement covering the trade between U.S. Gulf ports and ports of West Africa in the Mauritania/Angola range by adding language to Article 2 thereof whereby the parties set forth a plan of rationalization as to their outbound sailings at only Houston, Texas and New Orleans, Louisiana in order to avoid conflicting sailing dates. Scheduling of sailings from other loading ports covered by the agreement shall be at the discretion of the individual party.

Dated: May 14, 1974.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.74-11619 Filed 5-20-74;8:45 am]

MATSON AGENCIES INC. AND COLUMBUS LINE/HAMBURG SUED

Notice of Agreements Filed

Notice is hereby given that the following agreements have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreements at the Washington office of the Federal Maritime Commission, 1100 L Street, NW., Room 10126; or may inspect the agreements at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before June 10, 1974. Any person desiring a hearing on the proposed agreements shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreements (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

Peter P. Wilson, Esq.
Counsel
Matson Navigation Co.
100 Mission Street
San Francisco, California 94105

Agreement No. T-2964, between Matson Agencies, Inc. (Matson) and Columbus Line/Hamburg Sued (Columbus) is an agency agreement wherein Columbus appoints Matson as its exclusive general agent in Hawaii to perform services such as husbanding, cargo booking and operation, vessel operation, cost estimates, claims, and other duties as required. Compensation is as agreed to by the parties and filed with the Commission.

Dated: May 16, 1974.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.74-11620 Filed 5-20-74;8:45 am]

FEDERAL POWER COMMISSION

[Docket No. E-8785]

ALLEGHENY POWER SERVICE CORP.

Notice of Amendment

MAY 14, 1974.

Take notice that on May 6, 1974 Allegheny Power Service Corporation (Allegheny) tendered for filing on behalf of Monongahela Power Company (Monongahela) and West Penn Power Company (West Penn) Amendment No. 3 to the Interchange Agreement among Monongahela, West Penn and Pennsylvania Power Company and Ohio Edison Company, dated October 17, 1968.

Allegheny states Amendment No. 3 increases the demand charge for Short-Term Power and Energy, from $0.40 to $0.45 per kilowatt week and establishes a new short term power service. This new service is comprised of short-term power and energy supplied by a third party, the charges therefor being computed as follows: demand charge of supplying third party plus 12.5 cents per kilowatt week plus 115 percent of energy charges of third party supplier.

Allegheny requests an effective date of May 15, 1974 for said Amendment.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before May 30, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

MARY B. KIDD,
Acting Secretary.

[FR Doc.74-11533 Filed 5-20-74;8:45 am]

[Docket No. CP74-186]

CITIES SERVICE GAS CO.

Extension of Time and Postponement of Hearing; Correction

MAY 13, 1974.

In the notice of further extension of time and postponement of hearing, issued April 29, 1974 and published in the FEDERAL REGISTER May 6, 1974, 39 FR 15914, please change the notice dated April 29, 1974, to permit Union Gas System, Inc., to serve its direct testimony

and exhibits on June 17, 1974, rather than on May 15, 1974.

MARY B. KIDD,
Acting Secretary.

[FR Doc.74–11535 Filed 5–20–74;8:45 am]

[Docket No. E–8757]

CONNECTICUT LIGHT AND POWER CO.

Proposed Rate Schedule

MAY 14, 1974.

Take notice that on May 1, 1974, Connecticut Light and Power Company (CL&P) tendered for filing as a proposed rate schedule a proposed Purchase Agreement With Respect to Montville Unit No. 6, dated December 31, 1973, between CL&P and Montaup Electric Company.

CL&P states that the proposed rate schedule provides for sales to Montaup Electric Company of specified percentages of capacity and energy from CL&P's Montville Unit No. 6 during the period January 1, 1974 through April 30, 1974. CL&P further alleges that the filing is in accordance with Part 35 of the Commission's regulations. A notice suitable for publication in the FEDERAL REGISTER, as required by § 35.8(a) of these regulations was, however, omitted.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before May 28, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

MARY B. KIDD,
Acting Secretary.

[FR Doc.74–11534 Filed 5–20–74;8:45 am]

[Docket No. E–8777]

DUKE POWER CO.

Notice of Supplement

MAY 14, 1974.

Take notice that on May 1, 1974, Duke Power Company (Duke) tendered for filing a supplement to its Electric Power Contract with the Town of Huntersville, North Carolina (Huntersville), designated as Duke Power Company Rate Schedule FPC No. 251. Duke states the said supplement provides for an increase in contract demand from 1800 KW to 2800 KW made at the request of Huntersville.

Duke proposes an effective date of June 19, 1974, for said supplement.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before May 28, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

MARY B. KIDD,
Acting Secretary.

[FR Doc.74–11536 Filed 5–20–74;8:45 am]

[Docket Nos. RP72–150, etc.]

EL PASO NATURAL GAS CO.

Order Denying Motion

MAY 10, 1974.

Major rate increases of El Paso Natural Gas Company (El Paso) in Docket Nos. RP73–104 and RP74–57 were consolidated with the proceedings in Docket No. RP73–84 for hearing and decision by order issued February 8, 1974.[1] By order in Docket No. RP69–6, et al., issued February 14, 1974, we approved a stipulation and agreement disposing of all issues in a number of dockets relating to El Paso's Southern Division System, except the issue of rate design in Docket No. RP72–150 which we consolidated with the proceedings in Docket No. RP73–104 and RP74–57.

On April 9, 1974, El Paso filed a motion proposing that the issue of rate design in the proceeding in Docket No. RP72–150 and the issues of rate design, cost classification and cost allocation in the proceedings in Docket Nos. RP73–104 and RP74–57 be considered in an initial phase. All other issues in the latter two proceedings would be reserved for a second phase.

Although El Paso suggests that its proposal would expedite results, it seems highly unlikely that determining theoretical cost classifications, cost allocations and rate design in Docket Nos. RP73–104 and RP74–57 prior to a review of cost of service elements will actually result in faster ultimate disposition of these proceedings. We believe that, in a ratemaking proceeding, a prior or contemporaneous determination of the cost of service generally facilitates arriving at a proper cost allocation and rate design. El Paso's proposal to reverse this normal sequence of consideration of issues would make a realistic appraisal of the impact of different cost allocation and rate design proposals more difficult and would place an unnecessary burden on the Presiding Administrative Law Judge.

[1] The proceeding in Docket No. RP73–84 was subsequently severed by order issued April 16, 1974.

The posture of the proceedings in Docket No. RP72–150 is entirely different from those in Docket Nos. RP73–104 and RP74–57. Since only rate design remains to be determined in the proceeding in Docket No. RP72–150, severance might expedite a final decision in this proceeding. All three proceedings, however, will require a determination of the proper rate design on El Paso's Southern Division System. In our order of February 14, 1974, we indicated that our intent in consolidating all three proceedings was to avoid relitigation of the eventual decision on rate design for the Southern Division System. This continues to be our intention, and, therefore, we decline to sever the proceeding in Docket No. RP72–150.

The Commission finds. Good cause has not been shown for granting El Paso's motion of April 9, 1974.

The Commission orders. (A) El Paso's motion of April 9, 1974, in these dockets is denied.

(B) The Commission Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] MARY B. KIDD,
Acting Secretary.

[FR Doc.74–11537 Filed 5–20–74;8:45 am]

[Project No. 2179]

MERCED IRRIGATION DISTRICT

Application for Approval of Revised Exhibits K and R

MAY 10, 1974.

Public notice is hereby given that application was filed under the Federal Power Act (16 U.S.C. 791a–825r) by Merced Irrigation District (Correspondence to: Mr. Kenneth R. McSwain, Chief Engineer and Manager, Merced Irrigation District, P.O. Box 759, Merced, California) for Commission approval of Revised Exhibits K and R for the Exchequer Project No. 2179 on the Merced River in Mariposa County, California.

Revised Exhibit K for the Exchequer Project was submitted pursuant to Article 35 of the license. The revised Exhibits K and R show additional BLM administered lands to be included in the Horseshoe Bend Recreation Site which is proposed for future development of camp sites. The revised Exhibit R drawings also show the existing and proposed recreational facilities as finally located including two additional sites, Bagby and Hunters Valley Road, proposed for future development by concessionaires.

The revised drawings show deviations in the numbers and scheduling of development of outdoor recreation facilities. The net additions of 200 camp units and 56 picnic units increase the totals to be developed to 886 and 388, from 686 and 332, respectively.

Other changes proposed in the numbers of public use facilities are in sanitary facilities which are decreased at Barrett Cove and increased in the Horseshoe Bend area for a project net increase.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before June 28, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

MARY B. KIDD,
Acting Secretary.

[FR Doc.74–11538 Filed 5–20–74;8:45 am]

NATIONAL POWER SURVEY TECHNICAL ADVISORY COMMITTEES

Order Designating Additional Members

MAY 10, 1974.

The Federal Power Commission, by order issued September 28, 1972, established the National Power Survey Technical Advisory Committees.

2. *Membership.* Additional members of the Technical Advisory Committees, as selected by the Chairman of the Commission, with the approval of the Commission, are as follows:

TECHNICAL ADVISORY COMMITTEE ON POWER SUPPLY

Mr. E. F. Weitzel, General Planning Engineer; Bonneville Power Administration (replaces Mr. Edward H. Gehrig).

TECHNICAL ADVISORY COMMITTEE ON CONSERVATION OF ENERGY

Mr. George T. Berry, General Manager; Power Authority of the State of New York (replaces Mr. Asa George).

By the Commission.

[SEAL] MARY B. KIDD,
Acting Secretary.

[FR Doc.74–11544 Filed 5–20–74;8:45 am]

NATIONAL POWER SURVEY TECHNICAL ADVISORY COMMITTEE ON THE IMPACT OF INADEQUATE ELECTRIC POWER SUPPLY

Order Designating Additional Members

MAY 10, 1974.

The Federal Power Commission, by order issued February 28, 1974, established the National Power Survey Technical Advisory Committee on the Impact of Inadequate Electric Power Supply.

2. *Membership.* Additional members of the Technical Advisory Committee on the Impact of Inadequate Electric Power Supply, as selected by the Chairman of the Commission, with the approval of the Commission, is as follows:

Mr. Gordon Vickery, Superintendent; Seattle Department of Lighting.
Mr. Don C. Frisbee, Chairman and Chief Executive Officer; Pacific Power and Light Company.
Mr. Edward V. Sherry, Manager—Energy Systems; Air Products and Chemicals, Inc.
Mr. Robert E. Shepherd, Director—Office of Energy Programs; Department of the Interior.

By the Commission

[SEAL] MARY B. KIDD,
Acting Secretary.

[FR Doc.74–11545 Filed 5–20–74;8:45 am]

NATIONAL POWER SURVEY TECHNICAL ADVISORY COMMITTEE ON THE IMPACT OF INADEQUATE ELECTRIC POWER SUPPLY

Order Designating Additional Members

MAY 10, 1974.

The Federal Power Commission, by order issued February 28, 1974, established the National Power Survey Technical Advisory Committee on the Impact of Inadequate Electric Power Supply.

2. *Membership.* Additional members of the Technical Advisory Committee on the Impact of Inadequate Electric Power Supply, as selected by the Chairman of the Commission, with the approval of the Commission, is as follows:

Mr. Ed Rovner, Director, Energy Projects; National Governors' Conference.
Dr. Walter J. Clayton, Director, Office of Program Development; Rural Electrification Administration.
Mr. George M. Bennsky, Director, Office of Fuels and Energy; Department of State.
Mr. Merrill J. Whitman, Assistant Director for Energy Systems Analysis; Atomic Energy Commission.
Dr. Stephen J. Gage, Senior Staff Member; Council on Environmental Quality.

By the Commission

[SEAL] MARY B. KIDD,
Acting Secretary.

[FR Doc.74–11546 Filed 5–20–74;8:45 am]

[Docket No. RP74–87]

PENNZOIL CO. AND UNITED GAS PIPE LINE CO.

Investigation, Hearing and Procedures

MAY 14, 1974.

Recent financial transactions involving a spin-off by Pennzoil Company (Pennzoil) of one of its subsidiaries, United Gas Pipe Line Company (United), both of which are natural gas companies subject to the jurisdiction of this Commission, have come to the attention of the Commission. Based upon the present information available to the Commission, certain persons may have or may be about to violate provisions of the Natural Gas Act or rules, regulations, or orders thereunder. The Commission therefore undertakes, pursuant to section 14 of the Natural Gas Act, an investigation of the financial transactions indicated below, but not necessarily limited thereto, to determine, inter alia, whether any person has or is about to violate any of the provisions of the Natural Gas Act, or any rule, regulation, or order thereunder; to determine what action, if any, this Commission should take to meet its responsibilities under the Natural Gas Act with respect to these transactions; to aid in the enforcement of the provisions of the Natural Gas Act; and to obtain information which may serve as a basis for recommending further legislation to Congress with respect to these kinds of transactions.

The Commission's knowledge of these transactions is derived from United's April 2, 1974, filing with the Securities and Exchange Commission of a Form S–1, Registration Statement, pursuant to the Securities Act of 1933, proposing the implementation of its Parent's plan to dispose of 100 percent of United's common stock. On April 3, 1974, the Securities and Exchange Commission cleared the Registration Statement as meeting its requirements as to the adequacy of disclosure and the Registration Statement became effective on April 3, 1974. According to the Statement, its filing with the Securities and Exchange Commission was occasioned by the declaration by the Board of Directors of Pennzoil on March 4, 1974, of a dividend to Pennzoil's common stockholders of record on April 5, 1974, of 100 percent of the common stock of United to be distributed on the basis of .3 shares of United's stock for each share of common stock held in Pennzoil. The stated effect of this disposal is to finalize a planned severance of the corporate affiliation between Pennzoil and United which plan seeks to eliminate certain problems in dealing with federal and state regulatory agencies and to improve the competitive position of both. Pennzoil's board also authorized a contribution of up to $15,000,000 to United's capital surplus by forgiving $10,000,000 of United's demand notes held by Pennzoil and by assuming up to $5,000,000 of United's income tax liability for the first quarter of 1974.

The Registration Statement indicates that between December 31, 1973, and April 3, 1974, United issued, as a stock dividend to Pennzoil, 1,000,000 shares of 9¾ percent cumulative preferred stock, $100 par at a book value of $100,000,000. Of this amount, $68,564,000 was charged against capital surplus which was the entire amount of capital surplus available as of February 28, 1974. The remaining $31,436,000 was charged against retained earnings. By the terms of the preferred stock, United is required to establish certain purchase funds in the nature of sinking funds amounting to $4,000,000 semi-annually commencing December 1, 1974, which will be utilized for the mandatory retirement of 40,000 shares of the preferred stock commencing December, 1981, until the series is fully retired. It appears that upon retirement the effect will be to significantly reduce United's permanent capital by an amount in excess of 25 percent from its February 28, 1974, level of $378 million. The April 2, 1974 Registration Statement indicates Pennzoil will dispose of this stock to institutional purchasers but the Securities and Exchange Commission has advised it is now contemplated the preferred stock will be disposed of publicly and therefore a further Registration Statement will have to be filed with respect to that issue.

Also, sometime between December 31, 1973, and April 3, 1974, United's common stock was split to increase the number of shares from 500,000 outstanding to 9,918,000 outstanding, but the par value was decreased from $100 to $1, resulting in an overall decrease in the par value of the common stock of $40,082,000 and an offsetting increase in capital surplus of a like amount. This $40,082,000, together with Pennzoil's capital contribution to United of up to $15,000,000, make up United's capital surplus of $53,146,000 as of February 28, 1974, as adjusted to reflect these transactions.

The information presently available to the Commission raises questions as to whether there have been or may be violations of the Natural Gas Act. Section 12 of the Natural Gas Act provides:

> It shall be unlawful for any officer or director of any natural-gas company to receive for his own benefit, directly or indirectly, any money or thing of value in respect to the negotiation, hypothecation, or sale by such natural-gas company of any security issued, or to be issued, by such natural-gas company, or to share in any proceeds thereof, or to participate in the making or paying of any dividends, other than liquidating dividends, of such natural-gas company from any funds properly included in capital account. [52 Stat. 827 (1938); 15 U.S.C. 717k].

The dividend to Pennzoil of preferred stock out of United's capital surplus and retained earnings as well as the planned disposition of that stock by Pennzoil may lead to the accrual of benefits, directly or indirectly, to the officers or directors of Pennzoil or United in violation of section 12 of the Natural Gas Act. Further, the participation of the officers or directors of Pennzoil or United in the making or paying of the preferred stock dividend may be a violation of section 12 of the Act to the extent it involves the payment of funds, other than liquidating dividends, properly included in a capital account.

Accordingly, evidence is required of Pennzoil, United, and their officers and directors, individually and collectively to show why they, or any one of them, are not, or will not be, in violation of section 12 of the Natural Gas Act as a result of any of the above or related transactions. Detailed evidence of the specifics of the transactions above and any related transactions and the net effect of them must also be provided.

In addition, we must determine and will investigate whether following these transactions United can be properly financed so as to maintain its existing and future services at reasonable costs. Of particular concern is that according to the S–1 Registration Statement the common equity ratio of United after the transactions declined from 43.78 percent to 20.08 percent. Furthermore, provisions for the preferred stock issue as described in the S–1 Registration Statement place a number of restrictions on the payment of dividends on outstanding shares of common stock. These factors may significantly affect United's ability to raise new capital at a reasonable cost in the future. We, therefore, will require United and Pennzoil to provide evidence on United's requirements for new capital funds and details as to how it may expect to raise such funds at a reasonable cost after completing the transactions. On this point evidence should be presented by United and Pennzoil on an individual and a consolidated basis for the years 1967 through 1973 and for the period in 1974 prior to the disposal of United by Pennzoil, all on an actual basis, balance sheets and income statements, statements of retained earnings, statement of changes in financial position (funds statement), statement of long and short-term debt and capital stock, and Federal income tax returns. United also individually and as consolidated with its subsidiaries should present evidence on a pro forma annual basis setting forth the above required information for the next ten-year period. The ten year pro forma financial statements should be supported and accompanied by detailed construction budgets, financing budgets, and schedules of sinking fund requirements and dividend payments.

Also, we are concerned about and will investigate the possible detriment to United and its continued ability to maintain the level of service to its customers, which it would otherwise provide, were it not for the $100,000,000 of stock dividends recently paid out, and other recent dividends, including the payment of $30,000,000 of cash dividends in 1973 (when net income was only $23,602,000) and the severance of the corporate relationship between United and Pennzoil. Our concern is not unaffected by the fact that United has been curtailing deliveries of gas to its customers since November, 1970, and at a daily average rate of 33% during 1973. We will therefore investigate in this and such subsequent proceedings as may be required, whether United will continue to be willing and able to perform the services to its customers presently authorized pursuant to outstanding certificate authorizations pursuant to section 7 of the Natural Gas Act, or if United will not be able to do so in the future, whether its present certificate authorizations should be amended to prohibit certain of these financial transactions, particularly, but not limited to, the payment of certain dividends, which may otherwise hinder in the future its ability to maintain existing certificated services.

We must also determine and will investigate whether Pennzoil or any of its subsidiaries will be altering, rescinding, or repudiating any of their contracts with United or any subsidiaries, particularly, but not limited to gas supply contracts, as a result of its divorce from United, and the resultant impact upon the pipeline's ability to continue to render adequate service to its customers. We must determine what actions, if any, should be taken to prevent any resulting impacts that may not be in the public interest. Pennzoil and United must provide evidence of all outstanding contracts, including advance payment contracts and agreements, between the two companies and/or their subsidiaries, or designate by reference those relevant contracts on file with the Commission, together with an indication of contemplated future contracts and show the effect, if any, of these transactions on those contracts. Additionally, they must present evidence on any planned changes in the terms and conditions of those existing contracts.

Finally, we will investigate to determine whether abandonment authorization, by Pennzoil, pursuant to section 7 (b) of the Natural Gas Act, is required for the abandonment of its relationship with United. Pennzoil and United have in the past been intimately connected in many phases of their operations. The severance of their corporate ties in this instance may amount to an abandonment of United's natural gas system and may therefore require abandonment authorization under section 7(b) of the Natural Gas Act. We believe this to be another issue for consideration in this proceeding and we expect Pennzoil, United and others to respond to this question in these proceedings.

The enumeration of the issues above is not intended as a limitation on the scope of this proceeding and all parties inclusive of Commission staff are free to pursue any other relevant issues that may become manifest during the course of this investigation.

The Commission finds. It is necessary and proper to institute a formal investigation and proceeding pursuant to section 14 of the Natural Gas Act into the matters set forth above to determine if there have been or are about to be violations of the Natural Gas Act, or any rule, regulation, or order thereunder, to aid in the enforcement of the provisions of the Natural Gas Act, or to serve as a basis for proposed legislation, and to therefore require United, Pennzoil and any of their affiliates, officers and directors to show cause why the transactions discussed in the aforementioned Registration Statement will not be in violation or cause a violation of the Natural Gas Act, or any rule, regulation, or order thereunder.

The Commission orders. (A) Pursuant to the provisions of the Natural Gas Act, particularly sections 6, 7, 8, 12, 14, 15, and 16 thereof, and pursuant to the Commission's rules of practice and procedure and the regulations under the Natural Gas Act, a public hearing shall be convened on July 8, 1974, at a hearing room of the Federal Power Commission, 825 N. Capitol Street, NE., Washington, D.C. 20426, wherein pursuant to this investigation Pennzoil, United, their affiliates, and their officers and directors will be required to show cause why the transactions set forth in the S–1 Registration Statement filed with the Securities and Exchange Commission on April 2, 1974, and any other related financial or contractual transactions are not, or will not be, in violation of any provision of the Natural Gas Act, or any rule, regulation or order thereunder.

(B) On or before June 13, 1974, Pennzoil, United, its affiliates, and directors

and officers are hereby directed to file their evidence in response to the questions and issues raised in the body of this order, as well as any other evidence they may wish to present in furtherance of their positions.

(C) The Presiding Administrative Law Judge designated by the Chief Administrative Law Judge for that purpose (see delegation of authority, 18 CFR 3.5(d)) shall, following the completion of cross-examination above, prescribe such further procedures as may be warranted.

(D) Notices of intervention and petitions to intervene in this proceeding may be filed with the Federal Power Commission, Washington, D.C. 20426, on or before May 28, 1974, in accordance with the Commission's rules of practice and procedure.

By the Commission.

[SEAL] MARY B. KIDD,
Acting Secretary.

[FR Doc.74-11539 Filed 5-20-74;8:45 am]

[Docket No. E-8242]

PUBLIC SERVICE COMPANY OF OKLAHOMA

Further Extension of Time and Postponement of Prehearing Conference and Hearing

MAY 13, 1974.

On May 3, 1974, Public Service Company of Oklahoma (PSCO) filed a motion for a further extension of the procedural dates fixed by notice issued April 12, 1974, in the above-designated matter. The motion states that there is no objection to the motion by any of the parties.

Upon consideration, notice is hereby given that the procedural dates in the above matter are further modified as follows:

Service of Rebuttal Evidence by PSCO, June 3, 1974.
Prehearing Conference, June 17, 1974 (10 a.m., e.d.t.).
Hearing, To commence at the conclusion of the prehearing conference.

MARY B. KIDD,
Acting Secretary.

[FR Doc.74-11541 Filed 5-20-74;8:45 am]

[Docket No. E-8763]

PUBLIC SERVICE COMPANY OF OKLAHOMA

Proposed Rate Schedule

MAY 14, 1974.

Take notice that on May 2, 1974, Public Service Company of Oklahoma (PSCO) tendered for filing supplements to its Rate Schedule FPC 186. The supplements are a letter agreement, dated June 23, 1971, and an amending Letter Agreement, dated March 6, 1974, between PSCO and Associated Electric Cooperative, Inc. (AEC).

PSCO states that the supplements provide for sale by PSCO to AEC of 100 MW of capacity for the twelve-year period June 1, 1974 to May 31, 1986, for various of PSCO's generating units. PSCO alleges that the terms and conditions of the proposed supplement are similar to the terms and conditions in Supplement No. 6 to Rate Schedule FPC 161 between PSCO and Kansas Gas and Electric. PSCO requests an effective date for the proposed supplement of June 1, 1974.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before May 24, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

MARY B. KIDD,
Acting Secretary.

[FR Doc.74-11540 Filed 5-20-74;8:45 am]

[Docket Nos. RP72-91, etc.]

SOUTHERN NATURAL GAS CO.

Granting Late Petition To Intervene

MAY 13, 1974.

On November 9, 1973, United Gas, Inc. (United), filed a late petition to intervene in these proceedings solely for the purpose of calling the Commission's attention to United's briefs filed in United Gas Pipe Line Company, Docket No. RP72-75 (Phase II). As United's petition states, the Commission issued Opinion No. 671 in Docket No. RP72-75 on October 31, 1973, which stated that:

[t]he issue of conjunctive billing is raised and discussed at length by the Administrative Law Judge in his initial decision of April 3, 1973, in Southern Natural Gas Company, Docket Nos. RP72-91, *et al.*, presently before the Commission. We shall defer determination of this issue until after our decision in Southern.

United thus argues that since the outcome in the Southern:

proceeding will have considerable effect upon Petitioner's rights in Docket No. RP72-75, Petitioner asks to intervene herein only to the extent of requesting this Commission to consider in this matter the * * * briefs which have heretofore been filed by Petitioners in Docket No. RP72-75 insofar as those briefs relate to conjunctive billing.

Since United's late petition to intervene is limited and since the granting of such petition will not delay this proceeding, we find that good cause exists to grant United's petition to intervene.

The Commission finds. Participation by United in these proceedings may be in the public interest, and good cause exists for permitting such intervention.

The Commission orders. (A) United is hereby permitted to intervene in this proceeding, subject to the rules and regulations of the Commission; *Provided, however,* That the participation of the intervenor shall be limited to matters affecting rights and interests specifically set forth in its petition to intervene, and *Provided, further,* That the admission of such intervenor shall not be construed as recognition by the Commission that it might be aggrieved because of any order or orders issued by the Commission in these proceedings.

(B) The intervention granted herein shall not be the basis for delaying or deferring any procedural schedules heretofore established for the orderly and expeditious disposition of these proceedings.

(C) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] MARY B. KIDD,
Acting Secretary.

[FR Doc.74-11543 Filed 5-20-74;8:45 am]

[Docket No. E-8215]

UNION ELECTRIC CO.

Certification of Settlement Agreement

MAY 14, 1974.

Take notice that on April 29, 1974, Presiding Administrative Law Judge Walter T. Southworth certified to the Commission two proposed settlement agreements resolving outstanding issues in this docket.

The first agreement relates to the increase in rates to the W-2 customers of Union Electric Company (Union). The second agreement relates to the rate increase to Missouri Power and Light Company (MPL) and is on the same terms and conditions as the settlement agreement with the W-2 customers.

Copies of the agreements are on file with the Commission and are available for public inspection. Any person desiring to comment upon the agreements should file such comments with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, on or before May 28, 1974.

MARY B. KIDD,
Acting Secretary.

[FR Doc.74-11542 Filed 5-20-74;8:45 am]

FEDERAL RESERVE SYSTEM

CENTRAL BANCOMPANY

Order Approving Acquisition of Bank

Central Bancompany, Jefferson City, Missouri, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire 85 percent or more of the voting shares of The Boone County National Bank of Columbia, Columbia, Missouri ("Bank").

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given

in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and the Board has considered the application and all comments received in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant controls three banks with aggregate deposits of approximately $257 million, representing 1.9 percent of the total deposits held by commercial banks in Missouri, and is the eighth largest banking organization in the State.[1] Acquisition of Bank (deposits of $62 million) would increase Applicant's share of State deposits by less than 0.5 of one percentage point, and would not significantly increase the concentration of banking resources within the State, nor alter Applicant's Statewide ranking.

Bank, with 36 percent of the total market deposits, is the largest of eight commercial banks in the Columbia market.[2] One of the competing banks is a subsidiary of Missouri's third largest bank holding company. Applicant has no subsidiary bank in the relevant market but does have two subsidiary banks in a separate but adjoining banking market approximately 33 miles south of Columbia in Jefferson City. There is no significant existing competition between Bank and Applicant's Jefferson City subsidiaries; nor is there significant existing competition between Bank and Applicant's other subsidiary bank, which is located approximately 130 miles from Bank. It further appears that no significant potential competition would be eliminated by the proposed acquisition. Columbia and Jefferson City are the two largest cities in Central Missouri and are centers of separate and distinct trade areas. These two cities could be expected to be of interest to expansion-minded holding companies in the State. The Columbia market, moreover, is relatively attractive for de novo entry considering a population gain of almost 47 percent for the last decade and a population per banking office ratio somewhat higher than the State average (6,224 v. 5,521). However, six independent banks will remain in the market after the subject acquisition, and most of the multi-bank holding companies in the State remain potential entrants into both the Columbia and Jefferson City areas. It appears, therefore, that consummation of the proposed acquisition would have no significant adverse effect upon existing or potential competition within the market.

The financial and managerial resources of Applicant, its subsidiary banks and Bank are regarded as satisfactory and future prospects for all are favorable. Although there is no evidence in the record to indicate that the major banking needs of the community to be served are not presently being met, affiliation with Applicant would enable Bank to offer overdraft checking, direct equipment leasing services and 24-hour automated teller facilities. These considerations relating to the convenience and needs of the community to be served are consistent with approval of the application. It is the Board's judgment that consummation of the proposed acquisition would be in the public interest and that the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be made (a) before the thirtieth calendar day following the effective date of this order or (b) later than three months after the effective date of this order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of St. Louis pursuant to delegated authority.

By order of the Board of Governors,[3] effective May 14, 1974.

[SEAL] CHESTER B. FELDBERG,
Secretary of the Board.

[FR Doc.74-11601 Filed 5-20-74;8:45 am]

[1] All banking data are as of June 30, 1973, and reflect holding company formations and acquisitions approved through April 30, 1974.

[2] The Columbia banking market is approximated by the Columbia SMSA, which is coterminous with Boone County.

[3] Voting for this action: Vice Chairman Mitchell and Governors Bucher, Holland, and Wallich. Absent and not voting: Chairman Burns and Governors Brimmer and Sheehan.

FIRST INTERNATIONAL BANCSHARES, INC.

Order Approving Acquisition of Bank

First International Bancshares, Inc., Dallas, Texas, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent of the voting shares (less directors' qualifying shares) of the successor by merger to The First National Bank in Cleburne, Cleburne, Texas ("Bank"). The bank into which Bank is to be merged has no significance except as a means to facilitate the acquisition of the voting shares of Bank. Accordingly, the proposed acquisition of shares of the successor organization is treated herein as the proposed acquisition of the shares of Bank.

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and none has been timely received. The Board has considered the application in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant is the largest banking organization in Texas and presently controls sixteen banks[1] with aggregate deposits of approximately $2.6 billion, representing some 7.5 percent of total commercial deposits in Texas.[2] Approval of this application would increase Applicant's share of Statewide deposits by only .08 of one percent and would have no appreciable effect upon the concentration of banking resources in the State.

Bank is the twelfth largest of 45 banks in the Fort Worth banking market (approximated by the Fort Worth RMA) and holds $27.6 million in deposits, or about 1.3 percent of total commercial bank deposits in the market. Approval of the proposed transaction would have no adverse effects on competition. The acquisition of Bank would effect Applicant's initial entry into the Fort Worth market and would introduce Applicant as an additional competitive force in this highly concentrated market area. There is no substantial existing competition between Bank and any of Applicant's banking subsidiaries, the nearest of which is located in the Dallas market some 48 miles to the east; nor is there a reasonable probability of substantial future competition developing between Bank and any of Applicant's banking subsidiaries, in view of distances involved, the number of banks in intervening areas, and Texas' prohibitive branching laws. Ease of entry into the Fort Worth market would not be significantly diminished, for numerous banks would remain as potential entry vehicles for additional bank holding companies.

The financial and managerial resources and future prospects of Applicant, its subsidiaries, and Bank are regarded as generally satisfactory and consistent with approval. Although there is no evidence in the record that the banking needs of the community are not being adequately served, considerations of the convenience and needs of the community to be served lend weight toward approval. Applicant's acquisition of Bank would permit Bank to better serve the growing and diversified local economy by introducing or offering greater expertise in such services as trusts, real estate financing, factoring, foreign trade, and industrial development. It is the Board's judgment that consummation of the proposed acquisition is in the public interest and that the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be made (a) before the thirtieth calendar day following the effective date of this order or (b) later than three months after the effective date of this order, unless such period is extended for good cause by the Board or by the Federal Reserve Bank of Dallas pursuant to delegated authority.

[1] In addition Applicant indirectly controls interests of less than 25 percent in two banks. Applicant has agreed to divest its minority interests in the two banks.

[2] All banking data are as of June 30, 1973, and reflect holding company formations and acquisitions approved by the Board through April 15, 1974.

By order of the Board of Governors,[3] effective May 13, 1974.

[SEAL] CHESTER B. FELDBERG,
Secretary of the Board.

[FR Doc.74-11602 Filed 5-20-74;8:45 am]

FIRST PENNSYLVANIA CORP.

Proposed Acquisition of City Finance Plan

First Pennsylvania Corporation, Philadelphia, Pennsylvania, has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y, for permission to acquire voting shares of City Finance Plan, Downey, California. Notice of the application was published on April 12, 1974, in the Los Angeles Times, a newspaper circulated in Los Angeles county and the counties contiguous and adjacent thereto in southern California.

Applicant states that the proposed subsidiary would engage in the activities of making, acquiring and servicing loans secured by second mortgages, and the sale of credit life and credit disability and credit property and casualty insurance, related to the extensions of credit by the Applicant. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Philadelphia.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than June 7, 1974.

Board of Governors of the Federal Reserve System, May 10, 1974.

[SEAL] ELIZABETH L. CARMICHAEL,
Assistant Secretary of the Board.

[FR Doc.74-11603 Filed 5-20-74;8:45 am]

[3] Voting for this action: Vice Chairman Mitchell and Governors Bucher, Holland, and Wallich. Absent and not voting: Chairman Burns and Governors Brimmer and Sheehan.

FIRST PENNSYLVANIA CORP.

Proposed Acquisition of Globe Finance Co.

First Pennsylvania Corporation, Philadelphia, Pennsylvania, has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y, for permission to acquire voting shares of Globe Finance Company, Los Angeles, California. Notice of the application was published on April 12, 1974, in the Los Angeles Times, a newspaper circulated in Los Angeles county and the counties contiguous and adjacent thereto in southern California.

Applicant states that the proposed subsidiary would engage in the activities of making, acquiring and servicing loans or other extensions of credit for consumer purposes, including loans secured by second mortgages, and the sale of credit life and credit disability and credit property and casualty insurance, related to the extensions of credit by the Applicant. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Philadelphia.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than June 7, 1974.

Board of Governors of the Federal Reserve System, May 10, 1974.

[SEAL] ELIZABETH L. CARMICHAEL,
Assistant Secretary of the Board.

[FR Doc.74-11605 Filed 5-20-74;8:45 am]

FIRST RANTOUL CORP.

Formation of Bank Holding Company

First Rantoul Corporation, Rantoul, Illinois, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 80 percent or more of the voting shares of The First National Bank, Rantoul, Illinois. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Chicago. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551 to be received not later than June 10, 1974.

Board of Governors of the Federal Reserve System, May 13, 1974.

[SEAL] ELIZABETH L. CARMICHAEL,
Assistant Secretary of the Board.

[FR Doc.74-11606 Filed 5-20-74;8:45 am]

MULTIBANK FINANCIAL CORP.

Acquisition of Bank

Multibank Financial Corp., Boston, Massachusetts, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire 80 percent or more of the voting shares of the Security National Bank of Springfield, Springfield, Massachusetts ("Bank").

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired and none has been received. The Federal Reserve Bank of Boston has considered the application in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant controls seven subsidiary banks and is the sixth largest banking organization and bank holding company in Massachusetts, with aggregate deposits of $561.6 million representing 4.1 percent of total deposits of commercial banks in the state.[1] Acquisition of Bank (deposits of $82 million) will have a nominal effect on state-wide concentration, increasing Applicant's share of commercial bank deposits in Massachusetts by .21 percent. Applicant's ranking within the state would be unchanged as there is a considerable disparity in size between Applicant and the five larger Boston-based bank holding companies, each of which controls deposits in excess of $1 billion. The proposed acquisition is part of an aggressive state-wide expansion program by Applicant, which has acquired six banks in the past two and a half years.

Bank operates four offices and is the fourth largest of 11 commercial banks located in the relevant banking market, the Springfield-Holyoke Ranally Metropolitan Area (RMA). The market is highly concentrated, with the three largest

[1] All banking data are as of October 17, 1973.

banking organizations controlling 80 percent of total commercial bank deposits. Two of the larger Springfield banks and a Holyoke bank are affiliated with bank holding companies considerably larger than Applicant.

Two of Applicant's banks operate in markets contiguous to Bank's market. Northampton National Bank, Northampton (Hampshire County), with deposits of $17.9 million, operates in the Northampton-Amherst market, and its closest office to Bank is 22 miles distant; The Mechanics National Bank of Worcester, (Worcester County), with deposits of $110.6 million, operates in the Worcester RMA. However, Applicant is not a dominant competitor in either of these markets, nor does any subsidiary of Applicant draw a significant amount of business from the Springfield area.

The potential for competition between Applicant and Bank to intensify in the future is slight. Massachusetts law restricts branching to the home office county, and therefore Applicant's subsidiary banks cannot branch into Hampden County, where Bank derives substantially all of its business. In view of the economic condition of the Springfield area and the intense competitive environment, it is not likely that Applicant would seek to enter by establishing a de novo bank. Although alternative entry vehicles exist within the market, they do not represent significantly less anticompetitive means of entry than acquisition of Bank. In view of the above considerations, approval of the proposed acquisition will have no adverse competitive effects and may in fact have the procompetitive effect of strengthening Bank's position in the concentrated Springfield market.

The financial and managerial resources and prospects of Applicant and its present subsidiary banks are satisfactory, particularly in view of Applicant's injecting equity capital into several subsidiary banks and strengthening management at the holding company level. The financial and managerial resources and future prospects of Bank are fair in light of Springfield's static economic situation and Bank's limited capacities relative to its competitors. Affiliation with Applicant will provide Bank with additional management depth and greater financial resources which should improve Bank's prospects and its competitive viability. It is this Reserve Bank's judgment that banking factors lend weight toward approval of the application.

There is no evidence in the record to indicate that the convenience and needs of the community are not being adequately served by existing institutions. However, Applicant has stated its intention to provide or improve Bank's services in the areas of computer facilities, equipment leasing and accounts receivable financing. The convenience and needs factors are consistent with approval of the application.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be consummated (a) before the thirtieth calendar day following the date of this Order or (b) later than three months after the date of this Order, unless such period is extended for good cause by the Board or by this Federal Reserve Bank pursuant to delegated authority.

By order of the Federal Reserve Bank of Boston, acting pursuant to delegated authority for the Board of Governors of the Federal Reserve System, effective May 9, 1974.

[SEAL] FRANK E. MORRIS,
President.

[FR Doc.74-11607 Filed 5-20-74;8:45 am]

SAFRABANK S.A. AND TRADE DEVELOPMENT BANK HOLDING S.A.

Acquisition of Bank

Safrabank S.A., Panama City, Panama and its subsidiary Trade Development Bank Holding S.A., Luxembourg, Luxembourg, have applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire an additional 585,803 voting shares of Republic New York Corporation, New York, New York. At the same time Safrabank S.A. has applied for the Board's approval under section 3(a)(3) to acquire up to 1,350,000 voting shares of Trade Development Bank Holding S.A. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of New York. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551 to be received not later than May 27, 1974.

Board of Governors of the Federal Reserve System, May 15, 1974.

[SEAL] THEODORE E. ALLISON,
Assistant Secretary of the Board.

[FR Doc.74-11604 Filed 5-20-74;8:45 am]

SOUTHEAST BANKING CORP.

Acquisition of Bank

Southeast Banking Corporation, Miami, Florida, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire 80 percent or more of the voting shares of Southeast National Bank of North Dade, Dade County, Florida, a proposed new bank ("Bank").

Notice of the application, affording opportunity for interested persons to submit comments and views has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and the Board has considered the application and all comments received in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant, the largest banking organization and bank holding company in Florida, controls 32 banks with aggregate deposits of approximately $1.8 billion, representing 8.9 percent of total deposits in commercial banks in Florida.[1] Since Bank is a proposed new bank, consummation of the proposed acquisition would not immediately increase Applicant's share of commercial bank deposits in the State.

Bank is to be located in northeastern Dade County, which is part of the Greater Miami banking market (approximated by Dade County and the southern third of Broward County), the relevant banking market. Applicant presently has seven subsidiary banks operating in the relevant banking market and controls about 23 percent of market deposits.[2] Competing in the market are 39 other banking organizations controlling 97 banks, including banking subsidiaries of the State's second, third, fourth, fifth, and sixth largest banking organizations. Since Bank is a proposed new bank, Applicant's acquisition of Bank would not have any immediate effect on Applicant's share of commercial bank deposits in the Greater Miami banking market, nor would it have significant adverse effects on existing or potential competition in that same market. In reaching this conclusion, the Board recognizes that de novo expansion by a market's largest banking organization within a particular area of the market could reduce the prospects for eventual deconcentration of that market by preempting viable sites for de novo entry by other banking organizations not already represented in the market. However, on the basis of the facts of record in this case, including the rapid and substantial growth underway in Bank's proposed service area and the numerous banking offices located in the areas intervening between Bank and Applicant's banking subsidiaries, it is the Board's view that this area can support additional entries by other banking organizations and that no significant adverse competitive effects will be realized. Accordingly, competitive considerations are consistent with approval of the application.

The financial and managerial resources and prospects of Applicant and its subsidiary banks are regarded as generally satisfactory, particularly in view of Applicant's commitment to provide additional capital to certain of its banking subsidiaries. Bank, as a proposed new bank, has no financial or operating history; however, its prospects as an affiliate of Applicant appear favorable. Banking factors as the concern Applicant's group and the proposed new bank are consistent with approval of the application. Although there is no evidence that the major banking needs of the area are

[1] All banking data are as of June 30, 1973, and reflect bank holding company formations and acquisitions approved through April 30, 1974.

[2] Included among Applicant's banking subsidiaries is a recently approved but as yet unopened bank, Southeast Bank of Westland.

not being adequately served at the present time, the proposed new bank will provide a convenient source of banking services for the rapidly growing northeastern part of Dade county. Some of the services Applicant proposes to provide through Bank include consumer and personal loans, small business financing, mortgage financing, professional billing and payroll accounting, and trust services. Considerations relating to the convenience and needs factors, therefore, lend some weight toward approval. It is the Board's judgment that consummation of the proposed acquisition would be in the public interest and that the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be made (a) before the thirtieth calendar day following the effective date of this order or (b) later than three months after that effective date, and (c) Southeast National Bank of North Dade, Dade County, Florida, shall be opened for business not later than six months after the effective date of this order. Each of the periods described in (b) and (c) may be extended for good cause by the Board, or by the Federal Reserve Bank of Atlanta pursuant to delegated authority.

By order of the Board of Governors, effective [3] May 13, 1974.

[SEAL] CHESTER B. FELDBERG,
Secretary of the Board.

[FR Doc.74-11608 Filed 5-20-74;8:45 am]

UNION COMMERCE CORP., CLEVELAND, OHIO

Order Approving Acquisition of Port Clinton National Bank, Port Clinton, Ohio

Union Commerce Corporation, Cleveland, Ohio (Applicant), a bank holding company within the meaning of the Bank Holding Company Act, has applied for approval of the Board of Governors of the Federal Reserve System, under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire up to 99.2%, including rights to directors' shares, of the voting shares of Port Clinton National Bank, Port Clinton, Ohio (Bank).

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and none has been timely received. The Federal Reserve Bank of Cleveland has considered the application in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant controls two banking subsidiaries with aggregate deposits of $1.1 billion or 4.24 percent of total deposits of commercial banks in the State.[1] Bank had year-end 1973 deposits of $21.9 million. Acquisition of Bank would increase Applicant's share of State deposits by .08 percent to 4.32 percent and would not result in any significant increase in concentration of banking resources in Ohio. Bank is the second largest of five banks headquartered in the Port Clinton banking market, which is approximated by the eastern two-thirds of Ottawa County, and controls 25.9 percent of market deposits.

Applicant's closest banking office to Bank is a branch of The Union Commerce Bank, Cleveland, Ohio 58 miles east of Port Clinton. There is no significant competition between Applicant's banking subsidiaries and Bank, and there is little likelihood for any competition to develop under the county-wide branching restrictions of Ohio law. Furthermore, de novo entry into this market by Applicant seems unlikely because of the low population per banking office and the static nature of economic activity in the area. Accordingly, consummation of the proposed transaction would appear to have no adverse effects on existing or potential competition.

There is no evidence to indicate that the banking needs of the Port Clinton banking market are not being adequately met. However, Applicant plans to have Bank increase its lending activity and to provide trust, leasing, and other specialized services through its subsidiaries. Accordingly, the factors relating to the convenience and needs of the community involved lend weight toward approval of the proposed transaction.

The financial and managerial factors and future prospect of Applicant, its subsidiaries, and Bank are considered generally satisfactory. Accordingly, banking factors are consistent with approval of the application.

It is the judgment of the Federal Reserve Bank of Cleveland that consummation of the proposed transaction would be in the public interest and that the application should be approved.

On the basis of the record, as summarized above, the Federal Reserve Bank of Cleveland approves the application. The transaction shall not be consummated (a) before the thirtieth calendar day following the date of this Order or (b) later than three months after the date of this Order, unless said period is extended for good cause by the Board or by this bank pursuant to delegated authority.

By order of the Federal Reserve Bank of Cleveland, acting pursuant to delegated authority from the Board of Governors of the Federal Reserve System, effective May 10, 1974.

[SEAL] WILLIS J. WINN,
President.

[FR Doc.74-11609 Filed 5-20-74;8:45 am]

[3] Voting for this action: Vice Chairman Mitchell and Governors Bucher, Holland and Wallich. Absent and not voting: Chairman Burns and Governors Brimmer and Sheehan.

[1] Banking data as of June 30, 1973, unless otherwise indicated.

OFFICE OF MANAGEMENT AND BUDGET

CLEARANCE OF REPORTS

List of Requests

The following is a list of requests for clearance of reports intended for use in collecting information from the public received by the Office of Management and Budget on May 16, 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 DEFENSE

Department of the Army; Advanced Hybrid Computer Systems Requirements Survey, Form ____, Single time, NSD/IS/Sheftel, Private industry and universities.

Defense Civil Preparedness Agency; State and Local Civil Preparedness Instructional Program—Contractor's Summary, Form DCPA 177, 177A, 177B, and 181, Monthly, NSD, Universities and State CD Offices.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Alcohol, Drug Abuse, and Mental Health Administration:

Development of Financial Management Information System, Form ADAMNIDA 0422, Quarterly, HRD/Lowry/Marcantonio, Drug Abuse Prevention Units.

Needs for Care of Patients Resident in State Mental Hospitals—Texas State Mental Hospitals; Form ADAMMH DB 0508, Single time, OMB, Psychiatric patients and treatment personnel.

Health Resources Administration:

Regulatory Use of a Quality Evaluation System for Long-Term Care, Form HRABHSR 0426, Single time, HRD/Caywood, Administrators, nursing staff and residents.

Practice History of a National Sample of Licensed Dental Hygienist, Form HRA BHRD 0509, Single time, Weiner, Dental hygienists.

National Institute of Education; Pilot Survey of Student Attitudes, Form ____, Single time, Planchon, 6th Grade students in Alum Rock schools.

National Institutes of Health; Contraception, Pregnancy Tests and Congenital Malformation, Form ____, Single time, Reese, Women who recently delivered.

Social Security Administration; Notice of Missing Social Security Check, Form SSA 735, Occasional, Caywood, Individuals entitled to SS benefit.

REVISIONS

U.S. CIVIL SERVICE COMMISSION

Application for Worker-Trainee; Form CT-F-11, Occasional, Caywood, Individuals.

VETERANS ADMINISTRATION

Monthly Report on Designated Housing Marketing Area; Form VA 26-6366, Monthly, Sunderhauf, Mortgage lenders in 59 housing market areas.

EXTENSIONS

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

National Institutes of Health:
- Guide for Preparation of Progress Report (Graduate Training Grant), Form NIH 586, Annual, Evinger (x).
- Application for MSBS Grant, Form NIH 1860, Occasional, Evinger (x).
- Application for Training Grant and Continuation Support, Form PHS 2499-1, 2 (NIH RG-6), Occasional, (Evinger (x)).
- International Fellowship Applications and Instruction Sheets, Form NIH FI-1, Annual, Evinger (x).
- Application for Staff Fellowship, Form NIH OD-4, Occasional, Evinger (x).
- Medical Library Resource Project Grant Application, Form NIH LM-2, Occasional, Evinger (x).

Social Security Administration:
- Husband's Certification, Form SSA 3, Occasional, Evinger (x).
- SSI Notice of Change of Address; Form SSA 8160, Occasional, Evinger (x).
- Report of Disability Interview Widow (Divorced Wife), Form SSA 401A, Occasional, Evinger (x).
- Group Practice Plan Individual Patient Utilization Report of Social Security Medical Insurance Service, Form SSA 1591, Monthly, Evinger (x).

PHILLIP D. LARSEN,
Budget and Management Officer.

[FR Doc.74-11692 Filed 5-20-74;8:45 am]

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice (74-32)]

NASA PHYSICAL SCIENCES COMMITTEE

Meeting

An informal Ad Hoc Subcommittee of the NASA Physical Sciences Committee will meet on June 12, 1974, Room 7002, Federal Office Building 6, 400 Maryland Avenue SW.

The sole agenda item of the meeting, scheduled to run from 9 a.m. to 3 p.m., is the discussion of personal competence and fitness of individuals being considered for employment in scientific positions. Such discussion, if held in open session, would constitute an unwarranted invasion of the personal privacy of the individuals concerned. The meeting will therefore be held in closed session, pursuant to 5 U.S.C. 552(b)(6).

BOYD C. MYERS, II,
Assistant Associate Administrator for Organization and Management, National Aeronautics and Space Administration.

MAY 14, 1974.

[FR Doc.74-11523 Filed 5-20-74;8:45 am]

[Notice (74-31)]

NASA RESEARCH AND TECHNOLOGY ADVISORY COUNCIL COMMITTEE ON AERONAUTICAL PROPULSION

Meeting

The NASA Research and Technology Advisory Council Committee on Aeronautical Propulsion will meet on June 4-5, 1974, at NASA Headquarters, Washington, D.C. 20546. The meeting will be held in Conference Room 625, Federal Office Building 10B. Members of the public will be admitted on a first-come, first-served basis up to the seating capacity of the room, which is about 40 persons including Committee members and other participants.

The NASA Research and Technology Advisory Council Committee on Aeronautical Propulsion was established to advise NASA's senior management in the areas of aeronautical propulsion research and technology. The Committee studies issues, pinpoints critical problems, determines gaps in needed technology, points out desirable goals and objectives, summarizes the state of the art, assesses ongoing work, and makes recommendations to help NASA plan and carry out a program of greatest benefit to the nation. There are 12 members on the Aeronautical Propulsion Committee. The current Chairman is Mr. Hillard E. Barrett.

The following list sets forth the approved agenda and schedule for the meeting. For further informtaion, please contact Mr. Harry W. Johnson, Area Code 202, 755-3003.

JUNE 4, 1974

Time	*Topic*
8:30 a.m.	Report of the Chairman (*Purpose.* To summarize information of interest from the May 1974 meeting of the Research and Technology Advisory Council.)
8:50 a.m.	Report of the Executive Secretary (*Purpose.* To brief the Committee on recent organizational and policy changes in NASA, review the agenda, review tentative FY 1975 budget allocation and plans, and report NASA action on past Committee recommendations.)
9:30 a.m.	Center Highlight Reports (*Purpose.* To present brief reports by NASA Research Center representatives on progress and accomplishments in research and technology programs related to aeronautical propulsion.)
1:00 p.m.	Report on Future Aviation Fuels and Energy-Conservative Aircraft Programs (*Purpose.* To brief the Committee on NASA's recent and other agencies' current and planned programs relating to future aircraft fuels and energy-conservative engines and aircraft. The planned establishment of an Ad Hoc Fuels Panel and its functions will also be described.)

JUNE 5, 1974

8:30 a.m.	Review of NASA's Aeronautical Propulsion Research and Technology Program Objectives. (*Purpose.* To describe the research and technology objectives, targets and milestones established for the aeronautical propulsion discipline.)
11:15 a.m.	Discussion of Propulsion/Airframe Integration Research Program (*Purpose.* To obtain Committee comments and advice on the NASA Propulsion/Airframe Integration Research Program recently scrutinized by military service and industry experts.)
1:30 p.m.	Committee Discussions and Recommendations. (*Purpose.* To discuss major elements presented during the meeting and to summarize recommendations to the NASA Research and Technology Advisory Council.)
3:00 p.m.	Adjournment.

BOYD C. MYERS II,
Assistant Associate Administrator for Organization and Management, National Aeronautics and Space Administration.

MAY 14, 1974.

[FR Doc.74-11524 Filed 5-20-74;8:45 am]

NATIONAL SCIENCE FOUNDATION

ADVISORY PANEL FOR REGULATORY BIOLOGY

Notice of Meeting

Pursuant to the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given of a meeting of the Advisory Panel for Regulatory Biology to be held at 9 a.m. on June 6 and 7, 1974, in Room 321 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 research 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 Dr. James W. Campbell, Program Director, Regulatory Biology Program, Room 323, 1800 G Street, NW, Washington, D.C. 20550.

Dated: May 9, 1974.

ELDON D. TAYLOR,
Acting Assistant Director for Administration.

[FR Doc.74-11526 Filed 5-20-74;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[File No. 500-1]

COOK TREADWELL & HARRY, 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 Cook Treadwell & Harry, 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 12:00 noon (EDT) on May 8, 1974 through May 17, 1974.

By the Commission.

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

[FR Doc.74-11636 Filed 5-20-74;8:45 am]

[812-3627]

INVESTORS MUTUAL, INC., ET AL.

Notice of Filing of Application for Exemption

Notice is hereby given that Investors Mutual, Inc., Investors Stock Fund, Inc., Investors Selective Fund, Inc., and Investors Variable Payment Fund, Inc. (collectively "Applicants"), open-end diversified management investment companies registered under the Investment Company Act of 1940 ("Act"), have filed an application for an order of the Commission pursuant to section 6(c) of the Act declaring that Dr. Paul McCracken ("McCracken"), a director of Applicants, shall not be deemed an "interested person" of the Applicants and Investors Diversified Services, Inc. ("IDS"), the principal underwriter of the Applicants' shares, within the meaning of section 2(a)(19) of the Act solely by reason of his status as a director of Lincoln National Corporation ("Lincoln"). All interested persons are referred to the application on file with the Commission for a statement of the representations made therein, which are summarized below.

McCracken, a member of Applicants' boards of directors, is also a director of Lincoln. Lincoln National Life Insurance Company and Lincoln National Investment Management Company, wholly-owned subsidiary of Lincoln, National Sales Corporation, a wholly-owned subsidiary of Lincoln, are registered broker-dealers under the Securities Exchange Act of 1934 ("Exchange Act"). The broker-dealers do not conduct a general broker-dealer business but are registered as broker-dealers to sell mutual fund shares and variable annuities and to provide brokerage services for the Lincoln complex of companies.

Applicants represent that the boards of Applicants as presently constituted, comply with section 10 of the Act which, in pertinent part, prohibits each Applicant from having a board of directors which shall have more than 60 percent of the members thereof who are interested persons of such Applicant and requires each Applicant to have a majority of directors which are not interested persons of IDS. Application is being made to prevent noncompliance in the future in the event a presently non-interested director ceases to be a director or becomes an interested person through another affiliation.

Section 2(a)(19) of the Act, in pertinent part, defines an "interested person" of an investment company to include any broker or dealer registered under the Exchange Act or any affiliated person of such broker or dealer.

Section 2(a)(3) of the Act includes in the definition of an "affiliated person" of another person, any person directly or indirectly controlling, controlled by or under common control with such other person.

McCracken, as a member of the board of directors of Lincoln, and thus an affiliate of Lincoln's wholly-owned broker-dealer subsidiaries, may be deemed an "interested person" of Applicants.

Section 6(c) of the Act provides that the Commission may conditionally or unconditionally exempt any person from any provision of the Act 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 purpose fairly intended by the policy and provisions of the Act.

Applicants represent that McCracken is not an officer or director of any of the broker-dealers and has no personal interest in their operation. Applicants further state that McCracken is a professor of business administration at the University of Michigan and that he receives no remuneration from Lincoln or the broker-dealers except his fees as a director of Lincoln which comprise an insignificant portion of his total income. Further, Applicants represent and warrant that so long as McCracken remains a director of Lincoln and any of the Applicants, they will not effect brokerage transactions with any of the broker-dealers specified in the application or any other broker-dealer subsidiary of Lincoln.

Applicants represent that McCracken's independence in acting on behalf of Applicants is in no way impaired merely because of this affiliation with Lincoln and that the requested exemption is therefore consistent with the provisions of section 6(c) of the Act.

Notice is further given that any interested person may, not later than 5:30 p.m. on June 7, 1974, submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to 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 Applicants at the address stated above. Proof of such service (by affidavit or in the case of an attorney-at-law by certificate) shall be filed contemporaneously with the request. At any time after said date, 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.

For the Commission, by the Division of Investment Management Regulation, pursuant to delegated authority.

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

[FR Doc.74-11637 Filed 5-20-74;8:45 am]

[File No. 22-7904]

TANDY CORP.

Application and Opportunity for Hearing

MAY 13, 1974.

Notice is hereby given that Tandy Corporation (the "Company") has filed an application under clause (ii) of section 310(b)(1) of the Trust Indenture Act of 1939 (the "Act") for a finding by the Commission that the trusteeship of The Fort Worth National Bank (the "Bank") under an indenture dated as of January 15, 1963 (the "1963 Indenture"), which was qualified under the Act, and the trusteeship of the Bank under a new indenture to be dated as of June 30, 1974 (the "New Indenture"), which will be qualified under the Act, is not so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify the Bank from acting as trustee under either of said Indentures.

Section 310(b) of the Act provides in part that if a trustee under an indenture qualified under the Act has or shall acquire any conflicting interests (as defined in such Section), it shall within ninety days after ascertaining that it has such conflicting interest either eliminate such conflicting interest or resign. Subsection (1) of such Section provides, inter alia, that with certain exceptions, a trustee under a qualified indenture shall be deemed to have a conflicting interest if such trustee is trustee under another indenture under which any other securities of the same obligor (as defined in the Act) are outstanding. However, under clause (ii) of Subsection (1), there may be excluded from the operation of this provision another indenture under which other securities of such obligor are outstanding, if the burden of proving shall be sustained, on application to the Commission and after opportunity for hearing thereon, that the trusteeship under such qualified indenture and such other indenture is not so likely to involve a material conflict of interest as

to make it necessary in the public interest or for the protection of investors to disqualify such trustee from acting as trustee under one of such indentures.

The Company alleges that:

1. As of April 30, 1974, there were outstanding $2,492,500 principal amount of 6½% Subordinated Debentures outstanding under the 1963 Indenture.

2. The Company and the Bank propose to enter into the New Indenture as of June 30, 1974 under which the Bank will act as trustee with respect to up to $58,000,000 principal amount of 10% Subordinated Debentures to be due June 30, 1994 proposed to be issued by the Company in exchange for shares of its Common Stock pursuant to an exchange offer to be made by the Company.

3. The New Indenture contains the provisions permitted by the proviso of section 310 (b) (1) (i) and (ii) of the Act, whereas the 1963 Indenture contains only the provision permitted by the proviso of section 310(b) (1) (ii) of the Act.

4. The obligations of the Company under the 1963 Indenture are wholly unsecured and it is proposed that the obligations to be incurred under the New Indenture will be wholly unsecured. Obligations under the 1963 Indenture and the New Indenture shall rank equally with one another. Neither the 1963 Indenture nor the New Indenture makes provision for any sinking fund. The Company is not in default under the 1963 Indenture.

5. The terms of the 1963 Indenture and the proposed New Indenture differ in respect of principal amount, interest rates, maturity, restrictions on dividends and restrictions on acquisition or retirement of common stock. The New Indenture contains no restrictions upon the payment of dividends or the acquisition or retirement of common stock. The 1963 Indenture contains such restrictions, and the issuance of the debentures under the New Indenture, in exchange for common stock, is permitted thereunder. Both the 1963 Indenture and the New Indenture provide that if the trustee has or acquires a conflicting interest as therein defined, it shall terminate such conflict or resign within 90 days after ascertaining it has such a conflicting interest.

6. The provisions of the 1963 Indenture and the New Indenture are not so likely to involve the Bank in a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify the Bank from acting as Trustee under either of the Indentures.

The Company has waived notice of hearing and any and all rights to specify procedures under the rules of practice of the Securities and Exchange Commission in connection with the matter.

For a more detailed statement of the matters of fact and law asserted here, all persons are referred to said application, which is a public document on file in the offices of the Commission, at 500 North Capitol Street NW, Washington, D.C. 20549.

Notice is further given that any interested person may, not later than June 7, 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. At any time after said date, the Commission may issue an order granting the application, upon such terms and conditions as the Commission may deem necessary or appropriate in the public interest and the interest of investors, unless a hearing is ordered by the Commission.

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

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.74-11615 Filed 5-20-74;8:45 am]

SMALL BUSINESS ADMINISTRATION

[Notice of Disaster Loan Area 1063]

CALIFORNIA

Notice of Disaster Relief Loan Availability

As a result of the President's declaration of the State of California as a major disaster area following severe storms and flooding, beginning on or about March 29, 1974, applications for disaster relief loans will be accepted by the Small Business Administration from flood victims in the following County: Mendocino, and adjacent affected areas.

Applications may be filed at the:

Small Business Administration
Regional Office
450 Golden Gate Avenue
San Francisco, California 94102

and at such temporary offices as are established. Such addresses will be announced locally. Applications will be processed under the provisions of Pub. L. 93-24.

Applications for disaster loans under this announcement must be filed not later than July 8, 1974.

Dated: May 9, 1974.

THOMAS S. KLEPPE,
Administrator.

[FR Doc.74-11597 Filed 5-20-74;8:45 am]

[License No. 06/06-0162]

GULF INVESTMENT CORP.

Surrender of License To Operate as a Small Business Investment Company

Notice is hereby given that Gulf Investment Corporation (GIC) Post Office Box 1847, Harlingen National Bank Building, Harlingen, Texas 78550, has pursuant to § 107.105 of the regulations governing small business investment companies (13 CFR (1974 ed.)), voluntarily surrendered its license to operate as a small business investment company (SBIC).

GIC was incorporated under the laws of the State of Texas to operate solely as an SBIC under the Small Business Investment Act of 1958, as amended (15 U.S.C. 661 et seq.), (Act) and it was issued License Number 06/06-0162 by the Small Business Administration (SBA) on March 23, 1973.

Under the authority vested by the Act and the Regulations promulgated thereunder, surrender of the license of GIC is hereby accepted and accordingly, it is no longer licensed to operate as an SBIC.

Dated: May 9, 1974.

JAMES THOMAS PHELAN,
Deputy Associate Administrator for Investment.

[FR Doc.74-11598 Filed 5-20-74;8:45 am]

[Notice of Disaster Loan Area 1062]

HAWAII

Disaster Relief Loan Availability

As a result of the President's declaration of the State of Hawaii as a major disaster area following heavy rains and flooding beginning on or about April 19, 1974, applications for disaster relief loans will be accepted by the Small Business Administration from flood victims in the following counties: Honolulu and Kauai, and adjacent affected areas.

Applications may be filed at the:

Small Business Administration
District Office
1149 Bethel Street, Room 402
Honolulu, Hawaii 96813

and at such temporary offices as are established. Such addresses will be announced locally. Applications will be processed under the provisions of Public Law 93-24.

Applications for disaster loans under this announcement must be filed not later than July 8, 1974.

Dated: May 9, 1974.

THOMAS S. KLEPPE,
Administrator.

[FR Doc.74-11599 Filed 5-20-74;8:45 am]

[Notice of Disaster Loan Area 1058, Amdt. 3]

MISSISSIPPI

Disaster Relief Loan Availability

As a result of the President's declaration of the State of Mississippi as a major disaster area following heavy rains and flooding beginning on or about April 12, 1974, applications for disaster relief loans will be accepted by the Small Business Administration from flood victims in the following additional county: Harrison, and adjacent affected areas. (See 39 FR 15076 and 39 FR 16417)

Applications may be filed at the:

Small Business Administration
District Office
Petroleum Building, 6th Floor
Pascagoula and Amite Streets
Jackson, Mississippi 39205

and at such temporary offices as are established. Such addresses will be announced locally. Applications will be processed under the provisions of Pub. L. 93-24.

Applications for disaster loans under this announcement must be filed not later than July 8, 1974.

Dated: May 10, 1974.

THOMAS S. KLEPPE,
Administrator.

[FR Doc.74-11600 Filed 5-20-74;8:45 am]

STATE OF OHIO, ET AL.

Amendments to Notice of Disaster Relief Loan Availability

Declarations of Disaster Loan Areas numbered—

1045 State of Ohio
1046 State of Tennessee
1047 State of Kentucky
1048 State of Alabama
1049 State of Indiana
1050 State of Louisiana
1051 State of Georgia
1052 State of West Virginia
1053 State of Illinois
1054 State of Michigan
1055 State of North Carolina
1056 State of Georgia
1059 State of Virginia,

and any amendments thereto, previously published in the FEDERAL REGISTER, are hereby amended to read as follows:

"Applications for disaster loans under this announcement must be filed not later than June 28, 1974."

Dated: May 9, 1974.

THOMAS S. KLEPPE,
Administrator.

[FR Doc.74-11596 Filed 5-20-74;8:45 am]

SPECIAL ACTION OFFICE FOR DRUG ABUSE PREVENTION

GENERAL COUNSEL

Delegation of Authority

Pursuant to the authority vested in me by section 205 of the Drug Abuse Office and Treatment Act of 1972 (21 U.S.C. 1115), I hereby delegate to the General Counsel of the Special Action Office for Drug Abuse Prevention, the performance of the functions vested in me by 408(g) of that Act (21 U.S.C. 1175(g)), as added by section 303(a) of Pub. L. 93-282, approved May 14, 1974.

Dated: May 17, 1974.

ROBERT L. DUPONT,
Director.

[FR Doc.74-11712 Filed 5-20-74;8:45 am]

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[V-74-29]

DOW CHEMICAL U.S.A.

Application for Variance and Interim Order; Grant of Interim Order

I. *Notice of application.* Notice is hereby given that Dow Chemical U.S.A., Midland Division, Midland, Michigan 48640 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 1910.93f (c)(6)(ix) Methyl chloromethyl ether-laboratory activities and § 1910.93h(c)(6)(ix) bis-Chloromethyl ether-laboratory activities.

The address of the place of employment that will be affected by the application is as follows:

Dow Chemical U.S.A.
Midland Division
Midland, Michigan 48640

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 states that small quantities of methyl chloromethyl ether contaminated with low levels of bis-chloromethyl ether are handled in a number of laboratory bench hoods located in buildings 441, 458, 574, and 1603 and not equipped with exhaust air decontamination devices as required by 29 CFR 1910.93f(c)(6)(ix) and 29 CFR 1910.93h(c)(6)(ix).

The applicant contends that at present it is unable to comply with the requirements of the aforementioned standards because the requisite technology is not readily available and a nominal length of time is necessary to design, purchase, construct and install the decontamination equipment.

The applicant further contends that employee safety is insured due to the following: (1) Intentional release of methyl chloromethyl ether is prohibited; (2) except as stated above, the hoods in question comply with all applicable standards; (3) each hood has an independent exhaust system which vents through a stack located on the roof of the building involved; (4) access to the roof is limited to authorized employees only; and (5) no hood operations are allowed while maintenance on the hood exhaust system is being carried out.

The applicant states that the decontamination equipment should be installed and functioning on or about February 25, 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
220 Bagley Avenue
Detroit, Michigan 48226

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 20, 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 20, 1974, in conformity with the requirements of 29 CFR 1905.15. Submission of written comments and requests for a hearing should be in quadruplicate, and must be addressed to the Office of Compliance Programming at the above address.

II. *Interim order.* It appears from the application for a variance and interim order, and from consideration of the work conditions and the safety measures in effect, 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 Dow Chemical U.S.A. be, and it is hereby, authorized to continue to use the hoods referred to in its application provided the conditions and practices therein stipulated are adhered to.

Dow Chemical U.S.A. 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 21, 1974, and shall remain in effect until a decision is rendered on the application for variance.

Signed at Washington, D.C., this 16th day of May 1974.

JOHN STENDER,
Assistant Secretary of Labor.

[FR Doc.74-11630 Filed 5-20-74;8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice No. 512]

ASSIGNMENT OF HEARINGS

MAY 16, 1974.

Cases assigned for hearing, postponement, cancellation, or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested. No amendments will be entertained after the date of this publication.

MC 112713 Sub 160, Yellow Freight System, Inc., now being assigned hearing July 8, 1974 (1 week), at Madison, Wis., in a hearing room to be later designated.

MC-2229 Sub 179, Red Ball Motor Freight, Inc., now being assigned hearing July 8, 1974 (1 week), at Denver, Colo., in a hearing room to be later designated.

MC 107002 Sub-441, Miller Transporters, Inc., now being assigned July 8, 1974 (2 days), at New Orleans, La., in a hearing room to be later designated.

MC 119792 Sub-39, Chicago Southern Transportation Co., now being assigned July 10, 1974 (3 days), at New Orleans, La., in a hearing room to be later designated.

MC 126939 Sub 1, W. Gray Braxton, d.b.a. W. Gray Braxton Trucking Co., now being assigned July 15, 1974 (1 week), at New Orleans, La., in a hearing room to be later designated.

MC 43963 Sub 3, Chief Truck Lines, Inc., now being assigned hearing July 8, 1974 (1 week), at Chicago, Ill., in a hearing room to be later designated.

MC 124211 Sub 242, Hilt Truck Line, Inc., now being assigned hearing July 31, 1974 (3 days), at Omaha, Nebr., in a hearing room to be later designated.

MC 88380 Sub 12, R. E. B. Transportation, Inc., now being assigned hearing July 15, 1974 (2 days), at Dallas, Tex., in a hearing room to be later designated.

MC-F-12145, DPD, Inc.—Purchase (Portion)—R. J. (Red) Andrews Truck Line, now being assigned hearing July 17, 1974 (3 days), at Dallas, Tex., in a hearing room to be later designated.

MC-F-12093, Crouch Bros., Inc.—Purchase (Portion)—Bestway Freight Lines, Inc., now being assigned hearing July 22, 1974 (1 week), at Dallas, Tex., in a hearing room to be later designated.

MC-31389 Sub 178, McLean Trucking Company, now being assigned hearing July 8, 1974 (2 weeks), at Lansing, Mich., in a hearing room to be later designated.

MC-20872 Sub 15, Lime City Trucking Company, Inc., now assigned June 10, 1974, at Chicago, Ill., is cancelled and reassigned June 10, 1974, in Room 802, State Office Bldg., 100 North Senate Ave., Indianapolis, Ind.

MC 136051 Sub-3, RPD, Inc., now assigned June 18, 1974; MC 124692 Sub-125, Sammons Trucking, now assigned June 19, 1974; MC 110420 Sub-693, Quality Carriers, Inc., and MC 110988 Sub-304, Schneider Tank Lines, Inc., now assigned June 21, 1974, at Chicago, Ill., will be held in Room 1665, Everett McKinley Dirksen Building, 219 S. Dearborn Street.

MC-F-11896, Crouse Cartage Company—Purchase—Marc Truck Lines, Inc., and MC 123389 Sub-15, Crouse Cartage Company, now assigned June 24, 1974, at Chicago, Ill., will be held in Room 1743, Everett McKinley Dirksen Building, 219 S. Dearborn St.

No. 35888, Albemarle Paper Company V. Norfolk and Western Railway Company, Et Al., now assigned May 21, 1974, at Washington, D.C., is cancelled.

MC-114273 Sub 155, Cedar Rapids Steel Transportation, Inc., now being assigned hearing July 24, 1974 (3 days), at Chicago, Ill., in a hearing room to be later designated.

MC-95084 Sub 97, Hove Truck Line, now being assigned hearing July 22, 1974 (2 days), at Chicago, Ill., in a hearing room to be later designated.

MC-F-12115, Illinois-California Express, Inc.—Purchase (Portion)—Rogers Cartage Co., now being assigned hearing July 29, 1974 (3 days), at Chicago, Ill., in a hearing room to be later designated.

MC-128383 Sub 40, Pinto Trucking Service, Inc., now being assigned hearing August 1, 1974 (2 days), at Chicago, Ill., in a hearing room to be later designated.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74-11654 Filed 5-20-74;8:45 am]

[No. MC-C-3 (Sub-No. 4)]

CHICAGO, ILL. (PORT OF INDIANA)

Commercial Zones and Terminal Areas

MAY 16, 1974.

At the request of Harold P. Boss, representative of certain Motor Carriers serving the Chicago, Ill., area, the time for filing representations in this proceeding has been extended from May 27, 1974, to July 15, 1974.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74-11655 Filed 5-20-74;8:45 am]

[No. 35966]

DEPARTMENT OF DEFENSE

Petition for Declaratory Order (JATO) Units

MAY 13, 1974.

Notice is hereby given that, by petition filed February 6, 1974, the Secretary of the Army (on behalf of the Department of Defense) seeks, pursuant to section 554(e) of the Administrative Procedure Act, 5 U.S.C. 554(e), a declaratory order determining the proper classification of a commodity identified as "jet thrust (JATO) units."

Jet thrust units are rocket motors loaded with solid propellant containing explosive elements used to propel rockets or missiles and also used as an aid for aircraft liftoffs. The Uniform Freight Classification description, under the generic heading of explosives group commodities applicable to jet thrust unit in Item 35715 UFC-11, ICC No. 7, has been in effect, without change, since 1958. In addition, Agent Graziano's Hazardous Materials Regulations Tariff No. 25, ICC No. 25 lists jet thrust units as A and B explosives in Items 173.79 and 173.92.

Since 1968, the Standard Transportation Commodity Code Tariff No. 1 ICC No. 292 (STCC) has been published by LaValle and other agents. The STCC Tariff No. 1-A (effective September 15, 1972) designates jet thrust units as code number 37 222 10 and 37 222 11 making the JATO units part of the Commodity Grouping "Aircraft or Parts" instead of "explosives." This new commodity grouping results in higher rates applying on the involved commodity and allegedly disrupts the relationship in rates between commodities which have historically been accorded similar rates and rate adjustments.

Petitioner contends that the STCC classification results in a complete departure from the historical, decisional and Uniform Freight Classifications of JATO units as explosives. Furthermore, this departure from historical classification has resulted in confusion and uncertainty which is exemplified by the fact that there has been inconsistencies in the same railroad's billing.

Any person interested in the matter which is the subject of the petition and who wishes to actively participate in any further proceedings herein shall notify this Commission, by filing with the Office of Proceedings, Room 5342, 12th Street and Constitution Avenue NW., Washington, D.C. 20423, on or before June 17, 1974, an original and one copy of a statement of his intention to participate. Thereafter, the nature of further proceedings herein, if any, will be designated. The petition and statements of intent to participate, if any, will be available for public inspection at the offices of the Commission during regular business hours.

A copy of this notice will be served upon the petitioner, and notice of the filing of the petition will be given to the general public by depositing a copy of this notice in the office of the Commission's Secretary at Washington, D.C., and by delivering a copy to the Director, Office of the Federal Registser, for publication in the FEDERAL REGISTER.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74-11651 Filed 5-20-74;8:45 am]

FOURTH SECTION APPLICATION FOR RELIEF

MAY 16, 1974.

An application, as summarized below, has been filed requesting relief from the requirements of section 4 of the Interstate Commerce Act to permit common carriers named or described in the application to maintain higher rates and charges at intermediate points than those sought to be established at more distant points.

Protests to the granting of an application must be prepared in accordance with rule 40 of the general rules of practice (49 CFR 1100.40) and filed on or before June 5, 1974.

FSA No. 42834—*Newsprint Paper from Thunder Bay, Ontario, Canada.* Filed by Western Trunk Line Committee, Agent (No. A-2704), for interested rail carriers parties to its tariff 169-Q, I.C.C. No. A-4754. Rates on newsprint paper, in carloads, as described in the application, from Thunder Bay, Ontario, Canada, to Chicago, Illinois and Milwaukee, Wisconsin.

Grounds for relief—Water competition.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74-11652 Filed 5-20-74;8:45 am]

IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY

Elimination of Gateway Letter Notices

MAY 16, 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 31, 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. E31), 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 refined petroleum products*, including fuel oil, in bulk, in tank vehicles, from points in Kern County, Calif., to points in Utah. The purpose of this filing is to eliminate the gateway of St. George, Utah.

No. MC–46280 (Sub-No. E1), filed May 4, 1974. Applicant: KEY LINE FREIGHT, INC., 15 Andre Street SE., Grand Rapids, Mich. 49507. Applicant's representative: Martin J. Leavitt, 22375 Haggerty Rd., P.O. Box 400, Northville, Mich. 48167. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission) commodities in bulk, commodities requiring special equipment, those injurious or contaminating to other lading, and new, uncrated furniture), between Detroit, Mich., and Omaha, Nebr. The purpose of this filing is to eliminate the gateway of Bath, Mich.

No. MC–76177 (Sub-No. E1), filed April 24, 1974. Applicant: BAGGETT TRANSPORTATION CO., 2 South 32d St., Birmingham, Ala. 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 North Carolina, on the one hand, and, on the other, points in Arizona, Colorado, Montana, Wyoming, and Utah. The purpose of this filing is to eliminate the gateways of Nemours, W. Va., and Wolf Lake, Ill.

No. MC–76177 (Sub-No. E12), filed April 24, 1974. Applicant: BAGGETT TRANSPORTATION COMPANY, 2 South 32d 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*, from points in Maryland, New Jersey, and Delaware, on the one hand, and, on the other, points in Montana. The purpose of this filing is to eliminate the gateways of points within 15 miles of both Reynolds and Allentown, Pa.; and Seneca, Ill.

No. MC–76177 (Sub-No. E13), filed April 24, 1974. Applicant: BAGGETT TRANSPORTATION COMPANY, 2 South 32d 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 Georgia, on the one hand, and on the other, points in Montana, Wyoming, Utah, Colorado, North Dakota, South Dakota, Kansas, and Minnesota. The purpose of this filing is to eliminate the gateways of McAdory, Ala., and Wolf Lake, Ill.

No. MC–76177 (Sub-No. E14), filed April 24, 1974. Applicant: BAGGETT TRANSPORTATION COMPANY, 2 South 32d 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 Iowa, on the one hand, and on the other, points in North Carolina and South Carolina. The purpose of this filing is to eliminate the gateway of Nemours, W. Va.

No. MC–95540 (Sub-No. E136), 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. N.E., Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from points in California to points in Delaware. The purpose of this filing is to eliminate the gateway of Tifton, Ga.

No. MC–95540 (Sub-No. E138), 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. N.E., 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 Oregon. The purpose of this filing is to eliminate the gateway of Tifton, Ga., and points in Tennessee.

No. MC–95540 (Sub-No. E139), 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 Washington. The purpose of this filing is to eliminate the gateway of Tifton, Ga., and points in Tennessee.

No. MC–95540 (Sub-No. E140), 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 Dade City, Fla., to points in Montana. The purpose of this filing is to eliminate the gateway of Tifton, Ga., and points in Tennessee.

No. MC–95540 (Sub-No. E152), 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: *Canned citrus products*, other than frozen in vehicles equipped with mechanical refrigeration, in mixed loads with citrus products, not canned and not frozen, from points in Florida on and east of a line beginning at the Georgia-Florida State line, and thence south along U.S. Highway 27 to Tallahassee, thence along U.S. Highway 319 to Medart, thence along U.S. Highway 98 to the Ochlockonee Bay, thence along the Ochlockonee Bay to the Gulf of Mexico, to points in Oklahoma. The purpose of this filing is to eliminate the gateway of Doraville, Ga.

No. MC–95540 (Sub-No. E166), 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: *Canned citrus products*, other than frozen, in vehicles equipped with mechanical refrigeration, in mixed loads with citrus products, not canned and not frozen, from points in Florida on and east of U.S. Highway 231, to points in Kentucky (except Louisville, Ky., and points in its commercial zone). The purpose of this filing is to eliminate the gateway of Doraville, Ga.

No. MC–95540 (Sub-No. E167), 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: *Canned citrus products*, other than frozen, in vehicles equipped with mechanical refrigeration, in mixed loads with citrus products, not canned and not frozen, from points in Florida, to points in Illinois (except points in that part of Illinois on and south of a line beginning at a point on the Illinois-Indiana State line near Vincennes, Ind., and extending along U.S. Highway 50 to Flora, Ill., thence along U.S. Highway 45 to its intersection with Illinois Highway 15, thence along Illinois Highway 15 to the Mississippi River). The purpose of this filing is to eliminate the gateway of Doraville, Ga.

No. MC–95540 (Sub-No. E185), 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 Oklahoma. The purpose of this filing is to eliminate the gateway of Gulfport, Miss.

No. MC–95540 (Sub-No. E186), 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 Texas. The purpose of this filing is to eliminate the gateway of Gulfport, Miss.

No. MC–95540 (Sub-No. E187), 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 Road 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 North Dakota and South Dakota. The purpose of this filing is to eliminate the gateway of Gulfport, Miss.

No. MC–95540 (Sub-No. E217), 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 New Mexico. The purpose of this filing is to eliminate the gateway of Gulfport, Miss.

No. MC–110525 (Sub-No. E1), 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 Alabama (except Anniston), to points in Connecticut. The purpose of this filing is to eliminate the gateways of Institute, W. Va., and Newark, N.J.

No. MC–110525 (Sub-No. E2), 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 vehicles, 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 Alabama (except Anniston), to points in Delaware. The purpose of this filing is to eliminate the gateway of Institute, W. Va.

No. MC–110525 (Sub-No. E3), 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 Alabama (except Anniston), to points in Maine. The purpose of this filing is to eliminate the gateways of Institute, W. Va., and Syracuse, N.Y.

No. MC–110525 (Sub-No. E4), 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 Alabama (except Anniston), to points in Maryland. The purpose of this filing is to eliminate the gateway of Institute, W. Va.

No. MC–110525 (Sub-No. E5), 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 Alabama (except Anniston), to points in Massachusetts. The purpose of this filing is to eliminate the gateways of Institute, W. Va., and Newark, N.J.

No. MC–110525 (Sub-No. E6), 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 Alabama (except Anniston), to points in New Hampshire. The purpose of this filing is to eliminate the gateways of Institute, W. Va., and Syracuse, N.Y.

No. MC–110525 (Sub-No. E7), 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 Alabama (except Anniston), to points in New Jersey. The purpose of this filing is to eliminate the gateway of Institute, W. Va.

No. MC–110525 (Sub-No. E8), 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 Alabama (except Anniston), to points in New York. The purpose of this filing is to eliminate the gateway of Institute, W. Va.

No. MC–110525 (Sub-No. E9), 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 Alabama (except Anniston), to points in that part of Ohio on and east of Interstate Highway 77. The purpose of this filing is to eliminate the gateway of Institute, W. Va.

No. MC–110525 (Sub-No. E11), 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 Alabama (except Anniston) to points in Pennsylvania. The purpose of this filing is to eliminate the gateway of Institute, W. Va.

No. MC–110525 (Sub-No. E12), 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 Alabama (except Anniston) to points in Rhode Island. The purpose of this filing is to eliminate the gateways of Institute, W. Va., and Newark, N.J.

No. MC–110525 (Sub-No. E13), filed May 1, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Dowingtown, 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 Alabama (except Anniston) to points in Vermont. The purpose of this filing is to eliminate the gateways of Institute, W. Va., and Syracuse, N.Y.

No. MC–110525 (Sub-No. E15), filed May 1, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Dowingtown, 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 Alabama (except Anniston), to those points in West Virginia on and northeast of a line beginning at the West Virginia-Kentucky State line, thence along Interstate Highway 64 to Charleston, thence along Interstate Highway 64/77 to the West Virginia-Virginia State line. The purpose of this filing is to eliminate the gateway of Institute, W. Va.

No. MC–110525 (Sub-No. E19), 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 described in *The Maxwell Co., Extension—Addyston*, 63 M.C.C. 677, (except liquefied petroleum gases), in bulk, in tank vehicles, from points in California to points in Maryland. The purpose of this filing is to eliminate the gateway of Harris County, Tex.

No. MC–110525 (Sub-No. E29), 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 derivatives of petroleum or bituminous materials), in bulk, in tank vehicles, from points in Connecticut to points in Alabama. The purpose of this filing is to eliminate the gateways of Newark, N.J., and Greensboro, N.C.

No. MC–110525 (Sub-No. E31), 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 Arkansas. The purpose of this filing is to eliminate the gateways of Newark, N.J., and Institute, W. Va.

No. MC–110525 (Sub-No. E32), 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 California. The purpose of this filing is to eliminate the gateways of Newark, N.J., and Mapleton, Ill.

No. MC–110525 (Sub-No. E34), 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 Delaware. The purpose of this filing is to eliminate the gateway of Carteret, N.J.

No. MC–110525 (Sub-No. E36), 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 Connecticut to points in Florida. The purpose of this filing is to eliminate the gateways of Newark, N.J., and Greensboro, N.C.

No. MC–110525 (Sub-No. E37), 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 bituminous products and materials), in bulk, in tank vehicles, from points in Connecticut to points in Georgia. The purpose of this filing is to eliminate the gateways of Newark, N.J., and Charlotte, N.C.

No. MC–110525 (Sub-No. E39), 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 Illinois. The purpose of this filing is to eliminate the gateway of Newark, N.J.

No. MC–110525 (Sub-No. E40), 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 Indiana. The purpose of this filing is to eliminate the gateways of Newark, N.J., and Pittsburgh, Pa.

No. MC–110525 (Sub-No. E44), 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 Connecticut to points in Louisiana. The purpose of this filing is to eliminate the gateways of Newark, N.J., and Greensboro, N.C.

No. MC–110525 (Sub-No. E45), 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 Maryland. The purpose of this filing is to eliminate the gateway of Carteret, N.J.

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*, in tank vehicles, from points in Connecticut to points in Kentucky. The purpose of this filing is to eliminate the gateways of Newark, N.J., and Pittsburgh, Pa.

No. MC–110525 (Sub-No. E59), 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 those points in Pennsylvania on and west of Pennsylvania Highway 191. The purpose of this filing is to eliminate the gateway of Carteret, N.J.

No. MC–110525 (Sub-No. E66), 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 Washington. The purpose of this filing is to

eliminate the gateways of Newark, N.J., Pittsburgh, Pa., and Addyston, Ohio.

No. MC–110525 (Sub-No. E69), 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 Wisconsin. The purpose of this filing is to eliminate the gateways of Newark, N.J., and Pittsburgh, Pa.

No. MC–110525 (Sub-No. E69), 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 Wyoming. The purpose of this filing is to eliminate the gateways of Newark, N.J., Pittsburgh, Pa., and Addyston, Ohio.

No. MC–110525 (Sub-No. E71), 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 bituminous products and materials, hydrofluosilic acid, such naval stores as are chemicals, crude tall oil, sulphate, black liquor skimmings, and liquid alum), in bulk, in tank vehicles, from points in Delaware to points in Alabama. The purpose of this filing is to eliminate the gateways of Greensboro, N.C., and Atlanta, Ga.

No. MC–110525 (Sub-No. E72), 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 Arizona. The purpose of this filing is to eliminate the gateway of S. Charleston, W. Va., and Addyston, Ohio.

No. MC–110525 (Sub-No. E101), 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 Oregon. The purpose of this filing is to eliminate the gateways of Institute, W. Va., and Addyston, Ohio.

No. MC–110525 (Sub-No. E102), 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 Rhode Island. 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. E103), 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 bituminous products and materials), in bulk, in tank vehicles, from points in Delaware to points in South Carolina. The purpose of this filing is to eliminate the gateway of Greensboro, N.C.

No. MC–110525 (Sub-No. E104), 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 South Dakota. The purpose of this filing is to eliminate the gateway Follansbee, W. Va., and Addyston, Ohio.

No. MC–110525 (Sub-No. E105), 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* nous products and materials, in bulk, in tank vehicles, from points in Delaware to points in Tennessee. The purpose of this filing is to eliminate the gateway of Greensboro, N.C.

No. MC–110525 (Sub-No. E106), 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 Delaware to points in Texas. The purpose of this filing is to eliminate the gateway of Institute, W. Va.

No. MC–110525 (Sub-No. E107), 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 Utah. The purpose of the filing is to eliminate the gateways of Institute, W. Va., and Addyston, Ohio.

No. MC–110525 (Sub-No. E108), 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 bituminous products and materials), in bulk, in tank vehicles, from points in Delaware to points in Virginia. The purpose of this filing is to eliminate the gateways of Baltimore, Md., and the District of Columbia.

No. MC–110525 (Sub-No. E109), 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 Washington. The purpose of this filing is to eliminate the gateways of Institute, W. Va., and Addyston, Ohio.

No. MC–110525 (Sub-No. E110), 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 bituminous products and materials), in bulk, in tank vehicles, from points in Delaware to points in West Virginia. The purpose of this filing is to eliminate the gateways of Baltimore, Md., and the District of Columbia.

No. MC–110525 (Sub-No. E111), 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, from points in Delaware to points in Wisconsin. The purpose of this filing is to eliminate the gateway of points in Allegheny County, Pa.

No. MC–110525 (Sub-No. E112), 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 Wyoming. The purpose of this filing is to

eliminate the gateways of Institute, W. Va., and Addyston, Ohio.

No. MC–110525 (Sub-No. E113), 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 the District of Columbia to points in Alabama. The purpose of this filing is to eliminate the gateway of S. Charleston, W. Va.

No. MC–113843 (Sub-No. E4), filed April 29, 1974. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. 02210. Applicant's representative: Lawrence T. Sheils (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts*, as defined by the Commission, from Vernon, Tex., to points in Maine, New Hampshire, and Vermont. The purpose of this filing is to eliminate the gateway of East St. Louis, Ill.

No. MC–114045 (Sub-No. E18), filed May 3, 1974. Applicant: TRANS-COLD EXPRESS, INC., P.O. Box 5842, Dallas, Tex. 75222. Applicant's representative: J. B. Stuart (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products* and *meat byproducts*, and *articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions In Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Phoenix, Ariz., to points in Indiana, Ohio, and the Lower Peninsula of Michigan. The purpose of this filing is to eliminate the gateway of Lexington, Ky.

No. MC–118831 (Sub-No. E9), filed May 2, 1974. Applicant: CENTRAL TRANSPORT, INC., P.O. Box 5044, High Point, N.C. 27262. Applicant's representative: Richard E. Shaw (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except petrochemicals, anhydrous ammonia, fertilizer, and fertilizer materials), in bulk, in tank vehicles, from points in North Carolina in and east of the counties of Transylvania, Henderson, Buncombe, and Madison (except Charlotte, N.C., and except caustic soda from Acme, N.C., and points within five miles thereof), to points in Georgia. The purpose of this filing is to eliminate the gateways of points in South Carolina (except Charleston).

No. MC–124211 (Sub-No. E38), (CORRECTION) filed April 29, 1974, published in the FEDERAL REGISTER May 13, 1974. Applicant: HILT TRUCK LINE, INC., P.O. Box 988 D.T.S., Omaha, Nebraska 68101. Applicant's representative: Thomas L. Hilt (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Empty cardboard and fiberboard boxes*, from points in Pennsylvania to Sioux City, Iowa, and to points in Nebraska, California, and points in that part of Texas on and west of U.S. Highway 83 and on and north of U.S. Highway 90. The purpose of this filing is to eliminate the gateway of the plant site and warehouse facilities of Dorsey Laboratories, division of Wander Co., in Lancaster County, Nebr. The purpose of this republication is to show the correct sub-number previously published as E8.

No. MC–129282 (Sub-No. E1), filed April 26, 1974. Applicant: BERRY TRANSPORTATION, INC., P.O. Box 2147, Longview, Tex. 75601. Applicant's representative: Fred S. Berry (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (a) *Malt beverages*, from Houston, Tex., to Texarkana, Ark., and points in that part of Louisiana on and north of U.S. Highway 80. The purpose of this filing is to eliminate the gateway of Longview, Tex. (b) *Malt beverages*, from New Orleans, La., to points in New Mexico. The purpose of this filing is to eliminate the gateway of San Antonio, Tex.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.74–11650 Filed 5–20–74;8:45 am]

[Notice No. 84]

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 note) filed after March 27, 1972, contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application. As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings on or before 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–75061. By order entered May 9, 1974, the Motor Carrier Board approved the transfer to Englewood Transit Company, a corporation, Commerce City, Colorado, of the operating rights set forth in Certificate of Registration No. MC–98170 (Sub-No. 1), issued November 27, 1964, to Colorado Storage, Inc., Pueblo, Colorado, evidencing a right to engage in operations in interstate or foreign commerce in the transportation of general freight between Pueblo and Boone, Colorado, serving intermediate points, and to conduct a transfer, moving and general cartage business from and to Pueblo and to and from all other points in the State of Colorado. Roger Sollenbarger, 9580 West 14th Ave., Lakewood, Colo. 80215, attorney for applicants.

No. MC–FC–75062. By order entered May 9, 1974, the Motor Carrier Board approved the transfer to Golden Industrial Service, Inc., Golden, Colo., of the operating rights set forth in Certificate of Registration No. MC–121495 (Sub-No. 1), issued January 21, 1965, to Englewood Transit Company, a corporation, Commerce City, Colo., evidencing a right to engage in operations in interstate or foreign commerce in the conduct of a transfer, moving, and general cartage business in the City and County of Denver and in the Counties of Adams, Arapahoe, and Jefferson in the State of Colorado, and to conduct operations within the corporate limits of the City and County of Denver, a Home Rule City, for the conduct of a transfer, moving, and general cartage business. Robert Sollenbarger, 9580 West 14th Ave., Lakewood, Colo. 80215, attorney for applicants.

No. MC–FC–75088. By order entered May 16, 1974, the Motor Carrier Board approved the transfer to Consolidated Terminal and Travel Bureau, Inc., New York, N.Y., of Licenses Nos. MC–130045, MC–130045 (Sub-No. 1), and MC–130045 (Sub-No. 2), issued by the Commission March 2, 1970, July 28, 1971, and December 30, 1971, respectively, to Wm. A. Groux Tours, Inc., Clifton, N.J., authorizing operations as a broker at Clifton, N.J., in connection with transportation by motor vehicle in interstate or foreign commerce of students, their teachers and chaperones, and their baggage, in round trip all-expense tours, beginning and ending at New York, N.Y., and points in Nassau, Suffolk, Putnam, Westchester, Rockland, and Orange Counties, N.Y., and Bergen, Hudson, Union, Essex, Morris, Passaic, and Monmouth Counties, N.J., and extending to points in the United States, except Alaska and Hawaii; passengers and their baggage, in round-trip, all expense tours, beginning and ending at points in Bronx, Manhattan, Kings, Queens, and Richmond Counties, N.Y., and extending to points in Sullivan County, N.Y.; and beginning and ending at New York, N.Y., and points in Nassau, Suffolk, and Westchester Counties, N.Y., and points in Bergen, Hudson, Union, Essex, Morris, and Passaic Counties, N.J., and extending to Washington, D.C. Robert E. Goldstein, 8 West 40th St., New York, N.Y. 10018, attorney for transferee and L. C. Major, Jr., 421 King St., Alexandria, Va., 22314, attorney for transferor.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.74–11653 Filed 5–20–74;8:45 am]

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TUESDAY, MAY 21, 1974

WASHINGTON, D.C.

Volume 39 ■ Number 99

PART II

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

ADMINISTRATION ON AGING

■

Model Projects on Aging

Title 45—Public Welfare

CHAPTER IX—ADMINISTRATION ON AGING, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

MODEL PROJECTS ON AGING

On November 8, 1973 there were published in the FEDERAL REGISTER (38 FR 30878) interim regulations to implement the Model Projects program under section 308 of the Older Americans Act of 1965, as amended by Pub. L. 93–29, the Older Americans Comprehensive Services Amendments of 1973. Funds for this program from fiscal year 1973 were available under the Second Supplemental Appropriations Act, 1973 (Pub. L. 93–50) only through December 31, 1973. Accordingly, interim regulations were published in order to begin operation of the program as quickly as possible, as any delay of program implementation would have been contrary to the public interest by delaying the benefits to older persons under this program. In particular, the publication of interim regulations made it possible to implement Project SSI–ALERT, which was designed to reach and provide information to those older persons eligible to receive benefits under the Supplemental Security Income Program implemented on January 1, 1974. It also enabled continuation of Area-wide Model Projects and other programs which no longer fall under the auspices of the Older Americans Act research and development program.

Interested parties were encouraged to submit written comments, suggestions or objections concerning the interim regulations to the Commissioner on Aging on or before December 15, 1973 for consideration prior to promulgation of final regulations for the program. Only one comment was received in response to the notice and it has been given careful consideration. No c hanges have been made in the regulations except for those of a technical nature and those which referred to the use of fiscal year 1973 funds.

The provisions of 45 CFR Part 901.5 are amended to provide that grants made under Part 910 will conform to the provisions of 45 CFR Part 74.

Thus, the provisions of 45 CFR Part 74, establishing uniform administrative requirements and cost principles, will apply to grants under this part to State and local governments as those terms are defined in Subpart A of that Part 74. In addition, the relevant portions of Part 74 will apply to grants to all other grantees to the extent prescribed by 45 CFR 901.5, as amended.

Federal financial assistance extended under Part 910 is subject to the regulations in 45 CFR Part 80, issued by the Secretary of Health, Education, and Welfare, and approved by the President, to effectuate the provisions of section 601 of the Civil Rights Act of 1964 (42 U.S.C. 2000d).

In addition, the provisions of 45 CFR 903.16 are amended to extend the date for submission by States of the State Plan for fiscal year 1975, and to give a State authority to operate under its approved State Plan for fiscal year 1974 until approval by the Commissioner of the fiscal year 1975 State Plan.

Effective date.—Part 910 of Title 45 of the Code of Federal Regulations is revised, and Part 903, § 903.16 and Part 901, § 901.5 are amended, effective May 21, 1974.

(Catalog of Federal Domestic Assistance Program No. 13.756—Special Programs for the Aging)

Dated: May 1, 1974.

ARTHUR S. FLEMMING,
Commissioner on Aging.

Approved: May 2, 1974.

STANLEY B. THOMAS, Jr.,
Assistant Secretary for Human Development.

Approved: May 16, 1974.

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

PART 901—GENERAL

PARAGRAPH 1. § 901.5 is revised to read as follows:

§ 901.5 General administrative requirements.

The provisions of Part 74 of this title, establishing uniform administrative requirements and cost principles, shall apply to all grants under Parts 903, 904, 905, 909, and 910 of this chapter to State or local governments as those terms are defined in Subpart A of that Part 74. The relevant provisions of the following subparts of Part 74 shall also apply to awards made to all other grantees under Parts 903, 904, 905, 909 and 910 of this chapter:

45 CFR PART 74

Subpart
- A General.
- B Cash Depositories.
- C Bonding and Insurance.
- D Retention and Custodial Requirements for Records.
- F Grant-Related Income.
- G Matching and Cost Sharing.
- H Standards for Grantee Financial Management Systems.
- K Grant Payment Requirements.
- M Grant Closeout, Suspension, and Termination.
- O Property.
- Q Cost Principles.

PART 903—GRANTS FOR STATE AND COMMUNITY PROGRAMS FOR THE AGING

PAR. 2. § 903.16 is revised to read as follows:

§ 903.16 Plan submission and approval.

(a) The State plan shall be submitted for approval within 60 days following the effective date of this part, and for each fiscal year thereafter, at least 60 days prior to the beginning thereof, except as set forth under paragraph (b) of this section. Any State plan or amendment meeting the requirements of this part as determined by the Commissioner shall be approved.

(b) The State plan for fiscal year 1975 must be submitted to the Commissioner by September 1, 1974. The State plan approved under this part for fiscal year 1974 shall remain in force until the approval of the State plan for fiscal year 1975, but in no case may the State plan for fiscal year 1974 remain in force after November 1, 1974.

PART 910—MODEL PROJECTS ON AGING

PAR. 3.—Part 910 is revised to read as follows:

Sec.
- 910.1 General.
- 910.2 Project awards.
- 910.3 Application submission and review procedures.
- 910.4 Condition of awards.
- 910.5 Confidentiality.
- 910.6 Project revisions.
- 910.7 Reports.
- 910.8 Evaluation.
- 910.9 Contracts.

AUTHORITY: Sec. 308, Pub. L. 93–29, 87 Stat. 44–45 (42 U.S.C. 3028).

§ 910.1 General.

The Commissioner may, after consultation with the State agency designated under § 903.13 of this chapter, make grants to any public or nonprofit private agency or contracts with any agency or organization within such State for paying part or all of the cost of developing or operating statewide, regional, metropolitan area, county, city or community model projects which will expand or improve social services or otherwise promote the well-being of older persons. Sections 910.2–910.8 deal with grants and § 910.9 with contracts.

§ 910.2 Project awards.

(a) In making grants under this part, the Commissioner will give special consideration to projects designed to:

(1) Assist in meeting the special housing needs of older persons by:

(i) Providing financial assistance to such persons who own their own homes, necessary to enable them to make the repairs and renovations to their homes which are necessary for them to meet minimum standards. Such financial assistance may be granted to older persons up to a maximum of $1500 per dwelling for the purchase of necessary materials such as paint, roofing materials, plumbing and heating fixtures, or needed sanitary facilities and for the procurement of necessary labor to perform the repairs. Only those older persons whose incomes fall below the Department of Commerce, Bureau of Census poverty threshold shall be eligible for this financial assistance. Any home repair or renovation activity should be developed by the grantee in consultation with representatives of labor, and local officials concerned with enforcement of building codes and public health.

(ii) Studying and demonstrating methods of adapting housing or construction of new housing to meet the needs of older persons suffering from physical disabilities;

(iii) Demonstrating alternative methods of relieving older persons of the burden of real property taxes on their homes. These methods may not include payment of property taxes for older persons or reimbursement of older persons for property taxes paid by them.

(2) Provide continuing education to older persons designed to enable them to lead more productive lives by broadening the educational, cultural, or social awareness of such older persons, emphasizing, where possible, free tuition arrangements with colleges and universities;

(3) Provide perretirement education, information, and relevant services (including the training of personnel to carry out such programs and the conducting of research with respect to the development and operation of such programs) to persons planning retirement; or

(4) Provide services to assist in meeting the particular needs of the physically and mentally impaired older persons including special transportation and escort services, homemaker, home health and shopping services, and other services designed to assist such individuals in leading a more independent life.

(b) The Commissioner will also give special consideration to projects designed to:

(1) Serve those older persons in greatest need, particularly low income and minority older persons; and

(2) Further efforts to foster the development of coordinated and comprehensive service systems for older persons;

(3) Initiate or expand information and referral sources and services on a Statewide or areawide basis; or

(4) Assist older persons in national disasters, and other crises of national scope or significance.

§ 910.3 Application submission and review procedures.

(a) Application for funds under this part shall be submitted in writing and in accordance with guidelines established by the Commissioner. The application shall be executed by an individual authorized to act for the applicant agency and to assume the obligations imposed by the terms and conditions of any award, including the regulations of this chapter.

(b) When applications are submitted by agencies or organizations other than the State agency, the State agency shall have the opportunity for review and comment. Comments, if any, and recommendations made by the State agency shall be part of the application for a Model Project on Aging. If the proposed project is located within a planning and service area with an area agency designated under § 903.63 of this chapter, the area agency shall have the opportunity for review and comment.

(c) Applicants may be requested to submit additional information while a project application is being considered by the Commissioner. All applications which meet the legal requirements for an award will be considered for funding. The Commissioner will determine the action to be taken with respect to each application and notify the applicant accordingly in writing.

§ 910.4 Condition of awards.

Within the limits of funds available for such purpose, the Commissioner will award a grant to those applicants whose proposed projects will, in his judgment, best promote the purposes of this part and title III of the Act. All awards shall be in writing, shall set forth the amount of funds awarded, and shall constitute for such amounts the encumbrance of Federal funds available for such purpose on the date of the award. The initial award shall also specify the project period for which support is contemplated if the project is carried out satisfactorily and Federal funds are available. For continuation support within the project period, grantees must make separate application in accordance with the guidelines established.

§ 910.5 Confidentiality.

No information about, or obtained from, an individual, and in possession of an agency providing services to such individual under a project under this part, shall be disclosed in a form identifiable with the individual without the individual's informed consent.

§ 910.6 Project revisions.

Projects shall be conducted in accordance with the provisions of the application as approved by the Commissioner. A recipient of an award shall request in writing that the approved plan of operation or method of financing will be materially changed. The request for revision shall be submitted for approval in the same manner as the original application. Project revisions may be initiated by the Commissioner, if, on the basis of reports, it appears that the project is ineffective, or if changes are made in Federal appropriations, laws, regulations, or policies governing Model Projects on Aging.

§ 910.7 Reports.

Recipients of awards shall make such reports to the Commissioner including reports of findings and results of evaluation, in such form and containing such information as may reasonably be necessary to enable him to perform his functions under this part and shall keep such records and afford such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

§ 910.8 Evaluation.

Projects supported under this part will be evaluated in accordance with the criteria set forth in the notice published in the FEDERAL REGISTER on June 28, 1973 (38 FR 17030) which promulgates the evaluation standards for programs and projects under the Older Americans Act of 1965, as amended.

§ 910.9 Contracts.

(a) *Eligibility.* Subject to applicable provisions in this part, the Commissioner may enter into contracts with any public or private agency or organization to carry out the purposes of title III and this part.

(b) *Provisions.* Any contract under this part shall be entered into in accordance with, and shall conform to all applicable laws, regulations and Department policy.

(c) *Payments.* Payments under any contract under this part may be made in advance or by way of reimbursement and in such installments and on such conditions as the Commissioner may determine.

[FR Doc. 74-11643 Filed 5-20-74;8:45 am]

federal register

TUESDAY, MAY 21, 1974
WASHINGTON, D.C.

Volume 39 ■ Number 99

PART III

FEDERAL ENERGY OFFICE

■

ALLOCATION OF BUTANE, NAPHTHA, AND OTHER PRODUCTS

Proposed Revision

FEDERAL ENERGY OFFICE

[10 CFR Part 211]

ALLOCATION OF BUTANE, NAPHTHA, AND OTHER PRODUCTS

Proposed Revision

The Federal Energy Office hereby gives notices of proposal to amend Title 10 of the Code of Federal Regulations, Part 211, in Subparts E, J, and K concerning the allocation of butane, naphtha, and other products.

On March 29, 1974 the Federal Energy Office published proposed revisions and clarifications to several subparts of the allocation regulations contained in Part 211. Among those subparts to be revised was Subpart K (Other Products). On May 6, 1974 revisions of Part 211 were published effective June 1, 1974 as final rulemaking in the FEDERAL REGISTER (39 FR 15960). A revision of Subpart K was not included in that final rulemaking because it had become apparent that Subpart K might be affected by a proposed revision to Subpart J which would alter the scope of that subpart.

The purpose of this notice is to propose a revision of Subpart J which now applies to petrochemical feedstocks but as proposed would only cover naphtha and gas oil. Subpart E (Butane) would also be revised. A further revision of Subpart K, which would apply to products not covered in the other subparts is also included for consideration.

SUBPART E (BUTANE)

The proposed revision of Subpart E parallels those revisions to Subpart D (Propane) published in the May 6, 1974 FEDERAL REGISTER.

In addition to butane, natural gasoline would also be allocated under Subpart E. In this connection FEO recognizes that its authority to allocate natural gasoline has been questioned. The proposed Subpart E, however, reflects FEO's view that it does have authority to allocate natural gasoline. Notwithstanding this fact FEO invites comments as to whether the allocation of natural gasoline is within the scope of FEO's jurisdiction.

The proposed base period for Subpart E would consist of each calendar quarter during the period April 1, 1972 through March 31, 1973. The definition of "standby volumes" in § 211.92 would be modified to exclude those volumes of butane which are intended as a substitute for a process or plant protection fuel use. The definitions set forth in § 211.92 would also clarify that the use of butane for gasoline blending and manufacturing is not "energy production." Blending and manufacturing of gasoline would be defined separately for this Subpart.

The allocation levels provided in § 211.93 would be conformed to the May 6 revision of Part 211. In essence, these changes would clearly state that the allocation levels for "agricultural production" and "Department of Defense uses" are not subject to an allocation fraction and would provide new allocation levels for synthetic natural gas plant use, governmental use and gasoline blending and manufacturing use.

The proposed § 211.93 would provide less restrictive allocation levels to reflect the current supply/demand situation, but would retain certain restraints on the diversion of butane to lower priority uses.

Section 211.94 would establish modified allocation levels to be employed by a butane or natural gasoline supplier when its allocation fraction is greater than one (1.0).

As with propane, the current priority/non-priority method of allocation used in Subpart E would be replaced with a more comprehensive method of allocation developed as part of the May 6 revisions.

The requirement found in § 211.10 concerning determination of base period volumes has been modified for suppliers of butane to require reporting only to butane resellers.

Proposed § 211.96(b) would require new wholesale purchasers to petition FEO for assignment of a supplier and a base period use. The present restrictions on release of butane from merchant storage would be discontinued except for those restrictions found in proposed § 211.96(c).

In order to monitor inventories of butane, § 211.97 now imposes a requirement that all owners of butane in storage report those quantities to the FEO. Further, butane and natural gasoline reporting requirements would be developed in conjunction with those for propane.

SUBPART J

The current Subpart J was designed to enable a specific class of users—petrochemical producers—to obtain sufficient quantities of petrochemical feedstocks for use in petrochemical production. The subpart, however, is deficient in that it does not establish a method of allocation which is generally self-executing as found in the product subparts. Instead, the current Subpart J requires a petrochemical producer to petition FEO for assignment of additional supplies when necessary. This is administratively undesirable as it would require a greater degree of FEO intervention in the allocation process than is necessary or efficient. Generally, the provisions of this Subpart have proven to be unworkable in practice.

Further, certain allocated products used as petrochemical feedstock are susceptible to allocation under more than one subpart under the current allocation program. This situation has created confusion for suppliers and purchasers and in some cases operated to deny allocations of a product for a high priority use. Thus, in the case of petrochemical feedstocks, FEO's expressed policy of providing a high priority for the petrochemical industry has been undercut.

Consequently, FEO has established petrochemical feedstock use as an allocation level for propane under Subpart D and for middle distillates under Subpart G. The new crude oil program provides for allocation of crude oil to petrochemical producers under Subpart C. The proposed Subparts E, K, and J would establish allocation levels for petrochemical feedstock use of 100 percent of current requirement for butane and natural gasoline, 120 percent of base period use for naphtha and gas oil, and 100 percent of current requirements for "other products." In addition, a new allocation level for chemical processing use would be added to Subpart K to provide for the allocation of products such as hexane which are used as a solvent in the production of petrochemicals. Petrochemical producers may also utilize the provisions of Subpart A in adjusting their base period use or in petitioning for assignment of suppliers.

FEO believes that these changes will establish a consistent approach to its allocation programs by providing for the allocation of a product under a single subpart. Most importantly, it will insure that the priority allocation level intended for petrochemical use will actually operate to provide a priority level of supplies to petrochemical producers rather than merely serve as a policy statement of FEO's intentions.

FEO would, therefore, by the revisions to Subparts J and K, improve the consistency of its allocation programs by providing that any particular product would be allocated under only one subpart. All uses of a particular allocated product, such as petrochemical feedstock use or use as a solvent or diluent would have an allocation level within that product subpart. Suppliers and purchasers of the product would then have established relationships and clearly defined allocation entitlements based upon their use of the product.

Naphtha and gas oil are currently allocated under several subparts according to their various uses. The proposed Subpart J would provide for the allocation of naphtha and gas oil under that subpart. The allocation system would recognize the fact that a large majority of the naphtha and gas oil produced in a refinery is not resold but is further processed as feedstock in the manufacturing of products such as benzene and motor gasoline. Because of the large amounts of naphtha and gas oil available for internal use by refiners, subpart J would require only that refiners allocate 100 percent of the allocation requirements of those products to their wholesale purchasers and end-users without the application of an allocation fraction. Refiners would also not be required to calculate and report their allocable supply and allocation fractions to the FEO.

If a supplier experiences hardship as a result of its supply obligation under this subpart, the supplier may petition the FEO for (1) an assignment of additional suppliers, (2) the designation of an allocation fraction which may be applied to its purchaser's allocation requirement, or (3) the reassignment of its purchasers.

SUBPART K (OTHER PRODUCTS)

Subpart K is designed to allocate all refined petroleum products not allocated under Subparts D through J of Part 211. These products include, but are not limited to, benzene, hexane, toluene, mixed xylene, lubricant base stock oils, lubricants, greases and process oils. The proposed Subpart remains essentially unchanged from that revision proposed in the March 29, 1974 FEDERAL REGISTER.

Subpart K as presently proposed would have base periods which correspond to the calender quarters of 1973. For purposes of Subpart K the definition of wholesale purchaser-consumer is changed to include only those purchasers which consume more than 20,000 gallons of lubricants, 40,000 pounds of greases, or 55,000 gallons of other products per year.

Section 211.203 contains new allocation levels for chemical processing and the compounding and blending of lubricants. The method of allocation used in Subpart K conforms to that presently utilized in Subparts D through I. Exception, however, would be made for certain firms which purchase small quantities of lubricants, greases, and other products.

Section 211.206 would allow end-users of products subject to Subpart K to apply to their State office for assignment or adjustment if they are unable to acquire sufficient quantities of these products.

Interested persons are invited to participate in this rulemaking by submitting written data, views or arguments with respect to the proposed regulations set forth in this notice to the Executive Secretariat, Federal Energy Office, Box AI, 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 "Proposed Revision of Subparts E, J, and K." Fifteen copies should be submitted. All comments received by June 4, 1974 and all other relevant information will be considered by the Federal Energy Office before final action is taken on the proposed regulations.

In consideration of the foregoing it is proposed to amend Subparts E, J, and K of Part 211, Chapter II, Title 10 of the Code of Federal Regulations as set forth below.

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

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

1. Subpart E of Part 211 is proposed to be revised to read as follows:

Subpart E—Butane and Natural Gasoline

Sec.
211.91 Scope.
211.92 Definitions.
211.93 Allocation levels.
211.94 Modified allocation levels.
211.95 Supplier/purchaser relationships.
211.96 Method of allocation.
211.97 Procedures and reporting requirements.

AUTHORITY: Emergency Petroleum Allocation Act of 1973, Pub. L. 93–159, E.O. 11748; 38 FR 33575.

Subpart E—Butane and Natural Gasoline

§ 211.91 Scope.

(a) This subpart applies to the mandatory allocation of isobutane, normal butane, natural gasoline and certain mixtures containing butane produced in or imported into the United States, except bottled butane.

(b) This subpart does not provide for a State set-aside.

§ 211.92 Definitions.

For purposes of this subpart:

"Base period" means each calendar quarter during the period April 1, 1972, through March 31, 1973, which corresponds to the present calendar quarter.

"Butane" means a hydrocarbon whose chemical composition is predominantly C_4H_{10} including isobutane and normal butane. Butane also includes butane in raw mixed streams of natural gas liquids, whether or not further fractionated or processed to recover butane.

"Bottled butane" means butane bottled in cylinders with a capacity of one hundred (100) pounds or less: *Provided,* That the cylinders are not manifolded at the time of sale.

"Merchant storage facility" means any facility which is utilized to store butane for firms other than the owner or operator of such a facility.

"Gasoline blending and manufacturing" means the use of butane or natural gasoline in a process in which petroleum hydrocarbon liquids are either physically mixed or chemically converted to produce aviation or motor gasoline. Gasoline blending and manufacturing includes those processes which physically blend butane with other petroleum hydrocarbons to produce gasoline or its constituents and those chemical processes such as alkylation and reforming in which light hydrocarbons are combined with butane or natural gasoline to form gasoline components.

"Natural gasoline" means a mixture of hydrocarbon, mostly pentanes and heavier, which meet vapor pressure, end point, and other specifications for natural gasoline prescribed by the Gas Processors Association.

"Plant protection fuel" means the use of butane in the minimum volume required to prevent physical harm to plant facilities or danger to plant personnel. This includes the protection of such material and equipment which would otherwise be damaged, but does not include sufficient quantities of butane required to maintain plant production. Butane may not be considered plant protection fuel if an alternate fuel is available and technically feasible for substitution.

"Process fuel" means butane used to convert a substance from one form to another such as in applications requiring precise temperature controls or precise flame characteristics. Butane may not be considered process fuel if an alternate fuel is available and technically feasible for substitution.

"Standby volumes" means those volumes of butane used by an industry as a temporary substitute for another product (such as natural gas) in times of shortage or curtailment of the other product. Volumes of butane which are used as a temporary substitute for a process fuel or plant protection fuel are not considered standby volumes for purposes of this subpart.

"Supplier" means any firm or any part or subsidiary of any firm other than the Department of Defense which presently, during the base period, or during any period between the base period and the present supplies, sells, transfers or otherwise furnishes (as by consignment) any allocated product or crude oil to wholesale purchasers or end-users, including but not limited to refiners, natural gas processing plants or fractionating plants, importers, resellers, jobbers, and retailers.

"Where no substitute for butane is available" means those circumstances in which no alternate fuel is available or in which a firm has historically relied upon butane as its sole fuel source.

§ 211.93 Allocation levels.

(a) *General.* The allocation levels in this paragraph only apply to allocations made by suppliers to wholesale purchaser-consumers and end-users. Except as otherwise provided in this Subpart, suppliers shall allocate to all purchasers to which the allocation levels apply in accordance with the provisions of § 211.10. End-users and wholesale purchaser-consumers which are entitled to purchase butane under an allocation level not subject to an allocation fraction shall receive first priority and be supplied sufficient amounts to meet 100 percent of their allocation requirements. End-users and wholesale purchaser-consumers which are entitled to purchase butane under an allocation level subject to reduction by application of an allocation fraction shall receive second priority.

(b) *Allocation levels not subject to an allocation fraction.* One hundred (100) percent of current requirements for the following uses:

(1) Agricultural production;

(2) Department of Defense use as specified in § 211.26.

(c) *Allocation levels subject to an allocation fraction.* (1) One hundred (100) percent of current requirements (as reduced by the application of an allocation fraction) for the following uses:

(i) Emergency services;
(ii) Energy production;
(iii) Sanitation services;
(iv) Telecommunications services;
(v) Passenger transportation services;
(vi) Medical and nursing buildings;
(vii) Aviation ground support vehicles and equipment;
(viii) Start-up, testing and flame stability of electrical utility plants; and
(ix) Petrochemical feedstock use.

(2) One hundred (100) percent of base period use for:

(i) Synthetic natural gas plant feedstock use;

(ii) Industrial use as a process or plant protection fuel or where no substitute for butane is available; and

(iii) Governmental use.

(3) Ninety-five (95) percent of base period use for all residential use.

(4) Ninety (90) percent of base period use for the following uses:

(i) Commercial use (the maximum volume which may be obtained for this use, however is 210,000 gallons per year);

(ii) Standby volumes or any other industrial use;

(iii) Transportation services other than passenger transportation services or aviation ground support vehicles, for vehicles equipped to use butane as of December 27, 1973;

(iv) Gasoline blending and manufacturing use; and

(v) Schools.

(d) *Gas utilities.* The use of butane for peak shaving by gas utilities is limited to the volumes of butane equal to those amounts contracted for, held in storage by, or purchased for delivery during the base period, regardless of whether those volumes were used during the base period. Butane shall not be used for peak shaving as long as the gas utility continues service during such peak shaving usage to interruptible industrial customers (other than for process fuel, plant protection fuel, or raw material) or to any non-residential customer which can use a fuel other than natural gas, propane, or butane.

§ 211.94 Modified allocation levels.

(a) For purposes of § 211.10(g), the modified allocation levels for butane which apply when a supplier's allocation fraction is in excess of one (1.0) are listed below.

(b) Modified allocation levels not subject to an allocation fraction. One hundred (100) percent of current requirements for the following uses:

(1) Agricultural production;

(2) Department of Defense use as specified in § 211.26.

(c) Modified allocation levels subject to an allocation fraction:

(1) One hundred (100) percent of current requirements (as reduced by the application of an allocation fraction) for the following uses:

(i) Emergency services;

(ii) Energy production;

(iii) Sanitation services;

(iv) Telecommunications services;

(v) Passenger transportation services;

(vi) Medical and nursing buildings;

(vii) Aviation ground support vehicles and equipment;

(viii) Start-up, testing and flame stability of electrical utility plants;

(ix) Residential use;

(x) Schools;

(xi) Commercial;

(xii) Transportation services other than passenger transportation services or aviation ground support vehicles; and

(xiii) Petrochemical feedstock use.

(2) One hundred ten (110) percent of base volume for:

(i) Industrial use as a process or plant protection fuel, or where no substitute for butane is available; and

(ii) Governmental use.

(3) One hundred (100) percent of base period volumes for:

(i) Stand-by volumes, or any other industrial use;

(ii) Gasoline blending and manufacturing;

(iii) Gas utilities. The use of butane for peak shaving by gas utilities is limited to the volumes of butane equal to those amounts contracted for, held in storage by, or purchased for delivery during a base period, regardless of whether those volumes were used during the base period. Butane shall not be used for peak shaving as long as the gas utility continues service during such peak shaving usage to interruptible industrial customers (other than for process fuel, plant protection fuel, or raw material) or to any nonresidential customer who can use a fuel other than natural gas, propane, or bureau; and

(iv) Synthetic natural gas plant feedstock use.

§ 211.95 Supplier/purchaser relationships.

Supplier/purchaser relationships shall be as set forth in § 211.9–13, unless otherwise specified in this subpart.

§ 211.96 Method of allocation.

(a) *General.* Except as otherwise specifically provided by this subpart, the allocation of butane shall be as specified in § 211.10. Adjustments to a wholesale purchaser's base period volume specified in § 211.13 shall apply to this subpart. New wholesale purchasers and end-users are subject to the requirements of § 211.12. Notwithstanding the provisions of 211.12(c) each supplier which sells butane or natural gasoline to a wholesale purchaser-consumer or end-user shall determine the base period volume of those purchasers but is not required to report that determination to such purchasers except on written request by a purchaser.

(b) The provisions of § 211.12(e)(1) concerning mutual arrangements between new wholesale purchaser-consumers and suppliers shall not apply to this Subpart. New wholesale purchaser-consumers must apply to National FEO for an assignment pursuant to § 211.12 (e)(3) in order to establish a supplier/purchaser relationship and a base period volume.

(c) Operators of storage facilities shall not release for shipment to gas utilities any quantity of butane which, when taken together with other amounts of butane supplied to that utility for a period which corresponds to a base period exceeds its quantity of butane which may be supplied under the allocation level for utilities in § 211.93(d).

(d) Suppliers with two or more distribution subsystems or regions independent of one another may calculate separate allocation fractions for each such area provided that the supplier notifies the FEO by certified mail of the use of multiple allocation fractions and fully justifies such practices at least fifteen days prior to distributing any supplies pursuant to multiple allocation fractions. The FEO may disallow the use of multiple allocation fractions to the extent that it determines that shch a practice contravenes the intent of this part.

(e) All provisions of this subpart pertaining to the allocation and reporting of butane shall also pertain to natural gasoline.

§ 211.97 Procedures and reporting requirements.

(a) All owners of storage facilities (or operators thereof) with a capacity in excess of 500,000 gallons which store butane, shall report to the Administrator, FEO, the total volume, locations, and ownership of butane in storage including that owned by the storage owner or operator of affiliated companies, and that held in transit. If it is not possible to report each separate account of "in transit" storage, then the total volume shall be reported. This same information shall be reported as of the end of each month on form FEO #103B and filed within fifteen (15) days after the close of that month. All owners of butane in storage shall file form FEO #104A with the operator of the storage facility. These reports shall be kept on file by the storage operator, and are subject to FEO audit.

(b) All matters pertaining to the allocation of butane and natural gasoline shall be addressed to the Administrator, FEO, Washington, D.C. 20461, unless otherwise provided.

(c) The general reporting requirements contain §§ 211.222 and 211.224 shall not apply to this subpart. The reporting requirements of § 211.225 shall, however, apply to this subpart. The information required to be maintained on FEO forms by § 211.223 may be maintained by suppliers in accordance with that firm's customary recordkeeping practices.

(d) Suppliers and importers shall report in accordance with forms and instructions to be issued by the FEO for reporting under § 211.87(e).

2. Subpart J is proposed to be revised to read as follows:

Subpart J—Naphtha and Gas Oil

Sec.

AUTHORITY: Emergency Petroleum Allocation of 1973, Pub. L. 93–159, E.O. 11748; 38 FR 33575.

Subpart J—Naphtha and Gas Oil

§ 211.181 Scope.

(a) This subpart applies to the mandatory allocation of all naphtha and gas

oil produced in or imported into the United States.

(b) This subpart does not provide for a state set-aside.

§ 211.182 Definitions.

"Base period" means each calendar quarter of 1973 which corresponds to the current calendar quarter.

"Gasoline blending and manufacturing" means the use of naphtha or gas oil in a process in which petroleum hydrocarbon liquids are either physically mixed or chemically converted to produce aviation or motor gasoline. Gasoline blending and manufacturing includes those processes which physically blend naphtha or gas oil with other petroleum hydrocarbons to produce aviation or motor gasoline or its constituents and those chemical processes such as alkylation and reforming in which light hydrocarbons are combined with naphtha and gas oil to form motor gasoline components.

"Gas oil" means a petroleum fraction made up predominantly of 430°F to 700°F boiling range material excluding process oils and refined lubricating oils.

"Naphtha" means a petroleum fraction made up predominantly of C_5 to 430°F boiling range, or fraction thereof. This definition does not include specific hydrocarbon constituents such as hexane.

"Supplier" means any firm or any part or subsidiary of any firm other than the Department of Defense which presently, during the base period, or during any period between the base period and the present supplies, sells, transfers or otherwise furnishes (as by consignment) any allocated product or crude oil to wholesale purchasers or end-users, including but not limited to refiners, importers, resellers, jobbers, and retailers.

§ 211.183 Allocation levels.

(a) *General.* The allocation levels in this paragraph apply only to allocations made by suppliers to wholesale purchaser-consumers and end-users. The allocation levels do not apply to a supplier's own end use of naphtha or gas oil. Suppliers shall first allocate one hundred percent of the allocation requirements of all their purchasers entitled to an allocation under this part without application of an allocation fraction. Suppliers may then dispose of the remainder of their total supply at their discretion. The allocation levels listed below are not arranged in sequence of priority. Suppliers shall distribute available supplies of naphtha to all classifications of purchasers listed in the following allocation levels without regard to order of listing.

(b) *Allocation levels (not subject to an allocation fraction).* (1) One hundred (100) percent of current requirements for the following uses:

(i) Agricultural production;

(ii) Department of Defense use as specified in § 211.26.

(2) One hundred and twenty (120) percent of base period use for petrochemical feedstock use.

(3) One hundred (100) percent of base period use for the following uses:

(i) Gasoline blending and manufacturing;

(ii) Industrial use; and

(iii) Synthetic natural gas feedstock use;

(4) Ninety (90) percent of base period use for the following uses:

(i) Commercial use; and

(ii) All other uses.

§ 211.184 Supplier/purchaser relationships.

Supplier/purchaser relationships shall be as set forth in § 211.9–13, unless otherwise specified in this subpart.

§ 211.185 Method of allocation.

(a) The provisions of § 211.10 shall not apply to this subpart.

(b) Suppliers shall supply one hundred (100) percent of their purchasers' allocation requirements without applications of an allocation fraction.

(c) Provision to adjust a wholesale purchaser's base period volume are specified in § 211.13. New wholesale purchasers and end-users are subject to the requirements of § 211.12.

(d) Any supplier which experiences a hardship as a result of its supply obligation under this subpart may apply to the National Office of FEO for an assignment of additional suppliers, the designation of an allocation fraction which may be applied to its purchaser's allocation requirements, or the reassignment of its purchasers.

(e) In order to remedy supply imbalances which may exist, the National FEO may order the transfer of supplies of naphtha or gas oil from any firm which controls naphtha or gas oil and may assign to any such firm new purchasers of naphtha or gas oil.

§ 211.186 Procedures and reporting requirements.

(a) All refiners and importers shall report in accordance with forms and procedures to be issued by FEO.

(b) The reporting requirements contained in Subpart L shall not apply to this subpart except the provision of § 211.225.

(c) All matters pertaining to the allocation of naphtha and gas oil shall be filed with the National office of FEO.

3. Subpart K is proposed to be revised to read as follows:

Subpart K—Other Products

Sec.
211.201 Scope.
211.202 Definitions.
211.203 Allocation levels.
211.204 Modified allocation levels.
211.205 Supplier/purchaser relationships.
211.206 Method of allocation.
211.207 Procedures and reporting requirements.

AUTHORITY: Emergency Petroleum Allocation Act of 1973, Pub. L. 93–159, E.O. 11748, 38 FR 33575.

Subpart K—Other Products

§ 211.201 Scope.

(a) This subpart applies to the mandatory allocation of those allocated products which are not subject to allocation under Subparts D through J of this part, including benzene, toluene, mixed xylenes, hexane, refined lubricating oils, and process oil produced in or imported into the United States.

(b) This subpart does not provide for a State set aside.

§ 211.202 Definitions.

For purposes of this subpart:

"Base period" means the calendar quarter of 1973 which corresponds to the current quarter.

"Chemical processing" means the use of an allocated product as a solvent or diluent in the manufacturing of commercial chemicals (including petrochemicals).

"Greases" means lubricating greases which are solid semi-fluid products comprising a dispersion of a thickening agent in a liquid lubricant.

"Lubricant base stock oils" means those refined petroleum products which are primary components used in the compounding and blending of lubricants and greases including but not limited to bright stocks, solvent neutrals, coastal oils, pale oils and red oils as described by the Bureau of Mines.

"Lubricants" means all grades of lubricating oils which have been blended with the necessary lubricant additives so as to produce a lubricating oil composition in a form that is designed to be used for lubricating purposes in industrial, commercial and automotive use without further modification, wherein said lubricating oils are comprised of greater than 10 percent of refined petroleum products by weight.

"Mixed xylenes" means any mixture of xylenes which does not constitute a petrochemical.

"Gasoline blending and manufacturing" means the use of other products in a process in which petroleum hydrocarbon liquids are either physically mixed or chemically converted to produce aviation or motor gasoline. Gasoline blending and manufacturing includes those processes which physically blend other products with other petroleum hydrocarbons to produce motor gasoline or its constituents and those chemical processes in which hydrocarbons are combined with other products to form aviation or motor gasoline components.

"Other products" means allocated products which are not subject to allocation under Subparts D through J of this part, including benzene, toluene, mixed xylenes, hexane, refined lubricating oils and process oils.

"Refined lubricating oils" means lubricants, greases, and lubricant base stock oils.

"Supplier" means any firm or any part or subsidiary of any firm other than the Department of Defense which presently, during the base period, or during any period between the base period and the present supplies sells, transfers or otherwise furnishes (as by consignment) any allocated product or crude oil to wholesale purchasers or end-users, including but not limited to refiners, importers, resellers, jobbers, and retailers.

"Wholesale purchaser-consumer" means any firm that is an ultimate consumer which, as part of its normal business practices, purchases or obtains an allocated product from a supplier and receives delivery of that product into a storage tank substantially under the control of that firm at a fixed location and purchased or obtained more than 20,000 gallons of lubricant, 40,000 pounds of greases or 55,000 gallons of any other product subject to this Subpart in any completed calendar year subsequent to 1971.

§ 211.203 Allocation levels.

(a) *General.* The allocation levels listed in this section only apply to allocations made by suppliers to wholesale purchaser-consumers and end-users. Suppliers shall allocate to all purchasers to which the allocation levels apply in accordance with the provisions of § 211.10. End-users and wholesale purchaser-consumers which are entitled to purchase other products under an allocation level not subject to an allocation fraction shall receive first priority and be supplied sufficient amounts to meet 100 percent of their allocation requirements. End-users and wholesale purchaser-consumers which are entitled to purchase other products under an allocation level subject to reduction by application of an allocation fraction shall receive second priority.

(b) *Allocation levels not subject to an allocation fraction.* One hundred (100) percent of current requirements for the following uses:

(1) Agricultural production,

(2) Department of Defense for use as specified in § 211.26.

(c) *Allocation levels subject to the allocation fraction.* (1) One hundred (100) percent of current requirements (as reduced by the application of the allocation fraction) for the following uses:

(i) Emergency services;

(ii) Energy production;

(iii) Sanitation services;

(iv) Passenger transportation services;

(v) Telecommunications service;

(vi) Cargo, freight, and mail hauling;

(vii) Chemical processing;

(viii) Petrochemical feedstock use.

(2) One hundred (100) percent of base period use for:

(i) Industrial use;

(ii) Synthetic natural gas feedstock use;

(iii) Blending and compounding of lubricants;

(iv) Gasoline blending and manufacturing;

(v) All other uses.

§ 211.204 Modified allocation levels.

(a) For purposes of § 211.10(g), the modified allocation levels for other products which apply when a supplier's allocation fraction is in excess of one (1.0) are listed below.

(b) Modified allocation levels not subject to an allocation fraction. One hundred (100) percent of current requirements for the following uses:

(1) Agricultural production:

(2) Department of Defense use as specified in § 211.26.

(c) Modified allocation levels subject to an allocation fraction. (1) One hundred (100) percent of current requirements (as reduced by the application of an allocation fraction) for the following uses:

(i) Emergency services;

(ii) Energy production;

(iii) Sanitation services;

(iv) Telecommunications services;

(v) Passenger transportation services;

(vi) Cargo, freight and mail handling;

(vii) Chemical processing;

(viii) Petrochemical feedstock use;

(ix) Industrial use; and

(x) Blending and compounding of lubricants.

(d) One hundred (100) percent of base period use for:

(i) Synthetic natural gas plant feedstock use;

(ii) Gasoline blending and manufacturing;

(iii) All other uses.

§ 211.205 Supplier/purchaser relationships.

Supplier/purchaser relationships shall be as set forth in § 211.9–13 unless otherwise specified in this subpart.

§ 211.206 Method of allocation.

(a) *General.* Except as provided in paragraph (b) below, the allocation of other products shall be as specified in § 211.10. Adjustments to a wholesale purchaser's base period volume specified in § 211.13 shall apply to this subpart except for those provisions for unusual growth adjustments found in § 211.13(b). New wholesale purchasers and end-users are subject to the requirements of § 211.12.

(b) Firms which purchase lubricants, greases or other products in containers with a capacity of 55 gallons or less, and which have not purchased more than 10,000 gallons of lubricants or 5,000 pounds of greases or 10,000 gallons of any remaining other product in any completed calendar year subsequent to 1972 shall be entitled to receive a volume of lubricants and greases equal to one hundred (100) percent of their current requirements without being subject to an allocation fraction. The maximum volume which any such firm may obtain pursuant to this paragraph is 10,000 gallons or 5,000 pounds of grease or 10,000 gallons of any remaining other product. A firm receiving its allocation pursuant to this paragraph shall be exempt from the allocation and reporting requirements of this part.

§ 211.207 Procedures and reporting requirements.

(a) All documents to be filed by wholesale purchasers pertaining to the allocation of other products shall be addressed to the Administrator, FEO, Washington, D.C. 20461.

(b) All petitions by end users for an adjustment or assignment of an "other product" shall be filed with the appropriate State office in accordance with Subpart I of Part 205 of this chapter.

(c) The reporting provisions contained in Subpart L of this part shall not apply to this subpart except § 211.225.

(d) All producers and importers of products subject to this subpart shall report to the National FEO in accordance with forms and instructions issued by FEO.

[FR Doc.74–11701 Filed 5–17–74;2:34 pm]